

350 refugees drown trying to get to Australia

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Australia's draconian new anti-refugee measures claimed their first known victims last Friday when more than 350 asylum seekers drowned after their over-crowded boat sank in the Indian Ocean between Indonesia and Australia's nearby Christmas Island.

International Organisation for Migration (IOM) officials said 421 people, mainly from Iraq, but also Iran, Afghanistan, Palestine and Algeria, had been crammed aboard the Indonesian fishing vessel when it left the Sumatran province of Lampung on last Thursday night. Only 44 survived, including an eight-year-old boy who lost 21 members of his family.

According to survivors' accounts, the boat was so unseaworthy that 21 people had earlier asked to be put back to shore and were left on a small Indonesian island. On Friday afternoon, the boat's captain reported that his engines had stopped and that the vessel was taking water. It sank within 10 minutes, survivors told IOM staff.

No rescue operation was mounted until many hours later and it took nearly four days for news of the drownings to appear in the international media. The survivors were in the water for 19 hours before being plucked from the sea by Indonesian fishermen, who came across them by chance. Eighteen were hospitalised, some with broken bones, and all suffered cuts from clinging to driftwood or hitting coral. Interviewed by an Australian Broadcasting Corporation reporter, they told harrowing stories, including one father who described how his two-year-old daughter repeatedly slipped off his shoulders in the water.

Despite their ordeal, those interviewed were emphatic that they would attempt the voyage again. They were determined to seek asylum in Australia, having been stranded in Indonesia for up to two years—unable to find a safe country to accept them, even though the UN had given them refugee status. The United Nations High Commissioner for Refugees (UNHCR) regional representative Raymond Hall later confirmed that at least 30 of those who perished had passed the UN refugee test.

Such desperate journeys are an inevitable result of Australian policy. Backed by the Labor Party, the Howard government has over the past two months mobilised naval warships to hunt and intercept refugee boats, given the military the power to fire upon or use other force to turn boats back to sea, and introduced unprecedented laws quashing the legal rights of asylum seekers who land on Australia's offshore territories.

Far from preventing asylum seekers from taking to sea, these measures ensure that the boats will take even greater risks to avoid interception and sail direct to the Australian mainland—now their only hope of applying for a protection visa. The government has admitted that its increased penalties for the crews of such vessels were leading to bigger loads with less experienced crews, as boat owners were having difficulty finding people to do the job.

In a chilling comment on SBS TV News, Immigration Minister Philip Ruddock tacitly acknowledged that the government is counting on tragedies such as the latest drownings to discourage other refugees from trying to reach Australia. It “may have an upside,” he declared, “In the sense that some people may see the dangers inherent in it.”

While church and welfare groups called on government and Labor leaders to adopt a more humanitarian policy in the light of the tragedy, both major parties responded by escalating the anti-refugee demagoguery that has been a central feature of the campaign for the November 10 federal election.

Ruddock's spokesman accused the drowned people of putting themselves at risk by bypassing the UNHCR in Indonesia. But the government has refused to take a single one of the 5,000 Middle Eastern asylum seekers in Indonesia, 500 of whom the UN has already recognised as refugees. Moreover, the government accepted only 21 Afghani refugees in 2000, has no immigration officials hearing claims in Iraq and this year halved its annual intake of refugees applying from overseas to 4,000.

A Catholic Commission for Justice Development and peace spokesman Marc Purcell commented: “It is naïve to suggest that millions of Afghani refugees are going to stay and rot in Pakistan and Iran for years, or try and survive without any means of livelihood in Indonesia or other poor countries waiting for underfunded UNHCR offices to process their claim.”

For his part, Labor leader Kim Beazley seized upon the deaths to criticise the government for failing to obtain an agreement from the Indonesian government to stop asylum seekers setting sail. He declared that Labor's policy of creating a coast guard would better repel refugee boats.

Prime Minister John Howard swiftly denounced Beazley, claiming that Beazley had blamed the government for the deaths. Howard charged him with uttering a “desperate slur”

and “the most despicable thing I have heard in this election campaign”. Ruddock attacked the Labor Party for not passing some of the government’s legislation earlier, claiming that as a result Australia had a reputation as a “soft touch” for refugees.

Beazley quickly backed down, denying any suggestion that he had held the government responsible for the drownings. He declared that Labor had supported the government’s measures “every step of the way” but those measures had proved to be insufficient.

The bipartisan support for the present refugee policy will ensure that further tragedies are inevitable as boats carrying refugees are driven away from Australian waters.

Last Friday, the same day as the drownings, the navy towed another over-crowded vessel, the *Harapaninda*, away from Australia’s Ashmore Reef to the edge of Indonesian territorial waters, ending a week-long standoff. Howard declared it a victory for his government’s tough stance, claiming that the 230 asylum seekers on board—who included a new-born baby—had returned “voluntarily” to Indonesia. The UNHCR said it was “deeply concerned” that the government may have breached the 1951 Refugee Convention, which prohibits the removal of asylum seekers without a safe destination.

On Monday this week, a boat carrying about 220 refugees broke down and began taking water just off Christmas Island, where the navy had prevented it from landing. Without any evidence, Australian immigration officials accused the crew of sabotaging the boat. Military personnel were dispatched to halt a rescue bid by Christmas Island residents and to offload the asylum seekers onto a naval vessel. Ruddock insisted that the people would not be allowed to land on the island and would be returned to their boat if it could be fixed.

The drownings are the predictable outcome of the shift in Australian policy since August 27 when Howard and his senior ministers made a decision to turn away the Norwegian container ship, the *Tampa*, which had rescued 433 Afghani refugees from a sinking boat in the same sea. With Labor’s support, the government ordered SAS personnel to detain the refugees on the ship just off Christmas Island before offloading them onto a naval troopship to be shipped to the isolated Pacific island of Nauru.

Since then, six more boats carrying nearly 1,000 people have reached Australian waters, only to be pushed out to sea or have their passengers removed by military personnel and transported to camps in either Nauru or Papua New Guinea, two former Australian colonies.

UN officials have now revealed that the Howard government rejected a UN plan to resolve the *Tampa* crisis, which would have seen several Western countries, including the United States, Sweden, Norway and New Zealand, accepting some of the asylum seekers. Assistant UN High Commissioner for Refugees Soren Jessen-Petersen said the government rejected the plan, although it would have “solved the problem very quickly,” because it required the *Tampa*’s passengers to

disembark at Christmas Island.

This would have undermined the government’s strategy, which was to deny the *Tampa* refugees their legal rights and whip up chauvinist sentiment for electoral purposes. Howard and Ruddock vowed repeatedly that the refugees would never be permitted to set foot on Australian soil so as to prevent them lodging asylum applications under Australian law or defending their rights in court.

The government threatened the *Tampa*’s captain, Arne Rinnan, with huge penalties under the “anti-people smuggling” provisions of the Migration Act unless he headed for Indonesia. Anyone who knowingly assists the arrival of “unlawful non-citizens” can be jailed for 20 years, fined \$220,000 and have their vessel seized to pay the costs of transporting, detaining and deporting them.

This threat was later dropped because the government realised that it had to avoid using the Migration Act, which requires all people arriving without a visa to be brought ashore and detained. Ruddock has since accused the UN of offering to find places for the *Tampa* refugees simply as a “ruse” to trap the government into letting them land “in the knowledge that protection obligations would have been raised by law”.

When the Howard government persisted in refusing to allow the *Tampa* to enter Christmas Island’s harbour, UN officials warned that its actions could set an international precedent. If other countries followed the Australian lead, it would mark the return of the barbaric practices that prevailed following the Vietnam War. Countries such as Thailand, Malaysia and Singapore pushed Vietnamese refugee boats back out to sea. Thousands are believed to have died in the South China Sea in the late 1970s because merchant ships, unsure of being able to offload those they rescued, sailed past boats in distress.

Last Friday’s terrible tragedy confirms that warning.



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