

The tragedy of SIEV X

Did the Australian government deliberately allow 353 refugees to drown?

Part 4 of a four part series

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See: Part 1; Part 2; Part 3

More incriminating evidence

Having maintained a stony silence on the fate of SIEV X and its 353 victims once the Senate inquiry began, by June 20, Prime Minister Howard felt obliged to speak. "This attempt being made to besmirch the Royal Australian Navy in relation to this incident is appalling. To suggest that the navy stood by and allowed people to die is appalling. The navy... had no way of acting, on the information it had, to prevent the sinking or to provide assistance to those who drowned."

Notwithstanding Howard's belated protestations, the contradictions and unanswered questions continued to mount. On June 21, Rear Admiral Raydon Gates, head of the defence taskforce on the inquiry, was scheduled to testify. In the wake of the debacle of Rear Admiral Smith's testimony, Gates had been asked by Defence Minister Robert Hill to prepare a full review of all intelligence material related to SIEV X. But when the Senate called upon Gates to appear, Hill intervened to ban him from giving evidence. Another *seven* requests for Gates to testify were turned down by Hill. His justification? "Well, I don't see that he has got any relevant information. I've written to the committee four times actually asking them what they want him for, and they won't say... I can't see that there's anything he's got to offer."

Not until mid-July did the government release Gates' report. It included information that on the morning of October 19, just before SIEV X sank, a surveillance aircraft had flown directly above the area where the boat was travelling. The vessel foundered at around 3pm but, unusually, the plane failed to conduct the scheduled afternoon flight. Instead it had been diverted further south, apparently to substitute for the *Arunta's* helicopter which was being repaired. According to the report, bad weather then prevented the normal evening flight. The next morning, the plane again flew directly above the now shattered SIEV X (the boat's survivors heard and saw it) but reported no abnormal sightings.

A former senior defence official, Allan Behm, was asked by SBS TV's *Dateline* program of July 17 to comment on the failure of the surveillance aircraft to "spot" the survivors. He replied: "Had the maritime patrol group of the Air Force been asked either to find that particular boat or, particularly, to have found the survivors of that vessel once it had foundered, they would have had a better-than-90% chance of finding them, I think."

He added: "If they could find that yachtsman Bullimore [a British yachtsman competing in a round-the-world race whose boat capsized in the Southern Ocean] 1,000 nautical miles to the south-west of Australia, then I think they could have found a few hundred people floating in the water. But the fact is that they weren't tasked to do it so far as I'm able to understand, and that's where I think the problem actually lies."

In other words, neither the PST nor the navy issued a directive to the surveillance aircraft's pilot to search for a boat they all knew to be in imminent danger of sinking.

The same *Dateline* program obtained a set of coordinates from the Harbour Master in the port in north Jakarta, where the survivors were taken. The coordinates—almost identical to those worked out by Tony Kevin—were given to the Harbour Master by the fishermen who rescued the SIEV X passengers. They established that the boat sank 51.5 nautical miles south of Indonesia, "well into international waters and right in the surveillance area of Operation Relex" (*Dateline* transcript, July 17, 2002).

Finally, in late July, Colonel Patrick Gallagher commander of the Australian Theatre of Joint Intelligence Centre, the defence force's joint intelligence centre, testified to the inquiry that defence intelligence specifically advised Admiral Geoffrey Smith, in his capacity as head of Operation Relex, on October 20 that SIEV X was a confirmed departure. Smith had insisted that no such confirmation had ever taken place. While the boat had already sunk by this time, several of its passengers were still struggling to stay alive in the sea and an emergency rescue, even at this late stage, could well have saved several more lives.

Some political conclusions

Despite the enormity of the SIEV X tragedy and the political implications of the evidence that has emerged, it has been largely ignored by the Australian media. Until mid-June there was almost no coverage. When the extent of the lies and cover-up could be suppressed no longer, the few articles and features that did appear dismissed any possibility of criminal intent on the part of the government as exaggerated, unsubstantiated and offensive.

Cameron Stewart, writing in Murdoch's *Australian* of June 22-23 declared, for example, that the Senate inquiry's investigation of SIEV X was "driven initially by sensational suggestions by a former diplomat, Tony Kevin, who said the government, in seeking to deter would-be asylum seekers, had encouraged the navy to turn a blind eye to the fate of

SIEV X.

"It is a grave claim, and one that is not supported by the available public evidence. Neither does any evidence support the equally grave implication that the navy knew SIEV X was sinking and refused to help."

Likewise, the very SBS *Dateline* program that went to considerable lengths to expose the government's lies came up with the conclusion that the problem was "the structure and focus of Operation Relex." Other articles have commented that what was involved was a "fiasco," a "cock-up of immense proportions" and a "communication breakdown".

But there is no innocent explanation for the vast edifice of lies, distortions and misinformation constructed by the Howard government, its top advisers and key military personnel about the fate of SIEV X.

Four months ago Rear Admiral Smith appeared before the Senate inquiry and informed it, under oath, that "At no time under the auspices of Operation Relex were we aware of the sailing of that vessel until we were told that it had in fact foundered." Not one government minister or advisor came forward to expose Smith's blatant falsification. When Admiral Bonser did contradict it, the navy and the inquiry senators themselves worked to minimise the damage and shove the issue under the carpet. Since then, the various pieces of evidence that have been slowly extracted in the course of the investigation point to a monstrous conspiracy, carried out behind the backs of the Australian people, to deny available resources to 397 refugees, in the full knowledge that the majority would consequently drown.

The cynical argument—still advanced by senior naval figures—that the reason the refugees drowned without so much as an attempt by the navy to mount a search and rescue operation was the lack of confirmed intelligence, does not hold water.

If it *were* true, why would so many witnesses feel the need to lie and cover-up the information that *was* received? Moreover, how to account for the fact that the other 12 SIEVs travelling between Indonesia and Australia in September and October were aggressively intercepted on the basis of intelligence of no better quality.

In a July session, one of the senators put a "hypothetical question" to Commissioner Mick Keelty, head of the Australian Federal Police: "A 20-odd metre length vessel with some 400 people on board rather than the standard 200-odd, that we know over time had historically been put on such a vessel, would the AFP regard that as a safety of life at sea situation?"

Keelty replied, "If we knew those things that you said, the answer is yes."

In other words, the intelligence that the navy did receive should have immediately sparked a rescue operation.

Any objective reading of the evidence leads inexorably to the conclusion that all of those who knew about SIEV X at the time of the drownings, including Prime Minister Howard, his ministers of Immigration, Defence and Foreign Affairs, the members of the People Smuggling Taskforce and the military leaders of Operation Relex, have a compelling case to answer for the deaths of its 353 passengers.

But anyone expecting the Senate inquiry to issue such a finding should think again. Late last month, the Labor party indicated that the investigation had concluded and that the results would be handed down later this month. Despite having the power to subpoena witnesses and force them to testify, the inquiry senators have dutifully accommodated themselves to the government's continued stonewalling. Admiral Smith has not been obliged to reappear to explain his falsifications under oath, while Admiral Gates, author of the only review by defence of all the communications and intelligence associated with SIEV X, never appeared at all, along with many public servants and government advisers who were similarly barred by the Howard government.

Even more importantly, not one of the government ministers who spread the "children overboard" lies during the election campaign, and who

closely monitored and directed the workings of the People Smuggling Taskforce in relation to all boat movements prior to the November election, has been called to account for their own role in the SIEV X debacle. Immediately after the drownings, Immigration Minister Philip Ruddock told SBS TV that the sinking of the boat and the deaths of its 353 passengers "may have an upside... In the sense that some people may see the dangers inherent in it." That such a statement, from a minister directly responsible for the government's treatment of refugees and immigrants, could remain unchallenged, let alone investigated, speaks volumes about the utter prostration of the Labor party to the Howard government.

Denouncing Labor's role in shutting the inquiry down, the *Sydney Morning Herald's* Margo Kingston pointedly wrote: "Courtesy of Labor, a black hole of accountability has been opened which will swallow future attempts to force the buck to stop somewhere in government. Minister's staffers can order public servants to do anything, keep anything from their ministers, tell their ministers and not have to tell that to the public, in fact destroy any reasonable chance for the public to get near the truth of scandals."

There is no question but that Labor's cowardly decision makes a mockery of the inquiry as anything remotely resembling an independent investigation. From start to finish, the Howard government has operated with complete impunity. The Labor party backed its response to the *Tampa* episode and the introduction of legislation directing the navy to forcibly turn back boats. Labor then supported Operation Relex, a campaign specifically launched to victimise, intimidate, and ultimately assault defenceless refugees to prevent them from exercising their fundamental democratic right to seek asylum.

It is now becoming clearer just how far the government was prepared to go to block the entry of asylum-seekers and, thereby, lift its prospects in the forthcoming election. But, had Tony Kevin not conducted his own investigation into the SIEV X drownings and submitted his conclusions to the Senate inquiry, the whole matter would have been completely ignored.

Behind the Howard government's vicious methods, and Labor's abject capitulation to them, lies a political system that is rotten to the core. As the Socialist Equality Party pointed out on October 31 in its 2001 election statement, the election campaign marked a fundamental turning point: "In their unified descent into open state thuggery against thousands of desperate 'boat people', both parties have revealed their true colours. Neither Howard nor [former Labor leader] Beazley has any solution to the economic and social crisis facing working people. Unable to address the fears and insecurities created by their own policies, they turn on the most vulnerable sections of society. The most recent drowning tragedy, which was obscenely welcomed by Immigration Minister Philip Ruddock as a salutary lesson to other potential arrivals, is a direct outcome of their bipartisan refugee policy. It will not be the last."

With the complicity of the media and the Labor party, the Howard government has been allowed to flout the most basic democratic norms and procedures behind the backs of the Australian population. The "children overboard" inquiry provides a glimpse into the extent to which it has utilised the state apparatus—the military, military intelligence, the federal police and associated agencies, as well as top public servants—to achieve its sordid political ends.

This must sound a sharp warning. While the government has been able to thumb its nose at any genuine investigation into the circumstances surrounding the SIEV X tragedy, and politicians from both sides of parliament prepare to sweep under the carpet the critical issues it has raised, the working class cannot afford to do likewise.

Concluded



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