

Australia: Evidence points to Labor cover-up over refugee boat deaths

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More than a month after five asylum seekers drowned when their small wooden boat exploded and sank off Australia's north-west coast on April 16, the Rudd Labor government continues to block the release of information about the circumstances that led to the tragedy. The blast also injured 31 of the 47 Afghan refugees and two Indonesian crew who were crowded into the tiny vessel.

Conflicting reports about what happened on the day strongly suggest that a major cover-up is underway.

It is now known that nine Australian Defence Force personnel—not “three or four”, as the navy originally claimed—were on board the “SIEV 36” (Suspected Illegal Entry Vehicle Number 36). They appear in photographs, published by the government in late April, taken 11 minutes before the explosion.

Unnamed “sources”—apparently from within the military and police forces—were quoted in an article in the *Australian* earlier this month, saying that at least two of these military personnel had suffered “quite serious mental breakdowns” and would not return to service.

“In terms of psychological injuries a number have suffered severe psychological affront,” a source reportedly told the newspaper. “Several of them were beside themselves with the trauma.” According to the *Australian*, the navy is believed to be treating the ADF members “in-house” and the Defence Department has refused to comment on “medical-in-confidence” matters.

Another “source” said: “There was some degree of violence and punching on the boat.”

These statements give added weight to the “most plausible scenario” hypothesis raised by the *World Socialist Web Site* (See: “Unanswered questions about refugee boat tragedy), which points to the navy’s culpability in the disaster.

On April 24, the WSWS reported a series of statements made by Rear Admiral Allan du Toit, the Border Protection Command commander, in the immediate aftermath of the explosion, which were later contradicted by Lieutenant Commander Barry Learoyd, the captain of HMAS Albany, one of the patrol boats involved in the SIEV 36 operation. The four key claims made by du Toit were:

1. That there were only three or four navy personnel on the boat

before the blast. In fact there were nine—the other five or six boarded the vessel sometime in the 15 minutes before it exploded.

2. That the navy had informed the asylum seekers, through one of their number who spoke good English, that they would be moved to an offshore detention facility on Christmas Island, around 2,000 kilometres away in the Indian Ocean. Four days later, Learoyd said that the refugees had “certainly” not been told of their destination.

3. That the boat was not being refuelled at the time of the explosion, nor was it being placed under tow. Evidence from survivors indicates that it was being refuelled. The fact that du Toit linked “refuelling” with “being towed” suggests that the vessel was also being prepared to be towed.

4. That the refugees were “calm” and “appreciative” just prior to the blast. Learoyd said he received a “high threat” alert from the other patrol boat, HMAS Chiltern, a few minutes before it exploded. The remarks made to the *Australian* cited above, that there was “violence and punching” on the boat, lend credence to Learoyd’s position.

Despite the fact that the navy had been in control of the boat for at least 20 hours, the refugees had been given no life jackets, nor had they been transferred to the much larger, and safer, adjacent navy ship.

The latest information lends further weight to the analysis of the disaster made by the WSWS on April 24. All the evidence suggests that around 15 minutes prior to the blast, six armed naval officers went sent onto the boat to supplement the “three or four” already there. This was done to make sure that the navy was in full control while the boat was being refuelled, against the wishes of its passengers and crew, and placed under tow.

The refugees were not told where they were going and assumed they were being towed back to Indonesia. They became increasingly desperate, and some kind of altercation or conflict with the naval personnel ensued. A “high threat” call was sent to the HMAS Chiltern, whose crew then witnessed the explosion.

As the WSWS article concluded: “Whatever the exact trigger, most of the refugees, badly burned and weak, and without life jackets, were thrown into the sea and the wooden vessel began to rapidly sink. Five drowned, and dozens were seriously injured. If this is what happened, it serves to underscore the criminality of the navy’s actions and the Rudd government’s policy.”

This scenario would explain the sailors’ ongoing trauma—as well as the navy’s eagerness to keep them away from the media. It was, after all, naval officers and rank-and-file sailors who exposed the former Howard government’s 2001 “Children Overboard” lies, which falsely

claimed that refugees had thrown their children into the water to force the navy to rescue them from their sinking boat.

While the Rudd Labor government has not openly accused the SIEV 36 asylum seekers of blowing up their boat, “senior government sources” intimated as much when they told the Australian Broadcasting Corporation, following the incident, that the refugees had thrown petrol on the floor, accidentally triggering the explosion. West Australian Premier Colin Barnett helped spread the innuendo when he publicly declared, as soon as the deaths became known, that “the refugees spread petrol over their boat”. The government has kept the refugee survivors incommunicado, preventing them from publicly answering the accusation.

The *Australian* article claimed that investigators were “firming” to the conclusion that an Indonesian crew member had deliberately ignited the explosion. The newspaper reported that the Australian Federal Police had “taken an interest in one of the Indonesian crew, Beni, now in Brisbane.” As the article went on to admit, however, it is unclear why the two crew members would have wanted to destroy the boat and risk their own lives in the process.

For its part, the government has aimed its invective at the crew, with Prime Minister Kevin Rudd denouncing so-called “people smugglers” as the “vilest form of human life.” These comments have been widely aired in the media, creating the climate for the two Indonesian crewmen to be blamed for the explosion.

Farid Popal, president of the Afghan Community Association of Western Australia, told the media on April 30 that survivors detained in Perth had told a visitor the explosion happened after a crewman spilt fuel accidentally.

“They (the crewmen) ran out of fuel and they were refuelling it and the fuel spilt on the floor and it just caught fire—that’s what they’re saying,” Popal said. “There was just fire and then they jumped into the water.” Popal said all six detainees agreed that it was an accident, although some had not seen what happened.

Popal confirmed those accounts when interviewed by the WSWS, but said that after he had given his comments to the media, federal authorities had requested that he not say anything further “for the best interests of the people involved”. The Association’s members were also being kept away from the detainees. “The Immigration Department said we would be allowed to visit them within a week, but we were told by other authorities not to approach them.”

Popal said he had spoken out to the media because the accusations of Barnett and others had made members of the local Afghan community “very angry”. He explained: “We don’t want our lives made more difficult by being scapegoated as a community like this. There was no reason to accuse them of an act of sabotage—people don’t want to come all this way in a leaking boat and then inflict harm on themselves.”

Despite being denied access to the detainees, Popal said his organisation would “get to the bottom of this as soon as we can”. Popal also emphasised that asylum seekers have felt forced to seek unsafe voyages to Australia because the government maintained a small quota of around 5,000 refugee visas per year. “They are not taking extra people,” despite the “really bad” and worsening

situations in the Afghanistan and Pakistan war zones and the dangers facing Hazara people in particular.

Popal’s remarks underscore the responsibility of the Rudd government for the April 16 tragedy. Whatever the exact circumstances, the deaths and injuries were the direct result of Labor’s policy: to repel asylum seekers arriving by boat into Australian territorial waters. Like the Howard government before it, Rudd Labor continues to utilise the military, including naval warships, to intercept refugee vessels and force them back to Indonesia, or to Christmas Island, around 2600 kilometres from the north-west coast of Western Australia. The policy contravenes both international law and UN conventions on the rights of refugees.

Moreover, the silencing of the survivors and local Afghans constitutes another violation of their legal and democratic rights. Immigration detainees have a legal right to communicate with their families, supporters and the media.

Represented by Home Affairs Minister Bob Debus, the Rudd government has sought to impose a media blackout, on the pretext that the release of any details would affect the integrity of the police and coronial investigation. This is despite the fact that the Northern Territory Coroner, Greg Cavanagh, has said he would be “comfortable” with the Defence Department or police releasing information on the causes of the fatal blast.

At least one of the injured asylum seekers, Ali Talash, is seeking refugee status in Australia for a second time. He had been granted refugee status asylum in 1999 after fleeing from Afghanistan but granted only a temporary protection visa that did not allow him to sponsor his wife and eight children to join him. Concerned for their safety, he was forced to return to Afghanistan and then attempt the perilous journey once again.

Talash’s plight underscores the continuity between the Howard and Rudd governments. While Labor has dropped elements of Howard’s “Pacific Solution”—the transportation of asylum seekers to Nauru and the restriction of refugees to inhumane temporary visas—it is stepping up the naval blockade and retaining the “excision zone” that bars asylum seekers from applying for protection visas through the Australian legal system, and thus the right to appeal to tribunals and courts.



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