

Australia: Tony Abbott's government accused of paying "people smugglers"

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The Australian government of Prime Minister Tony Abbott faces allegations that military personnel paid so-called "people smugglers" and supplied them with boats to take asylum seekers back to Indonesia. In media interviews yesterday, Abbott refused to confirm or deny the claims, despite categorical denials by his own foreign and immigration ministers earlier in the week.

The accusations have surfaced due to an incident in late May, in which a boat carrying 65 refugees from Sri Lanka, Bangladesh and Myanmar, along with six crew, crashed on a reef near the remote Landuti Island, in the Indonesian archipelago. Initial reports indicated that the asylum seekers had been intercepted at sea by the Australian Navy, compelled to transfer to another boat and escorted back into Indonesian waters with limited fuel. After being ship-wrecked, the refugees swam ashore. They were taken first to the nearby Rote Island and then transferred to a camp in Kupang, the capital of West Timor.

On June 5, Radio New Zealand reported on a letter, signed by all 65 refugees, appealing to the New Zealand government to grant them asylum. The letter, which can be viewed [here](#), explains that the refugees left Indonesia on May 5 and were intercepted on May 17 in international waters by Australian customs officials. They claim they were allowed to continue after giving assurances that they were not heading for Australian waters, but for New Zealand.

The vessel was intercepted again on May 22, however, this time by both Australian customs and naval ships. Against the will of the crew and passengers, the boat was taken toward northern Australia, where the refugees were transferred onto an Australian naval vessel and held for days in conditions the letter described as "like a jail."

The refugees clearly stated in their letter: "Then they separate our six sailors and donated them by giving them at least 7200 [Australian] dollars per person... Then they

take away our better boat and give two small boats... Then they troll our boats and they leave us near Indonesian island."

The letter described how one boat ran out of fuel and the refugees crammed into the remaining boat. When it crashed on a reef, they were forced to swim for one-and-a-half hours to reach land [Landuti Island], where villages provided assistance and informed Indonesian police.

On June 9, Fairfax Media journalists investigating the allegations interviewed Hidayat, the police chief on Rote Island. He stated that the crew's captain had told him that an Australian customs officer named "Agus" had paid each of them \$5,000 in US currency to agree to take the refugees back to Indonesia. The police chief said: "I saw the money, the \$5,000 was in \$100 banknotes. The crew had \$30,000 in total, which was wrapped in six black plastic bags."

Hidayat told Fairfax Media that he had arranged to transfer the money to the crews' villages at their request on the grounds it was "not crime-related" since it had been paid to them by Australian authorities, not "people-smugglers."

A Bangladeshi refugee aboard the boat, Nazmul Hassan, told the journalists that the crew's captain had told them: "We have to go back [to Indonesia]. Australia want to pay for us. [sic]"

Fairfax Media journalists reported that Hassan told them that "Australian authorities burnt their original boat because it had sufficient supplies for them to continue their journey to New Zealand." In their letter, the refugees alleged that the only supplies they were given were a few days' food and just 200 litres of fuel—enough for four or five hours.

Foreign minister Julie Bishop answered "No" on June 9, when asked by the Australian Broadcasting Corporation whether Australian authorities ever paid people to return asylum seekers. Immigration Minister

Peter Dutton answered “No” to a similar question.

Prime Minister Tony Abbott has not endorsed his ministers’ statements. In an interview on June 12, with Neil Mitchell of Melbourne radio station 3AW, Abbott categorically refused to deny that payments had been made. Mitchell asked: “But surely we wouldn’t pay people smugglers, they’re criminals?” Abbott replied: “Well, what we do is stop the boats by hook or by crook.”

Further in the interview, Mitchell responded to Abbott’s assertions that his government “will do whatever it takes” to stop refugee boats reaching Australia by asking: “Including paying people smugglers?” Abbott replied: “We will do whatever we need to do to keep this trade stopped because that’s what the public expects.”

After the issue had swirled around his government for days, refugee legal advocate Julian Burnside wrote yesterday that “Abbott’s refusal to deny the allegation effectively amounts to an admission.”

The issue of stopping “people smugglers” is at the very core of Abbott’s leadership of the Liberal Party and his prime ministership. His last election campaign centred on demagogic claims that the only way to prevent innocent refugees dying at sea, in attempts to reach Australian waters, was to end the “business model” of people being paid to transport them. For years, the Australian population has been bombarded with characterisations of “people smugglers who take refugees from one country to another” as “evil”, “criminal scum” and “human filth.”

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His government now stands accused, not only of paying a ship’s crew to take refugees to Indonesia, but of providing hired “people smugglers” with boats that had insufficient supplies and fuel, thereby placing the lives of 65 people directly at risk.

More is at stake than Abbott and the government being exposed as hypocrites and liars. Don Rothwell, professor of international law at the Australian National University, told the media this morning that if the allegations were true, the government’s actions would appear to be a criminal violation of the 2000 protocol to prevent human trafficking, of which Australia is a signatory.

The Abbott government’s alleged behaviour toward asylum seekers travelling to New Zealand—detaining them in international waters, denying them due process and paying to have them taken against their will to Indonesia—would also violate human rights conventions and potentially the piracy clauses in the United Nations Convention on the Law of Sea (UNCLOS).

The Indonesian government has signalled that it will investigate the allegations, and United Nations officials in West Timor have also interviewed the refugees. The Labor Party and the Greens have signalled they will attempt to score political mileage by calling for investigations in Australia.

If specific crimes have been committed, they flow inexorably from the inherently criminal character of the entire refugee policy in Australia. Utilising the pretext of stopping “people smugglers” the Abbott government has justified the wholesale repudiation of international law concerning its treatment of asylum seekers. Under the brutal policy drawn up by the former Greens-backed Labor government, thousands of people intercepted at sea continue to be imprisoned on Manus Island in Papua New Guinea and on the far-flung Pacific island of Nauru, in order to “send the message” that no-one attempting to reach Australia by boat will be allowed to settle in the country.

The military and customs operations in waters to the north of Australia, known as Operation Sovereign Borders, continue to be conducted under a veil of secrecy. Australian authorities have forced an unknown number of boats to return to Indonesia, while an unknown number of refugees have lost their lives seeking to avoid interception.

Abbott may now have ensnared himself in the reactionary consequences of his government’s criminal policy, aimed at diverting growing social tensions into nationalist and chauvinist directions through the vilification of refugees and the parallel hysteria over manufactured threats of terrorism.



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