

# BOATS CARRYING ASYLUM SEEKERS RETURNED TO INDONESIA

## Under Operation Relex & Operation Sovereign Borders<sup>1</sup>

SIEV = Suspected Illegal Entry Vessel / Suspected Irregular Entry Vessel<sup>2</sup>

Indonesian territorial waters extend 12 nautical miles (or about 22 kilometres) from the Indonesian baseline

DATE OF RETURN	PLACE	NAME OF VESSEL	NO. ON BOARD	AUSTRALIAN VESSEL/S INVOLVED & COMMANDERS
19 October 2001	Roti	SIEV 5 ( <i>Harapan Indah</i> )	238 pax.	HMAS <i>Warramunga</i> – Commander Richard T Menhinick <sup>3</sup>
<p><i>Harapan Indah</i> was intercepted in the vicinity of Ashmore Reef on the morning of 12 October 2001 by HMAS <i>Warramunga</i>. Three days after the boat's interception, Australia notified Indonesia by 'third party note' that henceforth 'vessels coming into Australian waters would... be returned to the place from which they'd come'. This signalled 'a major change in policy'. SIEV 5 was the first boat to be sent back to Indonesia.</p> <p>About 80 people in family groups were transferred from the SIEV to <i>Warramunga</i>. All passengers were informed that they could no longer stay at Ashmore Reef and that 'the Australian government was considering their situation'. They were not aware that they were being returned to Indonesia. <i>Warramunga</i> commenced escorting SIEV 5 to Roti on the evening of 17 October. At approximately sunrise on 19 October, 13 nautical miles (NM) from Indonesia, all on board SIEV 5 and <i>Warramunga</i> were informed that they had been sent back to Indonesia. A riot ensued during which a group of returnees allegedly stormed the engine room and disabled the boat's engine. Others threatened self harm and a fire was lit in the hold. People who had been taken off the boat and put on <i>Warramunga</i> to relieve overcrowding during the journey back were forcefully removed from the navy vessel to SIEV 5.</p> <p><i>Warramunga</i> left SIEV 5 drifting just outside Indonesian territorial waters and maintained a watch until it was underway and heading northwest, 'indicating that the engine had been repaired'.</p> <p>On the afternoon of the same day as SIEV 5 was returned to Indonesia, SIEVX sank in international waters off Java with the loss of 353 lives.<sup>4</sup></p>				
29 October 2001	Roti	SIEV 7 ( <i>Mirawati</i> )	215 pax.	HMAS <i>Arunta</i> – Commander Raymond J Griggs <sup>5</sup>
<p><i>Mirawati</i> was intercepted in the vicinity of Ashmore Reef of the morning of 22 October 2001 by HMAS <i>Bunbury</i> and escorted to anchor at Ashmore Reef Lagoon. A baby was reported to have died on this voyage and another was born while the boat was tied up at Ashmore Reef.</p> <p>The people on this vessel had heard that SIEV 5 had been returned to Indonesia and were determined to avoid the same fate.</p> <p><i>Arunta</i> arrived at Ashmore Reef on 28 October to escort the boat back to Indonesia. About half of the 215 passengers were brought aboard the Navy frigate for the duration of the voyage which commenced that afternoon.</p> <p>The following day the returnees were informed that they had been returned to Indonesia and a confrontation ensued. Some threatened to jump overboard with a few 'actually jumping in the water'; others doused themselves with fuel, fuel was splashed on the deck and a fire started in the hold. Pepper spray was used by the Operation Relex Transit Security Element (TSE) to repel people who had broken through the boat's 'engineering space bulkhead'.</p> <p>After all the people had been transferred back to SIEV 7, <i>Arunta</i> guided the boat towards the Indonesian Territorial Seas. 'The SIEV appeared to stop shortly afterwards in amongst some fishing vessels before continuing North West towards Pepela'.</p> <p><b>It is believed that three men - Hussein Yahia, Thamer Hussein and Haithem Dawood - drowned trying to make their way to shore after <i>Arunta</i> left SIEV 7 in waters off Roti. The three men have never been seen since.</b><sup>6</sup></p>				

DATE OF RETURN	PLACE	NAME OF VESSEL	NO. ON BOARD	AUSTRALIAN VESSEL/S INVOLVED & COMMANDERS
13 December 2001	Roti	SIEV 11	14 pax. <sup>7</sup>	HMAS <i>Leeuwin</i> – Commander Gareth R Cann <sup>8</sup>
<p>An unnamed 18 metre long shark boat was observed by Coastwatch aircraft approaching Ashmore Reef on 11 December 2001. The passengers remained cooperative as the vessel was taken in tow to Ashmore Reef by HMAS <i>Wollongong</i> and the engine and steering were repaired.</p> <p>The following evening HMAS <i>Leeuwin</i> commenced returning the vessel to Indonesia. By the next day, 13 December, the returnees were upset and agitated when they realised they were being sent back to Indonesia and demanded UN representation. Lt Richard Mortimer, who was aboard <i>Leeuwin</i> at the time, described the incident: 'If this demand was not met several... threatened to commit self-harm or jump overboard. This demand was again reiterated... by the U[nauthorised] A[rivals] during my watch, to which I replied that there would be official representatives to meet them on arrival. I did not however, say who those representatives would be, believing they would be met by the Indonesian police.'</p> <p>The boat was left just outside the Indonesian territorial waters off Roti, 'without further incident' but the boat was still at least 12 nautical miles from land.<sup>9</sup></p>				
20 December 2001	Roti	SIEV 12 ( <i>Sinar Sultra II</i> )	133 pax.	HMAS <i>Leeuwin</i> – Commander Gareth R Cann
<p><i>Sinar Sultra II</i> was intercepted by HMAS <i>Leeuwin</i> in international waters 30 nautical miles north west of Ashmore Reef on 16 December 2001. It is not known from where the SIEV set out or how long it had been at sea. Passengers said children had died during the voyage but Navy found 'no substantiating proof'.</p> <p>Crew from <i>Leeuwin</i> boarded SIEV 12 just before dawn on 17 December while passengers were still asleep and commenced to turn the boat back towards Indonesia. The passengers tried to resist and violence ensued from the onset. Fires were lit, self-harm was threatened and the boat damaged. A child accidentally fell and suffered a green-stick fracture of the arm. An elderly woman doused herself in diesel and claimed she had also drunk it, but did not become ill but did suffer chemical burns. Several young men held up a hand written sign that said 'they would rather die than go back from where they came.'</p> <p>After travelling for another three days, 'the SIEV was released near the town of Pepela, Roti on 20 Dec[ember]'. Two English speaking passengers are reported to have said 'that they did not really care where they went as long as they could get off the boat as their families were becoming very tired from travelling.'<sup>10</sup></p>				
8 November 2003	Saumlaki	SIEV 14 ( <i>Minasa Bone</i> )	14 pax.	HMAS <i>Geelong</i> – Lieutenant Commander W J Triffitt
<p>At about 2pm AEST on 4 November 2003, a group of local people discovered the <i>Minasa Bone</i> beached at Snake Bay, Melville Island in the Torres Strait. Aboard were 14 Turkish Kurds. Six men reportedly came ashore. Locals towed the vessel about 400 metres offshore and contacted Customs. HMAS <i>Geelong</i> arrived that evening &amp; towed the vessel out into international waters 'pending further instructions from the People Smuggling Taskforce'. At this time Melville Island still fell within the Australian migration zone.</p> <p>On the same day regulations were gazetted to excise Melville and other Islands to the north of Australia from the migration zone and came into effect 'immediately on the expiry of 3 November'. On 6 November 'a third person note was delivered to the Indonesian government... advising formally Australia's intention to return the vessel in the direction whence it came.'</p> <p><i>Minasa Bone</i> was taken in tow by <i>Geelong</i> on 7 November and towed back towards Indonesia. It was released in waters near Saumlaki on the island of Yamdena at about 7.30am the following morning without incident.</p> <p>On 9 November Ministers Vanstone and Downer advised in a press release that the people on board the <i>Minasa Bone</i> had not claimed asylum. This was later challenged by further advice from AFP and the ADF which indicated that statements had been made such as - 'We are from Turkey. Don't want to go back. No good.'<sup>11</sup></p>				

DATE OF RETURN	PLACE	NAME OF VESSEL	NO. ON BOARD	AUSTRALIAN VESSEL/S INVOLVED & COMMANDERS
19 December 2013	Roti	Unknown	47 pax.	HMAS Parramatta, HMAS Maitland & HMAS Armidale
<p>According to media reports, an asylum boat departed South Sulawesi on 8 December carrying 47 asylum seekers, most of whom were from Sudan and Somalia. Five days later the boat was allegedly intercepted by an Australian navy vessel in Australian waters, presumably near Ashmore Reef.</p> <p>The boat was towed back towards Indonesia escorted by Navy vessels that allegedly stayed with it for three days before releasing it in the vicinity of Roti.</p> <p>Four men who were aboard the turned back boat - Sharmarke (Marke) Abdullah Ahmad, Mohamed Abdirashid, Abdi Karim Mubarak and Anwar [Nourin] Salih - have given accounts of the turn back operation to a number of journalists in Indonesia and Australia. Marke told an ABC journalist that a Navy ship tricked them into being taken in tow by telling them they were being taken to Christmas Island. Mohamed told Indonesian media that during the voyage back into Indonesian waters the Australian navy vessel turned off its lights in order to avoid being detected by Indonesian military ships. This claim was supported several weeks later by Anwar to an Australian journalist.</p> <p>When their boat was finally set free, Marke alleged that the people on the boat were told by navy personnel that they were about 15 kilometres from land. He told an Indonesian journalist: 'We showed the GPS readings to the Australian officers to prove that they had entered far into the Indonesian waters, but they paid no heed to it'. Anwar claimed that their boat was only one hour's sailing from shore when the Australian navy ships left them.</p> <p>Marke, Mohamed and Abdi all claimed they had been mistreated by navy personnel during the turn back operation and that they were prepared to give evidence about their treatment to Australian authorities.</p> <p>Other media reports state that the boat ran out of fuel after having been left by the navy and ran aground and was discovered stranded near Roti by Indonesian fishermen on 19 December.<sup>12</sup></p>				
27 December 2013	West Java	Unknown	36 - 42 pax. <sup>13</sup>	
<p>A group of Pakistanis, Iranians, Bangladeshis and Afghans set out on a boat from Indonesia for Christmas Island on 22 December and sailed for nearly two days before the boat ran out of fuel and its steering was damaged. The Indonesian captain phoned Australian authorities for help and shortly after two Navy vessels arrived on the scene. Over the course of the next day, the Navy refuelled the vessel and repaired the steering. Very early in the morning of 27 December, two Australian Navy sailors took turns steering the boat as the Navy vessels escorted the SIEV back to Indonesia. According to Peter Alford's sources, the passengers had previously been told that another boat would take them to Christmas Island. However, Michael Bachelard's sources told him that the asylum seekers believed they were going to Darwin.</p> <p>Alford &amp; Bachelard give different accounts of the return to West Java:</p> <p>Bachelard: 'For three days the formation of vessels sailed... About 4am on December 27, when most were asleep, the Australians took the fuel containers and left. The passengers realised they were close to southern Java and set out towards land.'</p> <p>Alford: At about 6pm the wheel was handed back to the Indonesian crew and the RAN sailors left the boat. It took another 4 hours for the boat to get to 'Sukabumi, West Java', [presumably in the bay of Pelabuhan Ratu] where upon the Indonesian crew fled and the passengers split up.<sup>14</sup></p>				

DATE OF RETURN	PLACE	NAME OF VESSEL	NO. ON BOARD	AUSTRALIAN VESSEL/S INVOLVED & COMMANDERS
6 January 2014	Roti	<i>Riski 02</i>	45 pax.	HMAS Stuart – Commander Jason Hunter
<p>Journalists reported <i>Riski 02</i> departed Kendari, South Sulawesi with 45 people aboard including 9 women on 21 December. After ten days at sea, the boat was intercepted and boarded by Australian navy personnel 'about eight nautical miles off Cape Van Diemen, the northernmost tip of Melville Island'. Yousif (aka Yusuf) Ibrahim Fasher who was aboard this boat told journalist Michael Bachelard that prior to the boat being intercepted; four men – all relatives of people aboard the boat - fell into the sea about 37 km from Darwin. The people aboard <i>RISKI 02</i> then made for the nearest land and called authorities to get help to find the missing men. Fasher claimed that when the Navy arrived soon after they showed little sign of searching for the men or their bodies. This allegation was supported by Abdullah Ahmed who was also on this vessel. <b>The four missing men have never been seen since and are presumed drowned.</b></p> <p>According to Brendan Nicholson, the Australian Navy frigate HMAS <i>Stuart</i> turned the SIEV back towards Indonesia, taking it in tow to Roti, a journey of more than 400 nautical miles, which took about five days.</p> <p>Faisal Hussein, another passenger aboard the SIEV, told journalist Peter Alford of protests that occurred on the third day of the tow back where 13 people including Faisal jumped overboard. He also claimed that access to the toilet was restricted to once a day by the Navy.</p> <p>Burhanuddin, an Indonesian policeman, was reported to have said the boat had been found drifting near Roti on Monday, 6 January. Within a day of the boat being returned to Roti, Indonesian media reported claims from a man returned on the boat, Yousif Ibrahim [Fasher] mentioned above, that Australian Navy personnel had inflicted severe burns on the hands of a number of men by ordering them to hold hot pipes on the engine. He also claimed that the Navy vessels which had been involved in returning <i>Riski 02</i> to Roti had ventured well inside Indonesian territorial waters to return the boat. When interviewed by Michael Bachelard in February, both Fasher &amp; Ahmed claimed the lights on the two Navy ships were turned off during the last two nights of the tow back (January 4 and 5).</p> <p>When the burns allegations were reported in the Australian mainstream media some days later, the government denied them, though it should be noted that the turn back operation under which the incidents allegedly occurred were neither confirmed nor denied by the government on the grounds of operational secrecy. Claims concerning the breach of Indonesian waters were also initially denied but on 17 January 2014, Immigration Minister Scott Morrison and Commander of Operation Sovereign Borders, Lieutenant General Angus Campbell held an unscheduled press conference during which it was stated that 'Australian vessels operating under the control of Border Protection Command had unintentionally sailed through Indonesian waters on several occasions'.</p> <p>Great controversy continues to rage in the media concerning the claims by asylum seekers of abuse and torture they allegedly endured on this vessel.<sup>15</sup></p>				
8 January 2014	West Java	Unknown	25 pax.	Unknown
<p>Media reports a boat carrying 25 asylum seekers including women and 4 children sailed from Medan in North Sumatra in late December 2013. After 10 days at sea the SIEV was intercepted by an Australian naval vessel near Christmas Island and returned to Indonesian waters. After re-entering Indonesian waters on 8 January the boat made its way to the southern coast of West Java where local villagers saw the asylum seekers in the water and went to their aid.</p> <p>An Indonesian police officer who had interviewed one of the people who were aboard the returned vessel, told a journalist that the Australian navy ship that intercepted them fired warning shots into the air as part of the turn back operation. The Australian government denied the allegation of warning shots being fired but neither confirmed nor denied the alleged turn back operation.<sup>16</sup></p>				

DATE OF RETURN	PLACE	NAME OF VESSEL	NO. ON BOARD	AUSTRALIAN VESSEL/S INVOLVED & COMMANDERS
15 January 2014	Cikepuh	Australian Lifeboat #1	56 pax.	HMAS <i>Stuart</i> & HMAS <i>Maitland</i> attended
<p>Asylum seekers told journalists that they set out for Christmas Island by boat from an island off Java on 5 January. There were 56 aboard the boat including one woman and a toddler. After 3 or 4 days at sea, having been seen by an Australian aeroplane they scuttled their leaky boat to avoid being turned back to Indonesia like other asylum boats they knew of. They were rescued from the water by HMAS <i>Stuart</i>, transferred to a Customs vessel and 'tricked' into thinking they were being taken to Christmas Island.</p> <p>After 5 days in Australian custody they were transferred to a small lifeboat and told they only had enough fuel to return to Indonesia; they were reportedly left 3 hours sailing time from the Indonesian shore. The Indonesian crew deserted the lifeboat in sight of land and the asylum seekers steered the vessel into shore crash landing on a coral reef on a deserted beach in remote Cikepuh on 15 January. The returnees made a perilous journey through the jungle on foot to reach safety.</p> <p>An Iranian couple in Cisarua told journalist Paul Toohey that they had been visited by a group of survivors from this voyage on 17 January who told them that 'three people died while crossing a river in the jungle' during their trek back to safety.</p> <p>Two asylum seekers who were returned to Indonesia on this lifeboat told Al Jazeera reporter Step Vaessen, that they were left in the water for two and a half hours in sight of Navy vessels before being rescued.<sup>17</sup></p>				
5 February 2014	Pangandaran Bay	Australian Lifeboat #2	34 pax.	HMAS <i>Bathurst</i> & ACV <i>Triton</i> attended
<p>Indonesian media reports state that on 26 January a group of 36 asylum seekers including 11 women, one of whom was pregnant, and at least two young children aged less than 5 years, set sail from the south coast of West Java for Christmas Island. They were at sea for about 36 hours before they were intercepted by OSB close to Christmas Island on 28 January. Sometime after interception, they were herded into a navy vessel and their boat reportedly sunk by Australia.</p> <p>Australian media reports concerning this group of asylum seekers began in late January with claims that people were being held on HMAS <i>Bathurst</i> and that an orange lifeboat was being towed by ACV <i>Triton</i> several miles off Christmas Island. The lifeboat was reportedly towed near Christmas Island for at least five days, from 29 January until 3 February. During this time it was reported that two men – asylum seekers on one of the Navy vessels - had been hospitalised, one on 31 January 'for urgent medical treatment in relation to a heart condition' and a second man on 3 February.</p> <p>It appears that the remaining 34 asylum seekers from this group were transferred into an OSB lifeboat (capacity 90 persons) on the morning of 5 February and towed back to Indonesia by an Australian navy vessel arriving in Pangandaran Bay the same evening.</p> <p>People returned in the lifeboat told the Indonesian media that there had been some kind of physical altercation (presumably with Australian OSB personnel) and that they believed two men in their group died – presumably the two men referred to above who were removed to Christmas Island for medical treatment. In March George Roberts attempted to discover the current whereabouts of these two men (named Ali &amp; Hossain) but was unsuccessful.</p> <p>The asylum seekers also made video recordings inside the lifeboat on the journey back to Indonesia which they subsequently provided to the media. A transcript of this video recording indicates that some of the group may have been turned back to Indonesia on a previous vessel and that one of them may have died in the jungle trying to reach safety. The transcript also suggest that this vessel was SIEV 879.</p> <p>In March, George Roberts interviewed people returned to Indonesia on this lifeboat for the 7.30 report and discovered that an Iranian couple Arash &amp; Azi Sedigh had also been returned on another lifeboat on 15 January. This report by Roberts also included another video recording made inside the lifeboat.</p> <p>The lifeboat was reportedly manufactured in China by Jiangyinshi CO.LTD Beihai LSA, 33 # Beihuan Road, Yuecheng Town Jiangyin City 214 404 JIANGSU Province of China<sup>18</sup></p>				

DATE OF RETURN	PLACE	NAME OF VESSEL	NO. ON BOARD	AUSTRALIAN VESSEL/S INVOLVED & COMMANDERS
24 February 2014	Kebumen	Australian Lifeboat #3	26 pax.	
<p>According to Indonesian media reports, 26 male asylum seekers aged between 17 and 35, departed Pelabuhan Ratu for Christmas Island on 19 February. The group comprised people from Pakistan, Iran, Afghanistan and the United Arab Emirates. The asylum seekers were at sea for three days and three nights before they were intercepted by the Australian Navy near Christmas Island. They were taken on board a Navy vessel and their boat was destroyed at sea. They were transferred to an OSB lifeboat (capacity 55 persons) close to Indonesia and left to make their own way back to land. The boat was found washed up on rocks at Kebumen on Monday, 24 February about 1pm local time.<sup>19</sup></p>				

Compiled by Marg Hutton, sievx.com

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Permanent URL: <http://sievx.com/articles/background/PushbackTable.pdf> ; Please submit additional information or corrections via sievx.com website

<sup>1</sup> This table includes all known instances of asylum seekers travelling on boats being returned to Indonesia on their vessels during Operation Relex (2001-2003) and Operation Sovereign Borders (2013-14). It also includes all known instances of asylum seekers being returned to Indonesia on Australian lifeboats. It does not include instances where asylum seekers have been rescued by Australian Naval vessels and transferred at sea to Indonesian Search and Rescue vessels; nor does it include instances of asylum seekers being returned to Indonesia (or other countries) by air after having arrived in Australian territory by sea.

**Please note:** As the Abbott government has not officially confirmed that any asylum seekers' vessels have been returned to Indonesia under Operation Sovereign Border, this table relies on information gleaned from media sources in Indonesia and Australia.

<sup>2</sup> The Australian government acronym 'SIEV' has subtly changed in meaning over time. The first use of the acronym that I have found dates back to 1991 in reference to a boat that arrived at Montague Sound in the north west of Australia in December of that year. However, it is possible that the acronym was in use prior to that time. SIEV originally meant 'Suspected Illegal Entrant Vessel'; this morphed into 'Suspected Illegal Entry Vessel'. After Labor was elected in 2007 the acronym was changed to mean 'Suspected Irregular Entry Vessel'. Since the election of the Abbott government in September 2013, the 'I' in 'SIEV' has reverted to 'illegal'.

<sup>3</sup> Richard Menhinick & Warramunga were involved in a number of other interceptions and an attempted return to Indonesia under Operation Relex – the interception of SIEVs 1 & 3, and the attempted 'tow back' of SIEV 6. Menhinick famously disobeyed directions and took 129 asylum seekers from SIEV 3 aboard Warramunga in a SOLAS operation to avert the SIEV crashing onto Ashmore Reef. See his first hand account of this incident - R.Menhinick, 'No Standard Answers – HMAS Warramunga and SIEV 3' in *The Royal Australia Navy Leadership Ethic*, 2010, [http://www.navy.gov.au/sites/default/files/documents/Navy\\_Leadership\\_Ethic.pdf](http://www.navy.gov.au/sites/default/files/documents/Navy_Leadership_Ethic.pdf) extracted copy online at: <http://sievx.com/articles/BoatTurnBacks/2010xxxxMenhinick.html>

<sup>4</sup> Transcript Of The Prime Minister, The Hon John Howard MP, Doorstop Interview, Sheraton Hotel, Brisbane', 19 October 2001, online at:

<http://pandora.nla.gov.au/pan/10052/20020521-0000/www.pm.gov.au/news/interviews/2001/interview1399.htm> ; copy online at:

<http://sievx.com/articles/BoatTurnBacks/20011019Howard.html> ; 'SIEV 05 Event Summary', in #12 'SIEV Event Summary', tabled by Rear Admiral Smith, 5 April 2002, in *A Certain Maritime Incident*, Bound Volume 'Tabled Documents 1-12', copy online at: <http://sievx.com/documents/SIEVEventSummaries.html> . Statement by Lieutenant Commander Simon Paul Gregg., 9 April 2002, in '#14 Declassified Witness Statements for SIEVs 1-3 and 5-12' in Bound Volume 'Tabled Documents 13-31', Senate Select Committee on A Certain Maritime Incident', 2002, copy online at: <http://sievx.com/documents/SIEV5-Gregg.pdf>

See also Statement by Captain MA Algie, 4 December 2001, in '#14 Declassified Witness Statements for SIEVs 1-3 and 5-12' in Bound Volume 'Tabled Documents 13-31', Senate Select Committee on A Certain Maritime Incident', 2002, copy online at: <http://sievx.com/documents/SIEV5-1.jpg>

Sue Hoffman interviewed a man who had been on a boat that was turned back to Indonesia in 2001, which appears to have been SIEV 5. See Sue Hoffman, 'Fear, Insecurity and Risk: Refugee journeys from Iraq to Australia', PhD Thesis, online at: <http://researchrepository.murdoch.edu.au/4459/> , pp. 248-9; copy online at:

<http://sievx.com/articles/psdp/2010/2010HoffmanPhDThesis.pdf>

<sup>5</sup> Vice Admiral Raymond Griggs is the current Chief of Navy and assumed this position on 7 June 2011. [http://en.wikipedia.org/wiki/Ray\\_Griggs\\_%28admiral%29](http://en.wikipedia.org/wiki/Ray_Griggs_%28admiral%29)

<sup>6</sup> 'SIEV 07 Event Summary', in #12 'SIEV Event Summary', tabled by Rear Admiral Smith, 5 April 2002, in *A Certain Maritime Incident*, Bound Volume 'Tabled Documents 1-12', copy online at: <http://sievx.com/documents/SIEVEventSummaries.html>

For three men who drowned when SIEV 7 turned back see: Debbie Whitmont, 'To Deter and Deny', Four Corners, 15 April 2002, online at <http://www.abc.net.au/4corners/stories/s531993.htm>, copy online at <http://sievx.com/articles/psdp/20020415FourCorners.html> Note: This program also included accounts of the SIEV 7 voyage and turn back by asylum seekers who were on the vessel. Note also: A video of SIEV 7 being boarded under Operation Relax, was tabled with the Senate Select Committee on A Certain Maritime Incident, 2002 (Tabled Document #31)

<sup>7</sup> There is some confusion about the numbers on board SIEV 11. The SIEV Event summary for the vessel states there were '15 adults, two teenagers and one baby', whereas the DIMIA Factsheet states '14 pax.' Cf [http://sievx.com/images/CMI\\_Docs/SIEVEventSummary17.gif](http://sievx.com/images/CMI_Docs/SIEVEventSummary17.gif) and [http://sievx.com/articles/psdp/DIMIA74a\\_boatarivals.pdf](http://sievx.com/articles/psdp/DIMIA74a_boatarivals.pdf)

<sup>8</sup> Commander Gareth Ronald Cann died on 11 August 2011, aged 55 - <http://www.sssi.org.au/newsdetails/233.html>

<sup>9</sup> 'SIEV 11 Event Summary' in #12 'SIEV Event Summary', tabled by Rear Admiral Smith, 5 April 2002, in *A Certain Maritime Incident*, Bound Volume 'Tabled Documents 1-12', copy online at: <http://sievx.com/documents/SIEVEventSummaries.html>; Statement of Lieutenant Richard Peter Mortimer, in '#14 Declassified Witness Statements for SIEVs 1-3 and 5-12' in Bound Volume 'Tabled Documents 13-31', Senate Select Committee on A Certain Maritime Incident', 2002, copy online at: <http://sievx.com/documents/SIEV11-Mortimer.jpg>

<sup>10</sup> 'SIEV 12 Event Summary', in #12 'SIEV Event Summary', tabled by Rear Admiral Smith, 5 April 2002, in *A Certain Maritime Incident*, Bound Volume 'Tabled Documents 1-12', copy online at: <http://sievx.com/documents/SIEVEventSummaries.html>; See statements by Lieutenant Damian Denis Casey, Lieutenant Richard Peter Mortimer and Chief Petty Officer Andrew Paul Templeton, in '#14 Declassified Witness Statements for SIEVs 1-3 and 5-12' in Bound Volume 'Tabled Documents 13-31', Senate Select Committee on A Certain Maritime Incident', 2002, copy online at: <http://sievx.com/documents/SIEV12.pdf>

<sup>11</sup> Senate Estimates, Legal & Constitutional Legislation Committee, 25 November 2003, copy online at: <http://sievx.com/articles/minasabone/testimony/20031125LegalAndCon.pdf>; An archive of media articles concerning the Minasa Bone incident can be found online at: <http://sievx.com/articles/minasabone/>

<sup>12</sup> The story of the first boat to be pushed back to Indonesia by the Abbott government broke in the Indonesian media late in the evening of 19 December 2013 but was not picked up and reported by Australian media until 7 January 2014. For original Indonesian media reports see: 'Lagi!, Polres Roti Ndao Tangkap 47 Imigran Gelap', Roteonline News media, 19 December 2013, online at: <http://news.rroteonline.com/lagi-polres-rote-ndao-tangkap-47-imigran-gelap.php>; Google translation online at: <http://tinyurl.com/ln2ucl7>; 'Polres Roti Ndao Tangkap 47 Imigran Gelap', *Antara News*, 20 December 2013, online at: <http://www.antarasultra.com/berita/269508/polres-rote-ndao-tangkap-47-imigran-gelap>; Google translation online at: <http://sievx.com/articles/OSB/Turnbacks/20131220AntaraNews.html>

ABC reporter, George Roberts broke the story in the Australian mainstream media – George Roberts, 'Indonesia says Australian Navy 'pushed' back asylum seeker boat that ran aground', *ABC*, 7 January 2014, online at: <http://www.abc.net.au/news/2014-01-07/indonesia-says-australian-navy-towed-back-asylum-seeker-boat/5187232>; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140107Roberts.html>.

For Sharmarke (Marke) Abdullah Ahmad's accounts to journalists (including audio) see: Peter Lloyd, 'Asylum Seekers describe boat tow back' *PM*, 8 January 2014, online at: <http://www.abc.net.au/pm/content/2013/s3922468.htm>, copy online at:

<http://sievx.com/articles/OSB/Turnbacks/20140108PM.html>; see also: 'Turned-back refugees claimed being tortured by Australian naval officers', *Antara*, 8 January 2014, online at: <http://www.antaraneews.com/en/news/92138/turned-back-refugees-claimed-being-tortured-by-australian-naval-officers>, copy online at:

<http://sievx.com/articles/OSB/Turnbacks/20140108Antara.html>; Peter Alford, 'Asylum-seekers' real stories revealed', *Australian*, 31 January 2014, online at: <http://www.theaustralian.com.au/national-affairs/policy/asylumseekers-real-stories-revealed/story-fn9hm1gu-1226814426441>; copy online at:

<http://sievx.com/articles/OSB/Turnbacks/20140131Alford.html>

For Mohamed Abdirashid's accounts to Indonesia media see: 'Australia Nilai TNI tidak Mampu Kendalikan Perairan Indonesia', *MetroTVNews*, 8 January 2014, online at: <http://www.metrotvnews.com/metronews/read/2014/01/08/6/206086/Australia-Nilai-TNI-tidak-Mampu-Kendalikan-Perairan-Indonesia>; copy of google translation online at:

<http://sievx.com/articles/OSB/Turnbacks/20140108MetroTvNews.html>; see also: 'Australia Terobos Perairan Indonesia', *JakartaGreater.com*, 9 January 2014, online at: <http://jakartagreater.com/australia-terobos-perairan-indonesia/>; copy of google translation online at: <http://sievx.com/articles/OSB/Turnbacks/20140109JakartaGreater.html>;

For Anwar Salih's corroboration of lights being extinguished & distance left from shore see: Michael Bachelard, 'Investigation: Burned hands on the high seas', *SMH*, 7 February 2014, online at: <http://www.smh.com.au/world/investigation-burned-hands-on-the-high-seas-20140206-hvbdl.html#ixzz2salkUX2y>; copy online at:

<http://sievx.com/articles/OSB/Turnbacks/20140207Bachelard.html>

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For all three men's willingness to give evidence to Australian authorities see: Peter Alford, 'Asylum-seekers' real stories revealed', *Australian*, 31 January 2014, online at: <http://www.theaustralian.com.au/national-affairs/policy/asylumseekers-real-stories-revealed/story-fn9hm1gu-1226814426441> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140131Alford.html>

**NB:** Shortly after the story of this first Abbott turned back broke in the Australian media, a second boat was also discovered to have been returned to Roti which caused confusion in both Australian and Indonesian reports. For example, see Margareth S. Aritonang & Yuliasri Perdani, 'Boat people driven back to RI', *Jakarta Post*, 7 January 2014, online at: <http://www.thejakartapost.com/news/2014/01/07/boat-people-driven-back-ri.html> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140107JakartaPost.html> (*This article confuses some details of the 19 December return with that of the 6 January return.*) See also Jonathan Swan, 'Australia 'forces' asylum seeker boat back to Indonesia: reports', *SMH*, 7 January 2014, online at: <http://www.smh.com.au/federal-politics/political-news/australia-forces-asylum-seeker-boat-back-to-indonesia-reports-20140107-30ea4.html#ixzz2pez0LdKa> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140107Swan.html>

<sup>13</sup> There is some confusion concerning the number of passengers on this boat. Peter Alford's sources say 36, whereas Michael Bachelard's say 42. Numbers will be adjusted as more information comes to light.

<sup>14</sup> Peter Alford, 'Fishing boat was intercepted, refuelled, repaired and steered back: asylum-seeker', *Australian*, 24 January 2014, online at: <http://m.theaustralian.com.au/national-affairs/policy/fishing-boat-was-intercepted-refuelled-repaired-and-steered-back-asylum-seeker/story-fn9hm1gu-1226809036471> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140124Alford.html> ; Michael Bachelard, 'Witness reveals asylum seeker 'suicide attempts' on high seas', *SMH*, 20 January 2014, online at: <http://www.smh.com.au/federal-politics/political-news/witness-reveals-asylum-seeker-suicide-attempts-on-high-seas-20140119-312s1.html#ixzz2rH03MCXE> , copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140120Bachelard.html>

<sup>15</sup> 'Navy stops first asylum boat off NT coast', *NT News*, 1 January 2014, online at: <http://www.ntnews.com.au/news/northern-territory/asylum-boat-intercepted-near-nt-coast/story-fnk0b1zt-1226793267528> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140101NTNews.html> ; Brendan Nicholson, 'Navy now "towing" back the boats', *Australian*, 9 January 2014, online at: <http://www.theaustralian.com.au/national-affairs/policy/navy-now-towing-back-the-boats/story-fn9hm1gu-1226797698285#> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140109Nicholson.html> . As mentioned above, there is confusion in some media articles detailing this incident, as it occurred within a day of publication of reports in the Australian press about the boat of 19 December being returned to Indonesia.

For claims that four men fell overboard from *Riski 02* on New Year's Day see: 'Empat Imigran Afrika Hilang di Laut', *TribunNews*, 9 January 2014, online at: <http://www.tribunnews.com/regional/2014/01/09/empat-imigran-afrika-hilang-di-laut> ; copy online (including translation by Google) at: <http://sievx.com/articles/OSB/Turnbacks/20140109TribunNews.html> ; see also Michael Bachelard, 'Investigation: "Burned hands" on the high seas', *SMH*, 7 February 2014, online at: <http://www.smh.com.au/world/investigation-burned-hands-on-the-high-seas-20140206-hvbdl.html#ixzz2salkUX2y> , copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140207Bachelard.html>

For Faisal Hussein's claims see: Peter Alford, 'ABC navy brutality reports unravel', *Australian*, 1 February 2014, online at: <http://www.theaustralian.com.au/news/abc-navy-brutality-reports-unravel/story-e6frg6n6-1226815392921> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140201Alford.html>

For an example of Indonesian media coverage of Yusuf Ibrahim's claims of men's hands being burnt by Aus Navy personnel see 'Kapal Perang Australia Masuki Perairan Indonesia Tanpa Izin', *Suara Pembaruan*, 7 January 2014, copy online including translation by Google at: <http://sievx.com/articles/OSB/Turnbacks/20140107SuaraPembaruan.html> ;

For Morrison claiming Indonesia's territorial waters had not been breached, see: 'Operation Sovereign Borders, Transcript of press conference, 15 January 2014, online at: <http://newsroom.customs.gov.au/channels/transcripts-operation-sovereign-borders/releases/transcript-press-conference-operation-sovereign-borders-update-9> ; copy online at: <http://sievx.com/articles/OSB/20140115OSBPresser15.html>

For Morrison press conference admitting the breach of Indonesia's territorial waters, see: 'Operation Sovereign Borders, Transcript of press conference, 17 January 2014, online at: <http://newsroom.customs.gov.au/channels/transcripts-operation-sovereign-borders/releases/transcript-press-conference-operation-sovereign-borders-update-11> ; copy online at: <http://sievx.com/articles/OSB/20140117OSBPresser16.html>

For Morrison refuting claims that asylum seekers were injured by the Navy, see OSB transcript of 15 January 2014 cited above, and audio recording of Scott Morrison Press Conference, 22 January 2014, copy online at: <http://sievx.com/articles/OSB/20140115OSBPresser15.html>

For examples of controversy raging around burns allegations see the following articles:

George Roberts, 'Video appears to back asylum seeker claims against Australian navy', *ABC*, 22 January 2014, online at: <http://www.radioaustralia.net.au/international/radio/program/asia-pacific/video-appears-to-back-asylum-seeker-claims-against-australian-navy/1252196> ;



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copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140122Roberts.html>

Peter Alford, 'Asylum-seekers' real stories revealed', *Australian*, 31 January 2014, online at: <http://www.theaustralian.com.au/national-affairs/policy/asylumseekers-real-stories-revealed/story-fn9hm1gu-1226814426441> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140131Alford.html>

Michael Bachelard, 'Investigation: "Burned hands" on the high seas', *SMH*, 7 February 2014, online at: <http://www.smh.com.au/world/investigation-burned-hands-on-the-high-seas-20140206-hvbdl.html#ixzz2salkUX2y> , copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140207Bachelard.html>

William Maley, 'David Johnston offers a highly spurious defence of navy', *Canberra Times*, 11 February 2014, online at: <http://www.canberratimes.com.au/comment/david-johnston-offers-a-highly-spurious-defence-of-navy-20140210-32d1k.html#ixzz2sxV3vhM5> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140211Maley.html>

Aubrey Belford, 'Asylum seekers accuse Australian navy of abuse as boat towed towards Indonesia', *Reuters*, 10 February 2012, online at: <http://www.reuters.com/article/2014/02/10/us-australia-indonesia-asylum-idUSBREA1903F20140210> ; copy online at:

<http://sievx.com/articles/OSB/Turnbacks/20140210Belford.html>

Minister for Defence, David Johnston, Transcript - 'Centenary of submarines launch', Sydney, 7 February 2014, online at:

<http://www.minister.defence.gov.au/2014/02/07/minister-for-defence-transcript-centenary-of-submarines-launch-darling-harbour-sydney/> ; copy online at:

<http://sievx.com/articles/OSB/20140207JohnstonTranscript.html>

<sup>16</sup> Jonathan Swan & Michael Bachelard, 'Scott Morrison denies navy fired gunshots while stopping asylum seeker boats', *SMH*, 16 January 2014, online at:

<http://www.smh.com.au/federal-politics/political-news/scott-morrison-denies-navy-fired-gunshots-while-stopping-asylum-seeker-boats-20140116-30vyy.html#ixzz2rSQU33kX> ;

copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140116SwanBachelard.html>

<sup>17</sup> Michael Bachelard, 'Asylum seekers say they were tricked by navy', *SMH*, 17 January 2014, online at: <http://m.smh.com.au/federal-politics/political-news/asylum-seekers-say-they-were-tricked-by-navy-20140116-30xtz.html> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140117Bachelard.html> ; David Crowe, 'Australia apologises to

Jakarta for territorial waters breaches', *Australian*, 17 January 2014, online at: <http://www.theaustralian.com.au/national-affairs/policy/australia-apologises-to-jakarta-for-territorial-waters-breach/story-fn9hm1gu-1226803863921> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140117Crowe.html> ; See graphic in Mark Kenny & Michael

Bachelard, 'Claims navy assaulted asylum seekers may not get clear verdict', *SMH*, 25 January 2014, online at: <http://www.smh.com.au/federal-politics/political-news/claims-navy-assaulted-asylum-seekers-may-not-get-clear-verdict-20140124-31e9c.html#ixzz2rLRkzSin> ; copy online at:

<http://sievx.com/articles/OSB/Turnbacks/20140125KennyBachelard.html>

For reference to three people dying in the jungle see: Paul Toohey, 'First close-up look at a lifeboat the Abbott Government is using to stop asylum seeker boats', *Courier Mail*, 31 January 2014, online at: <http://m.couriermail.com.au/news/national/first-closeup-look-at-a-lifeboat-the-abbott-government-is-using-to-stop-asylum-seeker-boats/story-fnihsxi-1226815340238> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140131Toohey.html>

For claims that asylum seekers were left in the water for several hours prior to rescue see: Step Vaessen, 'Refugees accuse Australian navy of abuse', youtube.com, 4 February 2014, online at: <http://www.youtube.com/watch?v=LHG8DG8Cr9A> ;

copy online at: <http://sievx.com/articles/OSB/soundfiles/20140204StepVaessen.mp4>

<sup>18</sup> See George Roberts, 'Lifeboat carrying asylum seekers lands on Indonesian coast', *ABC*, 7 February 2014, online at: <http://www.abc.net.au/news/2014-02-06/lifeboat-carrying-asylum-seekers-lands-on-indonesia-coast/5243990> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140207Roberts.html>

For date and place of departure see: 'Sekoci Imigran Gelap di Pangandaran Milik Kapal Australia', *Kompas*, 6 February 2014, online at:

<http://regional.kompas.com/read/2014/02/06/1700191/Sekoci.Imigran.Gelap.di.Pangandaran.Milik.Kapal.Australia> (for google translation of this article see:

<http://tinyurl.com/ko78amh> ) For claim that boat arrived at Christmas Island on 28 January and was towed back on the morning of 5 February see: 'Petugas Terus Amankan

Sekoci Imigran Gelap', *Pikiran Rakyat*, 7 February 2014, online at: <http://www.pikiran-rakyat.com/node/269081> .

For duration of journey and boat being sunk by Australia see: 'Cara Imigran Usiran Australia Bertahan Hidup', *Tempo*, 7 February 2014, online at:

<http://www.tempo.co/read/news/2014/02/07/058552027/Cara-Imigran-Usiran-Australia-Bertahan-Hidup>

For men brought ashore for medical treatment see: Paige Taylor, 'Mystery of man brought ashore', *Australian*, 1 February 2014, online at:

<http://www.theaustralian.com.au/national-affairs/policy/mystery-of-man-brought-ashore/story-fn9hm1gu-1226815343727#> ; copy online at:

<http://sievx.com/articles/OSB/Turnbacks/20140201Taylor.html> ; Paige Taylor, 'One asylum-seeker helped ashore from HMAS Bathurst with heart trouble', *Australian*, 4 February

2014, online at: <http://www.theaustralian.com.au/national-affairs/policy/one-asylum-seeker-helped-ashore-from-hmas-bathurst-with-heart-trouble/story-fn9hm1gu-1226817083074>

; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140204Taylor.html>

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For belief that two men died see: '34 Imigran Buangan Australia Terdampar di Pangandaran', *Suaramerdeka.com*, 6 February 2014 online at: <http://m.suaramerdeka.com/index.php/read/news/2014/02/06/190068> ; copy online (including translation by Google) at: <http://sievx.com/articles/OSB/Turnbacks/20140206Suaramerdeka.html> ; see also: 'Imigran Yang Terdampar di Pangandaran Ditampung Imigrasi Tasikmalaya', *RRI*, 6 February 2014, online at: <http://rri.co.id/index.php/berita/89032/Imigran-Yang-Terdampar-di-Pangandaran-Ditampung-Imigrasi-Tasikmalaya#.UvWYD7TGERy> ; copy online (including Google translation) at: <http://sievx.com/articles/OSB/Turnbacks/20140206RRI.html> and 'Dua Imigran Gelap di Pangandaran Tewas Disiksa Polisi Australia', *Okezone*, 6 February 2014, online at: <http://webcache.googleusercontent.com/search?q=cache:W1Xc8KuOOL4J:m.okezone.com/read/2014/02/06/527/937130+&cd=2&hl=en&ct=clnk&gl=au> ; copy online (including translation by Google) at: <http://sievx.com/articles/OSB/Turnbacks/20140206Okezone.html>

For George Roberts' attempt to discover the fate of these two men see: George Roberts, 'UNHCR interviews asylum seekers over forced return to Indonesia', *AM*, 18 March 2014, online at: <http://www.abc.net.au/am/content/2014/s3965710.htm> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140318Roberts.html>

For the video provided to the ABC by asylum seekers towed back to Indonesia in the lifeboat see: <http://www.youtube.com/watch?v=TaTp2RCOe8I> ; low resolution copy online including audio at: <http://sievx.com/articles/OSB/soundfiles/TowbackNo6-OriginalABCVideo.mp4> (transcript by Shokoofeh Azar online at: <http://sievx.com/articles/OSB/Turnbacks/20140205TranscriptofVideo.pdf> )

For George Roberts interview with Iranian couple who had been on earlier lifeboat & had also videoed this voyage see: George Roberts, Mark Solomons & Lesly Robinson, 'Passengers describe drama of turning asylum seeker boats back', *7.30 Report*, 17 March 2014, online at: <http://www.abc.net.au/7.30/content/2014/s3965617.htm> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140317Roberts.html>

Names, ages and nationalities of the 34 asylum seekers returned to Java were reported as follows:

**From Iran:** Sedigh Aras (35), Azi Ghaderian (22), Omid Jafari (34), Mahmedeleh Rozak (34), Shikoe Mohammed (38), Aisha (31), Akbar (12), Abdola (4) . Kazeri Round (36), Ali Reza (36), Homa (35), Odiyeh (1.5) Seed Rivan Ali (36), Morteza Hafezi (24), Mustafa Hafizi (26), Alireza Ahadian Purparvin (38). Then Parhem Maherarin (24), Anin Nivan (20), Reza Ghafeli (27), Omar Mohammed (38), Hassani Masohmeh (26).

**From Bangladesh:** Sahidul Nog Badul (27), M. Alom (26), Islam (23), MD Musharraf Hussain (38), and Helal (24).

**From Nepal:** Dinesh (22), Lok Bahadur (20), Shava Kar Pandey (38), Tam Bahadur (34), Narayan (33), Milan Gurung (31).

**From Pakistan:** Subtian Ahmad (27), and M Ajmal Mehmood (48). See: 'Petugas Amankan 34 Orang Imigran Gelap Asal Timur Tengah', *Iodaya.web.id*, 6 February 2014, online at: <http://tinyurl.com/mpzh58d>

For manufacturer of lifeboat see: 'Sekoci Imigran Gelap Buatan Cina', *Pikiran-rakyat.com*, 6 February 2014, online at: <http://www.pikiran-rakyat.com/node/268936> ; copy online, including translation by Google at: <http://sievx.com/articles/OSB/Turnbacks/20140206Parigi.html>

<sup>19</sup> Michael Bachelard, 'Another turned back boat lands in Indonesia', *SMH*, 25 February 2014, online at: <http://www.smh.com.au/federal-politics/political-news/another-turned-back-boat-lands-in-indonesia-20140225-33dn7.html#ixzz2uOFdXmJV> copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140225Bachelard.html>

Michael Bachelard, 'Vomitous and terrifying: the lifeboats used to turn back asylum seekers', *SMH*, 2 March 2014, online at: <http://www.smh.com.au/national/vomitous-and-terrifying-the-lifeboats-used-to-turn-back-asylum-seekers-20140301-33t6s.html#ixzz2uqsPlyfz> ; copy online at: <http://sievx.com/articles/OSB/Turnbacks/20140302Bachelard.html>

For numbers aboard and departure point see: 'Lagi, Australia Sediakan Perahu Oranye Pulangkan Imigran ke Indonesia', *pikiran-rakyat.com*, 25 February 2014, online at: <http://www.pikiran-rakyat.com/node/271586> copy, including Google translation, online at: <http://sievx.com/articles/OSB/Turnbacks/20140225Pikiran-rakyat.html>

For ages and gender of the asylum seekers see: 'Kantor Imigran Cilacap Amankan 26 Imigran Gelap', *rri.co.id*, 24 February 2014, online at: <http://rri.co.id/index.php/berita/91309/Kantor-Imigran-Cilacap-Amankan-26-Imigran-Gelap-#.Uw2q7oWK706> ; copy online (including garbled translation by Google) at: <http://sievx.com/articles/OSB/Turnbacks/20140224RRI.html>