

**Senate Foreign Affairs, Defence and Trade Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

**Department of Foreign Affairs and Trade**

Additional Budget estimates 2002-2003, 13-14 February 2003

Question 28

Outcome 1, output 1.1.7

Topic: Cable from Jakarta about SIEV-X

Hansard page 197

Senator Collins asked:

- (1) Which agencies in the Jakarta embassy were involved in the preparation of the DFAT cable sent at 10.49 on 23 October 2001 concerning the sinking of SIEV-X?
- (2) Was the preparation of the cable coordinated by the Ambassador?

Answer:

- (1) DFAT, AFP and Defence representatives at the Embassy in Jakarta were involved in the preparation of the cable concerning the sinking of SIEV X.
- (2) The cable was prepared in the Embassy under the direction of the Ambassador.

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Question 29

Outcome 1, output 1.1.7

Topic: SIEV-X

Hansard pages 198-200

Senator Collins asked:

- (1) When did information about the SIEV-X prior to its departure first become known to Australian agencies?
- (2) When and how did Australian agencies first become aware of radio communications from the SIEV-X?
- (3) Was incorrect information previously provided to the Senate Select Committee of Inquiry into a Certain Maritime Incident, with regard to radio communications from the SIEV-X?
- (4) How do Australian agencies know that SIEV-X radio communications were with Abu Quassey?
- (5) Were there any other radio communications from SIEV-X, including as the boat was sinking?
- (6) If Australian agencies were aware that the crew of the first boat contacted their Chinese owner for instructions, why can't the agencies be aware of the coordinates the crew did that from?
- (7) Were there any other communications from either the vessel itself or the two vessels that rescued survivors?
- (8) What priority did the department give to the 23 October 2001 cable from the embassy in Jakarta?
- (9) What priority was attached to the cable by the embassy in Jakarta and what priority was attached to it in Canberra?
- (10) What action did the department take upon receipt of this cable? Was the action officer in DFAT the person who informed the Australian Federal Police officer who in turn informed Ms Halton, an officer then at Prime Minister and Cabinet?

Answer:

- (1) DFAT staff at the Embassy in Jakarta first became aware in August 2001 of plans by Abu Quassey to send a suspected illegal entry vessel to Australia, although much of this information was unclear and proved to be incorrect. DFAT staff at the Embassy did not have specific details of the actual vessel which subsequently became known as SIEV X, its eventual departure point or time of departure prior to its departure.
- (2) DFAT staff at the Embassy in Jakarta first became aware of radio communications from SIEV X on the evening of 22-23 October 2001 through an Embassy interview with one of the SIEV X survivors.
- (3) No. The issue of radio communications from SIEV X was not raised with DFAT when it appeared before the Senate Select Committee on a Certain Maritime Incident on 1 May 2002.

In response to a question taken on notice from Senator Cook on whether the contents of a letter from Senator Hill to Mr Crean of 26 March 2002 matched DFAT's understanding of events, the Department replied "DFAT does not have access to sources of information on Defence and Coastwatch operational issues other than the Department of Defence and Coastwatch." This was, and remains, correct.

- (4) DFAT staff at the Embassy in Jakarta understood that SIEV X radio communications were with Abu Quassey as a result of an Embassy interview with a SIEV X survivor.
- (5) DFAT staff at the Embassy in Jakarta were not aware of any other radio communications from SIEV X, including as the boat was sinking.
- (6) DFAT staff at the Embassy in Jakarta were not aware of the coordinates from where the crew of the first fishing boat contacted their owner for instructions because that information was not obtained during the Embassy interview with the SIEV X survivor.
- (7) DFAT staff at the Embassy in Jakarta were not aware of any other communications from either the vessel itself or the two vessels that rescued survivors.
- (8) People smuggling issues were a high priority for the Government and the cable was treated accordingly.
- (9) The cable was given a "Priority First" designation on despatch by the Embassy.
- (10) The cable arrived in Canberra during business hours (approximately 2 pm on 23 October) and was distributed in the usual way. As it had been designated a "Priority First" cable by the Jakarta Embassy, the relevant senior DFAT officer was advised by telephone of the cable's receipt by the Communications Centre. The department has no record and no recollection of notifying the AFP of receipt of the cable.

The cable was released electronically to addressees who had electronic access to the cable system at 2.21 pm on 23 October. Other addressees received hard copies later, in most cases probably the next day.

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Question 30

Outcome 1, output 1.1.7

Topic: Abu Quassey

Hansard page 205

Senator Collins asked:

Could the department prepare a chronology of the dialogue that has occurred with the Indonesians in relation to extraditing Abu Quassey to Australia, including meetings which the department may not have attended but of which it is aware?

Answer:

The Department, our Ambassador to Indonesia and DFAT officers at the Australian Embassy in Jakarta have assisted Senator Ellison and the Attorney General's Department in their dealings with the Indonesian Government on this issue. Most recently, this has included representations by the Ambassador-designate in January 2003 at Ministerial level and providing support to a delegation of senior legal and law enforcement officials, led by the Attorney-General's Department, which visited Jakarta in February 2003.

The Department is unable to make public the details of sensitive government-to-government communications and notes that the Attorney General's Department has primary carriage of extradition issues.

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Question 31

Outcome 1, output 1.1.7

Topic: Inquiry into a Certain Maritime Incident

Hansard page 246-247

Senator Collins asked:

Why was the detail of the cable from Jakarta embassy on 23 October 2001 not provided in the department's answer to question on notice number 11 of 19 June which was asked during the Senate Select Committee of Inquiry into a Certain Maritime Incident? Did Dr Raby, who dealt with the question from the chair at that time, see that cable?

Answer:

Question on notice number 11 of 19 June asked during the Senate Select Committee of Inquiry into a Certain Maritime Incident was "Do the contents of Senator Hill's letter to Mr Crean (tabled in the Committee on 1 May) match DFAT's understanding of events?" The Department's response was "DFAT does not have access to sources of information on Defence and Coastwatch operational issues other than the Department of Defence and Coastwatch."

Senator Hill's letter refuted unsubstantiated claims that Royal Australian Navy ships witnessed a sinking vessel on 19 October 2001 and did not provide assistance. Information in the cable from the Jakarta Embassy of 23 October 2001 did not address this issue and therefore was not relevant in responding to the question on notice.

Dr Raby was a recipient of the cable.