

Correspondence concerning comments made by Craig Emerson MP on Sky News on 11 October 2011 that 800 asylum seekers had drowned attempting to reach Australia

On 15 October 2011 I wrote to Craig Emerson MP seeking clarification about comments he had made on Sky News a few days earlier regarding deaths at sea of asylum seekers.

Six months later I received a reply from the Acting Assistant Secretary of the Onshore Protection Branch of the Department of Immigration and Citizenship (DIAC).

Included here is my original letter and the reply from DIAC. The table I refer to in my letter 'Drownings on the public record of people attempting to enter Australia irregularly by boat...' is available online at: <http://sievx.com/articles/background/DrowningsTable.pdf>

Over the seven-year period referred to in the DIAC reply, that is, May 2005 to April 2012, my research shows that there were 183 confirmed and 341-351 probable deaths making a total of 524-534 confirmed or probable deaths at sea in my estimate. This compares with the DIAC statement that 'between 600 and 1000 people have been lost at sea while trying to reach Australia'. This raises the question, where do DIAC's other 76 to 480-odd estimated deaths in the May 2005 to April 2012 period, for which I have found no public evidence at all, come from?

Marg Hutton
27 July 2012



Australian Government
Department of Immigration and Citizenship

Ms Marg Hutton

Dear Ms Hutton

Thank you for your letter of 13 October 2011 and email of 15 October 2011 to the Hon Dr Craig Emerson MP, regarding the loss of life of people attempting to reach Australia by boat. Your correspondence has been referred to me for response as the issues you raise fall within the Immigration and Citizenship portfolio. I apologise for the delay in responding.

Irregular migration is a global challenge that requires an international response. The Australian Government believes that international cooperation is the most effective way to address irregular migration in our region. As you may be aware, on 30 March 2011 delegates at the fourth Ministerial Conference of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime agreed to establish a Regional Cooperation Framework.

This was a key milestone in the region's response to irregular migration and demonstrates a clear recognition by Bali Process members, a forum that involves 43 member countries, of the need for a cooperative international response to an enduring challenge.

I note your question regarding the loss of life of people attempting to reach Australia by boat. Since May 2005 the Department estimates that between 600 and 1,000 people have been lost at sea while trying to reach Australia. This estimate includes both the tragedies the Department is aware of but also the tragedies at sea for which the Department does not have specific details, but where refugee advocates, relatives and others have made claims of countless lives lost at the hands of people smugglers.

Reducing this loss of life is one reason that the Government remains committed to working with countries in the region under the Regional Cooperation Framework. Although offshore processing cannot be pursued at this time, the Government remains convinced of the importance of this initiative in the management of irregular migration and preventing people from risking their lives with people smugglers on the dangerous sea journey to Australia.

I trust the information provided has been helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alan Hutchinson'.

Alan Hutchinson
Acting Assistant Secretary
Onshore Protection Branch
11 April 2012

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15 October 2011

The Hon. Dr Craig Emerson MP
Minister for Trade
Parliament House
Canberra ACT 2600
(Craig.Emerson.mp@aph.gov.au)

RE: 800 asylum seekers drowned

Dear Minister,

I wrote to you on 13 October 2011 by email and Australia Post. The letter contained a significant arithmetical typographical error. Please replace that letter with this corrected version.

I am writing to seek further information regarding a comment you made in an interview with Kieran Gilbert on Sky News (AM Agenda) on 11 October that:

The best estimate... is that 800 people have lost their lives [since around the year 2000]. This is going back, including the SIEV X, which included 350 people dying at sea.

As someone who has been researching over many years historical issues to do with numbers and causes of drownings of asylum seekers on boats coming to Australia, I can't see the numerical basis for this claimed number. You might like to look please at a referenced table of SIEV deaths I published recently on my website www.sievx.com (see attachment)

In recent months both Labor and the coalition have been emphasising the number of drownings at sea of boat people as arguments for offshore processing. Both parties are saying, in effect:

"We must send those who arrive by boat offshore so as to prevent other people embarking on risky voyages to Australia *in order to save their lives.*"

I have seen percentages of up to a 4% death rate of asylum seekers quoted by both sides of politics over the last few weeks but your estimated figure of 800 dead is the first time I have seen an actual number cited by a Minister.

What is the exact basis, please, of your figure of 800 deaths which seems to me exaggerated? Can you detail the sinking events and the fatalities in each case by which it is calculated? And from what official, citeable source did you obtain these figures?

Under the Howard government in 2000, Phillip Ruddock claimed five alleged sunken SIEV boats, two of which turned out to have arrived safely and the other three of which had questionable evidentiary basis. These five cases are recorded in the third and fourth columns of my referenced table.

It seems to me that if government ministers are going to declare up to 800 people dead then they owe it to the community, not to mention out of respect to the families and friends of the deceased, to provide authenticated information as to the factual basis of such claims. These are not statistics to be bandied about lightly.

As far as I am aware the government has only ever confirmed the deaths of an estimated 456 asylum seekers. (see my attached table, first column)

The majority of these 456 confirmed deaths occurred when SIEVX sank on 19 October 2001 drowning an officially acknowledged 353 people.

Who are the other 344 people that you state have drowned? When and where did their boats founder? What are your sources for this information? Does your figure include the estimated 202 lives presumed lost on the two missing SIEVs in October 2009 and November 2010 which I believe are well-authenticated probable deaths but which have not yet been acknowledged as such by the present government? (see attached table, second column) Does your figure include the estimated 380 lives claimed lost by Minister Ruddock on three supposedly missing SIEVs from March-April 2000 for which no evidence was ever made public? (see attached table, third column)

I would invite you to consult with your Ministerial colleagues O'Connor and Bowen to ascertain factual information on this very important and deeply concerning matter.

Finally, concerning SIEVX: Back in September 2002, Labor was so concerned about the suspicious nature of the sinking of SIEVX and a possible connection to the people smuggling disruption program operating in Indonesia at the time of the sinking, that Labor Senator John Faulkner made a series of three powerful speeches in the Senate calling for a judicial inquiry.

Is it now seemly or proper for Labor in government to cite the number of deaths on SIEVX as arguments for its current policy of offshore processing in Malaysia when John Faulkner in 2002-2004 made the very strong public case from which he has not resiled since that there needs to be a judicial inquiry into whether or not there was any direct or indirect Australian complicity in that tragic sinking?

Or does Labor no longer support Senator Faulkner on this matter?

Yours sincerely,

Marg Hutton