

# HOW GOVERNMENT POLICY CAUSES DEATHS AT SEA

The Labor Government has tried to claim the humanitarian high ground, saying that the PNG “solution” and efforts to “stop the boats” are designed to stop asylum seekers making dangerous boat journeys and avoid deaths at sea. They are nothing of the sort.

In fact the government’s “deterrence” policies and its criminalisation of people smuggling makes boat journeys to Australia much more dangerous. The fact that Australia destroys the vessels that bring asylum seekers here means they are more likely to be unseaworthy. People smuggling laws mean that boat crews are often young and inexperienced. These laws are an attempt to demonise refugees, one step removed.

Almost all the deaths at sea have come after the appallingly slow response of Australia’s search and rescue services, which have been told to prioritise stopping boats, not saving lives. Tony Kevin, former ambassador to Indonesia and author of *Reluctant Rescuers*, has written that the “rescue response is ad hoc and unpredictable... we act when we choose to”. As a result, “Hundreds of people have died when they could and should have been saved”.<sup>1</sup> He has called politicians professed concern for deaths at sea “a reflexive clearing of the throat” before they get on and talk about what they really want to.

The recent coroner’s report into the sinking of SIEV 358 in which over 100 people drowned, shows it took 4 days for authorities to respond to 16 distress calls, including that the boat was taking on water. These cries for help were dismissed as “refugee patter” by the Australian Maritime Safety Authority’s manager for search and rescue operations, Alan Lloyd. Evidence presented to the coroner, makes it clear there is a culture of resentment toward using resources to rescue asylum seekers, this is driven by the politics from the top.

As recently as June 5, 2013, at least 55 people drowned due to the lack of response from the authorities. Although the boat’s engines were dead when it was spotted on Wednesday, only 40 hours later did Border Protection Command alert the search and rescue authorities. The government refused to recover the bodies, and instead left them to float in ocean.

There is a continual pattern of negligently slow response times. In July customs waited over five hours after getting a distress signal before directing one of its ships

to go to rescue an asylum boat. Nine people are thought to have died.

## Processing in Indonesia

Unless there are alternative routes to permanent resettlement in Australia, asylum seekers will have no option but to take boats from Indonesia to Australia. If the government processed asylum claims directly in Indonesia and guaranteed resettlement in Australia, there would be no need for asylum seekers to risk boat journeys.

But successive governments have refused to systemically resettle refugees from Indonesia.

Between 2001 and 2009 Australia accepted just 532 people – an average of less than 60 a year. In recent years it has raised the level slightly, accepting 500 one year in 2010-11 and raising its intake to 600 in the last year.<sup>2</sup> But this goes nowhere near dealing with the number of asylum seekers stranded in Indonesia. The UNHCR says there are currently 8262 registered asylum seekers and 2078 recognised refugees in Indonesia.<sup>3</sup>

The government’s own Expert Panel recommended raising the refugee intake to 3800 people “from the region” a year to deal with this problem, but the government has failed to act. Its quota for refugees from Malaysia and Indonesia remains only 1850 a year (and the 1000 from Malaysia were signed up to under the ill-fated Malaysia Agreement).

But regardless of the alternative measures put in place, there may well be asylum boats that continue to need to travel to Australia. For example boats also travel from Sri Lanka directly to Australia. All of them should be welcomed. The Safety of Life at Sea (SOLAS) convention should be the priority, not ‘border protection’. Australia has the \$2 billion JORN radar system that tracks asylum boats, assistance could be sent as soon as they reach Australian waters.

The government won’t take these measures, because it is not serious about saving lives, it’s real priorities are punishing refugees and trying to stop them coming.

1. Tony Kevin, “How authorities decide to rescue asylum seekers ... or not”, Crikey July 13, 2012

2. Senate Estimates, Legal and Constitutional Committee, 27 May 2013, p108

3. UNHCR website <http://unhcr.or.id/en/unhcr-inindonesia>