



Net I PR

Network for International Protection of Refugees

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30 August 2001

The Hon John Howard, MP
Prime Minister of Australia
Parliament House
Canberra ACT 2600
Facsimile: (+612) 6273-4100 / 6271-5414

Dear Prime Minister:

Re: The 438 Asylum-seekers on MV Tampa

We are from the Network for International Protection of Refugees (NetIPR) – a South Australian refugee advocacy group. We appeal to your government to receive the 438 asylum-seekers who were rescued by MV Tampa. As we understand, the MV Tampa was on its journey to Singapore from West Australian port of Fremantle. As MV Tampa reaches a few nautical miles off Christmas Island, the Captain has received a distress signal from a boat carrying 438 asylum-seekers heading to Australia. The Captain picked up these distressed asylum-seekers within international water at reasonable distance from Christmas Island. The asylum-seekers asked the Captain to send them to Christmas Island. On Monday 27th August, the MV Tampa has stopped near Christmas Island within Australian water. The Australian government ordered the MV Tampa to turn back.

The NetIPR should like to point out that the 438 asylum-seekers have reached Australian territory and expressed their intent to seek asylum from Australia. The Australian government will be in breach of UN Convention Relating to Status of Refugees (1951) by turning away the MV Tampa and by refusing MV Tampa to leave these asylum-seekers. We believe the Australian government must receive and process the people who request asylum within its territory, regardless of the way the asylum-seekers arrived Australia.

We should also like to point out there is nothing that could prevent these asylum-seekers from leaving the MV Tampa; just as they have availed themselves of being rescued by the MV Tampa. Currently, MP Tampa is at 8km off Christmas Island. We would therefore urge Australian government to urgently send an appropriate vessel to MV Tampa to welcome these asylum-seekers.

On this occasion, we also urge your government to abolish the practice of long-term mandatory detention of asylum-seekers and to remove the provisions of Temporary Protection Visa. These so-called "tough measures" introduced by the Australian government have no effect whatsoever on asylum-seekers deciding to come to Australia. Therefore, please remove these government policies which are causing only misery and suffering to the refugees and asylum-seekers.

In closing, thank you for your attention to this matter.

Yours respectfully

Handwritten signature and date:
30/8/2001

U NE OO, Secretary, NetIPR.

ROBERT GARRAN
Vanda Carson

A NORWEGIAN ship carrying 438 sick and starving refugees was moored in limbo off Christmas Island last night, with John Howard refusing to allow them to disembark and Indonesia reluctant to let them berth anywhere in its territory.

The Tampa was riding anchor 14 nautical miles (26km) from Christmas Island, just outside Australian territorial waters, an area where Indonesia is responsible for search and rescue.

The Tampa's captain was desperately trying last night to organise food and medicine deliveries to the mostly Middle Eastern refugees, while waiting to hear if Indonesia would allow him to berth, said a spokesman for the ship's owner, Wilh Wilhelmsen.

INSIDE



Leaky boat to heartbreak FEATURES

Captain Arne Rinnan said from the ship yesterday the asylum-seekers were seasick and in shock, and he had been forced to head for Christmas Island when several threatened to jump overboard if they were returned to Indonesia or Singapore.

"They were aggressive and highly excited and we were all threatened," he said.

The Prime Minister said Australia was discussing with Indonesia the plight of the boat, but considered it an issue for Jakarta and Norway to resolve.

Indonesia was undecided how to respond and was still "discussing the problem with Australia", said a spokesman for its embassy in Canberra.

But Jakarta Foreign Ministry spokesman Wahid Supriyad said if Australia had refused the refugees entry because they lacked proper documents, Indonesia saw no reason to allow them back.

Norway urged both Australia and Indonesia to take responsibility. "We cannot let the countries in the region shy

ties," said a Norwegian Foreign Ministry spokesman.

Captain Rinnan pleaded for help from Australia, saying he did not have enough food for everyone on board.

But Mr Howard said Australia had to balance its decency and generosity with the need to make certain that refugees who came to Australia were compared with all others who wanted to come.

On board the Tampa were 26 women, two of them pregnant, 43 children, the youngest a year old, and 369 men, said Mr Wilhelmsen.

"One survivor is unconscious, others are suffering from suspected dehydration and one has a suspected broken ankle," the company said in a statement.

The Tampa received a distress alert at 11am on Sunday that a vessel was adrift, and altered course to go to its help.

The Tampa located the 20m grey wooden fishing vessel KM Palapa 1 about 90km off the coast of Java, Indonesia.

The fishing boat was in poor condition, with severe damage to the stern and superstructure, said the Norwegian company. "All survivors were given a bowl of hot soup, bread and water and toilets were installed in one of the ship's empty containers. Blankets were given to all women and children."

The company was doing all it could for the survivors but its facilities, intended for a crew of 27, were limited.

The survivors said they were from Afghanistan, Pakistan, Sri Lanka and Indonesia.

Mr Howard said there was a clear obligation under international law for the asylum-seekers to be taken to the nearest feasible point of disembarkation, the Indonesian port of Merak.

Australia was ready to provide humanitarian help to those on board the ship.

Opposition Leader Kim Beazley supported the Government's stance but Donald Rothwell, professor of international law at Sydney University, said Australia was obliged to offer help to people in distress.

Refugee Council of Australia spokeswoman Margaret Piper said: "What the Government has done is consistent with its recent efforts to push responsibility elsewhere for dealing with people who could need protection."

The Australia 28/8/2001

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Floating unwanted: The Tampa 26km off Christmas Island yesterday and its captain Arne Rinnan

- 1 **Thursday, 12.15am (WST)** Norwegian freighter Tampa leaves Fremantle bound for Singapore
- 2 **Friday** Fishing vessel KM Palapa 1 with 434 boatpeople on board leaves Indonesia
- 3 **Saturday, about 1pm** Coastwatch flight spots KM Palapa 1, apparently in distress. Indonesian authorities notified
- 4 **Sunday, 11am** Coastwatch flight spots KM Palapa 1 signalling SOS about 150km from Christmas Island. Mayday issued
- 5 **Sunday, 3.15pm-6pm** Tampa arrives, rescues boatpeople and crew. Heads for Indonesia but the refugees persuade the captain to go to Christmas Island. On arrival, it drops anchor offshore and waits
- 6 **Yesterday, 11am-1pm** The Government refuses the Tampa entry to an Australian port. The Tampa, which has almost reached Christmas Island, is ordered to retreat outside Australian waters, which extend 12 nautical miles (22km) from the island. The Tampa moves outside the zone and waits

Government says the ship is obliged under international law to go to the nearest feasible port: Merak

If the KM Palapa 1 had called for help from within the 12 nautical mile zone around Christmas Island, Australia would have been responsible for the rescue. Outside that zone is Indonesia's responsibility.

Spectre of suicide hangs over skipper

Vanda Garson
Natalie O'Brien

CAPTAIN Arne Rinnan was just a few nautical miles off Christmas Island when the message came in.

His ship, packed with hundreds of sick, distressed and some unconscious boatpeople, was refused permission to enter Australian waters within sight of the tiny Australian territory.

Coastwatch officials, relaying a message from Canberra, ordered Captain Rinnan to turn around and

return to international waters, but the Tampa stayed anchored 14 nautical miles off the island last night.

Captain Rinnan told *The Australian* by satellite telephone he had at least four unconscious people needing urgent medical attention, two of whom had been fawning at the mouth earlier in the day. A man with a broken ankle and a seven-months-pregnant woman also needed attention.

"It is very frustrating. No one is responding to our requests for medical supplies, we have sick people on board,"

he said. He feared it was a "hopeless" situation. The boatpeople had threatened to kill themselves if the Tampa tried to leave.

"I am afraid the outcome will be we have to go to Indonesia and they will jump overboard," he said.

After their rescue, five asylum-seekers had threatened to commit suicide if he did not steam towards Christmas Island.

The men had stormed the bridge and threatened to jump overboard if he returned them to Indonesia.

"They were aggressive and highly excited," he said. "We were all threatened. There a tense moment up there. I responsible for the safety of the vessel."

As soon as the Australian search-and-rescue authority had given him permission to enter Australian waters, the group had calmed down.

The Tampa was alerted a 11am on Sunday to be on the look-out for the boat, which was drifting and leaking. It was located at 2.15pm and it took about three hours to offload everybody.

