

THIS IS AN EXCERPT OF SABZALI SALMAN'S STATEMENT TENDERED IN DARWIN MAGISTRATES COURT ON SEPTEMBER 23, 2009.

I heard that Australia would accept refugees and were sympathetic to refugees. Ayoub also told me this.

Ayoub told me that he was acting as the middle man for the people smuggler, as I would not be meeting him. I was told that the US\$6000 would go to Sayed Ali for him to make arrangements for my travel to Australia.

I gave to Ayoub two passport photos of myself and the US\$6000. I was told by Ayoub that on the back of the photo he would record that I had paid for my travel. Ayoub recorded this so if I did not travel to Australia I would get my money back. Ayoub told me that all future people smugglers that would deal with me would be able to recognise me from descriptions that had been provided to them. Ayoub told me never to ask questions about my travel to Australia. I was also told not to change any clothing which would alter my appearance as other people smugglers will be identifying me from a description of what I am wearing.

About two weeks later I commenced my travel to Australia. I was collected from my accommodation by a man that I did not know. I can only say that he was Pakistani. I was taken to the airport at Punjab and told that I would be travelling on a plane.

I saw that with this Pakistani people smuggler was another Afghani man. I do not know his name. I was told that this other Afghani person would also be travelling with me on the plane to Indonesia. We went through the security check points at the airport with this Pakistani man and he walked with us to the plane. The other Afghani and I got into the plane without the Pakistani people smuggler. I do not recall what day this was or the name of the plane that I boarded.

I travelled on this plane for about five or six hours, with a one hour transit stop. I arrived in an Indonesian airport. I am not sure which Indonesian airport this was. It was early in the morning. The sun was not up yet but I could see that the sky was becoming lighter.

At this Indonesian airport we were met by a man who was an Indonesian people smuggler [IPS]. This IPS did not tell me his name and I do not recall what he looked like. He took my plane ticket and the ticket from the other Afghani man and directed us to follow him. I saw this IPS man talk with the airport authorities. We were not detained by any authorities and were allowed to leave the airport.

Outside the airport the other Afghani and I were placed into a taxi. The IPS did not get into the taxi with us. The taxi departed the airport and took us to a location that I do not know. At this location we got out of the taxi. I saw at this location was an Indonesian man who was a people smuggler. This man directed us to follow him. We followed him to an accommodation building. This building was not a hotel or accommodation used by travellers. The building smelt and it was very dark.

The accommodation I stayed in consisted of a narrow hallway with several rows that connected to it. The Indonesian man that brought me to this location spoke with a person on his mobile phone in a language that I did not understand. I was handed this mobile phone and a man spoke to me in the Afghani language. This man on the phone told me to stay in the

accommodation and not to go out or speak to anyone. I was told if I went outside I could be arrested and detained by Indonesian authorities. I stayed at this location for about two weeks. I did not see the Afghani man that travelled with me on the plane again.

On the last day at this accommodation an IPS man that I had not met before came. This man took me and three other Afghani men who were also staying in the accommodation to a bus. I do not know who these other Afghani men were and they did not travel with me to Australia on the boat. We were placed on a bus and we travelled for two days. At the end of the journey I got off the bus and was met by a new IPS man who appeared to know who I was. I do not recall what this man looked like or know his name. This IPS man placed me and the three other Afghani men into a taxi. I heard the IPS man speak to the taxi driver in a foreign language and I saw him pay the taxi driver money. The IPS man did not get into the taxi. We travelled in the taxi for about three hours arriving in a location that appeared to be a forest.

We stayed at this location for one day in what appeared to be an open hut. I saw that there were other Afghani people in this location. There was an Indonesian man at this location and he provided me with food. About 11:00pm the next day the Indonesian man indicated to me and several other Afghani people to leave. I was placed into a taxi. Several other Afghani people also got into the taxi. The taxi then travelled for about 30 minutes and we arrived at a beach area.

I saw at this location there were about 15 Afghani people and a few Indonesian men. I saw that there was a small row boat on the beach near where they were standing. I was directed to get into this small boat with about two other Afghani people. We were taken out to a larger boat in the water. I saw that this small boat did this trip several times bringing more Afghani people to this larger boat. This large boat is the boat that brought me to Australia from Indonesia.

When I got into the boat I saw that there were two Asian crew members. These Indonesian crew were both males, they were about the same height as each other. One of them had long hair, clean shaved and appeared to be the same age as the other Asian crew member. I know that the Indonesian crew member with long hair is called Tahir and the other crew member is called Beny. I can describe Beny as being about the same height and age as Tahir. Beny had many tattoos on his arms and hand.

I did not see any fishing equipment on this boat and I did not see any passengers or crew fishing from this boat. I only saw one life jacket on the boat we travelled to Australia in. I was provided with food and water. Beny and Tahir would sometimes provide this food to me, other times I was provided food by the other Afghani passengers.

I saw Beny and Tahir both steering the boat. When Beny was sleeping, Tahir would steer the boat, when Beny was sleeping, Tahir would steer the boat. I also saw Beni and Tahir maintain the engines of this boat often placing more fuel into it.

After travelling on this boat for about five days and nights we were sighted by the Australian vessel. A short time after sighting the Australian vessel they deployed a small boat with several Australian people on board. These Australian people boarded our boat and searched the boat and took details of our names. I was given an identification number of 32 by the Australians.

I saw these Australian people place our bags on top of the roof of the wheel house. The Australians supplied us with food and water.

A rope was attached to our boat from the Australian vessel and we were towed. The next morning we were supplied breakfast by the Australians. One of the other Afghani men on the boat could speak English. I do not know his name. This Afghani told me and the other passengers we were waiting at this location for another Australian ship to come and collect us. This Afghani man was also telling the other passengers and I on the boat that he had a document directing us to return to Indonesia. I did not read this document. Prior to this Afghani man telling me and the other passengers what was written on the document I was happy and felt safe with the Australian people.

[This paragraph was suppressed by the court]

The next thing I remember is that there was an explosion and I saw that there was fire. I placed my arm in front of my face and jumped in to the water and I swam towards the Australian vessel.

This was my first and only attempt to come to Australia.

As we know that the navy were trying to break the law, then refused to rescue injured people, then tried to smuggle people into Indonesia to be put into maximum security prison or deported just who are the criminals here?

Surely not the poor Indonesian kids who nearly died and in fact saved the Afghans from maximum security prison or deportation?

Marilyn Shepherd