

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 25 May 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE15/164) - Vietnamese turn backs in April 2015 - Operation Sovereign Borders

Senator Hanson-Young, Sarah (L&CA) written:

- Please provide details of the turn back of 46 Vietnamese nationals by the Australian Navy ship HMAS Choules in April 2015. Where were they intercepted? How did the Navy know where they were? How did they know they were asylum seekers en route to Australia. What was HMAS Choules doing in the area at the time?
- What agreements, if any, were in place with Vietnam to allow this?
- Please provide details of their on water refugee status determination process. Who conducted this screening? What claims if any were raised by the Vietnamese.
- Is the department aware of these people's current situation? What monitoring is done by Australia or what reporting is done by Vietnam to assure Australia that these people remain safe in Vietnam?
- Please provide the names and other identifying details collected of these 46 Vietnamese.

Answer:

- (a) The 46 Vietnamese were intercepted by Border Protection Command on 20 March 2015 and returned with the cooperation of the Vietnamese government on 18 April 2015. The Australian Government does not comment on or disclose operational details where this would prejudice the outcome of current or future operations.
- (b) The 46 Vietnamese nationals were returned with the cooperation and agreement of the Vietnamese government.
- (c) Non-refoulement assessments were carried out by Commonwealth officers who are trained experts from the Department of Immigration and Border Protection. Individuals were interviewed to determine whether Australia's non-refoulement obligations were engaged.
- (d) A written assurance was provided by the Vietnamese government that the individuals would not be persecuted for their illegal departure. The Australian government has no reason to believe that this is not the case.
- (e) It is not appropriate for the department to disclose personal details of individuals.