

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE14/140) PROGRAMME – Operation Sovereign Borders

Senator Carr (Written) asked:

What is the procedure for transferring asylum seekers onto the orange capsuled life boats?

- a. At any point of this manoeuvre, are asylum seekers transferred onto Australian Navy or Customs ships?
- b. If so, was the Government advised that as soon as any asylum seeker who is in the effective control of a receiving state has, under the UN refugee Convention, an obligation to protect that person and fairly assess their claim?
- c. If not, what policy directives are in place to ensure the safety and security of all persons involved in the transfer?
- d. What flag do the orange capsuled life boats sail under?
- e. Are they Australian flagged vessels?
- f. If so, what is the legal justification for the lifeboats to enter Indonesian waters considering that vessels carrying Asylum Seekers are not considered as innocent passage?

Answer:

- a-c.* Information pertaining to on-water and other operational activities, similar in nature to material which was subject to the Minister for Immigration and Border Protection's earlier claims of public interest immunity, will not be disclosed.
- d-f.* It is not appropriate to provide legal advice to the Committee.