

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES – 26 – 27 MAY 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE14/387) PROGRAMME – Australian Customs and Border Protection Service

Senator Conroy (Written) asked:

In relation to question on notice 321, I asked about the processes that are followed as vessels approach Indonesian territorial waters. Could you please tell me what they actually do in these circumstances?

- a. What are the protocols that they follow?
- b. Are there any informal discussions that take place?
- c. Are they required to seek approval? If so, from whom?
- d. Has this been followed on all occasions to date during OSB?

Answer:

- a. Australia operates within the legal framework of the United Nations Convention on the Law of the Sea (UNCLOS).
- b. There are no informal discussions.
- c. There is no requirement or obligation under the UNCLOS to seek approval or notify the government of any state of a government vessel's intention to approach that state's territorial sea.
- d. Other than the six occasions that government vessels inadvertently entered Indonesian territorial waters, vessels assigned to activities associated with the Government's maritime border protection policy known as Operation Sovereign Borders, have followed UNCLOS protocols appropriately.