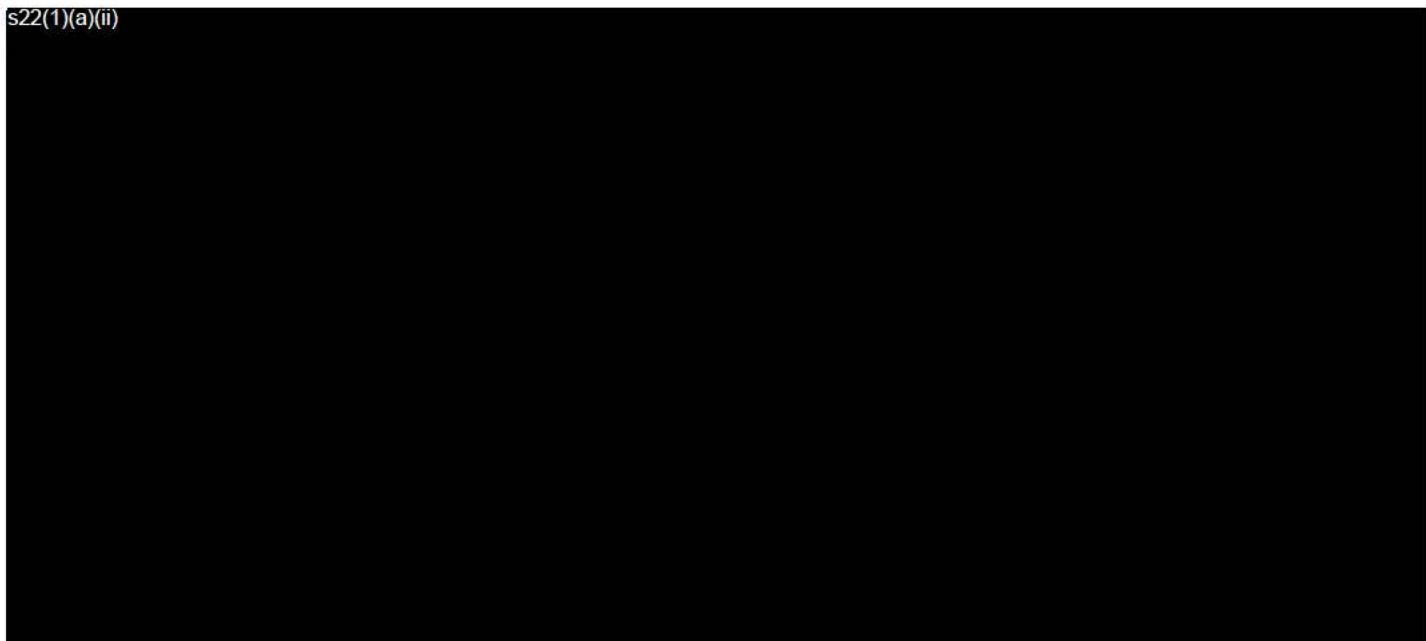


s22(1)(a)(ii)




**From:** s22(1)(a)(ii)@fleet.defence.gov.au [mailto:s22(1)(a)(ii)@fleet.defence.gov.au]  
**Sent:** Monday, 3 February 2014 3:05 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)@defence.gov.au; s22(1)(a)(ii) (Defence)  
**Subject:** s47E(d) Release Screen Captures and Ships Log - HMAS s47E(d) ~~SEC-PROTECTED, DLM-Sensitive:Legal~~

Good Afternoon s22(1)


As discussed I s47E(d) have been directed by HQJTF 639 to provide information regarding s33(a)(i), s47E(d) as requested in the attached minute. I have enclosed the positional information s33(a)(i), s47E(d) and a copy of the ship's log for the period.

s33(a)(i), s47E(d)




The two PDF provide the s33(a)(i), s47E(d) history in black. The Orange line is the ID Baseline that has been added to s33(a)(i), s47E(d) and is provided as reference for your review.

s33(a)(i), s47E(d)



s33(a)(i), s47E(d)



s33(a)(i), s47E(d)

Please advise what other information that you require that can be provided in addition to that provided by other agencies and headquarters and I will pass it through. I do not have High Side email available at this berth but can gain access if required. I am alongside for the duration of the review with contact numbers as detailed below.

Yours Aye,

s47F

Tel: s22(1)(a)(ii)

Fax: s47E(d)

Mob: s22(1)(a)(ii)

s47E(d)



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Australian Government

Australian Customs and  
Border Protection Service

Department of Defence

## MINUTE

File No: 2014/002992-01

Commander JATF (OSB)  
 COMAUSFLT  
 ND Border Force Capability Division  
 COMBPC  
 COMTRAIN  
 DGMAROPS  
 J3 HQ JOC

**REQUEST FOR ASSISTANCE: REVIEW OF OPERATION SOVEREIGN BORDERS  
 VESSEL POSITIONING DECEMBER 2013 – JANUARY 2014**

1. We have been directed by the Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service and Chief of the Defence Force (CDF) to co-chair a Joint Review regarding the entry of Australian vessels associated with Operation Sovereign Borders (OSB) into Indonesian sovereign waters between December 2013 and January 2014. A copy of the Terms of Reference for the review is attached at Enclosure 1. We are required to provide a full report to the CEO and CDF by 10 February 2014.
2. In order to address the Terms of Reference, we are seeking your assistance with the provision of information relating to all aspects of the review, namely:
  - a. All operational policy, procedures, instructions and orders including logs of any electronic correspondence between vessels and the respective headquarters that relate to s33(a)(i), s47E(d) operations during the conduct of OSB;
  - b. s33(a)(i), s47E(d)
  - c. Any Warning Orders and Force Assignment Orders issued to vessels assigned to Operation Sovereign Borders during the subject period;
  - d. All planning documents used by ADF and ACBPS vessels s33(a)(i), s47E(d) including navigational records, charts, briefings and Ship's Logs used s33(a)(i), s47E(d), including a reconstructed track verified by the unit Commanding Officer/Enforcement Commander, s33(a)(i), s47E(d);
  - e. Any documentation or information related to the provision of training and certification for ACBPS and ADF Officers deployed to OSB, regarding the application of the *United Nations Convention on Law Of the Sea, 1982* (UNCLOS) to archipelagic baselines and territorial seas;
  - f. Any documents or correspondence that relate to the identification or notification of instances where unauthorised entry of Australian vessels into Indonesian territorial waters occurred; and

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- g. All policy or procedural documents that pertain to the dissemination of information following the identification of an operational or tactical planning error, in order to correct that error and prevent its reoccurrence.
3. As you are aware there is significant interest in the outcomes of this review and the timeliness and completeness of the report will attract significant scrutiny. To that end, we request you nominate a POC within your respective headquarters that can act as a point of coordination for this and any further requests for information and assistance that may arise throughout the review.
4. Our point of contact within the Joint Review for collating and cataloguing information and documentation is s47F 2
5. Your ongoing assistance in this matter is appreciated.

s47F

**Peter Laver**  
CDRE, RAN  
Defence Co-Chair

s47F

23 January 2014

**Enclosure:**

1. Review of Operation Sovereign Borders Vessel Entry into Indonesian Waters December 2013 – January 2014: Terms of Reference dated 21 January 2014.

<b>AUTHOR:</b>	<span style="background-color: black; color: white;">s47F</span>
<b>POSITION:</b>	ACBPS Co-Chair, Review of Operation Sovereign Borders Vessel Positioning
<b>DOC DATE:</b>	23 January 2014

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**Australian Customs and**  
**Border Protection Service**

**INTERNAL BRIEF**

Co Chair  
 Joint Review Team

**Joint Review Request For Information**

**Key Points**

1. The following information is the consolidate response to a series of email Requests for Information forwarded to Border Force Capability Division (BFCD) by the Joint Review team.

a. *UNCLOS and particularly territorial sea training provided for any key individuals (EC, Master) for TRI or OP and CO/DCO/2IC etc for CCPB/Bay Class.*

(1) BFCD have been through the legislative training pack provided to Customs personnel. While the training pack contains a section on UNCLOS it is a superficial overview of the UNCLOS and serves only to provide a basic understanding of how the Australian Maritime Zones are defined. It does not cover in any detail how to determine a baseline where there are near coastal Islands or in an Archipelago.

(2) In relation to commercial qualifications, the focus of the training is on Coastal Maritime Operations which is defined as operations out to the limit of the EEZ. Hence commercial courses (up to and including the Diploma of Applied Science (Master <500GT), which is the maximum requirement for our Commanding Officer), contain no training on UNCLOS. From internet research the higher level, ocean going qualifications also have no identifiable UNCLOS component.

(3) No pre deployment training on Baselines was provided by Maritime Capability Branch. MCB staff understanding of the operation was that s33(a)(i), s47E(d) would be provided to the Enforcement Commander (EC) or CO by BPC and there was therefore no requirement to train personnel in the UNCLOS.

b. *Maritime Policy for CHOP of assets, (Marine Unit Practise Statement?)*

(1) CHOP is covered by Practice statement 2011/04 (Link below)

s47E(d)

c. *ACV OP & TRI Cap Statements (From Maritime Capability Manual)*

(1) Extract from Maritime Capability Manual V2.1 dated Feb 2011 attached.

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d. *Outline the process by which Mission Readiness was assured for Turn Back Operations?*

- (1) Initial Mission Readiness for Turn Back consisted of Public Order Management training for ACV Crews. This training was delivered to ensure that ACV crews were prepared for the expected non-compliant behaviour when ETB operations began. s33(a)(i), s47E(d) was only assessed by desktop assessment of the proposed Tactics, Techniques and Procedures (TTP) supplied by the EC of OP. The plan was to conduct a more formal assessment of the TTPs s33(a)(i), s47E(d). s33(a)(i), s47E(d) prevented formal assessment of the proposed TTPs. The TTPs were then revised s33(a)(i), s47E(d) and supplied to Navy who have since updated the TTPs following their trials at AI.

e. *Mission Briefings: Did they include discussion of territorial sovereignty?*

- (1) Briefings were conducted by BPC with the ECs and some COs. BFC staff were not present and cannot verify the content of the briefing.

f. *A statement regarding Border Force Capability Division capacity to undertake Readiness Assessments.*

- (1) s33(a)(i), s47E(d) t  
t  
t

g. *Any Warning Orders from BPC to Border Force Capability Division about the capability requirement to conduct turn back operations.*

- (1) No warning orders were provided by BPC. All capability requirements were derived from the OPORDER and participation by BFCD staff in the OPORDER development process.

**Ian Laverock**  
National Manager  
Maritime Capability Branch

February 2014

<b>AUTHOR:</b>	s22(1)(a)(ii)
<b>POSITION:</b>	s22(1)(a)(ii) Maritime Operational Capability
<b>DOC DATE:</b>	4 February 2014

**Attachment A: Extract of Maritime Capability Manual V2.1 dated Feb 2011**

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## Ocean Protector Vessel specifications



<b>Length</b>	105.9 metres
<b>Beam</b>	21 metres
<b>Draught</b>	6.6 metres
<b>Gross tonnage</b>	6,596
<b>Power</b>	4x 2,880 kW engines
<b>Economical Speed</b>	14 knots
<b>Accommodation</b>	22 single and 39 double cabins
<b>Fuel Capacity</b>	1,255m3

### Endurance

<b>Speed (Knots)</b>	12	16
<b>Endurance* (nm)</b>	12,000	6,000

### Survey Requirements

DNV 1A1, EO, DYNPOS-AUTR (IMO II),DK(+), HELDK-SH, ICE-1 B, DEICE, CLEAN DESIGN (as made valid January 2006), NAUT- OSV(Letter of Compliance), COMF-V (3)

### Crew Specifications

Minimum Crew Requirement: 1 doctor and up to 50 Customs and Border Protection personnel or other agencies crew which 12 can be passengers. (Passengers are defined as people who have no Marine qualifications)

TeeKay Crew: Up to 22 crew

**s47E(d)**

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## Cost of Patrol per day

### Northern Patrol

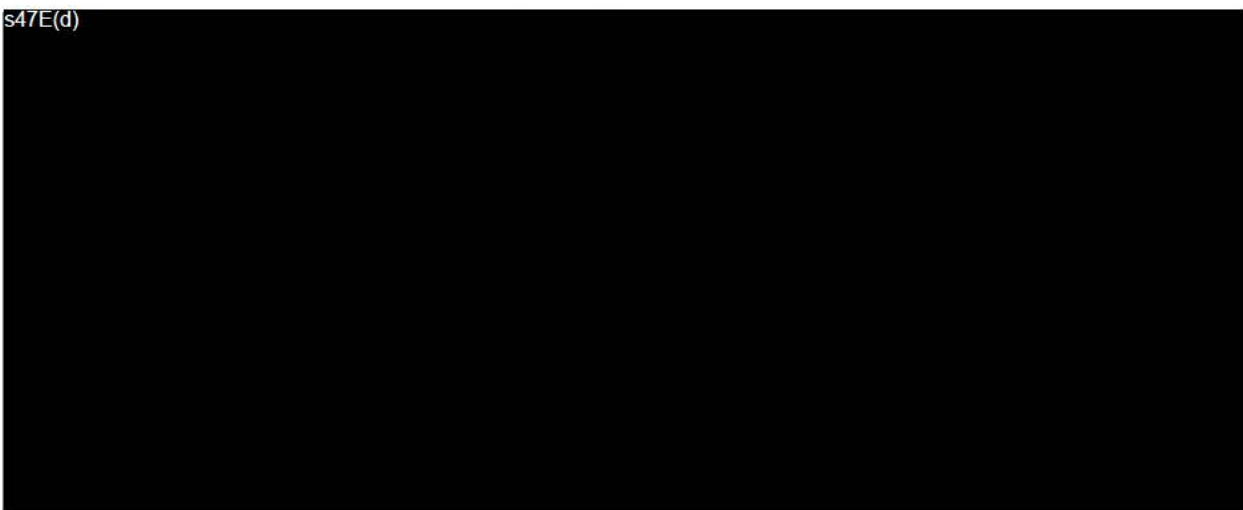
OP North Costs	
Description	Per day
Vessel daily rate	\$40,000
VOLA	\$19,474
Crew	\$19,569
Additional Catering Staff	\$1,500
Fuel	\$18,770
Customs and Border Protection Salaries	\$10,311
AAD Doctor, consumables equipment hire	\$2,045
Victualling	\$2,316
Consumables	\$380
Communications	\$700
<b>Totals</b>	<b>\$115,065</b>

### Southern Patrol

OP South Costs	
Description	Per day
Vessel daily rate	\$40,000
VOLA	\$19,474
Crew	\$19,569
Fuel	\$16,016
Customs and Border Protection Salaries	\$10,311
Southern Ocean Allowances	\$5,202
AAD Doctor, consumables equipment hire	\$2,045
Victualling	\$891
Consumables	\$125
Communications	\$700
<b>Totals</b>	<b>\$114,333</b>

## Capability for steaming intercepted vessels

s47E(d)



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## Ocean Protector Contact Details

ACV Ocean Protector	
AMOS Email	s47E(d)
F77 Phone Ops Room 1	
F77 Phone Ops Room 2	
Cordless Phone	
Video Conference @ 128	
F77 9.6 Fax	

## Tender Specifications



<b>Tenders</b>	2 X Norsafe Magnum 850
<b>Dimensions</b>	LOA 9.19 metres, Beam 3.38 metres
<b>Draft</b>	
<b>Power</b>	2 x Yanmar engines - 232 Kw inboard jet propulsion
<b>Max Speed</b>	39.2 knots
<b>Cruising Speed</b>	20 knots
<b>Endurance</b>	91nm
<b>Fuel Capacity</b>	360 litres

## Triton vessel specifications



<b>Length</b>	98 metres
<b>Beam</b>	22.5 metres
<b>Draught (trial design)</b>	3.2 metres
<b>Gross tonnage</b>	2291
<b>Max Speed</b>	20 knots
<b>Cruising Speed (average)</b>	12 knots
<b>Accommodation</b>	48 berths
<b>Fuel Capacity</b>	300.0 tonnes

### Survey requirements

Survey 1B with exemption to travel to Christmas Island. We are completing the final process of DNV certified SOLAS Special Persons Ship Safety Certificate for up to 60 special persons which includes the crew members.

A second 15 tonnes per day reverse osmosis fresh water maker is being fitted during the maintenance period which will allow Triton to sail with less fresh water and 50 tonnes more Fuel Oil.

### Endurance

#### 300.0 tonnes (New Fuel Capacity)

<b>Speed (Knots)</b>	10.5	15	18
<b>Endurance* (nm)</b>	12600	7715	7200

### Crew Specifications

Minimum Crew: 20 Marine Enforcement Officers, up to 30 Government officials  
 Gardline Crew: 16 berths

s47E(d)

### Cost of Patrol per day

Cost of Running ACV Triton	
Item Description	Cost Per Day
OH&S Equipment	\$14.00
Equipment	\$286.64
Medical Staff	\$1,377.31
Communications	\$328.88
Consumables	\$174.14
Repairs and Maintenace	\$1,229.00
P&A	\$42.00
Berthage	\$1,942.08
Diesel	\$28,500.00
Oil and Lubes	\$190.59
Victualling of PII	\$70.00
Tenders	\$768.45
Other Running Costs	\$483.86
Vessel Lease	
<b>Total</b>	<b>\$35,406.95</b>

### Capability for steaming intercepted vessels

s47E(d)



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## Triton Contact Details

ACV Triton	
AMOS Email	s47E(d)
Bridge	
F77 Ops Room	
Cordless	
F77 9.6 Fax	
NextG Fax	
Tender Phone 1	
Tender Phone 2	
NextG Phone	

## Tender Specifications



<b>Tenders</b>	2 x Norsafe Magnum 850
<b>Dimensions</b>	9.2 metres
<b>Power</b>	Twin 232 kW Yanmah Diesel Inboard Jet Propulsion
<b>Max Speed</b>	39.2 knots
<b>Cruising Speed</b>	20 knots
<b>Endurance</b>	100 nm
<b>Fuel Capacity</b>	360 litres



s22(1)(a)(ii)

**From:** s22(1)(a)(ii)  
**Sent:** Wednesday, 5 February 2014 8:45 AM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii); 'qjocjcc.Watchcmdr@defence.gov.au'  
**Subject:** FW: Request vessel position data Joint OSB Review RFI 23/14 [SEC-PROTECTED, DLM-Sensitive]  
**Attachments:** 140204-Form-s47E(d)-Operations-Ships Log extract-PROTECTED-SENSITIVE.pdf; 140204-Form-s47E(d)-Operations-Ships Plot Record extract-PROTECTED-SENSITIVE.pdf; 140204-Form-s47E(d)-Operations-Ships Plot Record extract-PROTECTED-SENSITIVE.pdf

Hi s22(1)

Re Joint Review RFI 23/14, and as discussed, you will find attached a response from JTF 639.

Regards

s22(1)

s22(1)(a)(ii) | A/g Director Governance and Command Support  
 Border Protection Command | Australian Customs and Border Protection Service  
 p: s22(1)(a)(ii) | m: s22(1)(a)(ii) | e: s22(1)(a)(ii)t@customs.gov.au

**From:** LAVER Peter  
**Sent:** Monday, 3 February 2014 3:57 PM  
**To:** s22(1)(a)(ii)  
**Cc:** SMYTHE Brenton (Defence); s22(1)(a)(ii); s22(1)(a)(ii)  
**Subject:** FW: Request vessel position data Joint OSB Review RFI 23/14 [DLM=For-Official-Use-Only]

s22(1)

This email constitutes a supplementary request for assistance (RFI 23/2014) in support of the Joint Review of OSB Vessel Positioning.

We seek position data for the following vessels' IOT confirm their locations for the narrative:

(Release of s47E(d))

Positions for s47E(d) for the period s47E(d)

(Release of s47E(d))

Positions for s47E(d) for the period s47E(d)

(Release of s47E(d))

Positions for both s47E(d) and s47E(d) for the period s47E(d)

Ideally a position roughly every 30 minutes or on key changes to course/speed would be suitable.

I suggest that HQ JTF 639 might be best placed to retrieve this information

Regards

Pete Laver

← not enough data provided. Info provided finishes at s47E(d) Require until at least s47E(d)

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JOINT OPERATIONS COMMAND  
Headquarters JTF639

## MINUTE



HQJTF639/M2809349

CJTF639

### REVIEW OF OPERATION SOVEREIGN BORDERS VESSEL POSITIONING DEC 13 TO JAN 14 - RFI 16/2014

#### References:

- A. Email from [s22(1)(a)(ii)] to BPC dated 29 Jan 14
- B. BPC OPORD 1/11 Annex O to Appendix 5 dated 28 Oct 13
- C. COMBPC I3M 170945Z Dec 13 – *COMBPC EXECUTO 2/13 ETB*
- D. Deposit by the Republic of Indonesia of a list of geographical coordinates of points of the Indonesian Archipelagic Baseline dated 11 March 2009

#### Introduction

1. This minute provides a response to the Joint Review's Request for Information (RFI) 16/2014 as per Reference A. In particular, this response covers HQJTF639 preparations and considerations covering RFI 16/2014 which sought "a statement from DCJTF639 and DCOMBPC OPS regarding awareness within HQ JTF639 and AMSOC of the IDTS boundaries and monitoring of the position and intended movement of assigned units during ETB missions".

2. The response also covers HQJTF639 activities covering the RFI 16/2014 request for "detail of formal CONOPs approval and ETB execution authority for each of [s47E(d)] [s47E(d)]".

#### Background

3. HQJTF639 has produced Executive Summaries (attached) for all Enforced Turn Back (ETB) operations conducted during the period 1 Dec 13 to 20 Jan 14. These Executive Summaries provide a timeline and the context behind each ETB.

#### Operational Context

4. ETB operations are high-tempo, demanding and complex by their nature. All personnel associated with ETB planning and execution are faced with a challenging expectation of achieving the intended operational outcome whilst preserving the fundamental requirement to maintain safety of life at sea at all times. The key criteria issued to Commanders Force Assigned (FA) to JTF639 has continued to be - to conduct ETB where it is safe to do so.

~~PROTECTED - SENSITIVE~~

~~PROTECTED SENSITIVE~~

2

5. All FA Commanders and crew are briefed in detail on the conduct of operations with specific focus on ETB based on the information contained at Appendix 5 to Annex O of BPC OPOD 1/11 dated 28 Oct 13 (Ref B). Reference B is currently undergoing review and amendment to include lessons learned from ETB operations conducted to date.

### Planning

6. Prior to receiving approval to conduct ETB operations at Ref C, extensive planning was conducted within BPC (BPC incorporates JTF639). Planning commenced in earnest post the federal election to align with a change in Government policy. Planning covered an array of options and issues, including: s47E(d)

7. During the Sep-Dec period, planning guidance was subject to rapid change due to the developmental nature of Federal government policy and the formation of OSB under CJATF. The consequence of these rapid changes and the physical distance between HQ BPC and HQ JTF639 was that staff worked to very tight deadlines, in small teams (or as individuals) in a stove-piped manner and planning could not be conducted in line with the standard Military Appreciation Process.

8. By early Nov 13, planning was dedicated toward ETB, within an environment where each SIEV arrival saw a higher level expectation that ETB could commence at any time. OPOD changes and TTP development took place in parallel with CONOPS development and evolving planning guidance. This rapidly changing, high-tempo planning focused predominantly on safely achieving the mission rather than allowing for a methodical detailed planning activity to take place.

9. Despite the planning environment surrounding the lead-up to ETB, all staff involved in the planning process were well aware of the Government's requirement not to breach Indonesian sovereignty and all planning was conducted with the intent to conduct operations outside of Indonesian Territorial Waters.

### Operations

10. HQ JTF639 Command Centre followed the process below for each SIEV arrival between 1 Dec 13 and 20 Jan 14. Note that HQ JTF639 monitored but had no operational control over OCS (ACBPS asset) for ETB on s47E(d). Throughout the process below the duty watchkeeping staff in HQ JTF639 maintained regular contact with watchkeeping staff at HQ BPC (AMSOC). The process below focuses on CCOI/SIEV.

s33(a)(i), s47E(d)

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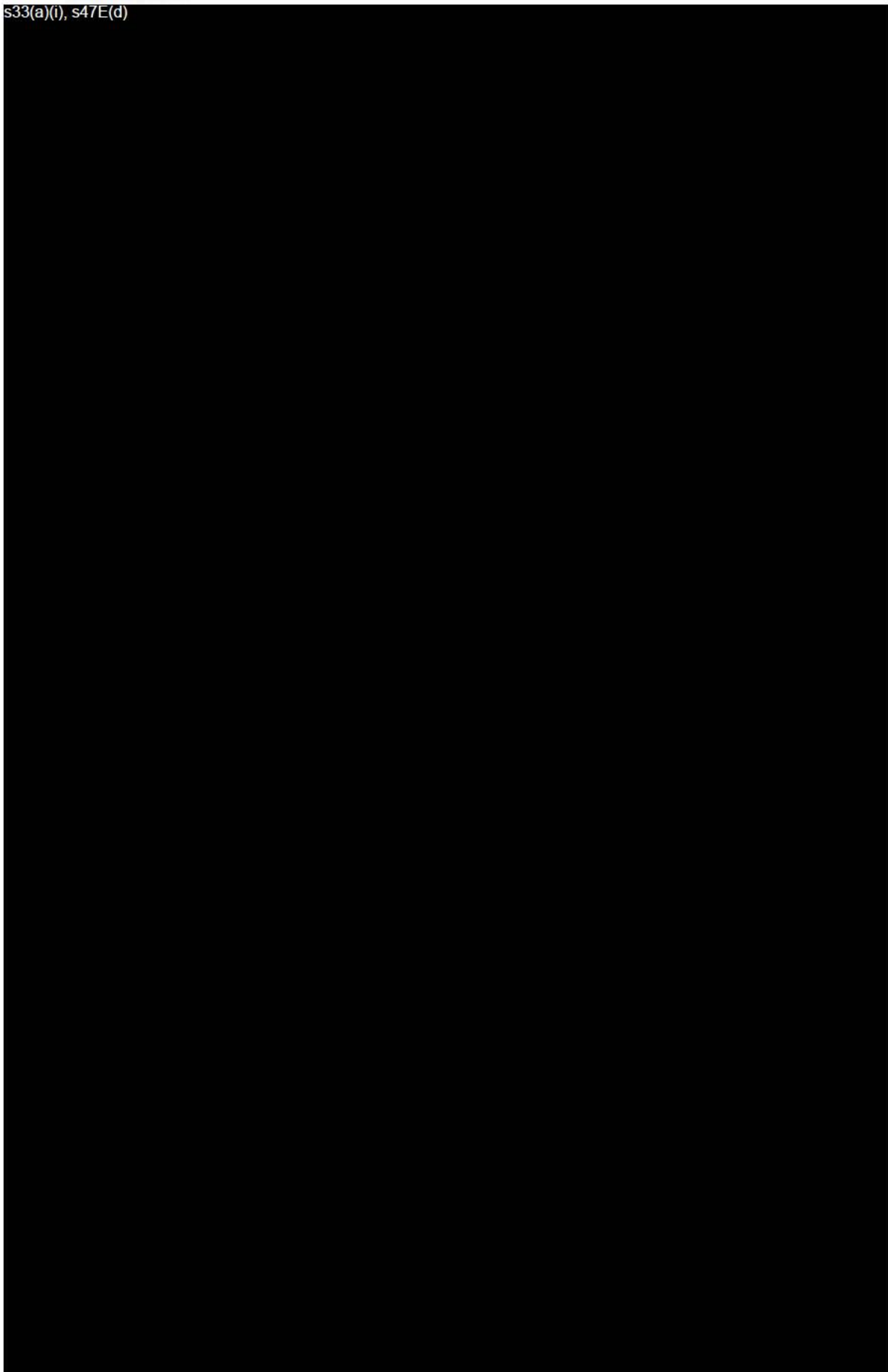
HQJTF639/M2809349

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s33(a)(i), s47E(d)

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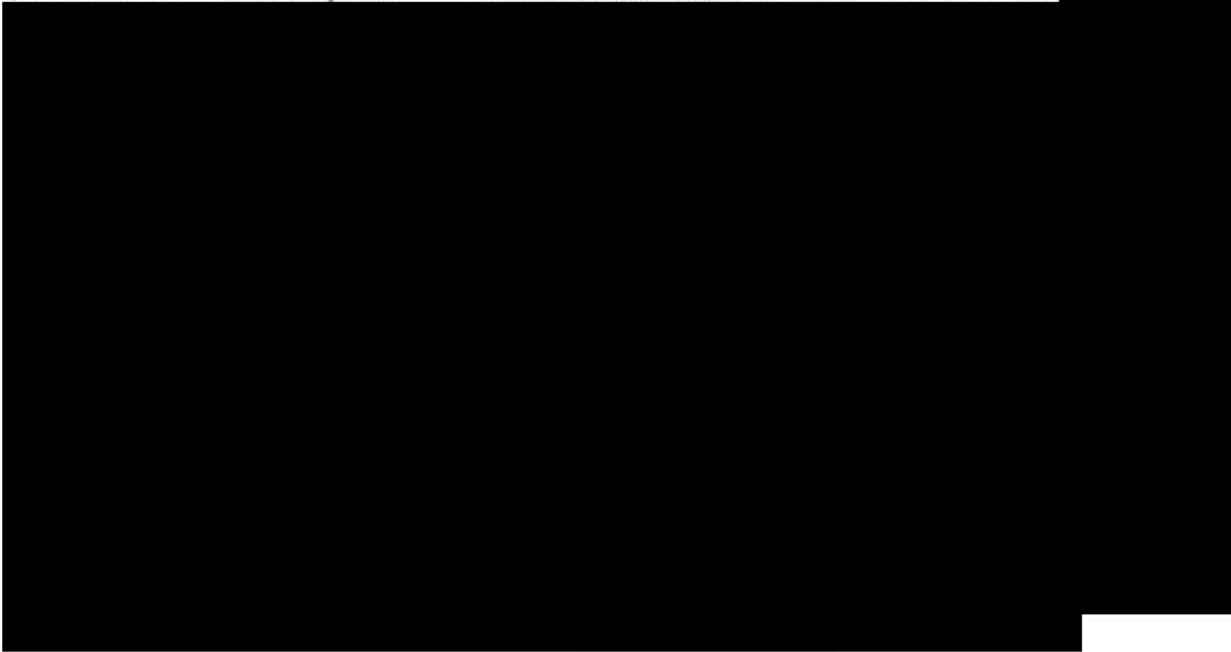


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**Subsequent actions**

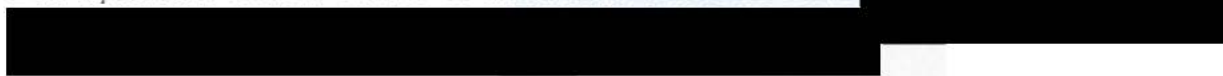
11. After identification that ETB operations had breached Indonesian Territorial Waters, processes have been implemented to avoid unintended breaches in the future. <sup>s33(a)(i), s47E(d)</sup>

**Conclusion**

15. The nature of the evolving operation resulted in a contracted planning process being undertaken.

16. At all times during planning and ETB operations IIQ JTF639 staff were aware of the Government's requirement not to breach Indonesian sovereignty and all staff believed that operations were conducted outside of Indonesian Territorial Waters.

17. Changes have been implemented to ensure checks on planned vessel positions during ETB operations remain outside of Indonesian Territorial Seas. <sup>s33(a)(i), s47E(d)</sup>

<sup>s47F</sup>

**B. SMYTH**  
CDRE, RAN  
DCJTF639

6 Feb 14

**Attachments:**

A. Executive Summaries <sup>s33(a)(i), s47E(d)</sup>

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HQJTF639/M2809349

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