

FRANCE - SINKING OF SOUTHERN RAIDER \*

ON 9 OCTOBER 1986, FOLLOWING A 20-HOUR PURSUIT STARTED IN THE TERRITORIAL WATERS ADJOINING THE SAINT PAUL ISLAND, THE "SOUTHERN RAIDER" SANK WHEN SHE WAS ABOUT TO LEAVE THE ECONOMIC ZONE UNDER FRENCH JURISDICTION, AFTER HAVING BEEN HIT BY A SHELL FIRED FROM THE PATROL BOAT "L'ALBATROS". THE CREW TAKEN ABOARD THE SHIP OF THE NATIONAL NAVY WAS BROUGHT BACK TO REUNION WHERE THE CAPTAIN JOHN CHADDERTON AND HIS FIRST OFFICER, ALISTAIR ANNANDALE, WERE CHARGED BY THE EXAMINING MAGISTRATE WITH INFRINGING THE LAW OF 18 JUNE 1966 CONCERNING FISHING RIGHTS IN THE FRENCH SOUTHERN LANDS AND BREAKING THE LAW OF 17 DECEMBER (AS MODIFIED) RELATING TO DISCIPLINARY AND PENAL CODE OF THE MERCHANT NAVY.

HOWEVER, VARIOUS CONSIDERATIONS, ESPECIALLY, THE CIRCUMSTANCES OF THE SHIP'S ACQUISITION AND ITS COMMISSIONING, THE APPARENT ERRATIC NATURE OF A SEVERAL MONTHS' TOUR IN THE SOUTH INDIAN OCEAN, THE DISCREPANCY BETWEEN THE AMOUNT OF EQUIPMENT ABOARD AND THE ADMITTED OBJECTIVES OF THE VOYAGE, THE CIRCUMSTANCES OF ITS ESCAPE HAVING ENDANGERED THE LIVES OF THE CREW MEMBERS, AND OF ITS SINKING CONSIDERED TO BE A SCUTTLING, CONFIRMED BY INFORMATION RECORDED THROUGH INTERPOL REGARDING JOHN CHADDERTON'S ANTECEDENTS LED THE PUBLIC MINISTRY TO REQUEST THE OPENING OF LEGAL PROCEEDINGS ON ACCOUNT OF THE INFRINGEMENT OF THE LAW RELATING TO DRUGS.

ON 21 AND 22 OCTOBER, 9 CREW MEMBERS, I.E. FOUR AUSTRALIAN NATIONALS AMONGST THEM, CAPTAIN CHADDERTON AND HIS FIRST OFFICER, ANNANDALE, FOUR NEW ZEALANDERS AND A SWEDISH NATIONAL WERE CHARGED ON ACCOUNT OF THIS INFRINGEMENT, AND PUT UNDER JUDICIARY CONTROL, THE CONDITIONS PROVIDED IN ARTICLE 144 OF THE CODE OF PENAL PROCEEDINGS CONCERNING THE PROVISIONAL IMPRISONMENT NOT BEING BROUGHT TOGETHER. A 16-YEAR-OLD UNDER AGE BOY WAS PLACED IN A HOME OFFERING EDUCATIONAL RESOURCES ("UN FOYER OFFRANT TOUTES GARANTIES EDUCATIVES").

IT RESTS WITH THE EXAMINING MAGISTRATE, FOLLOWING INTERROGATIONS AND MEETINGS ASSISTED BY AN INTERPRETER, TO UNDERTAKE INVESTIGATIONS AS NECESSARY TO BRING OUT THE TRUTH, ESPECIALLY BY TAKING EVIDENCE AND AS NECESSARY BY GOING TO APPROPRIATE PLACES.

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\*[This is a translation of a communique issued by the Public Prosecutor in Reunion on 28 October 1986. The translation was provided by the Department of Foreign Affairs, Canberra].