

To the committee.

It has long been known that imprisoning people on Christmas Island is not rational, it is extremely expensive and trafficking humans from Ashmore in most cases all the way across to Christmas Island adds about 1,000 km to a sea voyage of just 150 km from Indonesia to Ashmore for most of the refugees. See attached map by Mark Kenny in the Advertiser last year.

This puts people at risk of much more stress and then we jail them out of touch with the world in the middle of nowhere for months or years even after their claims have been assessed.

This is done in the name of "stopping people smuggling", which is not now and nor has it ever been true.

Senator Vanstone said in February 2000 estimates. Attached.

Along with many documents proving that not one person has ever been sent to prison in Australia for people smuggling, in fact they go to prison for not people smuggling as the court transcripts clearly show.

Which brings me to the facts of the Christmas Island crash.

The parliament has been told over and over again they are putting people's lives at risk by making it more and more difficult to seek asylum in Australia, by jailing fathers and forcing the mums and kids onto dangerous boats to seek asylum and all in the name of the non-existent people smuggling.

The senate recently had an enquiry which proved through dozens of submissions that it is not criminal to give refugees a ride that they freely choose to take to escape torture, persecution and possible death.

The attachment labelled "Indonesian housing" is what we expect people to survive in at our expense after we have them arrested in breach of Article 33 of the refugee convention.

Human Rights Watch found in the case of Italy sending Tunisian refugees to Libya under a dirty deal that refoulement has no geographical boundaries and that any agent of any country working in any other country is guilty of refoulement if they have people arrested or sent home if they are aware that people can be facing persecution and danger.

It would seem that one family who died on the shipwreck last December had the father in prison for many months so the wife and child who could not survive on their own followed. That is what has been happening for years now and separates families and kills some.

The parliament has learnt nothing from history, the jews who sewed jewels in their clothing and paid for transport to leave the nazi regime, slaves who caught the American underground railroad and others because they fail to understand one simple law - "everyone has the right to seek asylum from persecution in other countries.

That does not state "don't go Australia by sea", nor does it state "we have magic golden soil in Australia that you must not touch without permission".

Under Australian law it has not been an offence to arrive or stay in Australia without visas since the ALP changed the law in 1992 yet we jail people in the pretext of needing visas and in spite of nearly 20 years of being told it was illegal.

This committee will be as worthless as every other committee investigating the deaths of refugees and I can write the result right now.

"They done it themselves by paying people smugglers and it serves them right".

Just like the SIEVX, the Sumbar Lestari attached and the many court cases stating "this is not people smuggling".

Neither major party in this country has any clue about the law, the migration act or the legal rights of asylum seekers and that in a nutshell is why people died in the shipwreck.

Not one iota of time that will be wasted will change the outcome of the enquiry and the only thing the government and opposition will agree on still is "stopping the boats".

Perhaps we could go back to the good old days

http://sievx.com/archives/2002_10-11/20021001.shtml

ROSS COULTHART: But as we reported earlier this month, recent history records that sabotage has been used before by some Government officers to stop asylum-seeker boats getting to Australia.

In this 1992 documentary, a former Australian Immigration Officer admitted sinking vessels during disruption activities in the 1970s. Vessels carrying Vietnamese boat-people were deliberately just off the Malaysian coast to stop them continuing to Australia.

GREG HUMPHRIES - FORMER IMMIGRATION OFFICER: We bored holes in the bottom of the ships and the boats and they sunk overnight. So they had to be landed. We were successful in stopping a lot of boats - by one way or another.

Marilyn Shepherd