

http://www.aph.gov.au/senate/committee/legcon_ctte/antipeoplesmuggling/submissions.htm

In this submission I remind the committee of the hideous law they just allowed to pass which makes it a crime to give refugees a ride, financial support or any means of support in any country of the world in breach of so many human rights law and treaties I simply lost count.

Suffice to say that every treaty and convention on the list of 7 supplied is breached by these laws.

They are all in conflict with the racist policy of jailing innocent people for seeking asylum, no amount of obfuscation by the parliament can take away the fact that it is the only reason they are jailed because a visa is not a legal requirement and a bridging visa can easily be granted and catching a boat to an island is not illegal but good sense if the people cannot swim or catch a plane.

I have been through all the provisions of the 7 committees and we have fallen foul of every section that I can see but the most important breach is always over looked. That is article 30 of the Universal human rights that states that no-state shall take away any of the other 29 human rights for any reason or as an excuse to excuse themselves of human rights protection.

The bill as drafted mentions citizens, what of the millions of non-citizen visitors, migrants, students and refugees and asylum seekers who are within our borders.

A specific example is the rights of the child which were completely over thrown by the High Court and allowed for permanent detention of children even if they were born in Australia and if both parents are not citizens.

Al Kateb breaches every human rights law known to any country on earth and the poor devils locked in Gitmo have habeas corpus rights that this law does not allow.

s134 stripped human rights and family reunion rights from refugee families by a majority of 5-2 and the family were subsequently found by the ICCPR committee to have been illegally detained for many years.

s157 strips all but the most minimal human rights access to courts, only rare natural justice cases ever escape the privative clause in s 157.

Article 9 of the declaration of human rights insisted on by Australia in the drafting states that no person shall be subjected to arbitrary arrest or detention but we jail innocent refugees for having the gall to arrive here and ask for help and we do it for months, years or forever.

Singh of 2004 decrees that the birth canal is a migration path but makes it legal to deport children born in detention if parents are non-citizens.

The government might con some people into believing that they believe in this framework but the laws they have passed in recent days and the illegal suspension of

processing for the two groups most in need of protection followed by illegal and arbitrary detention in desert prisons shows me again they have no interest in human rights whatsoever.

There are still the unresolved torture and trauma claims of David Hicks and Mamdouh Habib whose human rights were abrogated by Australia as they languished for years in Guantanamo Bay.

The illegal deportations of many "failed" asylum seekers on false documents to the wrong countries is another example of law breaking by the government and has not been addressed.

The interception and jailing of asylum seekers in foreign countries abrogates our responsibility under the law of non-refoulement which the committee are well aware encompasses any of our agents illegally stopping a single person from seeking asylum in any territory where they cannot guarantee their safety or guarantee they will not be tortured or returned to danger. Jailing people to be tasered and tortured in Indonesia is an egregious breach of the refugee convention Article 33 which this government is well aware of.

The so-called intervention into the NT is nothing more than a racist attack on the first people of this country, it has been condemned by all human rights groups on the world yet it continues and the first peoples are treated like unmentionables in India.

I conclude by stating for the record that this is a hoax on the public and will do nothing to further the human rights protection of a single Australian citizen let alone the rights of any group the parliament decides to target for abuse, especially in an election year.

Was it intentional to leave out non-citizens because the universal declaration endows equal rights on all people no matter where they are, the colour of their skin, their religious beliefs, the lack of citizenship and many others.

I also notice the convention on the rights of the stateless is missing from the list along with the refugee convention and protocol, but then the convention is enshrined in the Migration act and we still ignore it so I do not see the point of this framework when even the work already conducted by HREOC and the committees involved are completely ignored.

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