

## Submission to the COMMITTEE ON PAYING PEOPLE SMUGGLERS.

In conjunction with the submission by Marg Hutton I want to point out the following to the committee and ask that they stop lying to the public about people smuggling.

In 1999 Philip Ruddock invented the people smugglers as an excuse to be brutally cruel to refugees and hand out punishments to innocent refugees.

In 2000 the UN was so concerned about the abuse of refugees by Australia supposedly under the guise of punishing people smugglers, that protocol excluded the movement of refugees across borders because refugees have to cross borders to seek asylum and they are allowed to cross without papers even under Australian law.

<https://www.unodc.org/unodc/en/human-trafficking/smuggling-of-migrants.html>

Now while the protocol sets out guidelines about who is being smuggled and who the so-called smugglers are it excludes refugees under Article 19 and forbids any form of punishment for those who are 'smuggled'.

<http://www.unhcr.org/43662b942.html>

***4. During the sessions of the Ad-Hoc Committee, UNHCR therefore emphasized the need to reconcile measures to combat the smuggling of migrants and the trafficking of persons with existing obligations under international refugee law. The Office welcomes the adoption of a saving clause in both Protocols, designed to safeguard the rights of asylum-seekers and refugees under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, in particular in relation to the principle of non-refoulement.***

***5. In addition, UNHCR appreciates the adoption of provisions for the protection of smuggled migrants, such as the obligation of States Parties to take appropriate measures to afford smuggled migrants protection against violence and to take into account the special needs of women and children. The Protocol against Smuggling is also clear in that it does not aim at punishing persons for the mere fact of having been smuggled or at penalizing organizations which assist such persons for purely humanitarian reasons.***

Now the senate have been apprised of this many times in the last 11 years since they ratified the convention, I personally have written several submissions about this to the Legal and Constitutional committee since 2004 when we ratified the smuggling protocol.

Article 14 of the Trafficking Protocol is the same saving clause for refugees as the one noted in smuggling protocol and again excludes the movement of refugees and forbids punishment.

We now have the situation where any refugees we find in our waters are:

1. kidnapped in international waters, held prisoner in the hold of a navy ship and then by force dumped to die in the sea.

<https://independentaustralia.net/australia/australia-display/so-called-people-smuggling-what-the-media-refuse-to-challenge,7032>

When we kidnap people in international waters we are acting outside the law, if all nations did this they would rightly be charged with piracy but Australia has become a lawless society over many years.

There is information also that the source of two stories for Four Corners about so-called smugglers was a spy for the AFP, he was not only working for the AFP but was helping to get people killed on the way.

<http://sievx.com/articles/sentences/dirlist.php>

All of these sentences show that our courts have known for 15 + years that the Indonesian crews were not people smuggling, something the senate, parliament and media have been ignoring for 11 years.

<http://www.abc.net.au/4corners/stories/2012/05/31/3515475.htm>

In this program the ABC claimed a young Afghan man was a people smuggler and have been forced to apologise to him for lying.

The spy Hussein Nasir was being paid hundreds a week to work with the AFP yet was allowed to come to Australia after being sponsored by Tony Jones and Sarah Ferguson.

Ferguson demonised Abdul Khadem as an evil smuggler and had the visa for his son cancelled, he had been on Christmas Island, been approved and because of Ferguson had everything stopped for 10 months, even urgent surgery on his leg that was wounded after we forcibly deported them to Iraq after trying to deport them on fake papers to Vietnam. Khadem was not a smuggler, he was a victim of Australia's viciousness.

<http://www.abc.net.au/4corners...>

MEHDI REZAIEE

On 4 June 2012 the ABC program 4 Corners broadcast a story "Smugglers' Paradise - Australia" concerning international people smuggling operations. In the course of that program, the ABC published allegations that Mehdi Rezaiee was an agent of people smugglers and had involvement in the collection of payment for the transportation of certain passengers on an unnamed vessel which departed Indonesia but which did not reach Australia.

For reasons the ABC regarded as valid, these allegations were not put to Mr Rezaiee before broadcast. The ABC acknowledges that Mr Rezaiee therefore did not have the opportunity to respond to the allegations. The ABC acknowledges that Mr Rezaiee was upset by the program

and regrets that he was not given the chance to deny the allegations

What on earth could be valid about accusing a young innocent Afghan man of being a criminal and never asking him about any facts? And he was a tad more than upset.

<http://www.tvtonight.com.au/20...>

Could it be that Sarah Ferguson and Tony Jones bought a visa for the AFP spy who was getting refugees killed on the way here?

Jones and Ferguson simply cannot be trusted, that is the fact of the matter.

While Hussain Nasir was working with the AFP hundreds of refugees drowned and were not saved by us because they were protecting this prick's life with the help of Ferguson and 4 Corners.

<http://www.smh.com.au/federal-...>

They had another spy named Waleed Sultani who was given \$250,000 to work with Abu Quessay and the AFP to murder 353 refugees on SIEVX and that delayed rescue was to protect him.

<http://www.smh.com.au/federal-...>

Nasir, Hussein worked with Natalie O'Brien too but he was clearly paying both sides against the middle and making money both ways.

Sarah Ferguson did not check one word of her so-called smugglers stories, she took only the word of a war criminal seeking revenge, an AFP spy getting refugees murdered.

By contrast with the small amount of time the so-called smugglers spend in jail refugees are pushed back to die, locked up on Nauru or Manus, Christmas Island or in onshore prisons here for years without legal rights, civil rights or any other decent treatment.

Australia is a rogue state which is illegally trafficking people to Manus Island and Nauru against their will which is completely outside the law and should be stopped immediately.

Marilyn Shepherd