

Dr U Ne Oo, Ph. D.
AUSTRALIA

Dated: 11 September 2018

His Excellency Baron Waqa, MP
President of the Republic of Nauru,
Parliament House,
Yaren District,
Republic of Nauru
Central Pacific.

Your Excellency:

re: Asylum-seekers on Nauru

I am U Ne Oo, a refugee supporter in Sydney. I am a naturalized Australian of Burmese origin and I myself was once a refugee in Australia, of which the government here had granted me the refugee status in 1992. I had obtained a Doctorate degree in Theoretical Physics from the University of Adelaide in 1993. I am now working to support myself as a cleaner (janitor) in Sydney. I am not being part of, nor in association with, any professional non governmental organisations nor the political parties in Australia. I write to you today as a private individual, about my concerns for the welfare of detainees in the Offshore Detention Center in Nauru. I would also like to convey an important message, with my heavy heart, to Your Excellency about the well beings for your government.

I understand that Your Excellency's government has had the Memorandum of Understanding with Australian Government to host those refugees on Nauru since 2012. In a careful analysis on the Australian Government's practice on running of those offshore refugee camps, it is found that the Government of Australia has been perpetrating the Crime Against Humanity of Enslavement of those asylum-seekers. Whilst I am not a lawyer, I had filed this incident of enslavement to the International Criminal Court in June 2017 under the Article 15 of ICC Statute [#1]. As a follow up to this case, I have also filed the 39 individuals from within the Australian Senate on the charges of being accessory to this crime [#2]. In short, I have promised the Australian Federal Police as well as the world authorities to continue reporting, without fear or favour, on the perpetrators of this enslavement crime, who lend their hands on Australia's Offshore Detention regime [#3].

As for the enslavement of person(s) taking place in the Republic of Nauru, the Government of Nauru may have primary responsibility to end this practice. I believe there are certain international instruments to achieve above mentioned task. In 2001, the Republic of Nauru had

signed and ratified the treaty with International Criminal Court. On the one hand, the Republic of Nauru, as a former colonial territory of Australia, is covered by the 1956 Supplementary Convention on Abolition of Slavery. The Republic may also be covered by the 1926 Slavery Convention as it had been under the League of Nations mandate in 1919. In any case, as the Republic of Nauru has been a signatory to International Covenant on Civil and Political Rights, in which the Article 8 of ICCPR states that "No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited." Therefore, the Republic of Nauru and its government has a duty to 'expropriate' or to 'confiscate' individuals held in slavery so as to reverse the deprivation of liberty by freeing them from their situation.

In this connection, I had written letters to International Committee of the Red Cross [#4] and United Nations Special Rapporteur on Slavery [#5], to intervene on the enslavement situation on Nauru and PNG. I appeal Your Excellency's government to unilaterally withdraw from the MOU with Australian Government, and then, hand over all the detainees to International Committee of the Red Cross. I understand that the Government of New Zealand had already made an offer to take some of those detainees.

In my considered views, the current leaders within the Australian Government are in the thick of crime and, therefore, Your Excellency's government will be better off extricating yourself from such a crime. In sum, Nauru don't deserve to be criminalised.

In closing, I thank Your Excellency for your kind consideration of this important matter.

Yours respectfully and sincerely,



(U Ne Oo)

Enclosures (included with emails):

[#5] Letter to Special Rapporteur on Slavery, 14-Aug-2018.

[#4] Letter to President of ICRC and reply, 8-Dec-2017.

[#3] Letter to Australian Federal Police, 17th-Nov-2018

<http://www.aus4iccwitness.org/node/52>

[#2] Additional Submission to ICC, 15-Apr-2018

<http://www.aus4iccwitness.org/node/58>

[#1] Letter to ICC and reply, 30-Jun-2017.