

26 February 2016 Refuge Action Coalition Media Release

## **Almost 300 More Asylum Seekers Join PNG Constitutional Challenge to Manus Detention**

PNG lawyer, Ben Lomai, will today (Friday, 2 February) file another 287 submissions from Manus Island asylum seekers to join them to a PNG Supreme Court constitutional challenge to the Manus Island detention centre and the denial of their human rights.

This second tranche of submissions takes the total number of asylum seekers joined to the case to around 600.

A third tranche is expected to be filed in March and will effectively mean all of the asylum seekers will be a party to the action to enforce their rights under the PNG constitution.

Besides the constitutionality of the agreement to establish the detention centre, asylum seekers are seeking orders regarding their imprisonment without charge; being denied access to lawyers; denied due legal process; subjected to abuse and torture, etc.

A 'status conference' on Monday 29 February in Port Moresby is expected to set a date for the Supreme Court hearing of the challenge.

The constitutionality of the Memorandum of Understanding between PNG and Australia, that initially established the detention centre, is also being considered by the Supreme Court in a matter brought by the Opposition leader Beldan Nemah.

A decision in that matter is expected to be handed down very soon.

The PNG Constitutional Challenge has drawn a lot of attention in light of the recent Australian High Court decision finding that offshore detention on Nauru was legal under Australian law. That decision also affected 34 asylum seekers from Manus Island who were attached to the case.

In the aftermath of the Australian High Court finding, a "Let Them Stay" campaign is demanding that the Turnbull government allow all 267 asylum seekers attached to that court case be allowed to remain in Australia.

For more information contact Ian Rintoul 0417 275 713