

Australian Settlement with Refugees Should Be Considered as Part of OTP Inquiry Into Crimes Against Humanity

Wednesday, 21 June 2017- Last week, the Australian Government [agreed to a reported AUD\\$70 million settlement](#) of a claim brought by asylum seekers and refugees held on Manus Island, PNG. This settlement is for the physical and mental injuries suffered by these people while detained in breach of international law. Although detained on Manus Island, PNG, most of these 1,905 individuals have been held under the custody and control of the Australian Government and its contractors since the end of 2012.

The willingness of the Australian Government to reach this settlement, rather than go to court, supports the notion that evidence in the hearing would reveal the extent and scope of the Australian Government's past and on-going criminal acts. While a civil settlement is an important development, it does not provide the accountability that International Criminal Court (ICC) action would bring.

The undersigned Australian and international legal scholars have previously called on the ICC to investigate members of the Australian Government, as well as their corporate partners, for crimes against humanity. The ICC was created to end impunity and hold perpetrators of significant international crimes to account. We are encouraged by the fact the ICC's Office of the Prosecutor (OTP) is looking into this situation. We now provide this update and urge the OTP to consider this new development in its assessment of the claims. That the Australian Government is attempting to buy its way out of civil liability adds urgency.

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