

## Who is M47?

M47 has an inconceivable background.

He doesn't know his name, age, birthday, parents, or even which continent he was born on. He is a stateless person.

It is believed that he comes from Western Sahara in North West Africa. This is a sparsely populated desert area, and one of the world's largest disputed territories. He was approximately six years old when his mother died and he was transferred to a Spanish orphanage. We only know this because one of his earliest memories is of a large room full of beds.

Once this orphanage became too overcrowded, he was transferred to another orphanage in Madrid. Given that he was used to being outside on the streets and not inside a building, he did not cope in his new surroundings. After around a year, he ran away and made his way through France, and into Belgium.

After arriving in Brussels as an 8-9-year-old, he met a man who was willing to help him, and let M47 move into his family home.

The hope this brought did not last long. The man kept M47 locked up as a house slave, where he was required to tend to the man's chicken farm and perform domestic duties. During this time, he received no education, no medical care, and was not allowed outside if any other people were around. It was two years before the day came when the family forgot to lock the door, and M47 was able to escape.

As a young boy with no papers, no identity, and the ability to speak several languages, M47 was an ideal target for criminal gangs. He moved through Europe on various fake papers, working for a combined African and Nordic gang, and ended up in Norway. This gang was his first sense of family. They fed him, clothed him, and gave him a purpose.

In Norway, he also had his first introduction to a 'normal' life. He attended school for the first time, and he had a wonderful teacher who gave him experiences like visiting the mountains.

Conflicted between the gang and the idea of a 'normal' life, he finally decided he needed to get away from the gang but feared for his life if he remained in Norway. M47 tried multiple times to get to Canada but was deported to various places. At around the age of 19, he decided to try and make it to New Zealand by flying through Australia and trying to get a boat the rest of the way. As the furthest place from Norway, he thought he would be safe there.

Again, the hope did not last long. For the past nine years, M47 has been moved around onshore detention centres in Australia, with little chance of ever being released because he is stateless. These places are prisons but are worse for M47 because his future is without hope.

On 13th February 2019, with the help of the pro-bono law firm, Human Rights for All, he is seeking to challenge the the High Court's decision in 2004 known as the Al Kateb case. In that case, the High Court interpreted the Migration Act 1958 as permitting the indefinite detention of non-citizens at the discretion of the Minister for Immigration, unless there are no reasonable prospects of removal. In Al Kateb "reasonable prospects" included the end of the Arab Israeli conflict, which, in practice, was and is very unlikely. If M47 loses his case, it is very likely that, unless the present Minister for Immigration (David Coleman) relents, he will go on to spend the rest of his life in detention (possibly some further 60 years) even though he has not committed any crime.

This case is of great concern to all Australians not only because of the cruel treatment of M47 but also because the executive should not be allowed to imprison anyone – that should be for the judiciary to decide.