

From: [Martin Honzatko](#)
To: [Community Support and Services Committee](#)
Subject: Objection to extension of Emergency Bill
Date: Friday, 4 March 2022 11:58:46 AM

To Whom it may Concern,

Objection to extension of Emergency Bill

I sincerely ask you to help stop the Covid emergency declarations and associated measures and mandates. The community is hurting and I am hurting. I risk losing my marriage and my livelihood. I am tired of it, we all are. The lock downs and border closures which separated us from our loved ones will be remembered as one of the greatest policy failures of our time. Recent studies are demonstrating this fact: <https://www.msn.com/en-gb/news/uknews/covid-lockdowns-did-more-harm-than-good-major-study-finds/ar-AATpz0M>

Also the provisionally approved gene therapies that have been pushed on us have injured thousands and the toll is mounting: <https://www.tga.gov.au/periodic/covid-19-vaccine-weekly-safety-report-03-03-2022>

A great many have now experienced the omicron strain and are beginning to realise it is mild like the flu. The UK, Denmark and Czech Republic to name a few have abandoned covid restrictions and mandates. Why not Australia?

Look at the Trucker protests in Canada and the decision of the Supreme Court in the US against mandates: <https://www.abc.net.au/news/2022-01-14/us-supreme-court-blocks-biden-workplace-covid-vaccine-mandate/100755854>

The High Court in New Zealand has recently ruled that that the government vaccine mandate is an unjustified incursion on the Bill of Rights (NZ) which is comparable with *Queensland's Human Rights Act 2019*. The court found that because the Omicron variant in particular is so transmissible, that threat exists for both vaccinated and unvaccinated staff and was not satisfied that the mandate made a material difference, including because of the expert evidence before the court on the effects of vaccination on Covid-19 including the Delta and Omicron variants.

<https://www.nzherald.co.nz/nz/not-demonstrably-justified-high-court-upholds-challenge-to-police-and-nzdf-vaccination-mandates-terminations-suspended/LMAUM7LZWV6FFQWAKKJFLKYLIE/>

Public international law recognises that, during extraordinary circumstances, governments may enact emergency powers that suspend ordinary rule-of-law protections, with the exception however of “non-derogable rights”. The importance of preserving these rights of the individual is recognised in an extensive range of international human rights treaties.

For example, support for the inalienability of “non-derogable rights” is provided by the Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights (‘Siracusa Principles’). A document produced by the American Association for the International Commission of Jurists, the Siracusa Principles, explicitly stated that:

No state party shall, even in time of emergency threatening the life of the nation, derogate from the Covenant's guarantees of the right to life; freedom from torture, cruel, inhuman or degrading treatment or punishment, and from medical or scientific experimentation without free consent; freedom from slavery or involuntary servitude ... the right to recognition as a person before the law; and freedom of thought, conscience and religion. These rights are not derogable under any conditions even for the asserted purpose of preserving the life of the nation.

The United Nations Human Rights Committee has also explicitly emphasised that this restriction “underlines the great importance of non-derogable rights” in countries such as Australia.

The fundamental importance of protecting these non-derogable rights is affirmed by international and national courts. For example, in *Kokkinakis v Greece* (1993), the European Court of Human Rights held that “freedom of thought, conscience and religion is one of the foundations of a ‘democratic society’ ... The pluralism indissociable from a democratic society ... depends on it’.”

Importantly, the jurisprudence of the Australian High Court indicates that the prohibition of civil conscription must be construed widely to invalidate any law requiring such conscription expressly or by practical implication. From a constitutional point of view, as we have explained elsewhere, the jurisprudence of the High Court indicates that what cannot be done directly, cannot be achieved indirectly without violating section 51 of the Constitution. This point is addressed in a comment of Justice Webb in *British Medical Association v Commonwealth*:

If Parliament cannot lawfully do this directly by legal means it cannot lawfully do it indirectly by creating a situation, as distinct from merely taking advantage of one, in which the individual is left no real choice but compliance.

Informed consent can be defined as the voluntary agreement by an individual to a proposed medical or pharmaceutical treatment, given after sufficient and appropriate information about potential risks and benefits, including possible adverse effects, how common they are, and what they should do about them. From the perspective of international law, the right to informed consent is the bedrock principle of ethical standards in medicine. According to Article 6(1) of UNESCO's Universal Declaration on Bioethics and Human Rights (2005):

Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be express and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.

Freedom of religion is enshrined in the common law. Freedom of religion protects not only the freedom to observe or practise religious beliefs, but also the freedom not to observe or practise any religion or belief (see *Church of the New Faith v Commissioner for Pay-roll Tax (Vic)* (1983) 154 CLR 120; *Attorney-General ex rel Black v Commonwealth* (1981) 146 CLR 559; *Canterbury Municipal Council v Moslem Alawy Society Ltd* (1987) 162 CLR 145).

There are many who may not be able to take the Covid 19 injections because of their moral or religious beliefs. It has been clearly established that all of the Covid 19 injections currently available have either been developed with or tested using fetal cell lines obtained from abortions. These facts alone for many people make the prospect of taking such injections unconscionable.

For confirmation of the use of fetal cell lines in the Covid 19 injections, see:

<https://www.nationalgeographic.com/science/article/here-are-the-facts-about-fetal-cell-lines-and-covid-19-vaccines>

<https://www.gps-can.com.au/covid19-blog/covid-vaccine-fetal-cells>

The Australian Bureau of Statistics documents that over the last 22 month period: 273,901 Australians died. Only 2,639 were Covid related & 92% had 3 serious underlying conditions. Covid deaths only represented 1% of total deaths over the past 22 months & the average age was 81yrs for men & 86 for women. This is comparable to (over a 12 month period in 2019), 4,429 deaths from the Flu. The Flu is not treated as a 'emergency'.

These stats are on the ABS website. The stats on the ABS sight also show there has been more contagion amongst the Vaccinated than the unvaccinated showing that the mandates have been unnecessary, destructive and ineffective.

It would also appear unwise following the recent flood disasters in South East Queensland, to continue to restrict businesses already suffering great financial hardship and damage.

I implore you to please help stop the Covid Emergency measures, restrictions and mandates or soon the Australian public will lose all faith in their institutions (medical, legal, political) and this faith will never be recovered.

Regards

Martin Honzatko

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