

#FreeDanDuggan Campaign
A Fight for Freedom & Australian Sovereignty



Extradition Request of Dan Duggan

Choices of Principles, Precedents, and Protection of Australian Sovereignty0

Introduction: Dan Duggan, 56 and father of six, is an Australian pilot instructor. In 2012 he had a brief, part time employment in South Africa to train civilian student pilots along with other Australian trainers. Due to that activity, ten years later he was arrested in Australia on behalf of the United States (U.S.) for providing a so-called 'defense service'. Undisputedly no law had been violated at the time nor would it have been if carried out in Australia. Yet, six years later Australia passed a law which has wrongly been applied to Mr Duggan retrospectively specifically to target him. Although no other Australians have been charged, Mr Duggan has been singled out because he was born in the United States, while the Australian government, under pressure from the U.S., has abandoned its citizen and own constitutional obligations. Since his arrest on 21 Oct 2022, Mr Duggan has been held without Australian charges in maximum security prisons, with no chance of bail, and faces extradition to the U.S. and 65 years in gaol for simply doing his job. If you are alarmed about such an injustice to an Australian citizen, then please read on.

→ **The Overview:** While legally working for the highly respected Test Flight Academy of South Africa (TFASA) in 2012, as a part time employee with other Australians, Dan Duggan has been vindictively singled out by the U.S. as an ex-citizen and falsely accused of providing a so-called 'defense service' to a group of civilian Chinese student test pilots. This was later misreported in the media as giving 'secrets to the Chinese military' which is categorically false. No such charges are made by the U.S. or Australia. The flying and training Dan and his fellow Australian colleagues participated in was undisputedly legal for Australians to do, and would have been legal if done in Australia and neither he nor they face any Australian charges of any wrongdoing. Yet the Americans have improperly (and without jurisdiction) claimed TFASA, one of the world's most esteemed test pilot schools, provided military training to this group of civilian student pilots. They have also improperly assessed and singled out Dan as a dual Australian / U.S. citizen. After honourably serving in the U.S. marines as a pilot for 12 years, Dan permanently immigrated to Australia with his Aussie wife in 2002, became an Australian citizen in 2012, relinquishing his U.S. citizenship in the process as per U.S. law. Therefore, during relevant times of the U.S. accusations he was a sole Australian citizen. The U.S. has no jurisdiction over him or any other sole Australian citizen in Australia and to allow it would not only be a blatant violation of Australian sovereignty but set a dangerous precedent for all Australians.

Dan Duggan, a family man of impeccable character has no criminal history throughout his life, in any jurisdiction worldwide. Yet on 21 Oct 2022 he was unnecessarily publicly arrested while grocery shopping by the Australian Federal Police (AFP) on behalf of the Americans due to these flawed 10 year old allegations and has been in various NSW maximum security prisons ever since. He was classified the highest security level, treated and handled like a convicted terrorist (orange suit, hand & ankles cuffed, etc), and held in solitary confinement with no chance of bail fighting through the quagmire of the complicated extradition process. Such treatment is in direct violation of the United Nations Human Rights Charter of which both Australia and the U.S. are signatories. The case against him is only supported via the much criticised Extradition Treaty and associated Act which allow for extradition based on the

notoriously unfair secret U.S. 'grand jury' indictment process where allegations are not cross examined in any way, yet which have been publically unravelling since his arrest.

Although it is undisputed that there were no violations of any Australian laws or equivalence, Australian officials have helped the U.S. single out Dan Duggan providing him with no protection as an Australian in his own country. Because of the inherent unfairness of the Extradition Act 1988, Australian taxpayers not only fund the U.S. prosecution, but Dan has no opportunity to challenge any of his allegations in an Australian court. The extradition process is akin to a rubber stamping of administrative paperwork, not a determination of innocence or guilt. Now Dan's fate rests with the Australian Attorney-General (AG) to approve the extradition or not. The AG's ability to make an unbiased fair and impartial decision void of U.S. political influence and pressure will be put to the test. This matter should have never proceeded in the first place, but Australian government lawyers blindly accepted the non-jurisdictional secret U.S. indictment, and then gave flawed advice to the AG to endorse it. By doing so they have created an injustice whereby the 'no evidence' requirement of the extradition process has been weaponised against an innocent Australian in Australia on behalf of a foreign power.

Although many legal flaws and improprieties have been exposed, instead of bringing it to its rightful end, with reputations and jobs at stake the officials chose to save face and 'double down' on behalf of the U.S. and have worked feverishly to support the poorly constructed U.S. indictment with legal overreaches. Because there was no violations of Australian law, the Aus. officials needed to satisfy a 'dual criminality' requirement and did so by 'retrospectively' assigning an ill-applied non-equivalent law that did not come into effect until 6 years after the false allegations. Yet it was good enough for the extradition 'rubber stamp' process.

Additionally it was found that at some unknown time ASIO "transcended the bounds of propriety" in regards to Mr Duggan, the details of which are only in a classified report that will never be released to Mr Duggan or the public. Also the AFP filed a false affidavit to freeze the sale of a property owned solely by Mr Duggan's wife, which she was selling under duress to fund the defence and pay for her family's existence. A subsequent application for financial 'legal aid' to provide basic legal funding was denied and a NSW Magistrate even suggested that Mr Duggan could represent himself in the complicated case. Now his defence and family survive on donations. Strong cases do not require such prosecutorial manipulations and secret interferences pointing to a desperate attempt to send Dan 'out of sight, and out of mind'. Such disgraceful abuses of power and unfairness are expected in Putin's Russia, but not Australia.

Ironically, the United States would never extradite a sole U.S. citizen in similar conditions. The forcible extradition of an innocent citizen against his will from his wife and six kids; who has undisputedly violated no law or equivalent law; to the opposite side of the planet at the behest of a foreign government; to be subjected to a notoriously polarised and dangerous 'justice' system which he may not emerge from alive would be completely unacceptable to them and would defy 'unalienable' rights and protections of the U.S. Constitution. Yet, here in Australia, in contravention to its own constitutional obligations, through 'lapdog diplomacy' and fundamental defects of jurisdiction, retrospectivity and improprieties subservient Australian government agencies have served their American master by facilitating a geo-political 'stitch up' of a fellow citizen. Because of it an innocent and good man faces 65 years in prison on trumped up charges. No wonder many say Australia is now America's '51st State'. If extradition is approved, such acquiescence would establish a sad and dangerous precedent to surely be applied to future Australians.

'The danger of injustice becomes precedents for the citizenry, but seldom for the tyrants that create them! They can only survive but for the complacency of the people.'

The inescapable truth is that, along with his fellow Australian colleagues, Dan Duggan is an innocent Australian. Yet, unlike them, only Dan has been singled out, falsely accused and unfairly faces extradition! Meanwhile, subservient Australian government officials have facilitated this injustice along, seemingly uncaring or oblivious (or both) to the duress they have inflicted upon a fellow citizen, his wife and six children, or to the dangerous precedent they have 'created'. Fortunately, Article V of the Extradition Treaty clearly states Australia 'is not bound to deliver up its own nationals' and thus should prompt a sovereign Attorney-General to use his wide discretion to save this Australian family, defend sovereignty and the reputation of Australian citizenship for all Australians by choosing principle over power.

However, the moral courage of politicians does not come easy; it requires informed citizens to engage with their elected representatives through in person events, phone calls, emails, petitions and letters. Therefore, please contact the Attorney-General and your local federal parliamentarians and respectfully insist they defend Australian sovereignty and citizenship by rightfully rejecting the flawed extradition request so that Dan Duggan can be returned to his wife and six children. Time is of the essence as the AG and surely the Prime Minister (PM) are deliberating now! As of writing, Dan has been in Australian maximum security prison without having violated any law for almost 2 years and counting. Enough is enough! We also ask PM Albanese to consider his well-used phrase in regards to China; "Cooperate where we can, disagree where we must". The saying is apt, but if Australia is truly a sovereign country, it should apply to all countries, not just one. Therefore, when it comes to the defence of an innocent Australian, the reputation of Australian citizenship and Australian sovereignty itself, tens of thousands of fair minded Australians who have signed the petition to "Free Dan Duggan" urge the Australian Government to listen, and respectfully 'disagree' with the United States in this instance!

- The Duggan family would be extremely grateful for your support!
- For more info on this matter, please go to www.freedanduggan.org
- **PLEASE** call, email, and write your Commonwealth Federal politicians today!
- Australian Commonwealth Attorney-General; the Honourable Mr Mark Dreyfus: mark.dreyfus.mp@aph.gov.au
- Please join tens of thousands of other Australians and sign the '[Free Dan Duggan' petition](#).
- If you can, Please make a small donation at: <https://freedanduggan.org/help-the-cause/>
- Please ask your family, friends, and colleagues to do the same.

THANK YOU!!!!