



Australian Citizens Party

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MEDIA RELEASE

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Email the Attorney-General: Reject Dan Duggan's extradition!

Following is a media release today from the family of former US Navy "Top Gun" Dan Duggan, an Australian citizen since 26 January 2012, appealing to Attorney-General Mark Dreyfus to reject Duggan's extradition to the United States.

It is the opinion of the Australian Citizens Party (ACP) that the US indictment against Duggan is so flawed and, frankly, sloppy, that if it didn't involve "guilt by association" with China—about which Australian politicians and media seem prepared to believe any claim, no matter how wild—the AG would not get away with granting this extradition request. But because it does involve China, if Dreyfus approves extradition the media won't bother questioning it, and no major-party politician will object. For that reason, all Australians should be extremely concerned about this case—if Duggan is extradited it will be for political, not legal reasons, and no Australian can have confidence their government would protect them against any politicised action by the United States.

The ACP is calling on all concerned Australians to immediately do two things:

- 1. Email Attorney-General Mark Dreyfus, their local MP, and Senators to express opposition to Duggan being extradited;*
- 2. Support the Duggan family's legal fighting fund, which they are forced to crowd source because the US government froze the sale of Dan's wife Saffrine's property so it could be used to fund his legal defence, leaving the family to take on the might of the US government with their hands tied behind their backs—see details at the end of this release.*

Duggan family's media release:

Family torn apart by abuse of process in extradition, submission reveals

SYDNEY, 16 SEPTEMBER 2024: The family of imprisoned pilot and father of six, Dan Duggan, has today spoken out, after a thorough legal investigation revealed the US extradition request is "vague, embarrassing and oppressive" and should be immediately rejected by the Attorney-General.

Three weeks ago, the Attorney-General was presented with an 89-page legal submission which followed a three-month investigation by a team of lawyers and experts led by Bernard Collaery. The submission outlines glaring errors in process and fact in the US case.

Dan's wife Saffrine Duggan said the submission showed that the US case is seriously flawed and an abuse of process. Key pieces of evidence have not been produced, examined or requested, including, Dan's flight logbook which shows he was flying harmless 1960s training planes.

"The United States cannot just snatch Australians off the street and send them to the US based on this flawed document and process", Saffrine said. "Dan is an Australian citizen who has not broken any Australian law, and we miss him terribly.

"We pray and respectfully ask the Attorney-General to take the time to properly review this case, and the strength to make the right decision to allow my husband to come home to me and the children. The kids just want their dad back.

"As it stands today, at any time Dan could be taken from us in the middle of the night and his children may never see him again."

Under the Extradition Act, the merits of the case against Dan cannot be argued in the Australian courts but the family is afforded the ability to present their case to the Attorney-General.

While several of allegations fall away due to factual errors, the claim of conspiracy "is not only statute barred, but also vulnerable to strike-out as vague, embarrassing and oppressive," the submission says.

The submission outlines multiple errors in the conspiracy count of the indictment, including:

- Misrepresentation of Mr Duggan's motivational presentation "The Fighter Pilot's Guide to Mission Success" which he had previously delivered to corporates such as Toyota and Hewlett Packard in Australia.
- The false aircraft carrier story sold to the US Grand Jury about Dan giving aircraft carrier training in March 2011, when the aircraft carrier, *Liaoning*, was located some 2,000kms away. Publicly available documentation and news stories reveal the true location of the *Liaoning* which was still under construction at the time.
- Discussion in the indictment about the purchase of an aircraft by "co-conspirators" happened years before Dan was even involved with the South African flying school.

Saffrine said the family was fighting the extradition on a number of grounds, including a failure of due process by the United States, political motivated charges, a lack of "dual criminality" and abuse of Human Rights obligations including rights of the children. Issues include:

- The primary charges against Dan are alleged to have occurred in March, April and November 2012 when Dan was an Australian citizen. The submission acknowledges that: "The United States has provided no coherent argument in support of its claim to have sovereign control over Daniel Duggan as a sole Australian citizen after 26 January 2012."
- Regarding "dual criminality", the submission explains that Australia had no equivalent to the US ITAR laws in 2012, meaning the primary allegation against Dan is not a crime in Australia. Instead, it relies on a tentative and inaccurate link to a change to the criminal code in 2018, six years after the fact.

"It is absolutely terrifying to think that you are a law-abiding Australian citizen but down the track someone can change those laws and have you prosecuted. It sounds like something out a dystopian novel, but it is the nightmare our family is currently living," Saffrine said. "No true Aussie would stand for that. It's a direct attack on citizens and our sovereignty as a nation."

Dan Duggan has already been held in NSW maximum security prisons for more than 22 months with no local charges, based on 12-year-old US allegations that he instructed Chinese pilots in South Africa in 2012. Dan strongly denies any wrongdoing.

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What you can do

1. Email AG Mark Dreyfus: Mark.Dreyfus.MP@aph.gov.au to express your opposition to Dan Duggan's extradition.
2. [Email your local MP and Senators from your state](#) with the message they should stand up for the rights of Australian citizens and oppose Duggan's extradition.
3. [Make a donation to the Duggan family's legal defence.](#)