

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 3

Program: 1.6

Question No. SBE14/183

Senator Xenophon asked the following written question from the 20 November and 11 December 2014 hearings.

1. Please outline the steps the Australian Government has taken over the past 15 years to give effect to UN Security Council Resolutions 1264 and 1272 (both from 1999), which demanded that those responsible for serious crimes in East Timor be brought to justice.
2. What is the Australian Government doing - Interpol warrants, watch lists, etc. - to ensure that the killers of its own citizens are brought to justice?

The answer to the honourable senator's question is as follows:

1. The Australian Government is guided by the decisions of the Timor-Leste Government, as the democratically elected representatives of its people, on how to take forward justice processes for human rights abuses committed in Timor-Leste. The Australian Government provided technical assistance to support the Timor-Leste Commission for Reception, Truth and Reconciliation and has consistently encouraged Timor-Leste to implement the Commission recommendations.
2. Australia has comprehensive border control, international crime cooperation and domestic investigation and prosecution arrangements to address serious crimes.

The AFP commenced an investigation into the deaths of the Balibo Five on 20 August 2009. The AFP has exhausted all inquiries in relation to this matter and will be taking no further action at this time.

It is a matter of public record that international enquiries have been made to progress this investigation. However, as a matter of longstanding practice the Australian Government does not confirm or deny whether it has made specific requests for assistance to a foreign country in a criminal matter.