

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 1.2**

**Question No. 234**

**Senator Stott-Despoja asked the following question at the hearing on 14 February 2006:**

The appointment of the Australian Government Solicitor to Papua New Guinea has been opposed by some Papua New Guinea politicians. Will Australia push for this appointment even if it is not well received?

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

The Attorney-General's Department understands that the question relates to assistance provided to Papua New Guinea (PNG) under the Enhanced Cooperation Program (ECP).

Under the terms of the original ECP negotiated between the Governments of Australia and PNG, it was never envisaged that the Australian Government Solicitor would have direct involvement in the program.

The ECP did provide for the deployment of an ECP official as PNG Solicitor-General. The position is integral to the ECP's anti-corruption strategy and was to focus on preventing the corrupt settlement of claims against the PNG Government.

Following the PNG Supreme Court ruling in May 2005 that parts of the *Joint Agreement on Enhanced Cooperation Between Australia and Papua New Guinea* were unconstitutional, the deployment of an ECP Solicitor-General was deferred.

Australia and PNG are currently negotiating a revised package of assistance to the PNG Law and Justice Sector, which includes the appointment of an ECP official as the PNG Solicitor-General. An ECP Solicitor-General will not be deployed without the express agreement of the PNG Government.