

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

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Question No. 38

Senator Abetz asked the following question at the hearing on 26 May 2008:

Does the Government have a policy position on when we send in equipment to assist those activists or other people who are allegedly breaking the law by behaving in ways that may be against international law?

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

When it comes to the provision of assistance to persons at sea, the safety of life is always of paramount consideration, irrespective of whether the persons involved have engaged in illegal activity. To this end, Australia will always comply with its obligations under the International Convention for the Safety of Life at Sea. Decisions as to whether and what type of assistance is provided are made on a case by case basis.

In the case of the Sea Shepherd activists, the Government had repeatedly called on all parties in the Southern Ocean to exercise restraint and respect their legal obligations. In acting, the Government was responding to a request from the Japanese government for assistance.