

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

Output 1.4

Question No. 25

Senator Trood asked the following questions at the hearing on 20 October 2008:

In relation to the Government's election promise to take Iran to the International Court of Justice with regards to genocide and its threats to Israel:

- a) when did the Attorney-General's Department begin preparing advice?
- b) did the Department of Foreign Affairs and Trade participate in the preparation of advice?
- c) was advice shared with the Department of Foreign Affairs and Trade? If so, when was that advice shared; and
- d) after submitting advice to the Attorney-General, was it returned to the Office of International Law Division?

The answers to the honourable senator's questions are as follows:

- a) The Attorney-General's Department began preparing its legal advice on or about 7 March 2008.
- b) The Department of Foreign Affairs and Trade was consulted during the preparation of the advice and provided written comments on a draft of that advice on 7 April 2008.
- c) Drafts of the legal advice were provided to the Department of Foreign Affairs and Trade on 27 March 2008 and on 6 May 2008. A copy of the final legal advice was provided to the Department of Foreign Affairs and Trade on 14 May 2008.
- d) The advice has not been returned to the Office of International Law.