

Mason, Timothy

From: Media AGD
Sent: Tuesday, 25 October 2011 1:39 PM
To: Liddell, Ryan
Cc: Coles, Anthony; Ananijevski, Branko. Williams, Diana; Media AGD
Subject: FW: President Rajapaksa [SEC=UNCLASSIFIED]

Security Classification:
UNCLASSIFIED

UNCLASSIFIED

Hi Ryan,

Another one... Let us know if there is anything you need from us.

Regards,
Tracy

Tracy Heffernan | CHOGM 2011 Security Media
Strategic Communication Branch | Australian Government Attorney-General's Department
[REDACTED] e. media@ag.gov.au

S42(1)

From: Barrowclough, Anne [mailto:barrowclougha@news1td.com.au]
Sent: Tuesday, 25 October 2011 1:34 PM
To: Media AGD
Subject: President Rajapaksa

Hello

I would like to know if the Attorney General has received a request from the lawyers of Arunachalam Jegatheeswaran to indict Sri Lankan President Rajapaksa on war crimes charges.

I would also like to know what the proceedings would be once the request was received. I know that Australia has obligations to extend immunity to visiting heads of state, but can you tell me if there are any circumstances in which this could be waived?

Also, to give Mr Rajapaksa immunity, will the Attorney General issue him with a certificate of diplomatic immunity and if not, what is the procedure that would be followed to ensure he has diplomatic immunity?

I am writing this story now so would appreciate a response by @ 4- 5 pm today

Many thanks

Regards
Anne Barrowclough

Anne Barrowclough
Southeast Asia Editor
The London Times
(+612) 9288 1657 (O)

[REDACTED] S47F(1)

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Mason, Timothy

From: Reid, John
Sent: Tuesday, 25 October 2011 2:10 PM
To: Little, Matthew
Cc: Ng, Phillip; Clifton, Jacob; Campbell, Bill
Subject: RE: Sri Lanka - immunity claim - timeline [SEC=IN-CONFIDENCE]

Security Classification:
IN-CONFIDENCE

IN-CONFIDENCE

Matt,

I understand that Jacob has now discussed the most recent developments with Bill.

S42(1)

This issue is now taking a slightly different tack, on advice from Roger. [REDACTED]

[REDACTED] That advice is being sought urgently, and we hope to have received it before the planned meeting between Minister Rudd and the lawyers acting for Sri Lanka at 4:30pm (our time). Once received, the advice will be sent to AGO, FMO and PMO.

Cheers,
John

From: Little, Matthew
Sent: Tuesday, 25 October 2011 12:56 pm
To: Reid, John
Cc: Ng, Phillip; Clifton, Jacob
Subject: Sri Lanka - immunity claim - timeline [SEC=IN-CONFIDENCE]

IN-CONFIDENCE

Hi John

I've just discussed with Jacob. The info you provided is very useful and exactly what we were after. The AG, PMO etc are seeking that advice in Perth and so would it be possible to capture our conversation in a rough timeline re. r/ship between consent and immunity, who claims etc.

Thanks very much

Matt

Mason, Timothy

From: Ananijevski, Branko
Sent: Tuesday, 25 October 2011 2:47 PM
To: Reid, John; Ng, Phillip
Cc: Winter, Josephine; Inverarity, Tara; Coles, Anthony
Subject: RE: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi {~~SEC=IN-CONFIDENCE~~}

Security Classification: ~~IN-CONFIDENCE~~

~~IN-CONFIDENCE~~

Hi John

Given we are waiting on AGS advice and have not yet received the request to which the brief refers, it can be safely put aside until the more pressing matters are dealt with.

Cheers
Branko

Branko Ananijevski
Legal Officer
Criminal Law Reform Section
Criminal Law & Law Enforcement Branch
Attorney-General's Department
3 - 5 National Circuit | Barton ACT 2600
T: 02 6141 3108 | E: branko.ananijevski@ag.gov.au | W: www.ag.gov.au

From: Reid, John
Sent: Tuesday, 25 October 2011 1:34 PM
To: Ananijevski, Branko; Ng, Phillip
Cc: Winter, Josephine; Inverarity, Tara; Coles, Anthony
Subject: RE: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi {~~SEC=IN-CONFIDENCE~~}

~~IN-CONFIDENCE~~

Branko,
Given the current developments, and my discussions with Anthony, can I assume that this brief is now on the backburner? (We have other more pressing issues to attend to in relation to this matter and are unlikely to get around to this sub in the next couple of hours.)

Cheers,
John

John Reid
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██████████ - S47F(1)

E: john.reid@ag.gov.au

From: Ananijevski, Branko
Sent: Tuesday, 25 October 2011 11:30 am
To: Reid, John; Ng, Phillip
Cc: Winter, Josephine; Inverarity, Tara
Subject: RE: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi {SEC=IN-CONFIDENCE}
Importance: High

~~IN-CONFIDENCE~~

Hi John and Phillip

As per below, please find attached a draft submission recommending the AG refuse consent to prosecute for your comment.

Feel free to give me a call if you wish to discuss.

Thanks
Branko

Branko Ananijevski
Legal Officer
Criminal Law Reform Section
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Attorney-General's Department
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From: Inverarity, Tara
Sent: Tuesday, 25 October 2011 9:11 AM
To: Reid, John
Cc: Ananijevski, Branko; Winter, Josephine; Ng, Phillip
Subject: RE: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi [SEC=UNCLASSIFIED]

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Thanks John.

The documents haven't arrived with us yet – we're just working off the Lateline ones so that the sub is ready to go when the originals arrive in the Department.

Tara

From: Reid, John
Sent: Tuesday, 25 October 2011 9:07 am
To: Inverarity, Tara
Cc: Ananijevski, Branko; Winter, Josephine; Ng, Phillip
Subject: RE: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi [SEC=UNCLASSIFIED]

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Thanks Tara.
If you can't get me, the action officer here is Phillip Ng (3254).

Has the request to grant consent arrived?

Cheers,
John

John Reid
Assistant Secretary
International Law, Trade and Security Branch
Office of International Law
Attorney-General's Department

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[REDACTED] S47F(1)
E: john.reid@ag.gov.au

From: Inverarity, Tara
Sent: Tuesday, 25 October 2011 9:03 am
To: Reid, John
Cc: Ananijevski, Branko; Winter, Josephine
Subject: FW: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi John S42(1)

[REDACTED]

I think we have enough information from OIL to do a first cut of the submission which we will aim to get to you for comment by lunch time today. Grateful if you could let me know if there is an action officer in OIL that we should consult with in the first instance.

Happy to discuss. I'm on x2842 and the action officer is Branko Ananijevski on x3108 if you can't get me on the phone.

Cheers

Tara

From: Coles, Anthony
Sent: Tuesday, 25 October 2011 8:23 am
To: Sheehan, Tony; Williams, Diana; Wilkins, Roger
Cc: Reid, John; Campbell, Bill; Barnes, Jennifer; Clifton, Jacob; McMullan, Kathryn; Inverarity, Tara; Winter, Josephine
Subject: FW: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi
[SEC=UNCLASSIFIED]

UNCLASSIFIED

Colleagues,

OIL (John Reid) is considering points 8 & 9 below. We will provide further advice asap.

Jacob – I assume you still have not seen the request for consent under 268.121 that Mr Stary purports to have made?

Anthony Coles
A/g First Assistant Secretary
Criminal Justice Division
02 6141 2770

From: Anderson, Iain
Sent: Monday, 24 October 2011 11:12 PM
To: Coles, Anthony; Sheehan, Tony
Subject: Fw: CHOGM - President of Sri Lanka - Private & Confidential - URGENT - fyi
[SEC=UNCLASSIFIED]

Classification: UNCLASSIFIED

From: [REDACTED] S47F(1)
To: Clifton, Jacob; Whelan, John
Cc: Attorney Correspondence; kevin.rudd@dfat.gov.au ; Anderson, Iain; Jennings, Mark; dominic.trindade@dfat.gov.au ; aaron.verlin@chogm2011.org ; Rob McKenzie ; Thisara Samarasinghe
Sent: Mon Oct 24 22:03:03 2011
Subject: CHOGM - President of Sri Lanka - Private & Confidential - URGENT
Dear Mr Clifton and Mr Whelan, S33(a)(iii), S33(b) |



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