



Australian Government
Department of Foreign Affairs and Trade

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29 November 2012

Mr Graham Perrett
Chair, Standing Committee on Social Policy and Legal Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Mr Perrett

Inquiry into the Arrangements Surrounding Crimes Committed at Sea

The Department of Foreign Affairs and Trade (DFAT) welcomes the opportunity to make a submission to the Standing Committee on Social Policy and Legal Affairs in response to the Committee's inquiry into the Arrangements Surrounding Crimes Committed at Sea. This submission will directly address item (d) of the terms of reference in relation to the consular assistance provided by the Australian Government to the victims of crimes committed at sea.

Support available to victims of crimes committed at sea

DFAT provides consular assistance to Australian citizens and permanent residents travelling or living abroad. This includes where Australians are victims of crimes committed at sea where these crimes are not in Australian territorial waters. The Smartraveller website, www.smartraveller.gov.au, provides useful information for Australians travelling by seas, including on safety and security issues.

Consular assistance to Australian citizens is provided through DFAT offices in Australia and diplomatic missions (embassies, high commissions, consulates) overseas in accordance with the Vienna Convention on Consular Relations (VCCR). The VCCR creates legal obligations

and rights between signatory States. Australia is a party to the VCCR and ratified the Convention on 12 February 1973. In terms of providing assistance to Australian nationals who are victims of crimes committed at sea, Article 36 of the VCCR provides for communication and contact with nationals of the 'sending state' (i.e. Australia) with a view to facilitating the exercise of consular functions to nationals of that sending state. The Australian Government's capacity to provide consular assistance in such cases can be influenced by local laws and conditions and dependent upon the cooperation offered by persons and organisations outside the Australian Government.

DFAT will be pleased to provide further information on this matter if it is required.

Yours sincerely

Mr Richard Rowe
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Department of Foreign Affairs and Trade