

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 234

Senator Xenophon asked the following question at the hearing on 24 February 2014:

1. In regards to the 2008-2009 Guy Campos investigation, what were the obstacles to a successful prosecution in the case? Attached by way of background is a news article.
2. How do we prosecute war crimes in Australia? In particular, how do 'grave breaches' of the 1949 Geneva Conventions become crimes under Australian federal law over which Australian courts have jurisdiction?

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

1. The Commonwealth Director of Public Prosecutions is responsible for the prosecution of matters on behalf of the Australian Federal Police (AFP). It would be inappropriate for the AFP to comment as to why a prosecution was not commenced.
2. The Attorney-General's Department are responsible for the implementation of Australia's obligations under the Geneva Conventions into domestic law.