

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

**Group: 2**

**Program: 1.1**

**Question No. AE15/059**

**Senator Whish-Wilson asked the following written question from the 24 February and 27 March 2015 hearings:**

1. Has the Government sought advice on how they can respond to the Japanese Government's plan to continue lethal whaling following the successful International Court of Justice (ICJ) case?
2. What is the advice on how the Government can respond to the Japanese Government's plan to continue lethal whaling?
3. Does Japan have the legal right to continue lethal whaling in the Southern Ocean following the finding in the ICJ?
4. Is Australia preparing a case for the ICJ or other international forum to prevent Japan beginning its new Southern Ocean whaling program?

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

1. No.
2. Not applicable, as the Government has not sought advice.
3. Providing the Committee with advice on whether Japan has the legal right to continue lethal whaling in the Southern Ocean amounts to providing the Committee with legal advice. Consistent with the position that the Government will not generally disclose the content of legal advice to the Committee, it is not appropriate to provide an answer to this question.
4. No.