

## Message Text

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PAGE 01 MELBOU 01622 120053Z  
ACTION SCS-06

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P R 112200Z OCT 78  
FM AMCONSUL MELBOURNE  
TO SECSTATE WASHDC PRIORITY 4669  
INFO AMCONSUL SYDNEY

UNCLAS MELBOURNE 1622

E.O. 11652: N/A  
TAGS: CGEN (HAZNERS, VILIS)  
SUBJ: JUDICIAL ASSISTANCE; WAR CRIME INVESTIGATIONS

REF: STATE 256649 AND PREVIOUS

1. BY TELEPHONE THE OFFICE OF THE VICTORIAN ATTORNEY GENERAL, WHICH ADMINISTERS THE VICTORIAN EVIDENCE ACT HAS INFORMED US THAT, UNDER VICTORIAN LAW NO RPT NO LOCAL NOTARY PUBLIC, JUSTICE OF THE PEACE, OR COMMISSIONER FOR AFFIDAVITS COULD BE AUTHORIZED TO TAKE THE DEPOSITIONS IN THE HAZNERS' CASE.
2. THAT OFFICE ALSO INFORMED US THAT, IN THE MATTER OF DEPOSITIONS IN THE HAZNERS' CASE, IT APPEARS LIKELY THAT ONLY THIS OFFICE COULD TAKE DEPOSITIONS.
3. THE VICTORIAN ATTORNEY GENERAL'S OFFICE INFORMED US THAT, UNDER VICTORIAN LAW, THE ENABLING LEGISLATION CHARTERING CERTAIN REGULATORY BODIES ENABLES THOSE BODIES TO TAKE EVIDENCE ONLY AS IT PERTAINS TO THE MATTERS THEY REGULATE.
4. IN A QUICK, BUT INFORMAL, OPINION THE VICTORIAN ATTORNEY GENERAL'S OFFICE INDICATED THAT A VICTORIAN COURT WOULD NOT BE ABLE TO TAKE THE DEPOSITIONS AS IT APPEARS THAT MR. HAZNERS' CASE IS NOT YET BEFORE WHAT THE VICTORIAN COURTS WOULD

UNCLASSIFIED

PAGE 02 MELBOU 01622 120053Z

DEEM TO BE QUOTE THE COURTS END QUOTE.

5. AS WE INDICATED IN MELBOURNE 1609, THE TAKING OF DEPOSITIONS OVER THE THREE DAYS NOVEMBER 1 TO 3 SEEMS LIKELY TO STRAIN OUR RESOURCES BEYOND THEIR CAPACITY.
6. FRIDAY NOVEMBER 10, AS THE DEPARTMENT IS AWARE, IS VETERANS

DAY, A U.S. HOLIDAY.

7. TUESDAY NOVEMBER 7, IS MELBOURNE CUP DAY, A VICTORIAN HOLIDAY. AIRPLANE SCHEDULES MAKE IT APPEAR THAT IT WILL NOT BE UNTIL NOVEMBER 7, RPT 7 THAT OUR DELEGATE TO THE EAST ASIA CONSULAR CONFERENCE WILL BE ABLE TO RETURN TO MELBOURNE FROM MANILA.

8. ACTION REQUESTED: THE DEPARTMENT IS REQUESTED TO INFORM US IF THE DEPOSITIONS CAN BE RESCHEDULED.

9. WE THANK THE DEPARTMENT FOR ITS QUICK RESPONSE TO MELBOURNE 1609 AS CONTAINED IN THE REFTEL.

10. PENDING A RESPONSE FROM THE DEPARTMENT WE HAVE NOT ALTERED ATTORNEY BOYLANS' HOTEL RESERVATIONS NOR HAVE WE COMMUNICATED WITH THE RESPONDENT'S ATTORNEY TO CONFIRM WITNESSES AVAILABILITY. POPPLE

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## Message Attributes

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