
From: (1) (SEA)
Sent: Wednesday, 25 June 2014 1:42 p.m.
To: (1) (DS AAG); (1) (ESD); (1) (PRD)
Cc: (1) (GM SGG); (1) (SEA); (1) (KLU);
(KLU): (1) (ESD); (1) (ESD); (1) (ESD); MEDIA;
(1) (PRD)
Subject: RE: Malaysian Diplomat - Herald on Sunday

Thanks (i),

Our liaison with the Police and the (3) made clear we would be following up at post on what measures had been taken by their authorities (i.e. charges in a court martial or civilian court). I think this is an important part of the media messaging also – the message being that we expect him to face justice, even though not ours.

(1)

From: (1) (PRD)
Sent: Wednesday, 25 June 2014 1:48 p.m.
To: (ESD)
Cc: (1) (DS AAG); (1) (GM SGG); (1) (SEA);
(SEA); (1) (KLU); (1) (KLU); (1) (ESD); MEDIA (1)
(ESD). (1) (ESD); (1) (ESD); MEDIA (1)
Subject: RE: Malaysian Diplomat - Herald on Sunday

Thanks (1)
Better change the Geneva convention to the Vienna convention as we're not talking about prisoners of war!

Otherwise points look fine to me. (5)

(1)

From: (1) (SEA)
Sent: Wednesday, 25 June 2014 2:02 p.m.
To: (1) (KLU)
Subject: FW: Malaysian Diplomat - Herald on Sunday

Hi. (1), it would be useful to have in an email the best number to call you on at my 3.30pm. Thanks.

From: (1) (PRD)
Sent: Wednesday, 25 June 2014 2:00 p.m.
To: (1) (DS AAG); (SEA); (1) (ESD)
Cc: (1) (GM SGG); (1) (SEA); (1) (KLU); (1) (KLU); (1) (ESD); (1) (ESD); (1) (ESD); MEDIA; (1) (PRD)
Subject: RE: Malaysian Diplomat - Herald on Sunday

Agree. And it may provide a good excuse for NZ media to contact Malaysian media.

There is also the factor of possible psychiatric illness being the cause,

(1) (5) (4)

From: (1) (DS AAG)
Sent: Wednesday, 25 June 2014 1:50 p.m.
To: (1) (SEA); (1) (ESD); (1) (PRD)
Cc: (1) (GM SGG); (1) (SEA); (1) (KLU); (1) (KLU); (1) (ESD); (1) (ESD); (1) (ESD); MEDIA; (1) (PRD)
Subject: Re: Malaysian Diplomat - Herald on Sunday

(2)

From: (1) (SEA)
Sent: Wednesday, June 25, 2014 01:42 PM
To: (1) (DS AAG); (1) (ESD); (1) (PRD)
Cc: (1) (GM SGG); (1) (SEA); (1) (KLU); (1) (KLU); (1) (ESD); (1) (ESD); (1) (ESD); MEDIA; (1) (PRD)
Subject: RE: Malaysian Diplomat - Herald on Sunday

Thanks (1)

Our liaison with the Police and the (3) made clear we would be following up at post on what measures had been taken by their authorities (i.e. charges in a court martial or civilian court). I think this is an important part of the media messaging also – the message being that we expect him to face justice, even though not ours.

From:

(i) (KLU)

Sent:

Wednesday, 25 June 2014 2:07 p.m.

To:

(i) PRD); (i) (DS AAG); (i) (SEA);

Cc:

(ESD); (i) (GM SGG); (SEA); I (KLU); (i) e (PRD);
(ESD); (ESD); (i) (ESD); MEDIA; (KLU)
(KLU); (KLU)

Subject:

RE: Malaysian Diplomat - Herald on Sunday

Attachments:

FW: Malaysian Military Attaché: Police investigation

Please note that I am bringing (i) and (i) into this email chain. (i) is out of the country, returning to the office on Tuesday. On Friday I will be out of the office, but (i) can alert me if further action is required in KL at that point.

(i)

New Zealand High Commission Kuala Lumpur | Te Aka Aorere

From: ① (ESD)
Sent: Wednesday, 25 June 2014 2:35 p.m.
To: PRESS SEC MFA
Cc: ① (ESD); ① (ESD); MEDIA
Subject: FW: Malaysian Diplomat - Herald on Sunday
Attachments: FW: Malaysian Military Attaché: Police investigation

Hi. ①

As discussed earlier – we have drafted up some media points to use in the likely scenario that the HOS approaches us/MFA for comment.

I have also copied attached the most recent messaging on this issue for your back-ground (it was copied originally to P/SEC MFA.

Media points

- Under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention in order to carry out their work. However the New Zealand Government expects diplomats to respect New Zealand laws.
- In the case of a serious allegation such as this, the New Zealand Government sought waiver of diplomatic immunity from the Malaysian authorities.
- This waiver was declined by the Malaysian Government.
- The staff member was required to leave New Zealand immediately and the matter now rests with Malaysian authorities.

ENDS

Just to note – during MFAT's liaison with the Police and the Malaysian HC, it was made clear that New Zealand would be following up at post on what measures had been taken by their authorities (i.e. charges in a court martial or civilian court). However, we have not mentioned this in the media points given we are still not clear on what/if any action the Malaysian Government will take in terms of accountability.

We understand that police are planning to go back to the journalist with basic details about the arrest and noting that they were unable to proceed with a prosecution due to diplomatic immunity. An arrest warrant has been issued should he return to New Zealand.

Thanks

①

From: (i) (PRD)
Sent: Wednesday, 25 June 2014 2:51 p.m.
To: (PRD); (DS AAG); (ESD)
Cc: (i) GM SGG; (i) (SEA); (i) (SEA); (i)
(KLU); (KLU); (ESD);
(i) (ESD); MEDIA (ESD);
Subject: RE: Malaysian Diplomat - Herald on Sunday

I told (i) that police had been contacted by a journalist (Herald on Sunday) about the case and that the journalist could well contact the High Commission.

(2)

(1)

From: (1) (SEA)
Sent: Wednesday, 25 June 2014 3:07 p.m.
To: (1) (PRD)
Subject: RE: Malaysian Diplomat - Herald on Sunday

I suspect the details of the case (and perpetrator) will run prominently too – it's a strong story for the media

From: (1) (PRD)
Sent: Wednesday, 25 June 2014 2:57 p.m.
To: (ESD); (KLU); (1) (DS AAG); (SEA)
Cc: (1) (GM SGG); (1) (SEA); (1) (KLU); (1) (ESD); (1) (KLU); (ESD); (ESD); MEDIA; (PRD); (KLU); (1) (KLU)
Subject: RE: Malaysian Diplomat - Herald on Sunday

I have just had (2) : (3) on the phone and have redirected her to (2) the diplomatic protection service who is well aware of the case and well placed to answer her questions.

(2)

I have suggested to the HC that the media focus is quite likely to be more on the business of diplomatic immunity and foreign dips getting away with breaking NZ law, rather than the details of this particular case (which police won't divulge anyway).

(2)

From: (1) (ESD)
Sent: Wednesday, 25 June 2014 2:22 p.m.
To: (KLU); (PRD); (1) (DS AAG); (SEA)
Cc: (1) (GM SGG); (1) (SEA); (1) (KLU); (1) (ESD); (1) (KLU); (ESD); (ESD); MEDIA; (1) (PRD); (1) (KLU); (1) (KLU)
Subject: RE: Malaysian Diplomat - Herald on Sunday

Thanks all for your feedback.

I will run these draft points past the Minister's office.

- Under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention in order to carry out their work. However the New Zealand Government expects diplomats to respect New Zealand laws.
- In the case of a serious allegation such as this, the New Zealand Government sought waiver of diplomatic immunity from the Malaysian authorities.

From: (1) (PRD)
Sent: Wednesday, 25 June 2014 3:57 p.m.
To: (1) (SEA); (1) (ESD); (1) (KLU)
Cc: (1) (GM SGG); (1) (SEA); (1) (KLU); (1) (ESD); (1) (ESD); MEDIA; (1) (PRD); (1) (KLU); (1) (DS AAG)
Subject: FW: Media Request re Diplomatic Incident

FYI
Sent by (1) Diplomatic Protection Service.

(3) is the (1) here.

(1)

From: (1) @Police.Govt.NZ]
Sent: Wednesday, 25 June 2014 3:33 p.m.
To: (3) @kn.gov.my
Cc: (1) (PRD)
Subject: Media Request re Diplomatic Incident

Good afternoon

I have spoken with our media unit in relation to the media enquiry into recent incident. They advise:

- The media enquiry came from the Herald on Sunday on the 24 June 2014.
- The journalist was aware that the incident involved a diplomat from the Malaysian Embassy - although the person's name and position were not provided by the journalist - these details may or may not be known by the journalist. He did however appear to know a lot about the case.
- The journalist has asked for an interview with the investigator who dealt with the case.
- It is envisaged at this stage that the Police will issue a press release in response to the request, and this will identify that a Malaysian national aged 38 years was involved in an incident. The release will also likely say that during the investigation it was discovered that this man held diplomatic privilege, and as a result a request was made to have the privilege waived to permit prosecution however this was declined and the man subsequently left the country. Finally it will state that an arrest warrant has now been issued and should this person attempt to return to NZ in a private capacity he will be arrested and charged.
- It is likely that the response will be provided this week sometime and may be published next Sunday
- I will attempt to gain access to a copy of the Press Release and forward it to you for your information

Our Media Unit advise that it is probable that the media will seek comment from your Embassy, so you may wish to be prepared for such an approach.

I hope that this assists.

Kind regards

(1)

From: PRESS SEC MFA
Sent: Wednesday, 25 June 2014 4:17 p.m.
To: (i) (ESD); (i) (PRD)
Subject: RE: Malaysian Embassy employee

Thanks (i) can you please work this into the briefing.

(i) Press Secretary | Office of Hon Murray McCully

From: (i) (ESD)
Sent: Wednesday, 25 June 2014 4:09 p.m.
To: (i) (PRD); PRESS SEC MFA
Subject: FW: Malaysian Embassy employee

Hi (i) and PRESS SEC MFA

Just fyi – this is the release that the Police are planning to make.

From: (i) @police.govt.nz]
Sent: Wednesday, 25 June 2014 3:17 p.m.
To: (i) (ESD)
Subject: Malaysian Embassy employee

Hi (i)

Here is our draft statement for you to have a look at, has gotten progressively shorter during the day. Happy to discuss.

peers,

(i)

Man charged in relation to Brooklyn assault

Wellington Police can confirm that a male was arrested in Brooklyn on the night of Friday 9 May. Police laid charges of burglary and assault with intent to rape after he followed a 21-year-old woman and assaulted her.

It was subsequently established that the prosecution was unable to proceed and the victim has been fully informed of the process through out. The alleged offender has since left New Zealand.

The charges remain active and a warrant to arrest for the man has been issued by the court. Should he return to New Zealand at any time it is likely he will face prosecution for the offences it is alleged he has committed.

ENDS

From: (i) (ESD)
Sent: Wednesday, 25 June 2014 5:17 p.m.
To: (f) (ESD)
Subject: RE: Malaysian Diplomat - Herald on Sunday

Hey (i)

Sorry, (S) – hopefully its OK to get briefing up tmw morning

See you in morning

From: (i) (ESD)
Sent: Wednesday, 25 June 2014 4:17 p.m.
To: (PRD); (PRD)
Cc: (ESD); (ESD); (ESD)
Subject: FW: Malaysian Diplomat - Herald on Sunday

Hi

The Minister's office is broadly comfortable with our media points but has asked for a one pager of background points to give to the Minister at the same time.

Are you able to draft something up from existing material to provide to MFA as background?

He has also asked for some clarification on the fourth point (S) – he wanted to know who required the Malaysian to leave New Zealand.

Thanks

(i)

Media points

- Under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention in order to carry out their work. However the New Zealand Government expects diplomats to respect New Zealand laws.
- In the case of a serious allegation such as this, the New Zealand Government sought waiver of diplomatic immunity from the Malaysian authorities.
- This waiver was declined by the Malaysian Government.
- In line with standard diplomatic practice, the staff member was required (S) to leave New Zealand immediately and the matter now rests with Malaysian authorities.

From: (i) (PRD)
Sent: Wednesday, 25 June 2014 5:38 p.m.
To: (i) (ESD)
Cc: (i) (ESD); (i) (ESD); (i) (ESD);
PRD)
Subject: RE: Malaysian Diplomat - Herald on Sunday

Sure.

The Malaysians themselves decided to repatriate him

(2)

(i)

(i)

(i)

From: PRESS SEC MFA
Sent: Friday, 27 June 2014 7:07 a.m.
To: MFA
Subject: RE: MALAYSIAN MILITARY ATTACHE: POLICE CASE

Will double check boss.

Sent with Good (www.good.com)

-----Original Message-----

From: MFA
Sent: Thursday, June 26, 2014 10:09 PM New Zealand Standard Time
To: PRESS SEC MFA
Subject: RE: MALAYSIAN MILITARY ATTACHE: POLICE CASE

Ok but would be useful to know what has happened to him after return. Is he still in his normal employment or have there been consequences. I know we are restricted as to what we can say but would be useful to know.

Sent with Good (www.good.com)

-----Original Message-----

From: PRESS SEC MFA
Sent: Thursday, June 26, 2014 04:40 PM New Zealand Standard Time
To: MFA; McCully1
Cc: P/SEC MFA [DPMC]
Subject: MALAYSIAN MILITARY ATTACHE: POLICE CASE

Minister – for your information

The Herald on Sunday has been in touch with NZ Police about a case involving the Malaysian military attaché.

The relevant background and information police will provide to the journalist is copied below.

Police will be responding this afternoon and we assume this will result in further enquiries being directed to MFAT.

MFAT have prepared draft reactive media points (also below) in anticipation. The matter is subject to a suppression order so there is little Police or MFAT can provide in way of detail to media.

Thanks

PRESS SEC MFA

From: [redacted] (SEA)
Sent: Friday, 27 June 2014 8:50 a.m.
To: [redacted] (ESD)
Subject: FW: MALAYSIAN MILITARY ATTACHE: POLICE CASE I

[redacted] as we discussed!

From: MEDIA
Sent: Friday, 27 June 2014 8:24 a.m.
To: [redacted] (SEA); [redacted] (PRD); [redacted] (PRD); [redacted] (SEA);
(KLU); [redacted] (DS AAG); [redacted] (ESD)
Subject: Fw: MALAYSIAN MILITARY ATTACHE: POLICE CASE

Hi all, **PRESS SEC MFA**

Please see [redacted] request.

We will send [redacted] note from yesterday unless you suggest otherwise or if there hve been any other developments.

PRESS SEC MFA

[redacted] has said MFA strongly wants to note in the media lines that we have been assured by the Malaysians that he will face some accountability back in Malaysia.

[redacted] do you think that there is anything we can say on this further to [redacted] discussions at Post or your's with the High Commissioner?

We have also been asked to prepare talking points for the PM by one pm on this issue.

Thanks

From: (i) (SEA)
Sent: Friday, 27 June 2014 9:02 a.m.
To: (i) (KLU)
Subject: FW: MALAYSIAN MILITARY ATTACHE: POLICE CASE

(i) FYI also. You will want to contact (i) about this and ensure she is focused on the Minister's attention on the post's response. I don't expect post to do anything further than (i) call on (i) on Wednesday.

BTW, could you remind me where (i) is today, and that she is contactable by mobile if needed? She told me but I've forgotten.

Thanks – and good luck!

(i)

From: (SEA)
Sent: Friday, 27 June 2014 8:57 a.m.
To: MEDIA; (i) (PRD); (i) (PRD); (SEA); (i) (KLU)
(DS AAG); (i) (ESD)
Subject: RE: MALAYSIAN MILITARY ATTACHE: POLICE CASE

I would be guided by others whether we can name Malaysia (we've chosen not to so far) but we need to be realistic that the story will do so. The point is we have liaised with the Malaysians to gain their assurance he is being investigated by its own authorities and we will continue to do so.

We need to be careful on two counts: firstly, he is undergoing psychiatric assessment, on the strong suspicion he has 'issues'; secondly, he comes under the jurisdiction of the Malaysian CDF – not civil authorities – but we can't say this without revealing what he did at the HC, and therefore risk identifying him.

I don't think you will hear from KLU by 1pm, given the time difference, but (i) report is thorough and provides enough to respond to these points.

(i)

From: (ESD)
Sent: Friday, 27 June 2014 10:12 a.m.
To: (SEA); (PRD); (PRD)
Cc: (OFS); (ESD); (ESD)
Subject: FW: PM/MFA lines

Hi all,

As discussed with (ESD) earlier, please see the below points that (ESD) has sent through as a draft script for the PM and MFA.

We have made some small changes but please let us know if there is anything else that we need to correct.

(ESD) – we spoke to police last night who said that under the suppression order it is ok to name the country so we have referred to the Malaysians below in the response (also it is clear that they will be named in the story by NZ Herald).

Thanks

(ESD)

From: PRESS SEC MFA (ESD)
Sent: Friday, 27 June 2014 9:15 a.m.
To: (ESD)
Subject: This is what I'm thinking

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say is that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has committed a serious crime.

Our preference would have been to see him face justice in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined.

As a consequence he was returned home and we have been assured an investigation is under way. ~~he will face justice there.~~

We appreciate this is a very difficult situation for the victim of this crime.

Why did NZ grant him the right to leave/diplomatic immunity?

The New Zealand Government did not grant him immunity. He was immune to prosecution under the Vienna Convention. We sought to have this right to immunity waived.

Is it fair to the victim?

This has been a shocking ordeal for the victim. Our preference would have been to see him face justice in New Zealand, this is why we sort a waiver.

What can we do in these situations?

We would always ask for diplomatic immunity to be waived when a case is serious. If this is declined the person involved would have to be removed from New Zealand.

It is our expectation that they would then face justice in their own country.

Why do we have diplomatic immunity?

The principle of diplomatic immunity is outlined in the Vienna Convention. Diplomats sometimes require immunity from prosecution to carry out their work and operate effectively in foreign country.

It is not designed to give them special privileges to break the law. We expect diplomats in NZ to abide by our laws.

Do we need to withdraw from the Vienna Convention/seek changes?

Let's put this in perspective. Serious crimes committed by diplomats are very rare. The Vienna Convention underpins the global diplomatic network and we could not withdraw from it without cutting off diplomatic ties with the rest of world.

Are we putting our diplomatic relations ahead of the rights of a victim?

Our primary concern is for the victim of the crime. Our preference would have been to see him face justice in New Zealand, this is why we sort a waiver of immunity.

What sanctions will they face at home?

We have been assured he will face justice in his home country. We have approached the Malaysian Government and have been assured that an investigation is under way.

Could the person return to NZ?

The charges remain active. Should he return to New Zealand at any time it is likely he will face prosecution for the offences it is alleged he has committed.

From: (i) (PRD)
Sent: Friday, 27 June 2014 10:17 a.m.
To: (i) (ESD); (SEA); (PRD)
Cc: (i) (OFS); (ESD); F (i) (ESD)
Subject: RE: PM/MFA lines

First TP

On this occasion a diplomat has allegedly committed a serious crime.

Just wondered whether we should name Malaysian authorities- in addition to the suppression order (i) what did we (MFAT and Police) say to the Malaysian High Commissioner in this regard?

(i)

From: (1) (SEA)
Sent: Friday, 27 June 2014 10:22 a.m.
To: (1) (ESD); (1) (ESD)
Subject: FW: Malaysian Diplomat - Herald on Sunday
Attachments: MALAYSIAN MILITARY ATTACHE.docx; Malaysia TPN re ISMAIL.docx; Scan Data from WLNRP171; RE: Conversation with Malaysian High Commissioner: Media Request re Diplomatic Incident

Importance: High

Hi (1) and (1)

This brief came from PRD while we were talking. I think it covers the background thoroughly. On the NZ High Commission follow-up with Malaysian authorities,

(2)

In addition, our Defence Attache will continue to make separate inquiries with the Malaysian military.

It is clear this issue is being taken very seriously by Malaysia, including by its Foreign Minister. It is possible Mr McCully will visit Kuala Lumpur in August, in which case he could raise it with *FM Anifah* (2)

It is important comments by P/Ministers do not name Malaysia (though the story will), break the name suppression order or refer to the mental health dimension. It is important Malaysia respond to the issue – though we can't make them – and we have done our utmost to persuade them of the merits of doing so. Both the High Commissioner here (1) and her HQ have acknowledged this fact.

(2)

(5)

(1)

From: (1) (ESD)
Sent: Friday, 27 June 2014 10:34 a.m.
To: PRESS SEC ANFA
Cc: (1) (ESD); (1) (ESD)
Subject: FW: Malaysian Diplomat - Herald on Sunday
Attachments: RE: Conversation with Malaysian High Commissioner: Media Request re Diplomatic Incident

Importance: High

Hi PRESS SEC MFA (1)

Here is the current advice from SEA.

- A) Email below from (1)
- B) Update from Post attached following discussions with Ministry of Foreign Affairs in Malaysia.

Also we have made some suggestions to your draft script at the bottom of this email (hopefully making it a bit stronger. It is currently being circulated but see draft below).

Once you have discussed with MFA, we can discuss how we package this for the PM. (1) has asked for further information by 1pm).
OPMC

Thanks

From: (1) ,OFS)
Sent: Friday, 27 June 2014 11:10 a.m.
To: (1) (PRD); (1) (ESD); (1) (SEA);
(PRD)
Cc: (1) (ESD); (1) (ESD)
Subject: RE: PM/MFA lines

Hi all,

(6)

(1)
(1)
(1)

(1)
(1)
(1)

From: (1) (PRD)
Sent: Friday, 27 June 2014 11:21 a.m.
To: (ESD)
Cc: (1) (ESD); (1) (ESD); (1) (OFS); (1) (SEA); (1) (PRD)
Subject: RE: PM/MFA lines

Thanks (1)

PRESS SEC MFA

(1) can you make sure that you or (1) are tic-tacing with Police media on this so that we are all joined up. I think we need to be careful about advising the Minister to comment on the particulars of the case-

(1)

(5)

(1)

(1)

From: MEDIA
Sent: Friday, 27 June 2014 11:25 a.m.
To: PRESS SEC MFA
Cc: (i) (ESD); (i) (ESD)
Subject: FW: Media request

Hi, PRESS SEC MFA

Here is where we think we should go with (i) query. Although we probably won't make his midday deadline, we will hope to get it to him in the early afternoon subject to you and the Minister's thoughts.

- In this case there was a serious allegation, and New Zealand sought a waiver of diplomatic immunity so that the matter could be dealt with by the New Zealand courts.
- The request for a waiver of immunity was declined by the individual's home country. He was immediately removed from New Zealand by his home Government.
- The New Zealand Government expects diplomats to respect New Zealand laws. However, under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention.
- New Zealand expects that the individual will face an investigation in his home country and we are monitoring the situation.
- Serious crimes committed by diplomats in New Zealand are rare.

Thanks

(i)

(i)

Executive Services Division
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

(i)

From: (i) (PRD)
Sent: Friday, 27 June 2014 11:27 a.m.
To: (i) (OFS); (i) (PRD); (i) (ESD);
(SEA)
Cc: (ESD); (i) (ESD)
Subject: RE: PM/MFA lines

Agree, 'allegedly' is preferable.

(6)

(i)

From: (OFS)
Sent: Friday, 27 June 2014 11:10 a.m.
To: (i) (PRD); (i) (ESD); (i) (SEA); (PRD)
Cc: (ESD); (ESD)
Subject: RE: PM/MFA lines

(6)

From: (i) (PRD)
Sent: Friday, 27 June 2014 10:17 a.m.
To: (i) (ESD); (i) (SEA); (i) (PRD)
Cc: (OFS); (ESD); (ESD)
Subject: RE: PM/MFA lines

First TP

On this occasion a diplomat has allegedly committed a serious crime.

Just wondered whether we should name Malaysian authorities- in addition to the suppression order (i) what did we (MFAT and Police) say to the Malaysian High Commissioner in this regard?

(i)

From: (1) (PRD)
Sent: Friday, 27 June 2014 11:28 a.m.
To: (1) (PRD); (1) (ESD)
Cc: (1) (ESD); (1) (ESD); (1) (OFS);
(SEA)
Subject: RE: PM/MFA lines

Oops! Double up.

From: (1) (PRD)
Sent: Friday, 27 June 2014 11:21 a.m.
To: (1) (ESD); (1) (ESD); (1) (OFS); (1) (SEA); (1) (PRD)
Subject: RE: PM/MFA lines

Thanks (1)

(1) - can you make sure that you or (1) are tic-tacing with Police media on this so that we are all joined up. I think we need to be careful about advising the Minister to comment on the particulars of the case- not sure what the police protocols are around that

(1)

From: (1) (OFS)
Sent: Friday, 27 June 2014 11:10 a.m.
To: (1) (PRD); (1) (ESD); (1) (SEA); (1) (PRD)
(1) (ESD); (1) (ESD)
Subject: RE: PM/MFA lines

From: PRESS SEC MFA ①
Sent: Friday, 27 June 2014 11:33 a.m.
To: MFA; McCully1
Cc: P/SEC MFA
Subject: Malaysia update

Minister

③

Our Defence Attache will continue to make separate inquiries with the Malaysian military.

It is clear this issue is being taken very seriously by Malaysia, including by its Foreign Minister.

I am conscious that PM will be exposed to media after this story breaks on Sunday at the National Party conference. I have prepared a script for him on this issue (see below).

Also below is the response MFAT will provide to the Herald on Sunday.

Thanks

PRESS SEC MFA

Draft media points for PM

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say in that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has been accused of a serious crime.

Our preference would have been to see him face trial in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined.

As a consequence he was returned home and we have been assured an investigation is under way in his home country.

We appreciate this is a very difficult situation for the victim of this crime.

Why did NZ grant him the right to leave/diplomatic immunity?

The New Zealand Government did not grant him immunity. He was immune to prosecution under the Vienna Convention. We sought to have this right to immunity waived.

Is it fair to the victim?

This has been a shocking ordeal for the victim. Our preference would have been to see the accused face justice in New Zealand, this is why we sought a waiver.

What can we do in these situations?

We would always ask for diplomatic immunity to be waived when a case is serious. If this is declined the person involved would have to be removed from New Zealand.

It is our expectation that they would then face justice in their own country.

Why do we have diplomatic immunity?

The principle of diplomatic immunity is outlined in the Vienna Convention. Diplomats sometimes require immunity from prosecution to carry out their work and operate effectively in foreign country.

It is not designed to give them special privileges to break the law. We expect diplomats in New Zealand to abide by our laws.

Do we need to withdraw from the Vienna Convention/seek changes?

Let's put this in perspective. Serious crimes committed by diplomats are very rare. The Vienna Convention underpins the global diplomatic network and we could not withdraw from it without cutting off diplomatic ties with the rest of world.

Are we putting our diplomatic relations ahead of the rights of a victim?

Our primary concern is for the victim of the crime. Our preference would have been to see the accused face justice in New Zealand, this is why we sort a waiver of immunity.

What sanctions will they face at home?

We have been assured he will face justice in his home country. His Government have assured us that an investigation is under way.

Could the person return to NZ?

The charges remain active. Should he return to New Zealand at any time he will face prosecution for the offences it is alleged he has committed.

MFAT response to HoS

- In this case there was a serious allegation, and New Zealand sought a waiver of diplomatic immunity so that the matter could be dealt with by the New Zealand courts.
- The request for a waiver of immunity was declined by the individual's home country. He was immediately removed from New Zealand by his home Government.
- The New Zealand Government expects diplomats to respect New Zealand laws. However, under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention.
- New Zealand expects that the individual will face an investigation in his home country and we are monitoring the situation.
- Serious crimes committed by diplomats in New Zealand are rare.



From: PRESS SEC MFA
Sent: Friday, 27 June 2014 11:42 a.m.
To: ① [DPMC]
Subject: Malaysia

DPMC
Hi ① – I'm just clearing this with the Minister but do you think it will cover what the PM needs?

Draft media points for PM

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say is that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has been accused of a serious crime.

Our preference would have been to see him face trial in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined.

As a consequence he was returned home and we have been assured an investigation is under way in his home country.

We appreciate this is a very difficult situation for the victim of this crime.

Why did NZ grant him the right to leave/diplomatic immunity?

The New Zealand Government did not grant him immunity. He was immune to prosecution under the Vienna Convention. We sought to have this right to immunity waived.

Is it fair to the victim?

This has been a shocking ordeal for the victim. Our preference would have been to see the accused face justice in New Zealand, this is why we sought a waiver.

What can we do in these situations?

We would always ask for diplomatic immunity to be waived when a case is serious. If this is declined the person involved would have to be removed from New Zealand.

It is our expectation that they would then face justice in their own country.

Why do we have diplomatic immunity?

The principle of diplomatic immunity is outlined in the Vienna Convention. Diplomats sometimes require immunity from prosecution to carry out their work and operate effectively in foreign country.

It is not designed to give them special privileges to break the law. We expect diplomats in New Zealand to abide by our laws.

Do we need to withdraw from the Vienna Convention/seek changes?

Let's put this in perspective. Serious crimes committed by diplomats are very rare. The Vienna Convention underpins the global diplomatic network and we could not withdraw from it without cutting off diplomatic ties with the rest of the world.

Are we putting our diplomatic relations ahead of the rights of a victim?

Our primary concern is for the victim of the crime. Our preference would have been to see the accused face justice in New Zealand, this is why we sort a waiver of immunity.

What sanctions will they face at home?

We have been assured he will face justice in his home country. His Government have assured us that an investigation is under way.

Could the person return to NZ?

The charges remain active. Should he return to New Zealand at any time he will face prosecution for the offences it is alleged he has committed.



| Press Secretary | Office of Hon Murray McCully

6.1 Executive Wing Beehive | Parliament Buildings | Wellington 6160 | New Zealand



From: (1) (SEA)
Sent: Friday, 27 June 2014 11:46 a.m.
To: (1) (KLU)
Subject: RE: MALAYSIAN MILITARY ATTACHE: POLICE CASE ;

Thanks – definitely a priority! I think we're OK for the time being.

From: (1) (KLU)
Sent: Friday, 27 June 2014 11:01 a.m.
To: (1) (SEA)
Subject: Re: MALAYSIAN MILITARY ATTACHE: POLICE CASE

Morning (1) ,

(1) just away . (5)
contactable on her mobile. I'll alert her to the email chain now.

, but she's otherwise

(1)

From: (1) (SEA)
Sent: Friday, 27 June 2014 12:03 p.m.
To: (1) (KLU); (1)
Subject: Re: MALAYSIAN MILITARY ATTACHE: POLICE CASE

All good (1) , enjoy

From: (1) (KLU)
Sent: Friday, June 27, 2014 11:55 AM
To: (1) (SEA); (1) (1)
Subject: Fw: MALAYSIAN MILITARY ATTACHE: POLICE CASE

Thanks (1) . Confirm I am now sighted on this, and no update from this end.

(1) Please call rather than email if
anything is urgent, otherwise I will assume no further action in KL today.

From: (1) @police.govt.nz>
Sent: Friday, 27 June 2014 12:15 p.m.
To: (1) (PRD)
Cc: (1) NZ POLICE
Subject: FW: Malaysian staff member: police case
Attachments: image005.jpg; ATT00001.htm; image006.gif; ATT00002.htm; image007.gif; ATT00003.htm; image008.gif; ATT00004.htm; image009.gif; ATT00005.htm; Scan Data from WLNRP171; ATT00006.htm

Importance: High

Good afternoon (1)

I have asked (1) to investigate the exact position of this matter surrounding the court process. My understanding is that the MHC employee obtained and still has name suppression and therefore there needs to be very careful consideration by any person or organisation releasing information that may identify him.

I have included (1) in on this email and he will advise us both on what he has learnt. He will also discuss this with our legal section.

Kind regards

(1)

From: (1) NZ POLICE
Sent: Friday, 27 June 2014 12:08
To: (1) NZ POLICE
Subject: Fwd: Malaysian staff member: police case

Can you assist (1) with this I didn't have any involvement past liaising over the weekend.

(1)

Sent from my iPhone

Begin forwarded message:

From: (1) (PRD) (1)
Date: 27 June 2014 9:36:46 am NZST
To: (1) @police.govt.nz>
Subject: Malaysian staff member: police case

Good morning! (1)

We have been fielding many phone calls from the Malaysian High Commissioner having been alerted, by MFAT, of the likelihood of some media questions.

(2)

Are you able to confirm one way or the other please as we need to let her know today. If no, we'll have to provide a reason as well

②

Many thanks

①

Protocol Division
Ministry of Foreign Affairs and Trade

①

From: (1) (ESD)
Sent: Friday, 27 June 2014 1:19 p.m.
To: (1) (ESD); (1) (ESD) (1)
Subject: FW: suppression orders etc

From: (1) [Police.Govt.NZ]
Sent: Friday, 27 June 2014 1:16 p.m.
To: (1) (ESD)
Subject: RE: suppression orders etc

I just made a couple of tweaks - otherwise looks fine (1)

thanks

From: (1) (ESD)
Sent: Friday, 27 June 2014 13:08
To:
Cc: (1) (ESD); (ESD)
Subject: suppression orders etc

Hi (1)

Here's my understanding of our conversation. All accurate as far as you are concerned?

There is nothing in the charging document which would prevent MFAT et al mentioning nationality or occupation. Anything further would risk being a breach of the suppression order.

Interim name suppression was granted until the next court appearance – it remains an active issue. There is a warrant outstanding for x's arrest. If x were to return to NZ in a private capacity, x would be arrested and put before the courts.

Additional points:

As soon as diplomatic immunity was declared, police had no legal grounds to proceed with prosecution. New Zealand authorities also had no legal grounds to prevent x leaving/departing the country.

Many thanks

(1)

Executive Services Division
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

From: (1) (SEA)
Sent: Friday, 27 June 2014 1:24 p.m.
To: (1) (PRD)
Cc: (PRD)
Subject: FW: Malaysian HCer - request to talk with (1)

Hi (1) I've just spoken to (1) and advised this is not something (1) needs (2) to talk with (1) about. (1) has very little time, so (1) noted the point that a conversation with HCer would not be short: (1) (2) (1) will ask the HCer's PA whether – in the absence of any compelling reason to the contrary – there is anything (1) (1) wants to say that she hasn't already discussed with the three of us.

(1)

From: (1) (CEO Office)
Sent: Friday, 27 June 2014 1:04 p.m.
To: (1) (SEA)
Cc: (SEA); (1) (PRD)
Subject: RE: Malaysian HCer

Sorry – just seen the ambiguity in my last point. Obviously it's (1) if it's about the (2) . But otherwise would you be willing (1) ?

From: MEDIA
Sent: Friday, 27 June 2014 2:59 p.m.
To: MEDIA; (PRD); I (SEA)
Cc: (OFS); (ESD); (PRD); (ESD);
(ESD); (DS AAG)
Subject: RE: Media request

Hi all,

Thanks for all your feedback on this.

Just to close the loop please see final media response signed off by MFA to go to Herald on Sunday.

- In this case there was a serious allegation, and New Zealand sought a waiver of diplomatic immunity so that the matter could be dealt with by the New Zealand courts.
- The request for a waiver of immunity was declined by the individual's home country. He was immediately removed from New Zealand by his home Government.
- The New Zealand Government expects diplomats to respect New Zealand laws. However, under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention.
- New Zealand expects that the individual will face an investigation in his home country and we are monitoring the situation.
- Serious crimes committed by diplomats in New Zealand are rare.

Thanks

(i)

From: MEDIA
Sent: Friday, 27 June 2014 3:27 p.m.
To: @heraldonsunday.co.nz
Cc: @heraldonsunday.co.nz
Subject: RE: Media request

Hi 

Please attribute the following to a spokesperson for the Ministry of Foreign Affairs and Trade if required.



- In this case there was a serious allegation, and New Zealand sought a waiver of diplomatic immunity so that the matter could be dealt with by the New Zealand courts.
- The request for a waiver of immunity was declined by the individual's home country. He was immediately removed from New Zealand by his home Government.
- The New Zealand Government expects diplomats to respect New Zealand laws. However, under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention.
- New Zealand expects that the individual will face an investigation in his home country and we are monitoring the situation.
- Serious crimes committed by diplomats in New Zealand are rare.

Regards



Executive Services Division
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

[@mfat.govt.nz](https://twitter.com/mfat.govt.nz)

From:  @heraldonsunday.co.nz>
Sent: Friday, 27 June 2014 3:34 p.m.
To: MEDIA;  @heraldonsunday.co.nz
Subject: RE: Media request

Thanks 

- In the last point it says: Serious crimes committed by diplomats in New Zealand are rare.

Is it possible to get a specific number?

Kind regards,







| Journalist |





Asia-Pacific's best Sunday newspaper, PANPA 2013
nzherald.co.nz | [Facebook](#) | PO Box 32, Auckland | F: 09 373 9372

From: MEDIA [<mailto:media@mfat.govt.nz>]
Sent: Friday, 27 June 2014 3:27 p.m.
To: 
Cc: .
Subject: RE: Media request

Hi 

Please attribute the following to a spokesperson for the Ministry of Foreign Affairs and Trade if required.

- In this case there was a serious allegation, and New Zealand sought a waiver of diplomatic immunity so that the matter could be dealt with by the New Zealand courts.
- The request for a waiver of immunity was declined by the individual's home country. He was immediately removed from New Zealand by his home Government.
- The New Zealand Government expects diplomats to respect New Zealand laws. However, under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention.
- New Zealand expects that the individual will face an investigation in his home country and we are monitoring the situation.
- Serious crimes committed by diplomats in New Zealand are rare.

From: MEDIA
Sent: Friday, 27 June 2014 4:30 p.m.
To: PRESS SEC MFA ①
Subject: FW: Media request

Hi PRESS SEC MFA ①

Sorry, just one small amendment suggested by police in the final point. Noting that he would be charged if he returned to NZ in a private capacity and his case will be put before the courts.

From: MEDIA
Sent: Friday, 27 June 2014 4:32 p.m.
To: MEDIA; (OFS); (PRD); (PRD); (SEA)
Cc: (ESD); (ESD); (ESD); (ESD);
Subject: (ESD); (DS AAG)
RE: Media request

Hi all,

For the sake of completeness, here are the final points we put to MFA for the PM.

Draft media points for PM

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say is that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has allegedly committed a serious crime.

Our preference would have been to see him face trial in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined.

As a consequence he was returned home and we have been assured an investigation is under way in his home country.

We appreciate this is a very difficult situation for the victim of this crime.

Why did NZ grant him the right to leave/diplomatic immunity?

The New Zealand Government did not grant him immunity. He was immune from criminal prosecution under the Vienna Convention. We sought to have this right to immunity waived.

Is it fair to the victim?

This has been a shocking ordeal for the victim. Our preference would have been to see the accused face justice in New Zealand, this is why we sought a waiver.

What can we do in these situations?

We would always ask for diplomatic immunity to be waived when a case is serious. If this is declined the person involved would have to be removed from New Zealand.

It is our expectation that they would then face justice in their own country.

Why do we have diplomatic immunity?

The principle of diplomatic immunity is outlined in the Vienna Convention. Diplomats sometimes require immunity from prosecution to carry out their work and operate effectively in foreign country.

It is not designed to exonerate them from wrong doing or allow them to break the law. We expect diplomats in NZ to abide by our laws as they are obliged under the Vienna Convention.

Do we need to withdraw from the Vienna Convention/seek changes?

Let's put this in perspective. Serious crimes committed by diplomats are rare. The Vienna Convention underpins the global diplomatic network and we could not withdraw from it without cutting off diplomatic ties with the rest of the world.

Are we putting our diplomatic relations ahead of the rights of a victim?


Our primary concern is for the victim of the crime. Our preference would have been to see the accused face justice in New Zealand, this is why we sort a waiver of immunity.

What sanctions will they face at home?

His Government have assured us that an investigation is under way.

Could the person return to NZ?

The charges remain active.-If he were to return to NZ in a private capacity, he would be arrested and put before the courts.

From:  [@heraldonsunday.co.nz](mailto:heraldonsunday@heraldonsunday.co.nz)
Sent: Thursday, 26 June 2014 4:35 p.m.
To: MEDIA
Subject: Media request

Hi 

From: (1) (PRD)
Sent: Friday, 27 June 2014 6:07 p.m.
To: (1) (PRD)
Subject: RE: Seemail RE: Malaysian staff member: police case

No – in fact there was no discussion about name suppression as that happened before the first meeting as part of the initial court appearance.

(2)

(4)

But from the sounds of it (and I've just been talking to our media guys this evening), this is likely to grow legs and OIAs are sure to follow.

(7)

(2)

(1)

From: (1) (PRD)
Sent: Friday, 27 June 2014 2:37 p.m.
To: (1) (PRD); (1) (SEA)
Subject: RE: Seemail RE: Malaysian staff member: police case

I guess the point is that while name suppression has been granted by the court and will continue, the court has not sealed the case and in fact it remains open in case the accused returns to New Zealand-

(2)

From: (1) (PRD)
Sent: Friday, 27 June 2014 2:10 p.m.
To: (1) (SEA); (1) (PRD)
Subject: FW: Seemail RE: Malaysian staff member: police case

And here it is.

We'll have to decide how to respond to (1) (2) is to re-direct her to Police as it's a police operational matter.

One way

(1)

From: (1) @police.govt.nz
Sent: Friday, 27 June 2014 1:23 p.m.
To: (PRD)

Cc: [redacted]
Subject: Seemail RE: Malaysian staff member: police case

Afternoon,

I have spoken with [redacted] and [redacted].

The situation is as follows;

In chambers on 30 May 2014 Judge Davidson issued a Warrant to Arrest as sought by Police [redacted]. The matter remains a live prosecution and should the accused return to NZ the prosecution will continue.

Judge Davidson also continued interim name suppression of the accused which prevents any reference to the accused by name only. It does not cover his occupation or nationality. There is nothing in the court documentation that prevents discussion on either. This is the advice I understand [redacted] is providing to MFAT comms. [redacted] also mentions that the media are aware of the accused's nationality and diplomatic status.

With reference to the TPN referred to in [redacted] email regarding the NZ Police 'considering' sealing all documentation pertaining to this matter. As the prosecution is still active the only order that may assist with this is the interim name suppression which I note Police did not oppose. The court has not made any order sealing documentation.

I hope this clarifies the situation somewhat. If you would like to discuss further please come back to me.

Thanks



[redacted]

[redacted]

Wellington Central Police Station | PO Box 693
SX11220 Wellington DX Sort | Wellington

www.police.govt.nz

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Follow @NZPolice



NZ Police on YouTube

From: [redacted] NZ POLICE
Sent: Friday, 27 June 2014 12:15
To: [redacted] (PRD)
Cc: [redacted] NZ POLICE
Subject: FW: Malaysian staff member: police case
Importance: High

Good afternoon [redacted]

I have asked [redacted] to investigate the exact position of this matter surrounding the court process. My understanding is that the MHC employee obtained and still has name suppression and therefore there needs to be very careful consideration by any person or organisation releasing information that may identify him.

I have included [redacted] in on this email and he will advise us both on what he has learnt. He will also discuss this with our legal section.

Kind regards

From: MEDIA
Sent: Sunday, 29 June 2014 6:27 a.m.
To: PRESS SEC MFA, P/SEC MFA
(PRD); (PRD); (SEA); (ESD) (CEO Office);
Subject: Media on Malaysian attache

Good morning,

The Herald on Sunday story on the Malaysian defence attache is below. It is currently the lead story on the NZ Herald website, and presumably is prominent in the print version of the Herald on Sunday as well.

The story is notable for not specifically identifying Malaysia as the attache's home country. - possibly the paper is taking a strict interpretation of the court ordered name suppression.

Another aspect of the story is that it indicates early in the piece that a waiver of immunity was sought but the host country refused.

Regards

NZ expels sex case diplomat after attack on woman

29 June, 2014
Wellington diplomat accused of assaulting a 21-year-old in her own home avoids court

A diplomat accused of a sex crime was ordered out of New Zealand after invoking diplomatic immunity.

Despite attempts by the New Zealand government to haul the man before the courts, his home country refused to waive his immunity.

Under the Vienna Convention, diplomats cannot be arrested or detained in foreign countries.

The man, who was employed at a high commission in Wellington, was arrested by police after an attack on a 21-year-old in her Wellington home last month. He had followed the woman home.

Police told the Herald on Sunday they had sufficient evidence to charge him with assault with intent to rape, but had let him go as he was not able to be prosecuted under New Zealand law. He had also been charged with burglary.

It is understood the man — who was aged in his 30s and had interim name suppression — refused to give a DNA sample.

He had full diplomatic immunity, and left New Zealand.

Police spokesman Nick Bohm said the complainant "has been fully informed throughout the process and we are continuing to support her".

A spokesman for the Ministry of Foreign Affairs and Trade (Mfat) said the diplomat was immediately sent home after his government refused to waive his immunity.

"The New Zealand Government expects diplomats to respect New Zealand laws. However, under the Vienna Convention there is global recognition that diplomats are entitled to immunity from arrest and detention," the spokesman said.

It's really difficult for the Government.
There is nothing you can do about it.
The victim has to live with knowing
there will be no justice for her.
Louise Nicholas, survivor advocate
for Rape Prevention Education

Under the convention, diplomats, their immediate family and staff cannot be arrested or detained. Their houses cannot be searched and nor can they be called as witnesses in a prosecution or be prosecuted.

It is understood the Government expects the man will be investigated by the authorities in his country, and is monitoring the situation.

Mfat said serious crimes by envoys in New Zealand were rare, but Louise Nicholas, survivor advocate for Rape Prevention Education, has labelled the diplomatic immunity a "crime in itself".

"It's really difficult for the Government. There is nothing you can do about it. The victim has to live with knowing there will be no justice for her. It is disgusting of the [diplomat's] government to allow this man home.

"For these people to be able to legally walk free is a crime in itself."

Nicholas praised the NZ Government's attempts to get the man's immunity waived, and still wants him to be extradited.

"The crime was committed here so he should be brought back here to face the judicial process ... It's just so wrong."

From: ① PRESS SEC MFA
Sent: Sunday, 29 June 2014 3:51 p.m.
To: MEDIA
Cc: ① DPMC
Subject: RE: Malaysia

With ^{DPMC} ① address right this time.

Sent with Good (www.good.com)

-----Original Message-----

① **From:** PRESS SEC MFA ①
Sent: Sunday, June 29, 2014 03:49 PM New Zealand Standard Time
To: 'media'
Cc: DPMC ①
Subject: Malaysia

Hi ①

PMO have requested a bit more background on this issue.

1 when was PM briefed? I understand his office was told the weekend it happened but can MFAT check.

2 will we be calling on the ambassador?

3 will we be taking further action?

① think the answer to the two last questions is...

Let's see how the process plays out in his home country. We have been assured an investigation is underway and we are monitoring this process closely. We hope this process can provide the justice the victim deserves and we give it a chance to run its course before we look at further options.

Are you able to work with SEA and PRD to get something further up by 6pm?

If there is anything else you think would be useful please also include.

Thanks

PRESS SEC MFA ①

Sent with Good (www.good.com)

From: MEDIA
Sent: Sunday, 29 June 2014 3:53 p.m.
To: PRESS SEC NFA ①
Subject: Re: Malaysia

I will relay the email and ask them

----- Original Message -----

From: ① PRESS SEC NFA
Sent: Sunday, June 29, 2014 03:49 PM
To: MEDIA
Cc: ① DPMC
Subject: Malaysia

PMO have requested a bit more background on this issue.

1 when was PM briefed? I understand his office was told the weekend it happened but can MFAT check.

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Are you able to work with SEA and PRD to get something further up by 6pm?

If there is anything else you think would be useful please also include.

Thanks

① PRESS SEC NFA

Sent with Good (www.good.com)

From: MEDIA
Sent: Sunday, 29 June 2014 3:55 p.m.
To: (i) (SEA); (i) (PRD); (i) (PRD)
Subject: Fw: Malaysia

Hi,

Please note request from Ministers office for further advice related to the Malaysian diplomat.

Regards

From: (i) PRESS SEC MFA
Sent: Sunday, June 29, 2014 03:50 PM
To: MEDIA
Cc: DPMC (i)
Subject: RE: Malaysia

With (i) address right this time.
DPMC

Sent with Good (www.good.com)

-----Original Message-----

From: PRESS SEC MFA (i)
Sent: Sunday, June 29, 2014 03:49 PM New Zealand Standard Time
To: 'media'
Cc: DPMC (i)
Subject: Malaysia

Hi (i)

PMO have requested a bit more background on this issue.

1 when was PM briefed? I understand his office was told the weekend it happened but can MFAT check.

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Are you able to work with SEA and PRD to get something further up by 6pm?

From: PRESS SEC MFA ①
Sent: Sunday, 29 June 2014 4:17 p.m.
To: MEDIA
Cc: DPMC ①
Subject: Malaysia

① DPMC - if you are happy and MFAT can confirm top line this can go to ① PM'S OFFICE Will you pass it on?

① PM'S OFFICE here are some additional points as requested...

Officials in PMO and DPMC were briefed in early May when the attack took place.

① Will we call in the Ambassador?

We have been assured the matter is being investigated. We want to let that process run its course before we look at what further options are available to us.

What more can we do?

We formally asked the relevant government to waive the accused's right to immunity.

This was declined.

We have been assured the matter is being investigated in his home country. We hope the outcome of this process will provide some sense of justice for the victim.

We are monitoring this matter closely but do want to give it a chance to run its course before we consider further options.

① Draft media points for PM

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say is that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has been accused of a serious crime.

Our preference would have been to see him face trial in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined.

As a consequence he was returned home and we have been assured an investigation is under way in his home country.

We appreciate this is a very difficult situation for the victim of this crime.

Why did NZ grant him the right to leave/diplomatic immunity?

The New Zealand Government did not grant him immunity. He was immune to prosecution under the Vienna Convention. We sought to have this right to immunity waived.

Is it fair to the victim?

This has been a shocking ordeal for the victim. Our preference would have been to see the accused face justice in New Zealand, this is why we sought a waiver.

What can we do in these situations?

We would always ask for diplomatic immunity to be waived when a case is serious. If this is declined the person involved would have to be removed from New Zealand.

It is our expectation that they would then face justice in their own country.

Why do we have diplomatic immunity?

The principle of diplomatic immunity is outlined in the Vienna Convention. Diplomats sometimes require immunity from prosecution to carry out their work and operate effectively in foreign country.

It is not designed to give them special privileges to break any law they wish. We expect diplomats in New Zealand to abide by our laws.

Do we need to withdraw from the Vienna Convention/seek changes?

Let's put this in perspective. Serious crimes committed by diplomats are very rare. The Vienna Convention underpins the global diplomatic network and we could not withdraw from it without cutting off diplomatic ties with the rest of the world.

Are we putting our diplomatic relations ahead of the rights of a victim?

Our primary concern is for the victim of the crime. Our preference would have been to see the accused face justice in New Zealand, this is why we sort a waiver of immunity.

What sanctions will they face at home?

His Government have assured us that an investigation is under way.

Could the person return to NZ?

The charges remain active. Should he return to New Zealand at any time he will face prosecution for the offences it is alleged he has committed.

Sent with Good (www.good.com)

From: MEDIA
Sent: Sunday, 29 June 2014 4:30 p.m.
To: P/SEC MFA ①
Cc: DPMC ①
Subject: Re: Malaysia

Thats good ①

⑤

Am still waiting to hear back from SEA and Protocol. However given the deadline I think the info is good.

----- Original Message -----

From: PRESS SEC MFA ①
Sent: Sunday, June 29, 2014 04:16 PM
To: MEDIA
Cc: DPMC ①
Subject: Malaysia

① - if you are happy and MFAT can confirm top line this can go to ①. Will you pass it on?

①. here are some additional points as requested...

Officials in PMO and DPMC were briefed in early May when the attack took place.

Will we call in the Ambassador?

We have been assured the matter is being investigated. We want to let that process run its course before we look at what further options are available to us.

What more can we do?

We formally asked the relevant government to waive the accused's right to immunity.

This was declined.

We have been assured the matter is being investigated in his home country. We hope the outcome of this process will provide some sense of justice for the victim.

We are monitoring this matter closely but do want to give it a chance to run its course before we consider further options.

Draft media points for PM

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say is that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has been accused of a serious crime.

Our preference would have been to see him face trial in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined.

As a consequence he was returned home and we have been assured an investigation is under way in his home country.

We appreciate this is a very difficult situation for the victim of this crime.

Why did NZ grant him the right to leave/diplomatic immunity?

The New Zealand Government did not grant him immunity. He was immune to prosecution under the Vienna Convention. We sought to have this right to immunity waived.

Is it fair to the victim?

This has been a shocking ordeal for the victim. Our preference would have been to see the accused face justice in New Zealand, this is why we sought a waiver.

What can we do in these situations?

We would always ask for diplomatic immunity to be waived when a case is serious. If this is declined the person involved would have to be removed from New Zealand.

It is our expectation that they would then face justice in their own country.

Why do we have diplomatic immunity?

The principle of diplomatic immunity is outlined in the Vienna Convention. Diplomats sometimes require immunity from prosecution to carry out their work and operate effectively in foreign country.

It is not designed to give them special privileges to break any law they wish. We expect diplomats in New Zealand to abide by our laws.

Do we need to withdraw from the Vienna Convention/seek changes?

Let's put this in perspective. Serious crimes committed by diplomats are very rare. The Vienna Convention underpins the global diplomatic network and we could not withdraw from it without cutting off diplomatic ties with the rest of the world.

Are we putting our diplomatic relations ahead of the rights of a victim?

Our primary concern is for the victim of the crime. Our preference would have been to see the accused face justice in New Zealand, this is why we sought a waiver of immunity.

What sanctions will they face at home?

His Government have assured us that an investigation is under way.

Could the person return to NZ?

The charges remain active. Should he return to New Zealand at any time he will face prosecution for the offences it is alleged he has committed.

From: PRESS SEC MFA ①
Sent: Sunday, 29 June 2014 4:42 p.m.
To: MFA; McCully1
Cc: P/SEC MFA ①
Subject: Malaysia

Minister

⑤

PMO have asked for an updated media point on what further action we might take (will we call the Ambassador in?) etc

I am going to suggest the following restating of our previous points unless you would like something stronger?

① e formally asked the relevant government to waive the accused's right to immunity.

This was declined.

We have been assured the matter is being investigated in his home country. We hope the outcome of this process will provide some sense of justice for the victim.

We are monitoring this matter closely but do want to give it a chance to run its course before we consider further options.

Sent with Good (www.good.com)

①

From: [DPMC] ①
Sent: Sunday, 29 June 2014 4:44 p.m.
To: ① PRESS SEC MFA 'MEDIA'
Subject: RE: Malaysia

Many thanks guys. Will hold for another 10 minutes, in case anything further comes in from SEA/PRD.

From: PRESS SEC MFA ①
Sent: Sunday, 29 June 2014 4:36 p.m.
To: 'MEDIA'
Cc: ① [DPMC]
Subject: RE: Malaysia

It matches what the PM said "I was told a while ago" ;

Sent with Good (www.good.com)

-----Original Message-----

From: MEDIA ①
Sent: Sunday, June 29, 2014 04:30 PM New Zealand Standard Time
To: PRESS SEC MFA ①
Cc: DPIML ①
Subject: Re: Malaysia

① hats good ①

⑤

Am still waiting to hear back from SEA and Protocol. However given the deadline I think the info is good.

①

----- Original Message -----

From: PRESS SEC MFA ①
Sent: Sunday, June 29, 2014 04:16 PM
To: MEDIA
Cc: DPIML ①
Subject: Malaysia

① - if you are happy and MFAT can confirm top line this can go to ①. Will you pass it on?

① here are some additional points as requested...

Officials in PMO and DPMC were briefed in early May when the attack took place.

From: DPMC ①
Sent: Sunday, 29 June 2014 4:56 p.m.
To: MEDIA; PRESS SEC MFA ①
Subject: RE: Audio

①

Below is the package I plan sending ① in 10. Have included to new points (have slightly reworded, so can you make sure you are both comfortable with them?). Have also included the original info provided on Friday, as I am not sure that she still has them to hand. Let me know if you have any thoughts/changes, and I will get them on their way (next five please).

Thanks very much for your work on this.

①
eers
①

①

Here are some additional points via ① /MFAT as per our discussions. Have included original points/etc. for you to draw on as you need. Let us know if you need anything further:

Officials in PMO and DPMC were briefed in early May when the attack took place.

Will we call in the Ambassador?

We have been assured the matter is being investigated. We want to let that process run its course before we look at what further options are available to us.

① *What more can we do?*

We formally asked the relevant government to waive the accused's right to immunity. This was declined.

We have been assured the matter is being investigated in his home country and we are monitoring this closely. We hope the outcome of this process will provide some sense of justice for the victim.

We want to give this process a chance to run its course before we consider further options

Draft media points for PM

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say in that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has been accused of a serious crime.

Our preference would have been to see him face trial in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined.

As a consequence he was returned home and we have been assured an investigation is under way in his home country.

We appreciate this is a very difficult situation for the victim of this crime.

Is asked

Why did NZ grant him the right to leave/diplomatic immunity?

The New Zealand Government did not grant him immunity. He was immune to prosecution under the Vienna Convention. We sought to have this right to immunity waived.

Is it fair to the victim?

This has been a shocking ordeal for the victim. Our preference would have been to see the accused face justice in New Zealand, this is why we sought a waiver.

What can we do in these situations?

We would always ask for diplomatic immunity to be waived when a case is serious. If this is declined the person involved would have to be removed from New Zealand.

It is our expectation that they would then face justice in their own country.

Why do we have diplomatic immunity?

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It is not designed to give them special privileges to break any law they wish. We expect diplomats in New Zealand to abide by our laws.

Do we need to withdraw from the Vienna Convention/seek changes?

Let's put this in perspective. Serious crimes committed by diplomats are very rare. The Vienna Convention underpins the global diplomatic network and we could not withdraw from it without cutting off diplomatic ties with the rest of the world.

Are we putting our diplomatic relations ahead of the rights of a victim?

Our primary concern is for the victim of the crime. Our preference would have been to see the accused face justice in New Zealand, this is why we sort a waiver of immunity.

What sanctions will they face at home?

The diplomat's Government have assured us that an investigation is under way.

Could the person return to NZ?

The charges remain active. Should he return to New Zealand at any time he will face prosecution for the offences it is alleged he has committed.

Background [NOT FOR PUBLIC RELEASE , INCLUDING DUE TO THE SUPPRESSION ORDER IN PLACE]

Wellington Police arrested a male in Brooklyn on the night of Friday 9 May. Charges were laid of burglary and assault with intent to rape after he followed a 21 year old woman and assaulted her in her home. It transpired that the arrested individual was the military attaché at the Malaysian High Commission - a member of the military administrative and technical staff.

The following morning it was confirmed that he was entitled to diplomatic immunity and inviolability and therefore should not have been arrested, detained or charged.

As a result, Police sought from the court a stay of proceedings and withdrew the terms and conditions of bail.

Following usual practice in serious cases such as this one MFAT, in discussion with Police, sent a formal diplomatic note to the Malaysian High Commission on 10 May seeking a waiver of the attaché's immunity to allow court proceedings to take place. On 21st May MFAT received a diplomatic Note from the Malaysians i) declining the request for a waiver of immunity; and ii) confirming the decision to repatriate the attaché and his family. The family departed NZ on 22 May.

The situation is subject to a suppression order that prevents us from naming the accused. We have also been careful to avoid mention of his nationality. Although this may be reported by media.

-----Original Message-----

From: ① PM Office
Sent: Sunday, 29 June 2014 3:57 p.m.
To: DPMC ①
Subject: Re: Audio

Great thanks. Can you try for 5pm I need to get to PM earlier than 6.

Thanks

Sent from my iPhone

> On 29/06/2014, at 3:44 pm,

①

wrote:

ool. Thanks. ① and I have spoken (I think you spoke to him too). We will aim to get you revised points by 1800 if that works at your end.

>

> Cheers

> ①

>

From: MEDIA (i)
Sent: Sunday, 29 June 2014 5:08 p.m.
To: DPMC + MFA PRESS SEC (i)
Subject: Re: Audio

--

Good from my perspective.

From: (i) [DPMC] (i)
Sent: Sunday, June 29, 2014 04:55 PM
To: MEDIA; PRESS SEC MFA
Subject: RE: Audio

(i)

Below is the package I plan sending (i) in 10. Have included to new points (have slightly reworded, so can you make sure you are both comfortable with them?). Have also included the original info provided on Friday, as I am not sure that she still has them to hand. Let me know if you have any thoughts/changes, and I will get them on their way (next five please).

Thanks very much for your work on this.

Cheers

(i)

(i)

There are some additional points via (i) 'MFAT as per our discussions. Have included original points/etc. for you to draw on as you need. Let us know if you need anything further:

Officials in PMO and DPMC were briefed in early May when the attack took place.

Will we call in the Ambassador?

We have been assured the matter is being investigated. We want to let that process run its course before we look at what further options are available to us.

What more can we do?

We formally asked the relevant government to waive the accused's right to immunity. This was declined.

We have been assured the matter is being investigated in his home country and we are monitoring this closely. We hope the outcome of this process will provide some sense of justice for the victim.

We want to give this process a chance to run its course before we consider further options

From: PMO
Sent: Sunday, 29 June 2014 6:37 p.m.
To:
Cc: PRESS SEC MFA
Subject: RE: Audio

I have to say, I can't recall being briefed on this in May.

Sent with Good (www.good.com)

-----Original Message-----

From: [redacted]@icloud.com]
Sent: Sunday, June 29, 2014 05:10 PM New Zealand Standard Time
To: DPMC
Cc: PRESS SEC MFA
Subject: Re: Audio

thanks DPMC, obviously the view is that we can't go too far. All media for tomorrow want to ask about this issue.

On 29/06/2014, at 5:08 pm,

[DPMC]



[redacted]@dpmc.govt.nz wrote:



There are some additional points via [redacted] /MFAT as per our discussions. Have also included original points/background for you to draw on as you need. FYI, MFAT are double-checking records, but are confident that officials in PMO and DPMC were briefed in early May when the attack took place. Let us know if you need anything further:

Will we call in the Ambassador?

We have been assured the matter is being investigated. We want to let that process run its course before we look at what further options are available to us.

What more can we do?

We formally asked the relevant government to waive the accused's right to immunity. This was declined.

We have been assured the matter is being investigated in his home country and we are monitoring this closely. We hope the outcome of this process will provide some sense of justice for the victim.

We want to give this process a chance to run its course before we consider further options

From: (1) (SEA)
Sent: Sunday, 29 June 2014 7:34 p.m.
To: MEDIA; (1) (PRD); (1) (PRD)
Cc: PRESS SEC MFA DPMC (1)
Subject: Re: Malaysia

Just to confirm I spoke with (1) and he is happy with the points and the additional context I provided.

(1)

From: MEDIA
Sent: Sunday, June 29, 2014 03:54 PM
To: (1) (SEA); (1) (PRD); (1) (PRD)
Subject: Fw: Malaysia

Hi,

Please note request from Ministers office for further advice related to the Malaysian diplomat.

Regards (1)

From: PRESS SEC MFA (1)
Sent: Sunday, June 29, 2014 03:50 PM
To: MEDIA
Cc: DPMC (1)
Subject: RE: Malaysia

(1) address right this time.

Sent with Good (www.good.com)

-----Original Message-----

From: PRESS SEC MFA (1)
Sent: Sunday, June 29, 2014 03:49 PM New Zealand Standard Time
To: 'media'
Cc: DPMC (1)
Subject: Malaysia

Hi (1)

PMO have requested a bit more background on this issue.

From: PRESS SEC MFA ①
Sent: Sunday, 29 June 2014 7:36 p.m.
To: MEDIA
Cc: DPMC ①
Subject: RE: Malaysia

Hi ① did we ever get an answer back in when/how PMO was briefed by MFAT. PMO are questioning whether they were is fact told in early May.

Sent with Good (www.good.com)

-----Original Message-----

From: PRESS SEC MFA ①
Sent: Sunday, June 29, 2014 04:36 PM New Zealand Standard Time
To: 'MEDIA'
Cc: ' DPMC ①
Subject: RE: Malaysia

It matches what the PM said "I was told a while ago" so think we are good.

Sent with Good (www.good.com)

-----Original Message-----

From: MEDIA ①
Sent: Sunday, June 29, 2014 04:30 PM New Zealand Standard Time
To: PRESS SEC MFA ①
Cc: ' DPMC ①
Subject: Re: Malaysia ①

Thats good ①

I'm 100 percent sure the Ministers office was informed during that weekend and 85 per cent sure DPMC was informed at the same time (although haven't landed on the actual emails)

Am still waiting to hear back from SEA and Protocol. However given the deadline I think the info is good.

①

----- Original Message -----

From: PRESS SEC MFA ①
Sent: Sunday, June 29, 2014 04:16 PM

From: PMO
Sent: Sunday, 29 June 2014 7:46 p.m.
To: DPMC
Cc: PRESS SEC MFA
Subject: RE: Audio

No, I don't recall that either. And I'm certain I'd recall this case.

From:
Sent: Sunday, 29 June 2014 6:37 p.m.
To: DPMC
Cc: PRESS SEC MFA
Subject: RE: Audio

have to say, I can't recall being briefed on this in May.

Sent with Good (www.good.com)

From: MEDIA
Sent: Sunday, 29 June 2014 7:59 p.m.
To: 'PRESS SEC MFA' (1)
Subject: Fw: Malaysia |

(1) and (1) have spoken directly but I wasn't party to the conversation.

I haven't heard back from protocol.

From: (1) (SEA)
Sent: Sunday, June 29, 2014 07:34 PM
To: MEDIA: (1) (PRD); (PRD)
Cc: PRESS SEC MFA; DPMC (1)
Subject: Re: Malaysia

Just to confirm I spoke with (1) and he is happy with the points and the additional context I provided.
(1)

From: MEDIA
Sent: Sunday, June 29, 2014 03:54 PM
To: (1) (SEA); (1) (PRD); (1) (PRD)
Subject: Fw: Malaysia

(1)
Hi,

Please note request from Ministers office for further advice related to the Malaysian diplomat.

Regards (1)

From: PRESS SEC MFA
Sent: Sunday, June 29, 2014 03:50 PM
To: MEDIA
Cc: DPMC
Subject: RE: Malaysia

With (1) address right this time.

From: (SEA)
Sent: Sunday, 29 June 2014 9:37 p.m.
To: DPMC, PRESS SEC MFA (PRD)
Cc: PRESS SEC MFA (PRD) P/SEC MFA
Subject: Re: AS DISCUSSED

Fine from my perspective (1), tho a couple of "is asks" instead of "if asked."

The suppression order was name suppression, not nationality, but it wd still be far better if PM did not volunteer the fact it is Malaysia. The 'confirm if asked' (as you have it below) wd not breach the suppression order.

(1)

From: (1) [DPMC] (1)
sent: Sunday, June 29, 2014 09:26 PM
To: (1) (SEA): (1) (PRD)
Cc: PRESS SEC MFA (1) Parliament: (1)
Subject: AS DISCUSSED

(1) et al

Thanks for talking before. As discussed, please see the suggested additional points in bold below. Let me know what you think.

Cheers

(1)

Waft media points for PM

I am aware of the case. I would like to start by noting that the situation is subject to a suppression order and I can't speak in much detail.

What I can say is that New Zealand expects all diplomats in our country to abide by our laws and we make this very clear to all foreign missions operating in New Zealand.

On this occasion a diplomat has been accused of a serious crime. Our preference would have been to see him face trial in New Zealand. This is fairer for the victim.

We asked the diplomat's government to waive his right to immunity but this was declined. As a consequence he was returned home.

MFAT in Wellington have been in frequent contact with the [Malaysian] High Commission in Wellington, to reinforce our expectation that this issue is being treated with the utmost seriousness [in Malaysia].

Our High Commission [in Malaysia] has raised this issue, as recently as last week, with the [Malaysian] Foreign Ministry, and have been assured that it is being fully investigated.

From: (1) (SEA)
Sent: Sunday, 29 June 2014 9:55 p.m.
To: DPMC
Cc: (1) (PRD); (1) ESD); P/SEC MFA (1)
Subject: Re: AS DISCUSSED

May be better to say (Malaysian) "authorities", as it's also DA/Malaysian Defence Force. Could we also say "liaise closely" (more active)? Rather than "monitor"?

(1)

From: (1) [DPMC]
Sent: Sunday, June 29, 2014 09:44 PM
To: (1) (SEA); (1) (PRD)
Cc: PRESS SEC MFA P/SEC MFA ; ^Parliament: .
Subject: RE: AS DISCUSSED (1)

Thanks (1)

One more thought below. Ok?

What more can we do?

We have been assured the matter is being investigated in his home country and we will continue to monitor this process closely. We will remain in close touch with the [Malaysian] Government].

Our strong hope is that this process will deliver justice for the victim.

From: (1) (SEA)
Sent: Sunday, 29 June 2014 9:37 p.m.
To: (1) [DPMC]; (1) (PRD)
Cc: PRESS SEC MFA ^Parliament: P/SEC MFA .
Subject: Re: AS DISCUSSED

Fine from my perspective (1) , tho a couple of "is asks" instead of "if asked."

The suppression order was name suppression, not nationality, but it wd still be far better if PM did not volunteer the fact it is Malaysia. The 'confirm if asked' (as you have it below) wd not breach the suppression order.

(1)

J

----- Original Message -----

From: (SEA)
Sent: Sunday, June 29, 2014 10:19 PM
To: (KLU); (KLU)
Cc: (KLU)
Subject: Dip immunity case: KLU inquiries

Hi (SEA) and (SEA),

As expected, there is set to be strong media interest tomorrow at PM's post-Cabinet press conference about efforts at post to ask what has been done by Mlysn authorities to bring the former DA to justice.

In addition to (SEA)'s helpful email on Thurs, we wd be grateful for more detail on what we have been told and when. This shd include (SEA) contacts in MDF and discussions (SEA) had when first tasked in May to register our interest in learning of Mlysn follow up action soon after the DA's return to KLU.

Cd you possibly get us something overnight? I have had several phone conversations with (SEA) today. PMO is v focused on it.

BPNC

Thanks

(SEA)

From: (1) (SEA)
Sent: Sunday, 29 June 2014 10:35 p.m.
To: (1) (DS AAG); (1) : (SEA)
Subject: Fw: MALAYSIA POINTS: REVISED: FINAL

For your awareness also.

(1)

From: (1) (SEA)
Sent: Sunday, June 29, 2014 10:23 PM
To: DPMC (1)
Cc: (1) (PRD); PRESS SEC MFA (1)
P/SEC MFA (1)
Subject: Re: MALAYSIA POINTS: REVISED: FINAL

All good from my perspective, thanks

From: (1) [DPMC]
Sent: Sunday, June 29, 2014 10:09 PM
To: (1) (SEA)
Cc: (1) (PRD); PRESS SEC MFA (1)
^Parliament: P/SEC MFA
Subject: MALAYSIA POINTS: REVISED: FINAL

(1)

Thanks for your earlier email. Final below. Can you cast your eye over it one last time, and I will let it fly.

(1)
Cheers

Have revised the points in further contact/discussion with MFAT (new points bolded below).

They have clarified that the suppression order covered name, not nationality. MFAT would still prefer that the PM did not volunteer the nationality, but if asked there is nothing stopping him from confirming that he is a Malaysian national.

The new points also provide some more information on the recent engagement by MFAT in Wellington and KL.

Points for PM