

24 March 2025

Mr Lee Theng Kiat, Chairman
Mr Yuen Kuan Moon, Group CEO
Mr Teo Swee Lian, Chairman, Risk and Sustainability Committee
10 Eunios Road 8,
#07-31 Singapore Post Centre,
Singapore 408600 (“SPC”)

CC: Mr Paul O’Sullivan, Chairman
Mr Stephen Rue, CEO
Singtel Optus Pty Limited (ACN 052 833 208)
Optus Corporate Affairs
1 Lyonpark Road,
Macquarie Park NSW 2113

Sent via post and email: media@optus.com.au; newsroom@singtel.com
CC: investor@singtel.com

Dear Chairman,

Human Rights Risk & Significant Concerns – OPTUS Major “Platinum” Sponsor of the Australian Israel Chamber of Commerce (AICC): violations of international law including widespread war crimes

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A. INTRODUCTION & OVERVIEW

1. This letter is written as a human rights grievance pursuant to the United Nations Guiding Principles on Business and Human Rights (UNGPs).
2. I am a long time business customer of Singtel Optus Pty Limited (ACN 052 833 208)(**OPTUS**), a subsidiary of Singapore Telecommunications Limited (**SINGTEL**).
3. As a barrister with a national practice, I rely on excellent telecommunications to conduct my business as a Barrister, based in Brisbane, Queensland, Australia.
4. I have been generally happy with the performance of OPTUS, including its sustainability and human rights commitments, until now.
5. It has recently been brought to my attention that OPTUS is a major “Platinum” sponsor of numerous Australian Israel Chambers of Commerce (AICC) events, and Professor Rocky Scopelliti, Chief Scientist, Government Optus Enterprise & Business, is scheduled to speak at an upcoming AICC business luncheon in Sydney on Wednesday 26 March 2025, in circumstances where it has been reported that:
 - (i) the AICC's associate body, the Israeli-Australia Chamber of Commerce (IACC), and possibly the AICC are funding Israel's illegal settlement program, which has been found by the world's highest court, the International Court of Justice;
 - (ii) the AICC is associated with the State of Israel and the Israeli Weapons/Military Industry, including Elbit Systems, which has had direct involvement in the mass murders, mass atrocities, mass war crimes and crimes against humanity and ‘plausible’ genocide being committed in Gaza (and now the West Bank) since October 2023 and has tested their weapons and all manner of new military technologies on innocent human beings in the bloody rubble of Gaza and also the West Bank as has been comprehensively documented;¹
 - (iii) Israel's indiscriminate bombardment of Gaza *has been* the most intense bombardment in history as documents by the organisation Scientists for Global Responsibility.²
6. There should be no place for upstanding corporate citizens such as OPTUS and Singtel, publicly committed to inter alia the United Nations Sustainable Development Goals (**SDGs**) and the UN

¹ See for example, A Loewenstein, *The Palestine Laboratory How Israel Exports The Technology Of Occupation Around The World* (Verso + Scribe, 2023). Available: <https://antonyloewenstein.com/books/the-palestine-laboratory-how-israel-exports-the-technology-of-occupation-around-the-world/>

² Dr Phil Weber, Scientist for Global Responsibility, “Gaza: how the West’s weapons are fuelling a catastrophe” (Updated 12 February 2025). Available: <https://www.sgr.org.uk/resources/gaza-how-west-s-weapons-are-fuelling-catastrophe>

Guiding Principles on Business and Human Rights (UNGPs), to be supporting and promoting a rogue State currently engaged in a “plausible” genocide, in the words of the International Court of Justice, a panoply of violations of international law including the unlawful occupation of the West Bank and reported ethnic cleansing of same.

7. This would be equivalent to SINGTEL/OPTUS sponsoring events funding the South African apartheid regime a few decades ago which of course would be unthinkable and a profoundly repugnant thought.
8. Notably, Singapore's vote in favour of the United Nations resolution in October 2023 to protect civilians and uphold legal and humanitarian obligations amid conflict in the Gaza Strip is a "major vote", with the country taking a clear stand and expressing its concerns at the grave situation on the ground, Law and Home Affairs Minister K Shanmugam said on Sunday (Oct 29):³

"The resolution expressed grave concern at the escalation of violence since Oct 7. It called for immediate, durable, sustained humanitarian truce, leading to a cessation of hostilities. And it called for immediate, continuous and unhindered provision of essential supplies to the civilians in Gaza," he said
 "And it called for Israel to rescind its evacuation order in the Gaza Strip, and it rejected the forced transfer of Palestinians and reaffirmed that the solution to the conflict should be through a peaceful two-state solution."

9. Mr Shanmugam was speaking to the media on the sidelines of a ground-up interfaith joint humanitarian relief effort organised by Humanity Matters, a non-profit organisation, where volunteers were gathered to pack relief supplies to be delivered to the displaced civilians of Gaza. In reiterating Singapore's support for the UN resolution, Mr Shanmugam highlighted two areas which the resolution should have mentioned.

"One, we must still condemn the terrorist attack by Hamas on Oct 7 which cannot be justified; and two, we need to note also Israel's right to self-defence, but that right to self-defence cannot include indiscriminate killing of civilians and must be done in accordance with international law," he said.

10. Singapore took a clear stand and expressed its concerns on the grave situation in Gaza by supporting a United Nations resolution calling for an immediate and sustained humanitarian truce as stated by Home Affairs and Law Minister K. Shanmugam.⁴
11. As a business customer of OPTUS, I call on OPTUS and SINGTEL, to say “Yes” to international law, the rule of law and the international rules based order and take a moral and legal stand in accordance with their public disclosures to the business community, and withdraw all sponsorship and associations with the AICC and by association the IACC, while the current unacceptable status quo remains regarding Israel’s “plausible” genocide in Gaza, and other widespread flagrant violations of international law including the unlawful occupation of the West Bank.

B. OPTUS’ & SINGTEL GROUPS’ PUBLIC COMMITMENT TO HUMAN RIGHTS

³ Channel News Asia, “Singapore's vote in favour of UN resolution shows clear stand on Israel-Hamas conflict: Shanmugam”, (29 October 2023). Available: <https://www.channelnewsasia.com/singapore/israel-hamas-war-singapore-vote-un-resolution-shows-clear-stand-shanmugam-3881071>

⁴ Syarafana Shafeeq, “Singapore showed clear stand on Israel-Hamas conflict in vote supporting UN resolution: Shanmugam”, *The Straits Times*, (14 November 2024). Available: <https://www.straitstimes.com/singapore/singapore-showed-clear-stand-on-israel-hamas-conflict-in-vote-supporting-un-resolution-shanmugam>

12. Both OPTUS and SINGTEL have a well-documented and implemented public commitments to purported adherence to universal norms and standards of international human rights law as contained in various international treaties, guidelines as well as their own corporate governance documents and policies.
13. Indeed, the **SINGTEL GROUP's 2024 Sustainability Report**⁵ publicly (and proudly) states the following:

Our strategy and commitment

The Singtel Group is committed to upholding the highest standards of responsible business in all aspects of our operations, which serve over 14 million retail and enterprise customers daily. We also promote responsible business practices throughout our supply chain to drive positive business, environmental and social impact (see Figure 1).

We have been a signatory of the UN Global Compact since 2007 and conducting our business in accordance with its Ten Principles. We address salient human rights issues within our value chain and operations, underpinned by the UN Guiding Principles on Business and Human Rights. This encompasses areas from ensuring fair treatment of workers to ethical business conduct and safeguarding customer data privacy within our own and suppliers' operations.
(Emphasis added)

14. In the SINGTEL/OPTUS 2023 Sustainability Report, it was publicly stated as follows:⁶

Salient human rights issues assessment

[...]

6. Respect the human rights of communities

Our operations and value chain may involve a range of potential human rights impacts that could significantly harm local communities or disrupt their way of life. We will collaborate with our suppliers, business partners and other stakeholders to assess and address these potential human rights impacts on communities.

[...]

ETHICAL AND FAIR BUSINESS PRACTICES

Singtel Group holds onto the highest standards of business conduct as highlighted by our two core values – Operate with Integrity and Make Customers First. We continuously enhance our efforts around corporate governance, ethics and compliance, in our bid to step up our stewardship role and strengthen the relationship with our stakeholders and their trust in us. **We encourage our people to incorporate our core values into processes and decision making by operating responsibly, ethically and with integrity in everything they do. Our commitment to responsible and ethical business practices as well as good corporate citizenship while providing quality services and solutions forms the bedrock of how we operate our business. This is supported by a comprehensive framework covering strong leadership and corporate culture, robust and effective internal controls and policies, and risk management. Internal Audit, Group Risk Management, Legal and Group People and Sustainability work closely with our business units to continuously uplift our corporate governance, raise awareness and train our people.**
(Emphasis added)

15. In the OPTUS Sustainability Report 2024, your OPTUS colleagues Paul O'Sullivan, Chairman, Michael Venter, Interim Chief Executive Officer publicly stated, *inter alia*:⁷

We remain committed to respecting the human rights of all individuals and maintaining responsible supply chain practices.

⁵ Singapore Telecommunications Limited, "SINGTEL 28, Sustainability Report 2024", 57. Available:

<https://cdn.aws.singtel.com/sustainabilityreport/SR2024/download/downloads/Singtel-Group-Sustainability-Report-2024.pdf>

⁶ See: <https://cdn.aws.singtel.com/sustainabilityreport/2023/download/02-download-files/1-Full%20Report/Singtel-Group-Sustainability-Report-2023.pdf>

⁷ OPTUS Sustainability Report 2024, 5. Available: <https://www.optus.com.au/content/dam/optus/documents/about-us/sustainability/reporting/2024/Optus-Sustainability-Report-FY2024-Final2.pdf>

16. In your message at the beginning of the **SINGTEL GROUP's 2024 Sustainability Report**, you publicly state, inter alia:⁸

Reinforcing corporate governance and delivering value

Our focus has always been to create value for all stakeholders. **This is underpinned by our commitment to ethical and responsible business practices**, as well as providing quality service and solutions for our customers. **We adopt a zero tolerance approach to** bribery, corruption, discrimination and **human rights violations throughout our value chain. These are things critical to corporate sustainability and reputation and cannot be taken for granted.** We strive to continuously improve our governance and processes to ensure sustainable value creation...

[...]

We will continue to uphold corporate governance, ethics and compliance to strengthen stakeholders' trust. Singtel was ranked Asia's most sustainable telecom provider by 2024 Corporate Knights' Global 100 Most Sustainable Corporations and Singapore's most well-governed and transparent company in the Singapore Governance and Transparency Index in 2023. Singtel and six of our entities, including Singtel Mobile, SingNet and NCS, received the Data Protection Trustmark Certification from the Infocomm Media Development Authority (IMDA) in recognition of our robust data protection policies and practices.

We pride ourselves for maintaining a high-quality network that customers can rely on for their communications and connectivity needs. Regrettably, in November 2023, our subsidiary Optus in Australia suffered a nationwide outage and let customers down. Optus will learn from the incident and continue to invest in network resilience to avoid a recurrence. Optus is fully cooperating with the reviews being undertaken by the Australian regulators and the Senate

On track in our journey

As we work towards our 2025 targets, we continue to track and monitor our sustainability efforts while striving to create a positive impact on the environment and our communities. The Singtel Board and Management are grateful for your ongoing support.

(Emphasis added)

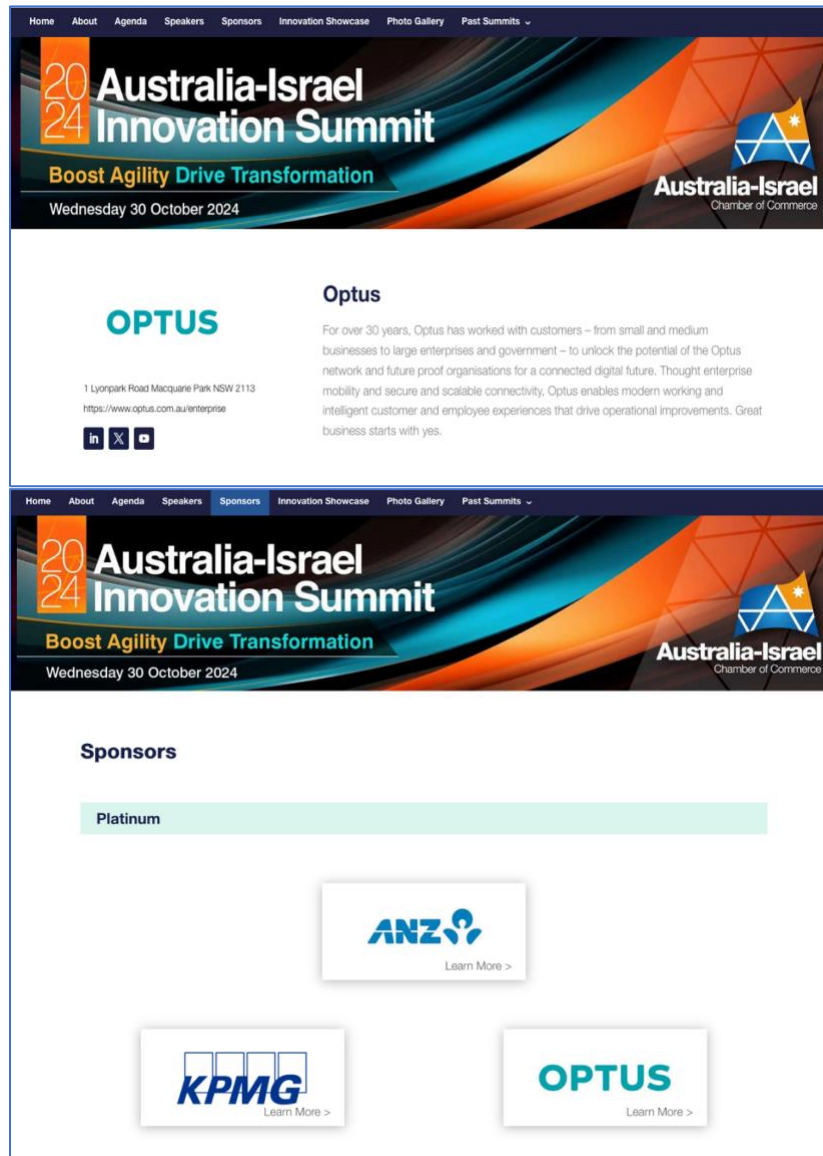
17. Unfortunately, OPTUS is letting its customers down again, and SINGTEL's award winning track record with its direct association with and sponsorship of a "plausible" genocide in the words of the International Court of Justice, a panoply of violations of international law including the unlawful occupation of the West Bank and reported ethnic cleansing of same.

C. OPTUS' & SINGTEL'S HIGH RISK SPONSORSHIP & PROMOTION OF THE AICC

18. Following the declarations by the International Court of Justice (ICJ) of a "plausible" genocide being committed in Gaza, the advisory opinion of the International Court of Justice (ICJ) that Israel's occupation of Gaza, the West Bank and East Jerusalem are in violation of international law and must be ceased, and widespread condemnation by numerous United Nations bodies and global human rights organisations (including Israeli human rights organisation) of genocide in Gaza and widespread mass atrocities and violations of international law, all of which are detailed further below, OPTUS has continued its public sponsorship and promotion of the AICC (and by association the IACC).

⁸ Singapore Telecommunications Limited, "SINGTEL 28, Sustainability Report 2024", 3-4. Available: <https://cdn.aws.singtel.com/sustainabilityreport/SR2024/download/downloads/Singtel-Group-Sustainability-Report-2024.pdf>

19. In October 2024, OPTUS was a major “Platinum” sponsor of the 2024 Australia-Israel Innovation Summit hosted by the AICC⁹ and Ross O’Toole, Director of Industry, OPTUS Enterprise & Business was listed as a speaker at the 2024 Australia-Israel Innovation Summit as follows:



⁹ See: <https://summit.aiccnsw.org.au/innovation-summit/about/>



Ross O'Toole

Director of Industry, Optus
Enterprise & Business

Ross is the Director of Industry at Optus Enterprise and Business, focusing on the top major accounts.

Joining Optus in 2019, Ross brings significant digital transformation experience in digitised spaces, connectivity, automation and AI, data, and digital solutions using IoT technology and emerging 5G technology, across a range of industry sectors including Real Estate, Retail, and Health. Ross leverages his deep experience in asset management, property management, leasing, development and planning, and financial management having held C-suite roles including new business establishment. Ross has held senior roles at Vicinity Centres, Lendlease, Link REIT, Macquarie Group, Rodamco Asia, QIC Real Estate, Westfield, and AMP.

His international asset management experience spans Australia, the United States, Hong Kong, South Korea, Singapore, China, and Europe, providing him with a broad perspective in global market dynamics.


20. Notably, the 2024 Australia-Israeli Innovation Summit was promoted as in partnership with:

- (i) The State of Israel;
- (ii) The Embassy of Israel Canberra;
- (iii) State of Israel, Israel Trade and Economic Commission, Sydney Australia;
- (iv) Israel-Australia Chamber of Commerce (IACC):




21. On 12 March 2025, OPTUS sponsored an AICC “Major Business Luncheon” in Brisbane at which ANZ CEO Shayne Elliot is scheduled to present (at a venue TBA) as follows:¹⁰

¹⁰ See: <https://portal.aiccnsw.org.au/all-events/events-details/?id=f8dafce3-8f37-4ee4-8df1-f9e5d55845da>




EVENTS CONTACT US LOGIN

Major Lunch with Shayne Elliott, Chief Executive Officer, Australia and New Zealand Banking Group



Shayne Elliott
Chief Executive Officer
Australia and New Zealand Banking Group



Oriel Montison
Chief Strategy Officer,
Lead Anchor & Executive Producer,
AFAC Network Moderator

Members and guests of the AICC are invited to this major lunch in Brisbane to hear from one of Australia's most important business leaders, Shayne Elliott, Chief Executive of ANZ, as he shares ANZ's outlook for the year ahead.

OUR GUEST SPEAKER

Shayne Elliott, Chief Executive Officer and Executive Director since 1 January 2016, has over 30 years' experience in banking in Australia and overseas, in all aspects of the industry. Shayne joined ANZ as CEO Institutional in June 2009, and was appointed Chief Financial Officer in 2012.

Prior to joining ANZ, Shayne held senior executive roles at EFG Hermes, the largest investment bank in the Middle East, which included Chief Operating Officer. He started his career with Citibank New Zealand and worked with Citibank/Citigroup for 20 years, holding various senior positions across the UK, USA, Egypt, Australia and Hong Kong.

Shayne is a Director of the Financial Markets Foundation for Children and a member of the Australian Banking Association, the Business Council of Australia and the Australian Customs Advisory Board.

Relevant other directorships:

Director: ANZ Bank New Zealand Limited (from 2009), the Financial Markets Foundation for Children (from 2016), the Sydney Merse Alliance (from 2023) and Norfina Limited (Suncoast Bank) (from 2024).

Member: Business Council of Australia (from 2016), the Australian Banking Association (from 2016, Chairman 2017-2018) and the Australian Customs Advisory Board (from 2020).

OUR GUEST MODERATOR

Oriel Montison is one of Asia's most well-known business journalists and is the co-founder and Chief Strategy Officer of AFAC Network.

Previous to launching AFAC Network, she anchored top rating shows, CNBC's Squawk Box and CNBC's Street Signs, for 12 years. Both shows aired globally. Oriel also provided on-the-ground coverage of breaking news, and reported from premier business events around the world.

Oriel hosts global conferences and events and often speaks on topics including geopolitics, finance, markets, and news.

Some of Oriel's favourite interviewees include Bill Clinton, Former President of the United States; Christine Lagarde, President of the European Central Bank; Bob Iger, CEO Disney; Malcolm Turnbull, Former Australian Prime Minister.

REGISTRATION

[REGISTER NOW](#)

COST

Members - \$180.00 ex GST pp
Non-Member - \$225 ex GST pp
Member Table - \$1620.00 ex GST - Table 10
Non-Member Table - \$2025.00 ex GST - Table 10

WHEN

Wednesday 12 March 2025
12-2pm

WHERE

Brisbane CBD - TBA

CONTACT US


For more information, please contact events@aicc.org.au

PARTNERS


OPTUS

22. On Wednesday 26 March 2025, Professor Rocky Scopelliti, Chief Scientist, Government OPTUS Enterprise & Business, is scheduled to speak at an upcoming AICC business luncheon in Sydney, (at an undisclosed venue TBA) as follows:¹¹


2025 Economic and Global Outlook The Business Landscape Ahead




Ric Deverell
Chief Economist & Head of Net Zero
Macquarie Group



Hervé Lemahieu
Director of Research
Lowy Institute



Professor Rocky Scopelliti
Chief Scientist
Government
Optus Enterprise & Business



Nadine Blayney
Head of Content
Ausbiz
Moderator

Dear Benedict

The world is facing significant change with economic, political, technological and geopolitical headwinds impacting the outlook for growth and the business landscape in the year ahead.

Please join our expert panel **Ric Deverell**, Chief Economist and Head of Net Zero at Macquarie Group, **Hervé Lemahieu**, Director of Research Lowy Institute, **Rocky Scopelliti**, Chief Scientist, Government Optus Enterprise & Business, and **Nadine Blayney** Head of Content, Ausbiz who will share their insights into the impact for the Australian and global economy and business landscape, and the challenges and opportunities which business leaders will need to confront in 2025.

WHEN: Wednesday 26 March 2025
12.00 - 12.20pm Pre-drinks & Networking
12.30 - 2.00pm Lunch & Presentation

WHERE: Sydney CBD - TBA

COST:

Member - \$198.00 inc GST pp / Non-member - \$247.50 inc GST pp
Member Table - \$1782 inc GST, Non-member Table - \$2227.50 inc GST

CONTACT US: For more information, please contact: events@aicc.org.au

[REGISTER HERE](#)

[PLEASE SEE HERE FOR OUR GUEST PANEL](#)

I hope you can join us at this important discussion.

¹¹ See: <https://portal.aiccnsw.org.au/all-events/events-details/?id=f476c178-17cb-4d14-aa26-6364fb0715c0>

23. However, it has recently been reported that the AICC and its associated entity in Israel, the Israeli-Australia Chamber of Commerce (IACC) are funding illegal settlements in the Occupied Palestinian Territory (OPT) and are associated with and sponsored by certain Israeli weapons manufacturers who are involved in the perpetration of war crimes, atrocities and what the International Court of Justice (ICJ) has declared to be a “plausible” genocide in Gaza and the OPT such as Elbit Systems, as follows:¹²

The AICC describes itself as “Australia’s pre-eminent international Chamber of Commerce and one of the country’s most prestigious and active national business organisations,” with over 1,000 member companies.

The AICC’s Israeli associate, the [Israel-Australia Chamber of Commerce](#) (IACC), is chaired by Major General Ido Nehushtan, president of weapons contractor Boeing Israel and a former commander of the Israeli Air Force.

The [IACC profile on Guidestar](#), which is the regulating body for Israeli charities, shows that the organisation is funding Israel’s illegal settlement program. Up to 35% of funds are going to areas which Israel calls the Judea and Samaria region, the Northern District, and Jerusalem District (also known as ‘Greater Jerusalem’).

Judea and Samaria is Israel’s name for most of its settlements in the West Bank.

While the Northern District includes areas inside Israel’s internationally recognised borders, it also includes the illegally occupied Syrian Golan Heights.

The [Jerusalem District](#) also includes areas inside Israel’s borders, but continues to illegally expand into the Jerusalem Governorate of Palestine.

[...]

Israel’s “innovation ecosystem will be supercharged” by the war, Dave Sharma said. Indeed, the bloody rubble of Gaza has been a human testing ground for drones and all manner of new military technologies.

Sharma, the Liberal Party senator and former ambassador to Israel, was addressing corporate moguls at the 2024 summit of the Australia-Israel Chamber of Commerce (AICC).

The Chamber is, perhaps with the exception of the Business Council of Australia, this country’s preeminent big business lobby; holding regular junkets, summits at lunches at ritzy five-star hotel ballrooms where business leaders deliver their speeches before packed audiences spending thousands of dollars per table.

It is the premier networking organisation for Israel in Australia and high-tech is at the vanguard of the lobbying. The ‘Start-Up Nation’ begins with the Israel Defence Force’s (IDF) intelligence units.

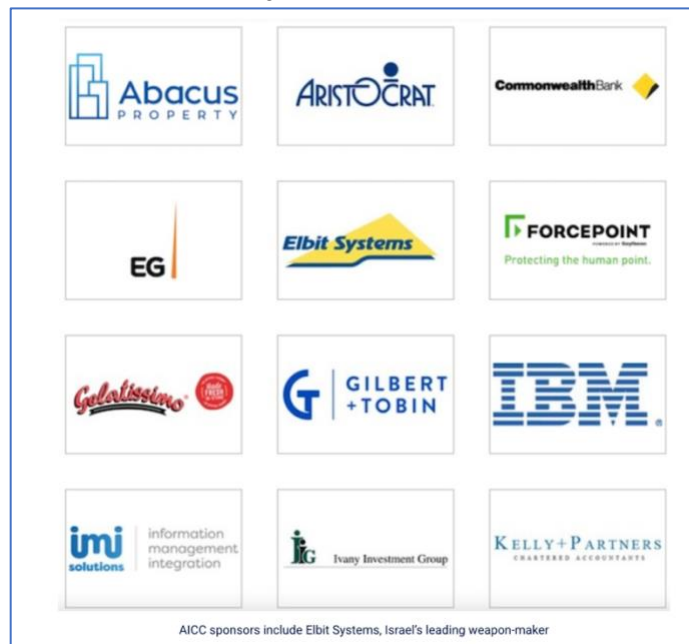
While the soldiers are given unlimited access to the army’s deep pockets and free reign to innovate, the subjects of the experiments are the Palestinian people. And the illegal military occupation of Palestinian land is being richly monetised.

The Chamber’s role in this is to showcase military products on Australian shores where they are marketed as [“battle-hardened”](#).

AICC media-hungry yet shy about their member list

The Chamber’s objective is to promote collaboration between the two countries. It describes itself as “Australia’s pre-eminent international Chamber of Commerce and one of the country’s most prestigious and active national business organisations”, with over 1,000 member companies.

¹² See: Y Aharon, “**Jillian Segal’s many hats: Special Envoy for Antisemitism and Israel lobbyist extraordinaire**” (24 December 2024) Michael West Media. Available: <https://michaelwest.com.au/jillian-segals-hats-special-envoy-for-antisemitism-israel-lobbyist-extraordinaire/>
Y Aharon, “Investigation: elite Australian big business group monetises Israeli war machine” (2 January 2025) Michael West Media. Available: <https://michaelwest.com.au/aicc-monetises-israeli-war-machine/>



Despite its sizeable media presence, finding public information about AICC proved difficult. There are at least 9 AICC ABNs according to the ASIC database, but the profiles rarely interlink with ASIC Connect, nor do they show up easily in searches. Often their ASIC profile lacks basic compliance like a ‘company extract’.

The Chamber’s website disclosures also lack these details.

The majority of AICC businesses, including the NSW Division, are membership-based body corporates. So they are tax exempt.

The [AICC NSW Division](#) is one primary AICC entity. It’s is formerly known as – and simply trades as – the name AICC, has three separate ACNs, and hosts the annual summit.

It is standard for business councils to list their members. The Business Council of Australia and Minerals Council of Australia do this, but the AICC does not.

Much of the Chamber’s website has been scrubbed since the outbreak of the war in late 2023, specifically the defence industry sponsorships.

However, it would be unusual for a business council to be handing out free favours. The allure of membership and sponsorship of the Chamber includes invitations to its prestigious events and junkets, and an expectation that your business’s interests will be represented and advanced.

Every living Australian prime minister has addressed the Chamber multiple times, while Israeli president Isaac Herzog addressed the summit in 2021 and 2022.

Fundamentally, however, the ‘non-political’ Chamber promotes continuing trade with a pariah and rogue state.

The International Court of Justice has determined that Israel racially dominates Palestinians with a two-tiered legal system, has continuously and illegally annexed Palestinian land, and is plausibly committing genocide.

In July 2024, the Court ruled that member states are to “abstain from entering into economic or trade dealings with Israel ... which may entrench its unlawful presence in [Palestinian] territory”.

But Israel’s national identity is its military power. Its national exports are the tools of the military occupation. To a hammer, everything is a nail.

Funding illegal settlements

For example, the AICC’s associate the Israel-Australia Chamber of Commerce (IACC) directs 35% of its funds to government districts with illegal settlements. Its chair is (ret) Major General Ido Nehushtan, a former commander of the Israeli Air Force, and currently engaged in the arms trade as president of Boeing Israel and a consultant for Elbit Systems.

According to the Israeli Ministry of Defence, the arms industry [makes up](#) 10% of Israeli exports.

A [submission](#) by the AICC to the Department of Foreign Affairs & Trade noted that a further 10% of exports are related to cybersecurity.

The submission urged a Free Trade Agreement with Israel, arguing it would “increase defence cooperation” and citing the example of the Australian-Israeli joint venture Rafael Varley Group’s Spike LR2 missiles.

When then-Minister of Defence Christopher Pyne addressed the AICC in 2018 he delivered a [comprehensive outline](#) of the bilateral arms trade, including the same Rafael Varley missiles.

The former minister, who is known for his sense of humour, opened his speech with a joke: AICC chairperson Jillian Segal “always seems to be following me around”, gets “a lot of good information out of me”, and it is important to stay on her “good side”.

[...]

The driving force behind many Israeli start-ups – least of all the defence and cybersecurity industry – is the signals intelligence Unit 8200, equivalent to the USA’s National Security Agency or the Australian Signals Directorate.

AICC chairperson and Special Envoy To Combat Antisemitism Jillian Segal [led a junket](#) in 2022, where they “saw the impact of an Army system which enabled a mindset of accountability and responsibility ... [particularly] the elite Unit 8200.”

This year’s Summit promoted a speaker as a [former Unit colonel](#).

The Unit is equipped with nearly unlimited access to the military budget with minimal oversight provided by commanders.

The IDF’s AI ‘Kill List’

The latest hotshot project of 8200 is AI-generated kill lists. The [Lavender](#) program deems Palestinians as ‘terrorists’ according to a point-ranked system and feeds those lists to the army’s drone operators.

If a low-ranking private has an opportunity to kill a Palestinian on the list it is considered an order as if given by a commanding officer, even if dozens of civilian deaths are inevitable.

The Lavender kill list often feeds into the ‘Where’s Daddy?’ AI program, which notifies Israeli drone operators when a person on the kill list is most vulnerable to a drone strike: the moment they are at home with their children.

Antony Loewenstein writes in his book, *The Palestine Laboratory*, that “8200 watches every Palestinian, regardless of their involvement in the resistance”.

The Unit can eavesdrop on any phone call, SMS, and email in Palestine. When the messages reveal a personal secret – closeted sexual identity, an extramarital affair, or an invisible illness – 8200 sees it as a tool for blackmailing a potential informant.

Essentially, Loewenstein writes, 8200 marks IDF’s targets; who by fire, and who by blackmail.

[...]

In 2014, when Jillian Segal was a new [director](#) at both AICC and the National Bank of Australia (NAB), the AICC [organised](#) the bank’s Israel junket.

The delegation met with Carmi Gilon, the former head of Israel’s internal security agency Shin Bet, who had [fled](#) Denmark only months before, fearing his arrest for torturing Palestinian detainees.

The former IDF chief of staff, Gabi Ashkenazi, also met with the NAB junket, despite that he was laying low following a Turkish court having [issued](#) international warrants for his arrest. It was alleged that Ashkenazi was responsible for a 2010 incident, where the IDF murdered nine activists onboard an aid flotilla headed for Gaza.

24. The opaqueness of the AICC, its related entities (i.e. the IACC), its membership and associations with Israeli-based companies, military industries and entities, makes it very difficult, if not impossible, in the

context of recent developments in international law detailed herein, to ascertain and ensure that the AICC is not more broadly linked to and/or involved in, the voluminous evidence of very serious violations of international law and international human rights law (and corresponding Australian domestic laws) without further accountability and transparency.

25. Notably, the work of Jewish Australian journalist Antony Loewenstein¹³ in publishing “The Palestine Laboratory - How Israel Exports The Technology Of Occupation Around The World” (Verso + Scribe 2023)¹⁴ and its related podcast (on Drop Site News)¹⁵ and recently released two part-documentary (on the Al-Jazeera Network)¹⁶, provides voluminous evidence and comprehensive reporting on Israel’s military industrial complex using the OPT as a lethal testing ground for weaponry and surveillance technology against millions of innocent Palestinian civilians, that they then export around the world to despots and democracies and literally, figuratively and metaphorically “make a killing” from.

D. AICC PROMOTING DIRECT FUNDING OF “PLAUSIBLE” GENOCIDE & WIDESPREAD WAR CRIMES & VIOLATIONS OF INTERNATIONAL LAW

26. It is extremely concerning that the AICC has been promoting direct fundraising to “the war effort” in Israel via Ohad Blumberg, Israel Trade Commissioner, Head of Israel Trade and Economic Commission in Australia establishing what he calls “The Israel Resilience Fund” (see further **below**) seeking direct funding from corporate Australia. Of course, given the voluminous evidence of war crimes, crimes against humanity, “plausible” genocide, mass atrocities and widespread violations of international law having been committed by Israel since 7 October 2023, the term “the war effort” (see further **below**) can be seen as a misleading euphemism for funding the State of Israel and Israel military industrial complex which has been involved in war crimes, crimes against humanity, “plausible” genocide, mass atrocities and widespread violations of international law.
27. Not only is such funding potentially in violation of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (which is made illegal in Australia via Chapter 8 Division 268 of the Criminal Code Act 1995 (Cth), but it may contravene the laws against funding terrorist organisations and a terrorist act made illegal by Part 5.3 of the Criminal Code Act 1995 (Cth) where:

- (i) Section 101.1 provides:

101.1 Terrorist acts

(1) A person commits an offence if the person engages in a terrorist act.
Penalty: Imprisonment for life.

(2) Section 15.4 (extended geographical jurisdiction—category D) applies to an offence against subsection (1).

- (ii) Section 100.1 provides for the definition of “terrorist act” as follows:

terrorist act means an action or threat of action where:

- (a) the action falls within subsection (2) and does not fall within subsection (3); and

¹³ See: <https://antonyloewenstein.com/>

¹⁴ See: <https://antonyloewenstein.com/books/the-palestine-laboratory-how-israel-exports-the-technology-of-occupation-around-the-world/>

¹⁵ See: <https://www.dropsitenews.com/p/the-palestine-laboratory-podcast> and <https://www.thepalestinelaboratorypodcast.com/>

¹⁶ See: <https://www.aljazeera.com/program/featured-documentaries/2025/1/30/the-palestine-laboratory-ep-1>

(b) the action is done or the threat is made with **the intention of advancing a political, religious or ideological cause;** and

(c) the action is done or the threat is made with the intention of:

(i) coercing, or influencing by intimidation, the government of the Commonwealth or a State, Territory **or foreign country, or of part of a State, Territory or foreign country;** or

(ii) **intimidating the public or a section of the public.**

(Emphasis added)

(iii) Section 15.4 provides for universal jurisdiction for a “terrorist act” and funding a “terrorist act” as follows:

15.4 Extended geographical jurisdiction—category D

If a law of the Commonwealth provides that this section applies to a particular offence, the offence applies:

(a) whether or not the conduct constituting the alleged offence occurs in Australia; and

(b) whether or not a result of the conduct constituting the alleged offence occurs in Australia.

Note: The expression **offence** is given an extended meaning by subsections 11.2(1) and 11.2A(1), section 11.3 and subsection 11.6(1).

28. On 12 December 2023, the AICC hosted an online webinar entitled “Israel's Innovation Resilience Webinar” described as follows:¹⁷

Israel’s famed tech sector and economy are facing an unprecedented test. Facing daily uncertainty, staff shortages due to reserve duty and significant disruption, how will the tech sector, which drives a wider economic ecosystem, be impacted? Watch this important online discussion with Jonathan Medved, Founder and CEO of OurCrowd and Ohad Blumberg, Israel Trade Commissioner, Head of Israel Trade and Economic Commission in Australia.

29. During the “Israel's Innovation Resilience Webinar”, Ohad Blumberg, Israel Trade Commissioner, Head of Israel Trade and Economic Commission in Australia, announced the establishment of the “Israel Resilience Fund” seeking investments from Australian companies in “the war effort”, that likely including financial support of Israeli companies involved, either directly or indirectly, in the “plausible” genocide in Gaza, the widespread flagrant violations of international law by Israel including, but not limited to, the unprecedented slaughter of Palestinian children, women and men and the unprecedented destruction of 80% of the building in Gaza and the targeted destruction of schools, hospitals, and targeting and systematic torture of innocent civilians, healthcare workers and journalists all in severe violation of well-established international law.

30. Notably, it has been reported that the amount of bombs/missiles dropped on Gaza by Israel and the Israel Defense Forces is equivalent to six nuclear bombs unprecedented in the modern world. The organisation Scientists for Global Responsibility has published on the amount of munitions dropped by Israel on Gaza since 7 October 2023.¹⁸

31. The remarks of Ohad Blumberg, Israel Trade Commissioner, Head of Israel Trade and Economic Commission in Australia, in announcing the “Israel Resilience Fund” are follows:¹⁹

¹⁷ Available on YouTube at the following link: <https://www.youtube.com/watch?v=gWdwaxatTKg&t=285s>

¹⁸ Dr Phil Weber, Scientist for Global Responsibility, “Gaza: how the West’s weapons are fuelling a catastrophe” (Updated 12 February 2025). Available: <https://www.sgr.org.uk/resources/gaza-how-west-s-weapons-are-fuelling-catastrophe>

¹⁹ Available on YouTube at the following link: <https://www.youtube.com/watch?v=gWdwaxatTKg&t=285s>

“We've launched a resilience fund the Israel Resilience Fund which we're making a as broad a fund uh as possible bringing in all kinds of people to help us to raise quickly over the next six months and deploy it in that six-month period \$50 million on a no fees no carry basis basically management fee free uh carried interest free which means that we're basically giving our uh management skills on a pro bono basis and since we announced this just a couple of weeks ago we're up at actually over 10 million in commitments I think we're as of uh yesterday 12 million on the way to the 50 and i' like to tell you a little bit about this and why it makes sense uh for us and for for people to take a look at this um again the economy is is strong but certainly needs a support because what's what's critical is the need to act as sort of a snowball core where even when you come into a company with three four 500,000 at this point and say we're in we're not waiting we're not delaying till the war is over we're not going to see and check we believe in Israel's story of resilience and we're putting our money where our mouth is then that gives courage to other investors around the table who are already in the in the company already it allows us to do the matching money which the government is now providing through its first aid and other programs through the Innovation Authority and it actually then creates interest in Outsiders to say “wait a minute if these insiders who get what's going on are doing this why aren't we taking advantage of getting into these companies at lower prices and buying at the dip now” You can see what's happening the the the stock market is recovered the shekel is recovered and what happens in these cases is that the overshoot as we go forward is going to be significant so for the smart money for the people who really are looking at this not just as an expression of support but as a smart uh uh entry point it makes a lot of sense now we're investing in companies that we can actually not just play a role with the Snowball Effect but also extend their runways a Runway means how long they have with the cash reserves until they next need their next round and **we're looking for companies where we can buy essentially nine to 12 months um we are uh helping many companies who are actually involved in the war effort itself providing all kinds of amazing techn technology ...**

[...]

In general these kinds of moments are great times to be making investment it turns out that post-recession post crisis asset classes are down that's when you buy when things are cheap this this is simply historical best practice **these are some of the companies that we're looking at backing companies like Empress who are the guys behind the Iron Dome anti-missile system who've now actually got this in work with Queensland power up in the north in Australia for actually managing the iron grid okay which is wonderful they're also supplying Vector in uh uh New Zealand which is geospatial software to help target uh things much more efficiently and actually save lives uh Cabra fighting disinformation fresh start our incubator for food tech located in Kirat Mona exactly one and a half kilometres from the Lebanese border Cabra which is doing uh thermal management for uh EV batteries located in Stot they actually uh absorbed a missile attack that was Saturday so no one was in the company and bionic Hive another uh steroid company who make an amazing uh flexible robot uh where we're co-invested with Amazon these are some of the companies that we're looking at and right now our a pipeline of company to invest in is well over 30...”**

32. As detailed herein, given the voluminous authoritative and credible evidence and documentation of war crimes detailed herein, crimes against humanity and other flagrant violations of international law by Israel since 7 October 2023, the term “war effort” must be interpreted as a misleading euphemism for funding the State of Israel and Israel military industrial complex which has been involved in war crimes, crimes against humanity, “plausible” genocide, mass atrocities and widespread violations of international law.

E. SERIOUS VIOLATIONS OF INTERNATIONAL LAW BY STATE OF ISRAEL & ITS AGENTS

E.1 International Court of Justice (ICJ) Advisory Opinion on Israel's Illegal Settlements

33. On 19 July 2024, the ICJ delivered its Advisory Opinion in the matter of Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, which had been referred by the UN General Assembly on 30 December 2022 via UN General Assembly resolution A/RES/77/247 in which, referring to Article 65 of the Statute of the Court, it requested the ICJ to give an advisory opinion on the following questions:

- (a) What are the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967, including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures?
- (b) How do the policies and practices of Israel referred to . . . above affect the legal status of the occupation, and what are the legal consequences that arise for all States and the United Nations from this status?

34. In its Advisory Opinion, the ICJ responded to the questions posed by the General Assembly by concluding that:²⁰

- (i) **the State of Israel's continued presence in the Occupied Palestinian Territory is unlawful;**
- (ii) **the State of Israel is under an obligation to bring to an end its unlawful presence in the Occupied Palestinian Territory as rapidly as possible;**
- (iii) **the State of Israel is under an obligation to cease immediately all new settlement activities, and to evacuate all settlers from the Occupied Palestinian Territory;**
- (iv) **the State of Israel has the obligation to make reparation for the damage caused to all the natural or legal persons concerned in the Occupied Palestinian Territory;**
- (v) **all States are under an obligation not to recognise as legal the situation arising from the unlawful presence of the State of Israel in the Occupied Palestinian Territory and not to render aid or assistance in maintaining the situation created by the continued presence of the State of Israel in the Occupied Palestinian Territory;**
- (vi) **international organizations, including the United Nations, are under an obligation not to recognize as legal the situation arising from the unlawful presence of the State of Israel in the Occupied Palestinian Territory; and**
- (vii) **the United Nations, and especially the General Assembly, which requested the opinion, and the Security Council, should consider the precise modalities and further action required to bring to an end as rapidly as possible the unlawful presence of the State of Israel in the Occupied Palestinian Territory.** (Emphasis added).

E.2 Israel Accused of Committing a 'Plausible' Genocide by the International Court of Justice

35. As you would also be aware, the State of Israel is subject to proceedings at the International Court of Justice (ICJ) regarding allegations of genocide brought by the Republic of South Africa²¹ and now joined by the following countries:

- (i) **Nicaragua:** filed an application to join on 8 February 2024
- (ii) **Belgium:** filed an application to join on 11 March 2024
- (iii) **Colombia:** filed a declaration of intervention on 5 April 2024
- (iv) **Turkey:** filed a declaration of intervention on 1 May 2024
- (v) **Libya:** filed an application to join on 10 May 2024
- (vi) **Egypt:** filed a declaration of intervention on 12 May 2024
- (vii) **Maldives:** filed a declaration of intervention on 13 May 2024
- (viii) **Mexico:** filed an application to join on 24 May 2024

²⁰ See: <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf> and <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-pre-01-00-en.pdf>

²¹ Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (*South Africa v. Israel*) (General List No. 192). Available: <https://www.icj-cij.org/case/192>

- (ix) **Ireland:** filed a declaration of intervention on 28 May 2024
- (x) **Chile:** filed a declaration of intervention on 2 June 2024
- (xi) **Palestine:** filed an application to join on 3 June 2024
- (xii) **Spain:** filed a declaration of intervention on 6 June 2024
- (xiii) **Bolivia:** filed a declaration of intervention on 9 October 2024

36. On 26 January 2024, the ICJ delivered an order for provisional measures and its reasons for decision which relevantly included the following findings:²²

66. In view of the fundamental values sought to be protected by the Genocide Convention, the Court considers that the plausible rights in question in these proceedings, namely the right of Palestinians in the Gaza Strip to be protected from acts of genocide and related prohibited acts identified in Article III of the Genocide Convention and the right of South Africa to seek Israel's compliance with the latter's obligations under the Convention, are of such a nature that prejudice to them is capable of causing irreparable harm (see Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar), Provisional Measures, Order of 23 January 2020, I.C.J. Reports 2020, p 26, para. 70).

[...]

72. In these circumstances, the Court considers that the catastrophic humanitarian situation in the Gaza Strip is at serious risk of deteriorating further before the Court renders its final judgment.

73. The Court recalls Israel's statement that it has taken certain steps to address and alleviate the conditions faced by the population in the Gaza Strip. The Court further notes that the Attorney General of Israel recently stated that a call for intentional harm to civilians may amount to a criminal offence, including that of incitement, and that several such cases are being examined by Israeli law enforcement authorities. While steps such as these are to be encouraged, they are insufficient to remove the risk that irreparable prejudice will be caused before the Court issues its final decision in the case.

74. In light of the considerations set out above, the Court considers that there is urgency, in the sense that there is a real and imminent risk that irreparable prejudice will be caused to the rights found by the Court to be plausible, before it gives its final decision.

(Emphasis added. Citations omitted).

37. On 6 March 2024, the Republic of South Africa filed an Urgent Request And Application For The Indication Of Additional Provisional Measures And The Modification Of The Court's Prior Provisional Measures Decisions Pursuant To Article 41 Of The Statute Of The International Court Of Justice And Articles 75 And 76 Of The Rules Of Court Of The International Court Of Justice as:²³

The Republic of South Africa ('South Africa') is compelled to return to the Court in light of the new facts and changes in the situation in Gaza — particularly the situation of widespread starvation — brought about by the continuing egregious breaches of the Convention on the Prevention and Punishment of the Crime of Genocide ('Genocide Convention') by the State of Israel ('Israel') and its ongoing manifest violations of the provisional measures indicated by this Court on 26 January 2024 (the 'Order').

38. On 28 March 2024, the ICJ delivered further modified provisional measures including the following:²⁴

45. In conformity with its obligations under the Genocide Convention, and in view of the worsening conditions of life faced by Palestinians in Gaza, in particular the spread of famine and starvation, Israel shall: (a) take all necessary and effective measures to ensure, without delay, in full co-operation with the United Nations, the unhindered provision at scale by all concerned of urgently needed basic services and humanitarian assistance, including food, water, electricity, fuel, shelter, clothing, hygiene and sanitation requirements, as well as medical supplies and medical care to Palestinians throughout Gaza, including by increasing the capacity and number of land crossing points and maintaining them open for as long as necessary; and (b) ensure with immediate effect that its military does not commit acts which constitute a

²² Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) Request For The Indication Of Provisional Measures - Order (26 January 2024), p21. Available: <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>

²³ Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) Urgent Request and Application for the Indication of Additional Provisional Measures (6 March 2024). Available: <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240306-wri-01-00-en.pdf>

²⁴ See: <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240328-ord-01-00-en.pdf>

violation of any of the rights of the Palestinians in Gaza as a protected group under the Genocide Convention, including by preventing, through any action, the delivery of urgently needed humanitarian assistance.

46. The Court further considers that the catastrophic situation in the Gaza Strip confirms the need for immediate and effective implementation of the measures indicated in its Order of 26 January 2024, which are applicable throughout the Gaza Strip, including in Rafah. In these circumstances, the Court finds it necessary to reaffirm the measures indicated in that Order.

47. In view of the specific provisional measures it has decided to indicate, the Court considers that Israel must submit a report to the Court on all measures taken to give effect to this Order, within one month as from the date of this Order. The report so provided shall then be communicated to South Africa, which shall be given the opportunity to submit to the Court its comments thereon.

48. The Court recalls that its orders on provisional measures under Article 41 of the Statute have binding effect and thus create international legal obligations for any party to whom the provisional measures are addressed (*Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation), Provisional Measures, Order of 16 March 2022, I.C.J. Reports 2022 (I), p. 230, para. 84*).

(Emphasis added. Citations omitted).

39. Notably, Australian ICJ Judge, Professor Hilary Charlesworth made a declaration on 28 March 2024 which included the following:²⁵

4. As the Court observes today, the catastrophic humanitarian situation is unrelenting and in fact rapidly deteriorating (Order, paras. 18-21). Given that the Palestinian population in the Gaza Strip is now on the brink of famine, South Africa has requested the Court to indicate further provisional measures and/or to modify the measures indicated on 26 January 2024. Starvation, and the resulting loss of life in overwhelming numbers, clearly poses a threat to the right of existence of the Palestinians as a group, a right protected by the Genocide Convention.

5. Against this background, the Court's task is to determine whether the existing measures indicated in its Order of 26 January 2024 are sufficient to preserve the rights forming the object of the proceedings on the merits. In its reasoning, the Court draws on a number of United Nations documents to satisfy the requirement of Article 76, paragraph 1, of the Rules of Court that there has been a change in the situation justifying modification. These documents illustrate how the provision of humanitarian aid in the Gaza Strip is undermined by the military campaign. The documents make clear that the only way to prevent further destruction of the Palestinian population in the Gaza Strip is to bring military operations to an end. They all call for ceasefires, whether temporary or permanent.

6. In the dispute brought by South Africa, the Court's mandate is confined to protecting the right of the Palestinian group to be protected from acts of genocide and other prohibited acts under the Genocide Convention only if, and in so far as, that right is prejudiced by Israel's acts. And the Court cannot order a ceasefire as the conflicting parties are not all before it. However, while the Court cannot remove the risk to the Palestinian group completely, it can at least mitigate it by indicating measures directed at the Parties that are before it: Israel and South Africa.

7. In this light, the measures indicated by the Court today only partly respond to the situation that the Court describes and to the continuing threat to the right of the Palestinian group to exist. While the measure in subparagraph (2) (a) identifies appropriate actions for Israel to take, the measure in subparagraph (2) (b) is elliptical. Instead of employing the convoluted terms of operative subparagraph (2) (b), in my view the Court should have made it explicit that Israel is required to suspend its military operations in the Gaza Strip, precisely because this is the only way to ensure that basic services and humanitarian assistance reach the Palestinian population.

8. Of course, the suspension of Israel's military operations too only partly addresses the risk

²⁵ Available: <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240328-ord-01-05-en.pdf>

of destruction of the Palestinians in Gaza. The Court may not have the power to indicate measures directed at entities not bound by its Statute, but it has the power to indicate measures directed at the parties to the dispute before it. While it is Israel's conduct that is in issue before the Court, it does not follow that South Africa has no role to play in preserving the rights in dispute. After all, invocation of responsibility for the breach of erga omnes obligations carries duties with it. In my view it is open to the Court to order both Israel and South Africa to take all reasonable measures within their power to achieve an immediate and sustained humanitarian ceasefire, which would serve to preserve the rights in dispute between them.

(Emphasis added. Citations omitted).

40. On 10 May 2024, the Republic of South Africa filed an *Urgent Request For The Modification And Indication Of Provisional Measures Pursuant To Article 41 Of The Statute Of The International Court Of Justice And Articles 75 And 76 Of The Rules Of Court Of The International Court Of Justice* as:²⁶

The Republic of South Africa ('South Africa') regrettably finds it necessary to return to the Court to seek an urgent Order from the Court in the case of the Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) for the protection of the Palestinian people in Gaza from grave and irreparable violations of their rights, and of South Africa's rights, under the Convention on the Prevention and Punishment of the Crime of Genocide ('Genocide Convention'), as a result of Israel's ongoing military assault on Rafah.

41. Further public hearings were held by the ICJ on 16 and 17 May 2024 at the Peace Palace, President Salam presiding, in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel).

42. On 24 May 2024, the ICJ ordered further modified provisional measures including stating the following:²⁷

26. *Israel contends that it "continues to take extraordinary measures in order to minimize harm to Palestinian civilians in Gaza", in particular by informing civilians of planned operations by the Israeli Defense Forces in specific areas, by putting in place clear and definite targeting procedures so as to achieve the requisite military needs while minimizing civilian harm, by taking additional measures to ensure that the Israeli Defense Forces are aware of sensitive sites, such as medical services and shelters, and by ensuring that humanitarian aid continues to be delivered during the course of hostilities.*

27. *The Court recalls that, in its Order of 26 January 2024, it noted that the military operation conducted by Israel following the attack of 7 October 2023 had resulted in "a large number of deaths and injuries, as well as the massive destruction of homes, the forcible displacement of the vast majority of the population, and extensive damage to civilian infrastructure" (Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Provisional Measures, Order of 26 January 2024, para. 46). In its decision communicated to the Parties by letters of 16 February 2024, the Court noted, quoting the United Nations Secretary-General, that the developments in the Gaza Strip, and in Rafah in particular, "would exponentially increase what [we]s already a humanitarian nightmare with untold regional consequences" (see paragraph 8 above). The Court further recalls that, in its Order of 28 March 2024, it observed with regret that the catastrophic living conditions of the Palestinians in the Gaza Strip had deteriorated further since January 2024, especially in view of the prolonged and widespread deprivation of food and other basic necessities to which the Palestinians in the Gaza Strip had been subjected (Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Request for the Modification of the Order of 26 January 2024 Indicating Provisional Measures, Order of 28 March 2024, para. 18).*

28. *The Court notes that the catastrophic humanitarian situation in the Gaza Strip which, as*

²⁶ Available: <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240510-wri-01-00-en.pdf>

²⁷ Available: <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240524-ord-01-00-en.pdf>

stated in its Order of 26 January 2024, was at serious risk of deteriorating, has deteriorated, and has done so even further since the Court adopted its Order of 28 March 2024. In this regard, the Court observes that the concerns that it expressed in its decision communicated to the Parties on 16 February 2024 with respect to the developments in Rafah have materialized, and that the humanitarian situation is now to be characterized as disastrous. After weeks of intensification of military bombardments of Rafah, where more than a million Palestinians had fled as a result of Israeli evacuation orders covering more than three quarters of Gaza's entire territory, on 6 May 2024, nearly 100,000 Palestinians were ordered by Israel to evacuate the eastern portion of Rafah and relocate to the Al-Mawasi and Khan Younis areas ahead of a planned military offensive. The military ground offensive in Rafah, which Israel started on 7 May 2024, is still ongoing and has led to new evacuation orders. As a result, according to United Nations reports, nearly 800,000 people have been displaced from Rafah as at 18 May 2024.

29. The Court considers that the above-mentioned developments, which are exceptionally grave, in particular the military offensive in Rafah and the resulting repeated large-scale displacement of the already extremely vulnerable Palestinian population in the Gaza Strip, constitute a change in the situation within the meaning of Article 76 of the Rules of Court.

30. The Court is also of the view that the provisional measures indicated in its Order of 28 March 2024, as well as those reaffirmed therein, do not fully address the consequences arising from the change in the situation explained above, thus justifying the modification of these measures...

E.3 Israel Accused Of Committing Genocide By Multiple United Nations Bodies & Leading Global NGOs

43. On 16 November 2023, in a show of unprecedented solidarity, some 22 independent UN expert special procedures of the UN Human Rights Council (including 15 UN Special Rapporteurs) made an urgent call to the international community to prevent genocide against the Palestinian people, stating *inter alia*.²⁸

We are deeply distressed at the failure of Israel to agree to – and the unwillingness of the international community to press more decisively for – an immediate ceasefire. The failure to urgently implement a ceasefire risks this situation spiralling towards a genocide conducted with 21st century means and methods of warfare,” the experts warned. They also expressed alarm over discernibly genocidal and dehumanising rhetoric coming from senior Israeli government officials, as well as some professional groups and public figures, calling for the “total destruction”, and “erasure” of Gaza, the need to “finish them all” and force Palestinians from the West Bank and east Jerusalem into Jordan. The experts warned that Israel has demonstrated it has the military capacity to implement such criminal intentions. “That is why our early warning must not be ignored,” the experts said. “The international community has an obligation to prevent atrocity crimes, including genocide, and should immediately consider all diplomatic, political and economic measures to that end,” the experts said. They urged immediate action by UN Member States and the UN system as a whole.

44. The organisation, Scientists for Global Responsibility has published on the amount of munitions dropped by Israel on Gaza since 7 October 2023.²⁹

...The Israeli military, the Israeli Air Force (IAF) and Defence Forces (IDF), regularly posted – mostly in Hebrew – updates about the numbers of targets they were hitting and the levels of destruction that they were creating with huge air strikes. From the posts of Israel's own military, it quickly became very clear

²⁸ Available: <https://www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against>

²⁹ Dr Phil Weber, Scientist for Global Responsibility, “Gaza: how the West's weapons are fuelling a catastrophe” (Updated 12 February 2025). Available: <https://www.sgr.org.uk/resources/gaza-how-west-s-weapons-are-fuelling-catastrophe>

that this Israeli assault on Gaza was much more intense than any one of the previous cycles of violence going back decades.

Key points:

Up to 20,000 tonnes of bombs dropped within the first month.

The Israel Air Force (IAF) [posted](#) that they dropped 6,000 bombs within the first five days together with graphic images of whole residential neighbourhoods reduced to rubble. The intensity of the bombing at 1,200 bombs a day or 50 every hour was higher than any comparable assault in history – for example even more than the most intense periods of the US-led air campaign in Mosul in Iraq in 2016. The tonnage of explosives expended during the *first week* of bombardment was higher than *one year's* use by the USA in [Afghanistan](#)! Within the first 33 days – by the end of December 2023 – the IAF announced that they had struck 15,000 targets. This is 430 'targets' a day, consistent with their stated daily target numbers which ranged from 250 to 750 a day.

15,000 - a huge number of locations targeted in the first month

Hitting such a huge number of targets is not consistent with attacking Hamas – some 30,000 men organised in 30 brigades. It does not seem realistic to assume that each one of 15,000 locations bombed included a separate Hamas fighter. More consistent with 15,000 targets is that the IAF did *not* know where Hamas were concentrated and were hitting any target that they thought might have any possible connection with Hamas. It would be more realistic to describe this bombardment as indiscriminate revenge. In any case, to expend 20,000 tonnes of bombs against a dispersed guerilla force in a densely populated area is both incredibly wasteful of munitions and extremely hazardous for any civilians anywhere near the targets. And the very high civilian casualty rate supports this hypothesis.

Victims of bombing predominantly innocent civilians

The result of the bombing of these initial 15,000 targets was 19,000 dead, including 7,700 children - hundreds of them infants, also 52,000 injured and 8,000 missing – presumed buried under rubble. Over 70% of the dead were women and children. This means that no more than 5,700 of the dead could possibly be men of fighting age – to be charitable maybe 2,500 of these could possibly have been Hamas militants. This means that only one in 6 of the 15,000 'targets' bombed could possibly have successfully killed a Hamas militant – and that the primary result of the first month of bombing was to kill 16,000 innocent civilians and injure a further 60,000. Six civilians killed for every possible alleged Hamas militant killed. This is a very high figure compared to other conflicts.

Both the huge tonnages of bombs dropped from the air and the huge number of targets hit, are consistent, not with a war aim of defeating Hamas militarily, but to undermine support for Hamas by destroying civil infrastructure vital for survival in Gaza and inflicting widespread civilian deaths and injuries. This is in fact a long-standing Israeli strategy called 'Dahiya' – see section below.

The incredibly high bombing rate: initially 1,200 bombs a day reducing to around 430 a day within the first month made human legal authorisation and checking impossible.

[...]

The intense assault continues over a year later

After the initial aerial bombardment, the Israeli assault continued, using US-made F-15, F-16 and F-35 aircraft, missiles, [up to 75,000 tonnes](#) of munitions including 'smart' and 'dumb' bombs, tank shells, over 50,000 rounds of 105mm shells, fired by howitzers and naval artillery, combined with Israeli ground forces expending literally millions of small arms and mortar rounds, and the extensive use of sniper and surveillance drones.

Apart from Israel's own arms industry, most of this weaponry is [supplied by the USA](#) who over this period made over 100 arms shipments. Other EU nations continued to supply vital parts – for example for the F-35 planes from the UK and provision of military intelligence.

Israel's military expenditure rose by 260% to \$4.7bn a month. The US supplied an additional \$14bn of arms on top of its annual military funding of Israel of \$3.8bn. Israel became the world's third highest per capita arms spender – after Qatar and the USA.

By the close of 2024, the result of the use of this huge arsenal on Gaza can only be described as [catastrophic](#). At least 46,000 former inhabitants, mainly civilians, and of these mainly women and including over 17,000 children, had been killed and over 109,000 wounded, 10,000 missing, presumed

buried under rubble. Even these terrible figures are likely to be an underestimate. It is more likely that [over 76,000](#) people have been killed according to a Lancet study using accepted methods developed from other war zones. At least 1.9 million people – 80% of the original population are displaced – many multiple times - from direct assaults and 26 Israeli evacuation orders. Many of these people now survive with little shelter and no security in tents in cold and wet conditions with no sanitation or access to medical care, clean water or adequate food. 70 to 80% of commercial facilities, schools, croplands and roads have been destroyed and over half of homes and hospitals. Hospitals that remain as buildings lack water, electricity and basic medicines and dressings, whilst medical staff have been deliberately targeted by drone sniper fire. In July 2024, medical experts estimated that [a further 186,000 deaths](#) could result from disease and lack of medical care.

War crimes?

High levels of civilian casualties and destruction of civilian infrastructure was not ‘accidental’ – it has been a published part of ‘Dahiya’, Israeli military strategy since 2006.

In the [Dahiya strategy](#), disproportionate and overwhelming force deliberately targets civilian and government infrastructure with the aim of forcing a civilian population to pressurise militant groups to end their rocket firing at Israel – although any significant rocket fire ceased long ago. This policy is consistent both with the very high civilian casualty rates caused by the bombing campaign and the complete destruction of entire residential neighbourhoods reduced to cratered rubble. Later in the conflict, videos emerged posted by Israeli forces themselves, deliberately blowing up universities, health facilities, wells and electricity supplies vital for water desalination and functioning hospitals. Dahiya breaches several international laws of war by not protecting the lives of civilians, by using disproportionate force and by siege: the deliberate destruction of infrastructure such as water and electricity, vital for survival. Food aid has been deliberately blocked at the few potentially open crossing points into Gaza throughout the war.

Senior doctors who had recently managed to assist in hospitals in Gaza gave chilling testimony to the UK house of Commons that they had been personally targeted by drone fire and they witnessed the [deliberate targeting of very young children](#) by sniper drones as they lay injured. US doctors reported multiple cases of children [deliberately targeted by sniper bullets](#) to the head. This was not accidental. There is also evidence that [food aid workers](#) and reporters were deliberately targeted. To date at least [148 Palestinian journalists and media workers](#) have been killed.

The intentions of the Israel government and military at the outset of the Israeli assault, could not have been clearer. Israel Defense Minister Yoav Gallant and Knesset member speaking for the Israeli government on 9 October 2023, [stated](#) that there would be a “complete siege” of the Gaza Strip with “no electricity, no food, no fuel” ie illegally targeting civilians, and that Israel was: “... fighting human animals and we are acting accordingly”.

Very early in the conflict, over *one thousand* of the UK’s most senior lawyers and former judges, were very clear that: “we are witnessing clear violations of international humanitarian law... in Gaza.” In a series of [letters](#) sent to the British Prime Minister, they highlighted breaches of law committed by Hamas (attacks on unarmed civilians), but went on to state that the Hamas attacks cannot “justify the collective punishment of the Palestinian people” or Israel’s “wilful and systematic destruction of civilian homes and infrastructure” ... “resulting in crimes against humanity in Gaza.”

At the time, politicians, including former barristers or head of the crown prosecution service (Sir Keir Starmer) used phrases such as ‘the right to self-defence’ and the need to ‘defeat’ or to destroy Hamas. Israeli spokespersons routinely used as justification that Hamas use ‘human shields’ – the civilian population - or that militia were hiding in tunnels or command centres under every possible area in Gaza, under hospitals, in hospitals, schools or in heavily populated apartment blocks. Israeli bombs were always ‘carefully’ or ‘precisely’ targeted.

But these same spokespersons did not mention that whilst there *is* a right to self-defence, that to be lawful, any actions in self-defence must be proportionate. This is particularly the case when heavily armed military forces are conducting intense warfare using bombs and artillery against civilian areas in an effort to fight a lightly armed essentially guerilla force such as Hamas.

Israel's spokespersons continued to take a very dismissive and exceptionalist attitude to legal issues in war.

45. In early December 2023, Palestinian human rights organisation Al-Haq and UK-based Global Legal Action Network (GLAN) commenced legal proceedings against the UK after written requests to suspend arms sales to Israel due to grave breaches of international law and UK rules were repeatedly ignored. The filed papers detail indiscriminate attacks on civilians, destruction of infrastructure critical for their survival -including hospitals, bakeries, (UNRWA) schools where displaced people sheltered, food storages and water reserves- starvation, forced displacement and the increasing risk of genocide. The action is supported by the International Centre of Justice for Palestinians (ICJP) and a press briefing was held (details below) with GLAN, Al-Haq and ICJP and with Campaign Against Arms Trade (CAAT) and a member from Oxfam.³⁰ Previously internationally renowned and high esteemed human rights organisation, Human Rights Watch, alongside a group of UK-based civil society groups working in Gaza, wrote to the UK Government calling for an immediate halt to UK arms transfers to the government of Israel given the clear risk that arms and military equipment transferred to Israel might be used to facilitate or commit serious violations of international law, including attacks that may amount to war crimes.³¹
46. Notably, a number of highly prestigious international human rights NGOs have found that Israel's conduct in Gaza since 8 October 2023 constitutes genocide and atrocity crimes in violation of numerous international human rights treaties, and principles of international law, namely:
 - (i) On 19 December 2024, Human Rights Watch published a 179-page report, entitled [“Extermination and Acts of Genocide: Israel Deliberately Depriving Palestinians in Gaza of Water,”](#) in which Human Rights Watch found that Israeli authorities have intentionally deprived Palestinians in Gaza of access to safe water for drinking and sanitation needed for basic human survival. Israeli authorities and forces cut off and later restricted piped water to Gaza; rendered most of Gaza's water and sanitation infrastructure useless by cutting electricity and restricting fuel; deliberately destroyed and damaged water and sanitation infrastructure and water repair materials; and blocked the entry of critical water supplies.³²
 - (ii) On 5 December 2024, Amnesty International published a Report of an investigation concluding that Israel is committing genocide against Palestinians in Gaza. The report, [“You Feel Like You Are Subhuman”: Israel's Genocide Against Palestinians in Gaza,](#) documents how, during its military offensive launched in the wake of the deadly Hamas-led attacks in southern Israel on 7 October

³⁰ See: Al-Haq (Defending Human Rights), “Legal and human rights groups take UK government to High Court over arms exports to Israel” (6 December 2023). Available: <https://www.alhaq.org/advocacy/22299.html> ; “Press Release: GLAN & Al-Haq continue legal action over government decision to partially restrict arms exports, excluding F-35 programme” (3 September 2024). Available: <https://www.alhaq.org/advocacy/23826.html>

³¹ Available: <https://www.hrw.org/news/2023/12/12/letter-uk-government-calling-immediate-halt-uk-arms-transfers-government-israel>

³² See: <https://www.hrw.org/news/2024/12/19/israels-crime-extermination-acts-genocide-gaza>

2023, Israel has unleashed hell and destruction on Palestinians in Gaza brazenly, continuously and with total impunity.³³

- (iii) On 14 November 2024, the UN Special Committee to investigate Israeli practices published a Report concluding that Israel's warfare methods in Gaza consistent with genocide, including use of starvation as weapon of war.³⁴

E.4 International Criminal Court (ICC) Arrest Warrants

47. Further to the above, the Prime Minister of Israel, Benjamin Netanyahu, and former Defence Minister of Israel, Yoav Gallant, are currently subject to international arrest warrants issued by the International Criminal Court (ICC) on 21 November 2024 for the Charges of “Allegedly responsible for the war crimes of starvation as a method of warfare and of intentionally directing an attack against the civilian population; and the crimes against humanity of murder, persecution, and other inhumane acts from at least 8 October 2023 until at least 20 May 2024.”³⁵

E.5 The Australian Government (and its Agents) Have a Positive Legal Duty to Prevent and Punish Genocide

48. The Australian government has a positive legal duty to prevent and punish genocide, including investigating and prosecuting persons suspected of being involved in genocide and atrocity crimes at both international law (the *1948 Convention on the Prevention and Punishment of the Crime of Genocide* (**Genocide Convention**) and the *1998 Rome Statute of the International Criminal Court* (**Rome Statute**)) and at domestic law, namely Division 268 of the Commonwealth Criminal Code (as contained in the Schedule to the *Criminal Code Act 1995 (Cth)*).
49. Australia signed and ratified the *Rome Statute of the International Criminal Court* (**the Rome Statute**) on 9 December 1998 and 1 July 2002, respectively, which ratification entered into force on 1 September 2002.
50. Australia has also signed and ratified the *1948 International Convention on the Prevention and Punishment of the Crime of Genocide* (**the Genocide Convention**). The Genocide Convention as passed by the UN General Assembly on 9 December 1948, and came into effect in 1951.
51. Australia signed the Genocide Convention on 11 December 1948 and ratified it on 8 July 1949, but did not legislate to make genocide a crime in Australia until 2002.³⁶
52. In preparation for ratifying the Statute (which it did on 1 July 2002), the Australian Government on 25 June 2002 introduced two pieces of legislation: the *International Criminal Court Act 2002* (Cth) and the *International Criminal Court (Consequential Amendments Act 2002 (Cth))* (**ICC Acts**) contained provisions

³³ See: <https://www.amnesty.org/en/latest/news/2024/12/amnesty-international-concludes-israel-is-committing-genocide-against-palestinians-in-gaza/>

³⁴ See: <https://www.ohchr.org/en/press-releases/2024/11/un-special-committee-finds-israels-warfare-methods-gaza-consistent-genocide>

³⁵ See: <https://www.icc-cpi.int/defendant/netanyahu> and <https://www.icc-cpi.int/defendant/gallant>

³⁶ Scott, Shirley "Why Wasn't Genocide A Crime in Australia?: Accounting For the Half-century Delay in Australia Implementing the Genocide Convention" [2004] AUJIHRights 22; (2004) 10(2) *Australian Journal of Human Rights* 22. Available: <https://classic.austlii.edu.au/au/journals/AUJIHRights/2004/22.html>

allowing Australia to comply with its international obligations on ratification by putting in place procedures to comply with requests for assistance or the enforcement of sentences.

53. The ICC Acts amended the *Criminal Code Act 1995* (Cth) to enact the crimes punishable by the International Criminal Court as crimes in Australian law (genocide, crimes against humanity and war crimes), as well as making consequential amendments to six other acts. [Chapter 8, Division 268 of the Cth Criminal Code](#) provides for “Offences against humanity and related offences” namely “Genocide, crimes against humanity, war crimes, and crimes against the administration of the justice of the International Criminal Court”. Half a century after ratifying the Convention, the Australian Government thereby made genocide a crime in Australia, obviating the need for legislation specifically to implement the Genocide Convention.
54. In accordance with the *1969 Vienna Convention on the Law of Treaties*,³⁷ to which Australia acceded on 13 June 1974, prior to ratifying an international treaty a prospective Contracting States party must ensure its obligations to the international community as contained in the relevant statute are enshrined in domestic law thereby upholding the principle of “*Pacta Sunt Servanda*” as contained in Article 26 of the Vienna Convention (“*Every treaty in force is binding upon the parties to it and must be performed by them in good faith*”). That good faith bargain constitutes the delicate handshake of international law that provides its efficacy, credibility and the very foundation for the international rules-based order upon which the prospect of international peace and security depend.
55. Article 1 of the Genocide Convention States: “*The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which **they undertake to prevent and to punish.***” It is upon this fundamental principle that the aforementioned cases have been filed against the State of Israel in both the ICJ and the ICC. It is also the basis upon which the Houthis have stated they are engaging in attacks upon shipments headed to Israel until Israel’s “crimes in Gaza stop and food, medicines and fuel are allowed to reach its besieged population”.³⁸
56. Australia is a dualist nation where international treaties are not self-executing and require active domestic legislative enactment. The Australian Government’s own treaty ratification policy states:
*Before Australia signs, ratifies or otherwise becomes bound by a treaty, the Australian Government satisfies itself that any legislation necessary to implement the treaty is in place.*³⁹
57. Section 51(xxix) of the Australian Constitution empowers the Parliament ‘to make laws for the peace, order and good government of the Commonwealth with respect to external affairs.’⁴⁰

F. SINGTEL’S AND OPTUS’ PURPORTED COMMITMENT TO UNIVERSALLY RECOGNISED INTERNATIONAL HUMAN RIGHTS NORMS

³⁷ See: https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf

³⁸ See: https://www.aljazeera.com/news/2023/12/19/yemens-houthis-will-not-stop-red-sea-attacks-until-israel-stops-gaza-war?traffic_source=KeepReading

³⁹ CoA, ‘Common Core Document forming part of the reports of States Parties’ (June 2006) [44], [67] (2006 CCD); Australian Government, *National Human Rights Action Plan Baseline Study*, (2011) 1 (NHRAP Baseline Study), 1.

⁴⁰ *Commonwealth of Australia Constitution Act 1900* (Cth), s 51(xxix) (Constitution).

F.1 SINGTEL'S and OPTUS' Human Rights Policies And Public Commitments

58. I am a concerned OPTUS business customer and I note SINGTEL's and OPTUS' purported commitment to international human rights law and standards and responsible and ethical standards of corporate governance as articulated *inter alia* in the following SINGTEL and OPTUS corporate governance documents:

- (i) OPTUS Human Rights Statement (undated); ⁴¹
- (ii) OPTUS Sustainability Report 2024;⁴²
- (iii) SINGTEL28 Annual Report 2024;⁴³
- (iv) SINGTEL28 Sustainability Report 2024;⁴⁴
- (v) SINGTE Group Supplier Code of Conduct (31 March 2022).⁴⁵

59. Notably, the OPTUS Human Rights Statement states as follows:

Optus' approach to human rights is based on our commitment to:

- **Respect all internationally-recognised human rights as set out in the International Bill of Human Rights** and the International Labour Organisation's Declaration on Fundamental Principles and Rights at Work, and to **do business in line with the UN Guiding Principles on Business and Human Rights and the ten principles of the UN Global Compact**
- **Assess and address human rights impacts through a process of ongoing human rights due diligence in line with the UN Guiding Principles**
- **Respect the human rights of particularly at-risk or vulnerable people, including indigenous peoples and migrant workers**
- **Maintain effective grievance mechanisms to allow all stakeholders to raise genuine concerns based on reasonable grounds about Optus' involvement in activities that cause adverse human rights impacts**, and protect them from detrimental treatment when they do. Where we identify that we have caused or contributed to human rights harm, we commit to provide for, or cooperate in remediation for those impacted.

60. Whilst it is unclear what the "effective grievance mechanisms" are referring to in the case of OPTUS and SINGTEL, it would be appreciated if you could please refer to the appropriate human rights grievance mechanism. In the meantime, please treat this correspondence as a human rights grievance.

F.2 United Nations Guiding Principles on Business and Human Rights (UNGPs)

61. As you are aware, the "*Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework*", as referred to in the various corporate governance policies and statements of OPTUS and SINGTEL, were developed by the Harvard Law Professor John Ruggie as Special

⁴¹ Optus Human Rights Statement (undated). Available: https://www.optus.com.au/content/dam/optus/documents/about-us/sustainability/governance/human-rights-statement_fa1.pdf

⁴² Available: <https://www.optus.com.au/content/dam/optus/documents/about-us/sustainability/reporting/2024/Optus-Sustainability-Report-FY2024-Final2.pdf>

⁴³ Available: https://www.optus.com.au/content/dam/optus/documents/about-us/media-centre/annual-reports/2024/Singtel_Annual_Report_2024.pdf

⁴⁴ Available: <https://cdn.aws.singtel.com/sustainabilityreport/SR2024/download/downloads/Singtel-Group-Sustainability-Report-2024.pdf>

⁴⁵ Available: <https://www.singtel.com/content/dam/singtel/about-us-singtel/tender/singtel-group-supplier-code-of-conduct.pdf>

Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises.

62. The Special Representative annexed the Guiding Principles to his final report to the Human Rights Council (A/HRC/17/31), which also includes an introduction to the Guiding Principles and an overview of the process that led to their development.
63. The UN Human Rights Council unanimously endorsed the Guiding Principles in its resolution 17/4 of 16 June 2011.
64. Australia co-sponsored the UN Human Rights Council resolution endorsing the *UN Guiding Principles on Business and Human Rights (UNGPs)*.
65. The General Principles of the UNGPs relevantly state, *inter alia*, as follows:

These Guiding Principles are grounded in recognition of:

- (a) *States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms;*
- (b) ***The role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights;***
- (c) *The need for rights and obligations to be matched to appropriate and effective remedies when breached.*

These Guiding Principles apply to all States and to all business enterprises, both transnational and others, regardless of their size, sector, location, ownership and structure.

[...]

These Guiding Principles should be implemented in a non-discriminatory manner, with particular attention to the rights and needs of, as well as the challenges faced by, individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalized, and with due regard to the different risks that may be faced by women and men.

(Emphasis added)

66. Pillar II of the UNGPs provide the following guidelines for business enterprises such as OPTUS and SINGTEL (emphasis added):

11. Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

Commentary

The responsibility to respect human rights is a global standard of expected conduct for all business enterprises wherever they operate. It exists independently of States' abilities and/or willingness to fulfil their own human rights obligations, and does not diminish those obligations. And it exists over and above compliance with national laws and regulations protecting human rights.

Addressing adverse human rights impacts requires taking adequate measures for their prevention, mitigation and, where appropriate, remediation. Business enterprises may undertake other commitments or activities to support and promote human rights, which may contribute to the enjoyment of rights. But this does not offset a failure to respect human rights throughout their operations.

Business enterprises should not undermine States' abilities to meet their own human rights obligations, including by actions that might weaken the integrity of judicial processes.

12. The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights

and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work.

Commentary

Because business enterprises can have an impact on virtually the entire spectrum of internationally recognized human rights, their responsibility to respect applies to all such rights. In practice, some human rights may be at greater risk than others in particular industries or contexts, and therefore will be the focus of heightened attention. However, situations may change, so all human rights should be the subject of periodic review. An authoritative list of the core internationally recognized human rights is contained in the International Bill of Human Rights (consisting of the Universal Declaration of Human Rights and the main instruments through which it has been codified: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights), coupled with the principles concerning fundamental rights in the eight ILO core conventions as set out in the Declaration on Fundamental Principles and Rights at Work. These are the benchmarks against which other social actors assess the human rights impacts of business enterprises.

The responsibility of business enterprises to respect human rights is distinct from issues of legal liability and enforcement, which remain defined largely by national law provisions in relevant jurisdictions.

Depending on circumstances, business enterprises may need to consider additional standards. For instance, enterprises should respect the human rights of individuals belonging to specific groups or populations that require particular attention, where they may have adverse human rights impacts on them. In this connection, United Nations instruments have elaborated further on the rights of indigenous peoples; women; national or ethnic, religious and linguistic minorities; children; persons with disabilities; and migrant workers and their families.

Moreover, in situations of armed conflict enterprises should respect the standards of international humanitarian law.

13. The responsibility to respect human rights requires that business enterprises:

- (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur;**
- (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.**

Commentary

Business enterprises may be involved with adverse human rights impacts either through their own activities or as a result of their business relationships with other parties.

Guiding Principle 19 elaborates further on the implications for how business enterprises should address these situations. For the purpose of these Guiding Principles a business enterprise's "activities" are understood to include both actions and omissions; and its "business relationships" are understood to include relationships with business partners, entities in its value chain, and any other non-State or State entity directly linked to its business operations, products or services.

14. The responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure. Nevertheless, the scale and complexity of the means through which enterprises meet that responsibility may vary according to these factors and with the severity of the enterprise's adverse human rights impacts.

Commentary

The means through which a business enterprise meets its responsibility to respect human rights will be proportional to, among other factors, its size.

Small and medium-sized enterprises may have less capacity as well as more informal processes and management structures than larger companies, so their respective policies and processes will take on different forms. But some small and medium-sized enterprises can have severe human rights impacts, which will require corresponding measures regardless of their size. Severity of impacts will be judged by their scale, scope and irremediable character.

The means through which a business enterprise meets its responsibility to respect human rights may also vary depending on whether, and the extent to which, it conducts business through a corporate group or individually. However, the responsibility to respect human rights applies fully and equally to all business enterprises.

HUMAN RIGHTS DUE DILIGENCE

17. In order to identify, prevent, mitigate and account for how they address their adverse human rights impacts, business enterprises should carry out human rights due diligence. The process should include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed. Human rights due diligence:

- (a) Should cover adverse human rights impacts that the business enterprise may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships;**
- (b) Will vary in complexity with the size of the business enterprise, the risk of severe human rights impacts, and the nature and context of its operations;**
- (c) Should be ongoing, recognizing that the human rights risks may change over time as the business enterprise's operations and operating context evolve.**

Commentary

This Principle defines the parameters for human rights due diligence, while Principles 18 through 21 elaborate its essential components. Human rights risks are understood to be the business enterprise's potential adverse human rights impacts. Potential impacts should be addressed through prevention or mitigation, while actual impacts – those that have already occurred – should be a subject for remediation (Principle 22). Human rights due diligence can be included within broader enterprise risk- management systems, provided that it goes beyond simply identifying and managing material risks to the company itself, to include risks to rights-holders.

Human rights due diligence should be initiated as early as possible in the development of a new activity or relationship, given that human rights risks can be increased or mitigated already at the stage of structuring contracts or other agreements, and may be inherited through mergers or acquisitions.

Where business enterprises have large numbers of entities in their value chains it may be unreasonably difficult to conduct due diligence for adverse human rights impacts across them all. If so, business enterprises should identify general areas where the risk of adverse human rights impacts is most significant, whether due to certain suppliers' or clients' operating context, the particular operations, products or services involved, or other relevant considerations, and prioritize these for human rights due diligence.

Questions of complicity may arise when a business enterprise contributes to, or is seen as contributing to, adverse human rights impacts caused by other parties. Complicity has both non-legal and legal meanings. As a non- legal matter, business enterprises may be perceived as being "complicit" in the acts of another party where, for example, they are seen to benefit from an abuse committed by that party.

As a legal matter, most national jurisdictions prohibit complicity in the commission of a crime, and a number allow for criminal liability of business enterprises in such cases. Typically, civil actions can also be based on an enterprise's alleged contribution to a harm, although these may not be framed in human rights terms. The weight of international criminal law jurisprudence indicates that the relevant standard for aiding and abetting is knowingly providing practical assistance or encouragement that has a substantial effect on the commission of a crime.

Conducting appropriate human rights due diligence should help business enterprises address the risk of legal claims against them by showing that they took every reasonable step to avoid involvement with an alleged human rights abuse. However, business enterprises conducting such due diligence should not assume that, by itself, this will automatically and fully absolve them from liability for causing or contributing to human rights abuses.

18. In order to gauge human rights risks, business enterprises should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships. This process should:

- (a) Draw on internal and/or independent external human rights expertise;**
- (b) Involve meaningful consultation with potentially affected groups and other relevant stakeholders, as appropriate to the size of the business enterprise and the nature and context of the operation.**

Commentary

The initial step in conducting human rights due diligence is to identify and assess the nature of the actual and potential adverse human rights impacts with which a business enterprise may be involved. The purpose is to understand the specific impacts on specific people, given a specific context of operations. Typically this includes assessing the human rights context prior to a proposed business activity, where possible; identifying who may be affected; cataloguing the relevant human rights standards and issues; and projecting how the proposed activity and associated business relationships could have adverse human rights impacts on those identified

In this process, business enterprises should pay special attention to any particular human rights impacts on individuals from groups or populations that may be at heightened risk of vulnerability or marginalization, and bear in mind the different risks that may be faced by women and men. While processes for assessing human rights impacts can be incorporated within other processes such as risk assessments or environmental and social impact assessments, they should include all internationally recognized human rights as a reference point, since enterprises may potentially impact virtually any of these rights.

Because human rights situations are dynamic, assessments of human rights impacts should be undertaken at regular intervals: prior to a new activity or relationship; prior to major decisions or changes in the operation (e.g. market entry, product launch, policy change, or wider changes to the business); in response to or anticipation of changes in the operating environment (e.g. rising social tensions); and periodically throughout the life of an activity or relationship.

To enable business enterprises to assess their human rights impacts accurately, they should seek to understand the concerns of potentially affected stakeholders by consulting them directly in a manner that takes into account language and other potential barriers to effective engagement. In situations where such consultation is not possible, business enterprises should consider reasonable alternatives such as consulting credible, independent expert resources, including human rights defenders and others from civil society.

The assessment of human rights impacts informs subsequent steps in the human rights due diligence process

19. In order to prevent and mitigate adverse human rights impacts, business enterprises should integrate the findings from their impact assessments across relevant internal functions and processes, and take appropriate action.

(a) Effective integration requires that:

- (i) Responsibility for addressing such impacts is assigned to the appropriate level and function within the business enterprise;**
- (ii) Internal decision-making, budget allocations and oversight processes enable effective responses to such impacts.**

(b) Appropriate action will vary according to:

- (i) Whether the business enterprise causes or contributes to an adverse impact, or whether it is involved solely because the impact is directly linked to its operations, products or services by a business relationship;**
- (ii) The extent of its leverage in addressing the adverse impact.**

Commentary

The horizontal integration across the business enterprise of specific findings from assessing human rights impacts can only be effective if its human rights policy commitment has been embedded into all relevant business functions. This is required to ensure that the assessment findings are properly understood, given due weight, and acted upon.

In assessing human rights impacts, business enterprises will have looked for both actual and potential adverse impacts. Potential impacts should be prevented or mitigated through the horizontal integration of findings across the business enterprise, while actual impacts—those that have already occurred—should be a subject for remediation (Principle 22).

Where a business enterprise causes or may cause an adverse human rights impact, it should take the necessary steps to cease or prevent the impact.

Where a business enterprise contributes or may contribute to an adverse human rights impact, it should take the necessary steps to cease or prevent its contribution and use its leverage to mitigate any remaining impact to the greatest extent possible. Leverage is considered to exist where the enterprise has the ability to effect change in the wrongful practices of an entity that causes a harm.

Where a business enterprise has not contributed to an adverse human rights impact, but that impact is nevertheless directly linked to its operations, products or services by its business relationship with another entity, the situation is more complex. Among the factors that will enter into the determination of the appropriate action in such situations are the enterprise's leverage over the entity concerned, how crucial the relationship is to the enterprise, the severity of the abuse, and whether terminating the relationship with the entity itself would have adverse human rights consequences.

The more complex the situation and its implications for human rights, the stronger is the case for the enterprise to draw on independent expert advice in deciding how to respond.

If the business enterprise has leverage to prevent or mitigate the adverse impact, it should exercise it. And if it lacks leverage there may be ways for the enterprise to increase it. Leverage may be increased by, for example, offering capacity-building or other incentives to the related entity, or collaborating with other actors.

There are situations in which the enterprise lacks the leverage to prevent or mitigate adverse impacts and is unable to increase its leverage. Here, the enterprise should consider ending the relationship, taking into account credible assessments of potential adverse human rights impacts of doing so.

Where the relationship is “crucial” to the enterprise, ending it raises further challenges. A relationship could be deemed as crucial if it provides a product or service that is essential to the enterprise’s business, and for which no reasonable alternative source exists. Here the severity of the adverse human rights impact must also be considered: the more severe the abuse, the more quickly the enterprise will need to see change before it takes a decision on whether it should end the relationship. In any case, for as long as the abuse continues and the enterprise remains in the relationship, it should be able to demonstrate its own ongoing efforts to mitigate the impact and be prepared to accept any consequences – reputational, financial or legal – of the continuing connection.

21. In order to account for how they address their human rights impacts, business enterprises should be prepared to communicate this externally, particularly when concerns are raised by or on behalf of affected stakeholders. Business enterprises whose operations or operating contexts pose risks of severe human rights impacts should report formally on how they address them. In all instances, communications should:

- (a) Be of a form and frequency that reflect an enterprise’s human rights impacts and that are accessible to its intended audiences;**
- (b) Provide information that is sufficient to evaluate the adequacy of an enterprise’s response to the particular human rights impact involved;**
- (c) In turn not pose risks to affected stakeholders, personnel or to legitimate requirements of commercial confidentiality.**

Commentary

The responsibility to respect human rights requires that business enterprises have in place policies and processes through which they can both know and show that they respect human rights in practice. Showing involves communication, providing a measure of transparency and accountability to individuals or groups who may be impacted and to other relevant stakeholders, including investors.

Communication can take a variety of forms, including in-person meetings, online dialogues, consultation with affected stakeholders, and formal public reports. Formal reporting is itself evolving, from traditional annual reports and corporate responsibility/ sustainability reports, to include online updates and integrated financial and non-financial reports. Formal reporting by enterprises is expected where risks of severe human rights impacts exist, whether this is due to the nature of the business operations or operating contexts. The reporting should cover topics and indicators concerning how enterprises identify and address adverse impacts on human rights. Independent verification of human rights reporting can strengthen its content and credibility. Sector-specific indicators can provide helpful additional detail.

REMEDATION

22. Where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes.

Commentary

Even with the best policies and practices, a business enterprise may cause or contribute to an adverse human rights impact that it has not foreseen or been able to prevent.

Where a business enterprise identifies such a situation, whether through its human rights due diligence process or other means, its responsibility to respect human rights requires active engagement in remediation, by itself or in cooperation with other actors. Operational-level grievance mechanisms for those potentially impacted by the business enterprise’s activities can be one effective means of enabling remediation when they meet certain core criteria, as set out in Principle 31.

Where adverse impacts have occurred that the business enterprise has not caused or contributed to, but which are directly linked to its operations, products or services by a business relationship, the responsibility to respect human rights does not require that the enterprise itself provide for remediation, though it may take a role in doing so. Some situations, in particular where crimes are alleged, typically will require cooperation with judicial mechanisms. Further guidance on mechanisms through which remediation may be sought, including where allegations of adverse human rights impacts are contested, is included in chapter III on access to remedy.

ISSUES OF CONTEXT

23. In all contexts, business enterprises should:

- (a) Comply with all applicable laws and respect internationally recognized human rights, wherever they operate;*
- (b) Seek ways to honour the principles of internationally recognized human rights when faced with conflicting requirements;*
- (c) Treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue wherever they operate.*

Commentary

Although particular country and local contexts may affect the human rights risks of an enterprise's activities and business relationships, all business enterprises have the same responsibility to respect human rights wherever they operate. Where the domestic context renders it impossible to meet this responsibility fully, business enterprises are expected to respect the principles of internationally recognized human rights to the greatest extent possible in the circumstances, and to be able to demonstrate their efforts in this regard. Some operating environments, such as conflict-affected areas, may increase the risks of enterprises being complicit in gross human rights abuses committed by other actors (security forces, for example). Business enterprises should treat this risk as a legal compliance issue, given the expanding web of potential corporate legal liability arising from extraterritorial civil claims, and from the incorporation of the provisions of the Rome Statute of the International Criminal Court in jurisdictions that provide for corporate criminal responsibility. In addition, corporate directors, officers and employees may be subject to individual liability for acts that amount to gross human rights abuses.

In complex contexts such as these, business enterprises should ensure that they do not exacerbate the situation. In assessing how best to respond, they will often be well advised to draw on not only expertise and cross-functional consultation within the enterprise, but also to consult externally with credible, independent experts, including from Governments, civil society, national human rights institutions and relevant multi-stakeholder initiatives.

24. Where it is necessary to prioritize actions to address actual and potential adverse human rights impacts, business enterprises should first seek to prevent and mitigate those that are most severe or where delayed response would make them irremediable.

Commentary

While business enterprises should address all their adverse human rights impacts, it may not always be possible to address them simultaneously. In the absence of specific legal guidance, if prioritization is necessary business enterprises should begin with those human rights impacts that would be most severe, recognizing that a delayed response may affect remediability. Severity is not an absolute concept in this context, but is relative to the other human rights impacts the business enterprise has identified.

67. By participating in, promoting, and enriching the business activities of the AICC and by association the IACC, it is of significant concern that OPTUS and SINGTEL are contravening a multiplicity of the UNGPs and international human rights laws and OPTUS' and SINGTEL's own human rights policies and public commitments to human rights.
68. Furthermore, OPTUS' and SINGTEL's publicly stated human rights commitments by supporting the AICC (and by association the IACC), including by promoting the AICC by lending their purported reputation of responsible corporate citizenry and imprimatur and publicly promoting the AICC (and by association the IACC) including enriching the AICC via membership payments and other payments, could constitute:
 - (i) a contravention of continuous disclosure obligations pursuant to the Corporations Act 2001 (Cth); and,
 - (ii) misleading and deceptive conduct in trade and commerce in contravention of the Australian Consumer Law (ACL) (in Schedule 2 of the *Competition and Consumer Act 2010* (Cth)).

F.3 OECD Guidelines for Multinational Enterprises on Responsible Business Conduct

69. As you are aware, the *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct* are recommendations addressed by governments to multinational enterprises (**the OECD Guidelines**).⁴⁶
70. The OECD Guidelines aim to encourage positive contributions enterprises can make to economic, environmental and social progress, and to minimise adverse impacts on matters covered by the Guidelines that may be associated with an enterprise's operations, products and services.
71. The OECD Guidelines cover all key areas of business responsibility, including human rights, labour rights, environment, bribery and corruption, consumer interests, disclosure, science and technology, competition, and taxation.
72. By participating in and promoting the business activities of the AICC (and by association the IACC), it is of significant concern that OPTUS (and by association SINGTEL) are contravening a multiplicity of the UNGPs, OECD Guidelines and international human rights laws and thereby severely undermining its reputation as a responsible global corporate citizen.

G. OPTUS AND SINGTEL PROMOTING THE AICC, THE IACC & THE STATE OF ISRAEL

73. OPTUS is a publicly listed company in Australia established in 1991 after the deregulation of the telecommunications market in Australia in the 1980s. OPTUS is now the second-largest telecommunications company in Australia, with over 11 million customers as of 2023. Its mobile network covers 98.5% of the Australian population, with plans to cover 100% of Australia by 2025 through its partnership with SpaceX. During 2001 SINGTEL launched an ultimately successful takeover of OPTUS.
74. OPTUS has been a major "Platinum" sponsor of the AICC prior to the findings of "plausible" genocide and other serious violations of international law by Israel. However, OPTUS has remained a major "Platinum" sponsor and promoter of the AICC (and by association the IACC and the State of Israel) since the significant and unprecedented findings against Israel of "plausible" genocide, war crimes, crimes against humanity and widespread violations of international law as detailed herein.
75. The various public sponsorship of AICC events by OPTUS both promotes and enriches the AICC through event fees and membership fees as well as any other thus far undisclosed sponsorship arrangements with OPTUS. By way of some examples:
- (i) The October 2024, Australia-Israeli Innovation Summit hosted by the AICC in partnership with the State of Israel and the IACC (at which Ross O'Toole, Director of Industry, OPTUS Enterprise & Business was a speaker) was advertised by the AICC as a promotion of the AICC the State of Israel and the IACC and presumably had significant ticket pricing (which is now unavailable to view online).

⁴⁶ See: <https://mneguidelines.oecd.org/mneguidelines/>

- (ii) The 12 March 2025, AICC “Major Business Luncheon” in Brisbane at which ANZ CEO Shayne Elliot is scheduled to present (at a venue TBA) sponsored by OPTUS is being advertised by the AICC as a promotion of the AICC and has the following ticket pricing:⁴⁷
- (a) AICC Members - \$180.00 ex GST pp
 - (b) Non-Member - \$225 ex GST pp
 - (c) Member Table - \$1620.00 ex GST - Table 10
 - (d) Non-Member Table - \$2025.00 ex GST - Table 10
- (iii) The upcoming AICC business luncheon Wednesday 26 March 2025, at which Professor **Rocky Scopelliti**, Chief Scientist, Government OPTUS Enterprise & Business, is scheduled to speak⁴⁸ is being advertised by the AICC as a promotion of the AICC and has the following ticket pricing:
- (a) AICC Members - \$198.00 inc GST pp
 - (b) Non-members - \$247.50 inc GST pp
 - (c) Tables of 8 available.

76. As the AICC states on its website in relation to “Business events”:⁴⁹

Australia’s leading business networking and thought leadership forum

Established over 50 years ago to build collaboration and cooperation between Australia and Israel for the benefit of both nations, the AICC is widely recognised as one of Australia’s leading business forums.

Through its extensive program of high-profile business events, the AICC has become synonymous with the business, government and academic communities as an innovative, prestigious forum and connector to high value content, thought leadership and influential networks of decisions makers.

Since 1989, the AICC has attracted leaders from the business, academic and government communities to participate in trade missions to Israel. These delegations have been instrumental in encouraging trade and investment and fostering closer business relationships between Australia and Israel.

Why AICC?

Creating opportunities not found anywhere else

Established more than 50 years ago, we understand the burning issues, challenges and opportunities for business and industry. We champion innovation at the highest level, engaging today’s leaders while nurturing the leaders of tomorrow. Over the years, we have carved out a unique offering for our members that connects them with the most innovative thinkers and influential decision makers across the country in order to support their strategic business objectives. Members choose to be part of the AICC network because:

- ***We connect people and ideas at the highest and most influential level***
- ***We educate members on leading global trends***
- ***We collaborate with business, industry and government to set the business agenda first***
- ***We deliver timely insights through a diverse and engaging program***
- ***We promote and strengthen business connections between Australia and Israel***
- ***We help build profile for our members through additional value-add opportunities***

77. That is, by continuing to be a major “Platinum” sponsor of the AICC, OPTUS (and by association, SINGTEL) is engaging in endorsing, promoting, and enriching the business interests of the AICC and by association the IACC and the State of Israel and various Israeli companies engaged in “the war

⁴⁷ See: <https://portal.aiccnsw.org.au/all-events/events-details/?id=0aa18c91-a6fa-4f2d-8622-3d586279634e>

⁴⁸ See: <https://portal.aiccnsw.org.au/all-events/events-details/?id=f476c178-17cb-4d14-aa26-6364fb0715c0>

⁴⁹ See: <https://aiccqld.org.au/about/>

effort”, a euphemistic term for engaging in widespread human rights violations and contravention of international law.

H. HUMAN RIGHTS GRIEVANCE RE OPTUS/SINGTEL’S ASSOCIATION WITH, AND ENDORSEMENT/ PROMOTION OF, THE AICC

78. In the circumstances, given the AICC's reported connections to violations of international law, including war crimes in Israel and the Occupied Palestinian Territory, it appears that any association that SINGTEL and OPTUS have with the AICC, including being a major “Platinum” sponsor of the 2024 Australia-Israeli Innovation Summit hosted by the AICC in partnership with the State of Israel and the IACC (at which Ross O’Toole, Director of Industry, OPTUS Enterprise & Business was a speaker), sponsoring other AICC Major Business Luncheons and Professor Rocky Scopelliti, Chief Scientist, Government OPTUS Enterprise & Business, speaking at the upcoming AICC business luncheon in Sydney, on 26 March 2025 (at an undisclosed venue), and, in doing so, lending the purported responsible corporate reputation and imprimatur of SINGTEL and OPTUS to endorsing and promoting the business, political and geopolitical interests of the AICC (and by association the IACC) , which *prima facie* appears to be in contravention of or direct contradiction to:

- (i) OPTUS Human Rights Statement (undated);⁵⁰
- (ii) OPTUS Sustainability Report 2024;⁵¹
- (iii) SINGTEL28 Annual Report 2024;⁵²
- (iv) SINGTEL28 Sustainability Report 2024;⁵³
- (v) SINGTEL Group Supplier Code of Conduct (31 March 2022);⁵⁴
- (vi) the International Bill of Rights;
- (vii) the United Nations Guiding Principles on Business and Human Rights (UNGPs);
- (viii) the *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct*.

79. In the premises, unfortunately OPTUS is letting its customers down, and SINGTEL’s award winning track record with its direct association with, promotion and sponsorship of a rogue State (Israel) and numerous Israeli companies that are engaged in a “plausible” genocide in the words of the International Court of Justice, and a panoply of violations of international law including the unlawful occupation of the West Bank and reported ethnic cleansing of same.

80. This is simply not acceptable conduct for a responsible corporate citizen.

G. EVIDENCE OF OPTUS’ HUMAN RIGHTS DUE DILIGENCE RE AICC & IACC

⁵⁰ Available: https://www.optus.com.au/content/dam/optus/documents/about-us/sustainability/governance/human-rights-statement_fa1.pdf

⁵¹ Available: <https://www.optus.com.au/content/dam/optus/documents/about-us/sustainability/reporting/2024/Optus-Sustainability-Report-FY2024-Final2.pdf>

⁵² Available: https://www.optus.com.au/content/dam/optus/documents/about-us/media-centre/annual-reports/2024/Singtel_Annual_Report_2024.pdf

⁵³ Available: <https://cdn.aws.singtel.com/sustainabilityreport/SR2024/download/downloads/Singtel-Group-Sustainability-Report-2024.pdf>

⁵⁴ Available: <https://www.singtel.com/content/dam/singtel/about-us-singtel/tender/singtel-group-supplier-code-of-conduct.pdf>

81. Pursuant to UNGP Guiding Principles 17, 18, 19, 20, and 21, please provide evidence of the human rights due diligence undertaken by OPTUS and SINGTEL in relation to its association with and sponsorship of the AICC and, in doing so, promoting the business, political and geopolitical interests of the AICC (and by association the IACC and the State of Israel).

H. HUMAN RIGHTS GRIEVANCE MECHANISM

82. As stated above, whilst it is unclear what the “effective grievance mechanisms” are referring to in the case of OPTUS and SINGTEL, it would be appreciated if you could please refer to the appropriate human rights grievance mechanism. In the meantime, please treat this correspondence as a human rights grievance

I. NEXT STEPS

83. I look forward to receiving receipt of this Human Rights Grievance and an indication as to what steps OPTUS and SINGTEL will be taking to remedy the conduct complained of herein.

84. Please do not hesitate to telephone me if you wish to discuss.

Yours Faithfully,



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