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HOUSE OF REPRESENTATIVES

MINISTERIAL STATEMENTS

National Security

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Speaker Shorten, Bill, MP

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Mr SHORTEN (Maribyrnong—Leader of the Opposition) (09:57): I thank the Prime Minister for updating the House and I thank the Chief of the Defence Force for the briefing provided to me an hour ago on this matter. It is important for our parliament that this chamber continues to be a public forum for discussing matters of significance. The loss of innocent lives to terrorism has become an all-too-familiar story on the evening news. The toll grows across the world on every continent in nations of all faiths.

I say to the Prime Minister and to all Australians that the cooperative bipartisan approach that Labor took to questions of national security in the 44th Parliament will continue in the 45th Parliament. I wish to acknowledge Prime Minister Abbott's consistency throughout his stewardship in talking to me and the opposition about national security. Under my leadership Labor has consistently sought to be a constructive contributor to Australia's national security effort. Every single member of my caucus engages with this issue in a respectful and thoughtful way.

In the last parliament Labor supported and, indeed, improved and amended four rounds of national security legislation. Members of the Joint Standing Committee on Intelligence and Security, from all parties, worked together to deliver more than 100 amendments to the original legislation, but I wish to acknowledge briefly the painstaking work on this committee of the member for Holt, the quiet achiever. Labor will continue to take the same constructive approach in the 44th Parliament to the measures that the Prime Minister has mentioned this morning.

It is timely to update the House on counterterrorism measures and the impacts here. The opposition notes that the counterterrorism amendment bill has been reviewed by the PJCIS and that the government has accepted the changes recommended by the committee. We understand that this bill will be presented to the parliament in the next sitting week. Further, the opposition awaits further bills about national security and the importation of guns to be presented to the parliament in future weeks.

But, further, as I said at the outset of my response, the Chief of the Defence Force has briefed me about the proposals on targeting, which the Prime Minister's statement dealt with. The view of the CDF and the ADF is that it is necessary to update domestic law to be consistent with international law. International law makes a distinction between civilians and members of terrorist organisations. The domestic law has a narrower definition, which has not been updated to deal with the developments of state-like terrorist organisations, such as Daesh.

Our ADF have a robust targeting policy and protocols. They have implemented their missions and they have degraded the enemy, with no civilian casualties to this point. This reflects very well on the leadership and professionalism of our ADF. What we also recognise, though, is that based on our operations over nearly two years the ADF have been part of a coalition response to degrade ISIS, or Daesh, who have had losses in materials, people and land.

But it must be recognised that Daesh have the capacity to evolve. They are hierarchical in their leadership. They are a state-like organisation without a state to administer and they are committed to promoting warlike and terrorist activities wherever they can. Currently we are able to target their vehicles and their positions, able to go after the *Mad Max* style vehicles which the terrorists use in Iraq. Of course, we have been able to target the infrastructure and headquarter positions. Always our ADF operates proportionately with international laws, the Geneva convention and other such protocols.

But, as I said, it has become clear to our Defence Force that there may be an ambiguity between international law and our domestic laws. When we are dealing with Daesh and the factories where they make this equipment, where they cache their supplies and where they get their fuel trucks and logistical elements, it is important that we deal with this issue to make sure that our ADF, by some quirk or anomaly of domestic law, are not subjected

to legal repercussions merely because we did not deal with the issue and update our laws as our ADF are dealing with a difficult and changing environment.

This issue, though, is not just one which Australia has to deal with. It is an issue which all Western nations have been grappling with. Our people in the field make split-second decisions in a dynamic and dangerous environment. We do not want to put them in harm's way because of our inability to review and modernise our laws. This is not an ambiguity by design. As history has evolved, we have not necessarily had to deal with state-like organisations conducting terrorist activities.

Initially, based on what we heard, I certainly think the principle of targeting all members of Daesh is a sound principle. Of course, we will need to see how the law and the drafting works. But, as I said, our CDF has made it clear that he wants to make sure that, when we ask the young men and women in our professional ADF to carry out the missions which Australia deems to be important and in our national interest and the interests of the people of Iraq, we do not set them up to head into a legal minefield. I am confident this can be done in a cooperative and bipartisan way. The safety of Australians but also support for our ADF and the security of our nation are bigger and more important questions than any of the political differences that we perhaps spend more of our time on.

After all, terrorism in all its forms is a crime aimed specifically at the innocent. At its fundamental level, it is motivated by nothing more complex than a cowardly hatred of who we are and the way we live. We live in a remarkably peaceful and prosperous country and all of us here understand our good fortune. We do not just tolerate diversity; we celebrate it and we embrace it. We are a nation constantly striving for equal opportunity. Our citizens are free to be their best and free to be themselves. These are liberties which we admire, rights which we all enjoy. Responsibility, therefore, falls to all of us to ensure that we defend these rights, preserve them and uphold them. That is why, as I have always said, when it comes to fighting terrorism we are all in this together—Labor and Liberal.

In recent weeks many of us have participated in a host of ceremonies commemorating the generations of Australians who made the supreme sacrifice in defence of our nation. In doing that, I am sure all of us thought of Australians currently serving the cause of peace around the world. It is important, as I have said, that we support and recognise the work of our military personnel. As the Prime Minister has indicated, progress is being made. Daesh is losing territory in Iraq that it controlled. Fifty per cent of what it controlled has been taken from it. In Syria, that figure is 20 per cent. Thirty per cent of its resources have been impacted, impacting the ability of Daesh to organise its operations.

There is some confidence that the tide is turning, but I have no doubt there can be complete confidence that Defence personnel from Australia are playing a critical part, along with our international partners. I do believe that our Australian troops are doing valuable and important work assisting the people and government of Iraq—not just our air support, repelling advances and claiming ground from a dangerous and well-armed enemy, but through the training and instruction building a more sustainable Iraqi army capable of maintaining the integrity of its own borders.

Of course, winning the battle against Daesh demands that we build the infrastructure of peace—not just holding elections but upholding the rule of law, ensuring that schools are open and accessible and that a future free from violence is seen as not just desirable but achievable. But let us not kid ourselves. The progress which has been recorded is real, but the strong threat still remains. Daesh is adaptive. As I said earlier, it evolves constantly and it does have a significant support base. Draining the swamp of terrorism will require more than military means alone. Just as our troops battle violent extremism overseas, our security agencies guard us against the threat at home. We have seen the human cost of extremism on the streets of Sydney and Melbourne. For our agencies, every waking minute and every unseen effort is dedicated to keeping all Australians safe. We know theirs is no easy task.

The propaganda arm of terrorism seeks to reach out through new digital platforms, yet the attacks themselves are more often than not low tech, carried out by lone wolf actors with little direction, using unsophisticated means. Their footprint or profile as a threat may be very difficult to detect. This is an emerging global trend where individuals radicalise quickly and act under a vague sense of broad direction from extreme terrorist groups rather than from specific instruction.

In these circumstances, the traditional threat indicators and the old mindset for identifying risk may not assist us. The individual may not have a history of extreme political ideology or extreme radical pronouncements.

There may be only very tenuous links between them and overseas organisations, or no visible connection to broader movements at all. There may not even be evidence of an individual acquiring the components needed for complex weapons. After all, Man Haron Monis, the person who plunged Sydney into the grip of terror and fear, had a history of mental illness, family violence and criminal convictions, and he had written hate-filled, incomprehensible letters to the widows of Australians killed in Afghanistan, but his abuse of women and his history of family violence failed to raise the red flags about his capacity to carry out violence in other silos of criminal behaviour. He was never formally identified as a national security threat in the way in which he emerged.

As the Prime Minister has referred to, it is more important than ever that our national security agencies are working together, are well connected and are sharing all relevant information, including from non-traditional sources. Our national security agencies, our law enforcement agencies, our border protection agencies must all be working as one, preventing both those at home and those outside our borders from seeking to do us harm. We do need to ask ourselves: are the current levels of coordination and cooperation strong enough and fast enough in the age of cyber attacks? We need to ensure that the right information is getting to the right people at the right time and that our prevention and response capabilities are adequate and adaptable.

Recent reports of increased cyber attacks against both government and non-government agencies and institutions should be cause for concern. Protecting sensitive government information and network architecture is critical to maintaining our national security. Continual, and in some cases successful, attacks on Austrade, the Bureau of Meteorology and Defence must force us to ask if the current level of resources is adequate to deal with this evolving threat. In government Labor opened the Cyber Security Operations Centre and adopted Australia's first comprehensive Cyber Security Strategy, and we are working cooperatively with the government on what more can be done to improve Australia's defences.

This principle of better, faster sharing of information and enhanced cooperation between agencies also needs to extend to our region and our wider world. We must constantly strive for stronger links with our partners in peace. The security threats we face are common, and our responsibility to counter them is shared. As an international community, we need to work together to deprive terrorist organisations of their funds and resources, because the splintering of Daesh in the Middle East poses the risk of demobilising at large in our region an army of extremists armed with new combat skills and equipped with old hatred. As one of the leading foreign policy thinkers in Jakarta has said:

The conflict in Syria has captured the imagination of Indonesian extremists in a way no foreign war has before.

This alarming reality demands Australian leadership, particularly through multilateral institutions. As a key architect of APEC, as a founding member of the East Asia Summit and as the first ASEAN Dialogue Partner, our voice is respected and our example is followed. We need to work together at modernising treaties, conventions and export controls to reflect the fact that we live in a world where people can google bomb-making instructions and 3D printer guns. We need an international framework that recognises radicalism can be downloaded at home and its weapons home made.

In part this regional and international focus is the inevitable product of our confident, outward looking national character. We are people who love to travel, work and live overseas; 9.7 million Australians spend time abroad each year. The reality is that the greatest threat to our citizens comes from being targeted indirectly or directly when they are in a foreign country—New York, Jakarta, Mumbai, Tunis, Nairobi, London. So often when we stand in this House to send our condolences to a friend or an ally we mourn Australians too.

The review by the Australian Counter-Terrorism Coordinator, Greg Moriarty, commissioned by the Prime Minister in July following the deadly attack in Nice, will be an important part of considering how we engage with partner nations to defeat lone wolf attacks. But one of the strongest and most important safeguards against the division and fear of terrorism does not wear a uniform or carry a gun; it is a united, cohesive nation. Demonising difference, fostering hate speech, talking about instigating bans and building walls are threats to our national security as well as our national harmony. In particular, our great and generous Muslim community, whose leadership in denouncing crimes of violence as alien and foreign to the ethos of Islam, is so important. I will never forget the advice of former director-general of ASIO, David Irvine, who said:

... the strongest defence against violent extremism lies within the Australian Muslim community itself.

I think our parliament can count itself fortunate that in the member for Cowan we now have amongst us an internationally recognised expert on countering extremism, because this is a differently perceived but equally important form of national security. There can be no tolerance, no apologising for murder in the name of any faith or under any flag, be it religious extremism, be it right-wing or left-wing extremism. And if the lure of extremism for disengaged young people, or those who perhaps are grappled by mental illness, is a sense of power and purpose and identity, we must counter that with a simple message: there is no honour, no courage, no reward in throwing away your life to claim the lives of others. We must reach out to engage those who are marginalised and feel that mainstream society offers them no solutions.

The greatest argument against everything terrorism represents will not be heard in this chamber; instead, it lives beyond the walls of this building. It is, and always has been, the country we love—free people, an inclusive, diverse, peaceful and equal society. We are proudly a home to all faiths and traditions, but our belief in Australia unites us all. In our kitchens and our lounge rooms can be heard the languages of every nation on earth; but in our love for this country, we speak with one voice. As a parliament, as a people, we will meet the threats and challenges ahead—united, resilient and resolved.