



Australian Government

Department of Home Affairs

Senate Standing Committee on Foreign Affairs Defence and Trade Inquiry

Opportunities for strengthening Australia's relations with the
Republic of France

INTRODUCTION

The Department of Home Affairs, on behalf of the Home Affairs Portfolio, thanks the Foreign Affairs, Defence and Trade References Committee for the opportunity to provide a submission to the Senate inquiry into 'Opportunities for strengthening Australia's relations with the Republic of France'.

1. The Home Affairs Portfolio (Home Affairs) brings together the Department of Home Affairs, the Australian Border Force (ABF), the Australian Federal Police (AFP), the Australian Criminal Intelligence Commission (ACIC), the Australian Security Intelligence Organisation (ASIO) and the Australian Transaction Reports and Analysis Centre (AUSTRAC), to ensure a safe and secure Australia.
2. The Department of Home Affairs is responsible for immigration and customs border policy, as well as national security and law enforcement policy, emergency management (including crisis management and disaster recovery), counter terrorism policy and coordination, cyber security policy, counter foreign interference policy and coordination, critical infrastructure protection, multicultural affairs, countering violent extremism programs, and transport security.
3. Home Affairs works with domestic and international partners to protect the safety, security and national interests of Australia through the strategic alignment of priorities and responsibilities against the many threats to Australia's national security.
4. Home Affairs promotes global norms consistent with Australia's national interests, and drives agendas in regional and global fora, including, though not limited to, counter terrorism, countering violent extremism, anti-money laundering and counter-terrorism financing, transnational, serious and organised crime, managing mass migration, facilitating efficient and legitimate trade, as well as preventing child exploitation.
5. Home Affairs continues to enhance Australia's existing relationships with our traditional Five Country partners and build relationships with likeminded partner countries, including France, in support of common interests.
6. In making a submission to this inquiry, Home Affairs wishes to advise the Committee that this submission outlines the Portfolio's security relationship with France and addresses the Committee's Terms of Reference, as follows:
 - *Enhancing political, security and defence cooperation, including through initiatives such as the Joint Statement of Enhanced Strategic Partnership between Australia and France signed in 2017 and the Strategic Partnering Agreement signed in 2018 for the Future Submarine Program.*
 - *Options for enhancing strategic cooperation, including in the Indo-Pacific region and through multilateral fora.*
 - *Australian engagement with intergovernmental organisations headquartered in France including the Organisation for Economic Co-operation and Development (OECD) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).*

HOME AFFAIRS RELATIONSHIP WITH FRANCE

7. Home Affairs' relationship with counterparts in France is increasingly positive. The relationship is underpinned by robust people-to-people links, supported by a long-standing reciprocal Working Holiday Maker arrangement signed in 2003. The relationship is further strengthened through a mutual commitment to global and regional security, noting Australia and France have established enduring arrangements to regularly cooperate on maritime

security, border protection, transnational crime and fisheries enforcement challenges. These arrangements include:

- a) A Treaty between the Government of Australia with the Government of the French Republic on Cooperation in the maritime areas adjacent to the French Southern and Antarctic Territories, Heard Island and the McDonald Islands which came into force in February 2005;
 - b) An Agreement on Cooperative Enforcement of Fisheries Laws between the Government of Australia and the Government of the French Republic in the Maritime Areas Adjacent to the French Southern and Antarctic Territories, Heard Island and the McDonald Islands which came into force in January 2011.
 - c) A Memorandum of Understanding between the Customs Administrations of Australia and France on Customs Co-operation and Mutual Assistance in Customs Matters, which came into force in 2002 and was updated in 2014.
8. The whole-of-government Australia-France initiative ('AFiniti'), as publicly announced by the then Prime Minister Turnbull and President Macron in the *Vision Statement on the Australia-France Relationship* on 18 May 2018, has effectively removed any further barriers to building a close, collaborative relationship with key security agencies within the French Government.
9. Within the framework of the 'AFiniti' program, the Department of Home Affairs has established the Australia-France Strategic Dialogue on National Security. This Dialogue is co-chaired between the Department of Home Affairs and the French Secretariat-General for National Defense and Security, and is supported by respective security and border management agencies. It is focussed on a number of mutually agreed approaches, including:
- a) Sharing best practice on counter-terrorism, foreign terrorist fighter policies, and respective national programs to combat violent extremism.
 - i. In 2019, Australian agencies led by Home Affairs collaborated closely with France and hosted the second 'No Money for Terror' Conference in Melbourne on 7-8 November 2019, an initiative launched by President Macron in 2018.
 - ii. Last year's 'No Money for Terror' Conference assessed the evolving global and Indo-Pacific threat environment; built understanding of terrorism financing risks, trends and methods; and highlighted best practice from across the globe, between regions, and across the public and private sector.
 - b) Exchanging information on strengthening cyber security, including the development of respective cyber security strategies, protection of critical and emerging technologies, and measures to combat cybercrime.
 - i. Australia continues to engage with the Council of Europe (and relevant treaty committee) on the Council of Europe Budapest Convention on Cybercrime (the Convention) headquartered in Strasbourg, France. The Convention is the first internationally binding treaty on cybercrime. It seeks to harmonise national legal frameworks. The Convention serves as a guideline for 64 party countries, including Australia and France.
 - c) Enhancing operational collaboration and information exchange with key French maritime and law enforcement agencies on efforts to combat the trafficking of illicit substances and narcotics, human trafficking and illegal foreign fishing in the Indo-Pacific region.
 - i. As part of the Pacific Step-up, Home Affairs is working closely with the French Government and the governments of New Caledonia, French Polynesia, and

- Wallis and Futuna to enhance the Pacific's regional security cooperation, particularly on transnational crime and maritime security.
- ii. Home Affairs Portfolio agencies and French maritime and security agencies are collaborating to reinforce multinational cooperation to combat transnational organised crime in the Indo-Pacific, including efforts to enhance engagement and cooperation in the Pacific and Indian Ocean French Territories.
 - iii. Engagement in the Indo-Pacific will be further enhanced in late 2020 through the possible posting of a French Police Law Enforcement Attaché to Canberra. This position is still pending confirmation from French authorities given the impact of COVID-19 and associated travel restrictions.
 - iv. The AFP continues to encourage French law enforcement to increase joint operational engagement in the Pacific, through:
 - participation in the Pacific Transnational Serious and Organised Crime Taskforce comprising representatives from Fiji, Tonga, New Zealand and Australia;
 - development of a Statement of Conclusions between the AFP and the French National Gendarmerie to reinforce cooperation on transnational organised crime;
 - greater collaboration between the AFP and French Law Enforcement in the field of forensics best practice and technology;
 - increased French law enforcement engagement in the Pacific Transnational Crime Network; and
 - encouraging the establishment of additional Transnational Crime Units in each of the French Pacific territories.
 - v. AUSTRAC's recently established, and DFAT-funded, Pacific regional capacity-building program. This program provides opportunities for burden sharing and collaboration with France on areas of mutual interest – particularly for programs in Pacific island countries with longstanding French equities or cultural ties.
- d) Exploring opportunities for greater collaboration on critical and enabling technologies as well as civil protection and disaster management related capabilities, processes and support arrangements.
- i. Following on from French assistance during the 2020 bushfire crisis, Home Affairs welcomes France's invitation for Australia to attend the next fire-fighters' congress in Marseille in October 2020.
10. Future iterations of the Australia-France Strategic Dialogue on National Security will also provide an opportunity for Australia and France to share lessons learned during the COVID-19 pandemic and collaborate on methods to respond to future global pandemics.
 11. Outside the construct of the Australia-France Strategic Dialogue, but consistent with the Dialogue's strategic intent, the National Counter Foreign Interference Coordinator and senior French officials hold regular discussions on policies and strategies to counter foreign interference.
 12. At the multilateral level, Home Affairs is actively involved with international bodies headquartered in France, including INTERPOL, the Financial Action Task Force (FATF), and the OECD.

- a) Home Affairs works with French and INTERPOL partners on law enforcement issues, while AUSTRAC is contributing to a French-led multilateral project exploring extreme right-wing financing.
 - b) Home Affairs leads Australia's delegation to the FATF, which meets three times a year for its Plenary and associated Working Groups. The purpose of these meetings is to develop and implement international standards to combat money laundering and terrorism financing.
 - c) As Australia positions itself at the forefront of multinational efforts to address transnational security threats, the OECD provides a platform to promote Australia's policies and influence the approach of like-minded countries, including France.
 - d) The work of the FATF and the OECD are closely aligned, particularly in relation to combating economic crimes, such as corruption and tax fraud, and strengthening mechanisms to track beneficial ownership.
13. The OECD in particular remains a critical part of the Department's global engagement strategy to inform and influence policy discussion, development and implementation in support of Australia's national interests. The OECD provides the opportunity to share best practice and innovation to drive policy thinking across the breadth of departmental deliverables and key priorities. Access to respected research and data provides an independent analytical perspective that can inform the development of future policy options as well as the evaluation of existing policy settings.
14. Home Affairs' top five priorities for engagement with the OECD include:
- a) Avoiding radicalisation, fragmentation and alienation through the cohesive integration of migrants and refugees into communities and positive education on the benefits of cultural diversity.
 - b) Engagement across the OECD and with industry to establish principles and protocols that retain lawful enforcement access to encrypted information without unduly impacting citizens' rights to privacy.
 - c) Ensuring online platforms are safe and working with industry to establish principles and protocols that prevent access to, or the use of, platforms to transmit or exchange abhorrent material related to terrorism or child sexual exploitation and abuse.
 - d) Trends and strategies to address irregular and/or illegal movement of people and goods across borders, leveraging the OECD's capacity to collaborate on detection, deterrence and disruption activities as well as research into how temporary and permanent migration programs drive economic value.
 - e) Participation in the OECD High Level Risk Forum, which explores issues related to critical infrastructure security and resilience as well as hybrid threats.
15. In pursuit of these priorities, Home Affairs will work with the OECD to develop global standards, principles and protocols associated with the capture, storage and transmission of data and information to protect the interests and activity of Australian nationals. Home Affairs will also seek to leverage the OECD's collective capability to convince internet platform and service providers to embed the systems and controls necessary to ensure users are safe and secure online.

CONCLUSION

16. Home Affairs welcomes the opportunity to outline to this Committee the key initiatives being pursued with France. Home Affairs sees the contemporary relationship with France, and relevant multilateral organisations based in Paris, as one that is maturing towards sophisticated and deep engagement across a range of complex issues.
17. As outlined in this submission, Home Affairs remains committed to building a collaborative and cooperative partnership with a key like-minded partner in the European Union. This has been reflected by Home Affairs' continued engagement with France, albeit at a lower tempo, despite a shift in resources towards Government's response to COVID-19.