

**AMNESTY
INTERNATIONAL**



17 October 2014

The Hon Dan Tehan
Chair
Parliamentary Committee on Intelligence and
Security
Po Box 6021
Parliament House
Canberra ACT 2600

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Dear Mr Tehan,

Report of the PJCIS on Counter-Terror Amendment Legislation (Foreign Fighters) Bill 2014

On behalf of Amnesty International Australia's 418,000 supporters, I write to acknowledge the work of the Parliamentary Joint Committee on Intelligence and Security in undertaking detailed consideration of the Counter-Terror Amendment Legislation (Foreign Fighters) Bill 2014, and providing strong recommendations to the Government for amendments to the Bill.

Amnesty International welcomed the opportunity to provide a submission to the Committee highlighting our key concerns. While we of course recognise the threats posed by the escalating situation in the Middle East and by the realities of Australians making the decision to join that fighting, it is of paramount importance that measures put in place to combat risks are balanced against our fundamental freedoms.

The Committee is to be congratulated for its in depth analysis of this extensive legislation, particularly in such a short time frame. While Amnesty International would have preferred to see the Committee recommend the repeal of the control order, preventative detention order and ASIO detention power regimes, we warmly welcome the recommendation to significantly reduce the length of the sunset clauses associated with them. We also specifically welcome the recommendations of the Committee for greater clarification of the definitions of 'promote' and 'advocate' terrorism. We further welcome the recommendation to link the definition of 'subverting society' to the specific definition of 'terrorist act' in the Criminal Code.

Amnesty International welcomes a number of other recommendations of the Committee's report, which we believe, if they are adopted, would significantly improve the legislation – bringing it more into line with human rights standards.

We urge you to encourage the Government to adopt in full the recommendations of the Committee, and to amend the Bill.

Thank you once again for the important work of the Committee in examining this significant legislation.

Yours sincerely,

Claire Mallinson
National Director