

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group: Written

Program: Other Agency

Question: BE14/101

Senator Singh asked the following question at the hearing on 26-29 May 2014:

1. Approximately how many Australians have travelled to fight in the conflict in Syria in the last two years?
2. What concerns does ASIO have about the involvement of Australians in the conflict in Syria in terms of their own safety?
3. Please identify the key concerns that ASIO has about the involvement of Australians in the conflict in Syria with respect to the return of these people to Australia.
4. Does ASIO consider that it is adequately resourced to deal with threats to national security arising from the return of Australians from that conflict?
5. Does ASIO consider that it has adequate powers to effectively prevent Australians from going to Syria to fight?

The answer to the honourable senator's question is as follows:

Since ASIO's appearance at May 2014 Estimates, there has been a heightened level of public debate regarding the security environment. The below answers are given to provide greater understanding of the seriousness of the implications to the security of Australia, its people and its interests.

1. Due to the fluid nature and complexity of the conflict, ASIO is unable to provide the exact number of Australians that have travelled to Syria and surrounding regions to fight in the conflict over the last two years. The numbers given below are indicative only.

ASIO is investigating approximately 160 people, both offshore and in Australia, who are involved substantively with extremist groups in Syria and Iraq. This number is constantly changing due to the nature of the conflict.

2. ASIO has the very real concern that Australians, particularly young Australians, participating in conflict in the region are putting their lives at risk.

To date, at least 15 Australians have been killed in Syria as a result of the conflict (including in fighting between rebel groups).

3. ASIO's concern regarding Australians returning, having participated in the Syrian conflict, is that they do so having developed or reinforced an extremist ideology, and with knowledge and networks which can be used to support extremist activity in Australia.

This concern has been borne out in previous offshore conflicts. The conflict in Afghanistan and Pakistan provides some basis for comparison. ASIO investigated approximately 30 Australians who travelled to Afghanistan or Pakistan to train or fight with extremist groups. Of those, 19 Australians

engaged in activities of security concern on their return—eight of whom were convicted in Australia of terrorism-related offences.

4. ASIO prioritises the use of its resources to ensure they are directed towards the areas of greatest security concern.

5. The ability to cancel passports is important in the prevention of Australians participating in the Syrian conflict.

ASIO's ability to make recommendations to the Minister for Foreign Affairs to cancel a passport for reasons of national security is usually adequate. However, there have been instances where an individual with intent to travel and participate in the conflict comes to ASIO's attention at short notice. For this reason, this Government has introduced legislation to provide ASIO with the ability to respond quickly and request the temporary suspension of an Australian passport for a period of 14 days in circumstances where ASIO becomes aware at short notice of security dimensions to an individual's imminent travel or receives no intelligence warning that an individual of security concern intends to travel. The need for a passport suspension power to address such cases of short notice travel was identified in the Independent National Security Legislation Monitor's Annual Report, 28 March 2014; the current model builds upon this recommendation. The 14-day period will allow ASIO to consider whether to make a cancellation request under section 14 of the Passports Act, and for the request to be considered by the Minister for Foreign Affairs.

ASIO's power and capacity to prevent Australians from travelling overseas to participate in foreign conflicts remains under constant review by Government.

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