

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

Group: 3

Program: Other Agency

Question No. BE15/112

Senator Rhiannon asked the following questions at the hearing on 27 and 28 May 2015:

1. How much has the Government spent on international counter-narcotics initiatives since 2005, broken down by:
 - a) Financial year;
 - b) Category of assistance (e.g. supply reduction; demand reduction; reducing illicit financial flows; etc);
 - c) Country receiving the support;
 - d) Organisation administering the support (e.g. activities targeting illicit drugs such as training, joint operations or provision of equipment, domestic drug agencies, international organisations such as UNODC);
 - e) Whether the support was provided bilaterally or multilaterally alongside international donors.
2. Is the Government is planning to make, or has already made, a contribution to the United Nations Office on Drugs and Crime (UNODC)'s forthcoming country programme in Pakistan?
 - a) If yes, what are the specific programmes and their allocations of this funding?
3. Is there any plan, or has a contribution been made to the Nations Office on Drugs and Crime's (UNODC) forthcoming country program in Iran?
 - a) If yes, how much funding has been provided to which specific programmes?
4. What process is in place to evaluate the performance of international counter-narcotics initiatives carried out by the Australian Government?
 - a) Which departments and agencies are responsible for carrying out these assessments?
 - b) Where these assessments are published for public scrutiny?
5. Which department has lead responsibility for international counter-narcotics policy, and which Minister oversees this directly?
6. Which Departmental budget/funding pool funds international counter-narcotics spending?
 - a) If this is funded from more than one budget line, what is the budgetary breakdown in spending across departments and agencies since 2005?
7. Where and how is information on international counter-narcotics spending publically published?
8. What are the formalised human rights safeguards applied to ensure funds allocated to overseas counter-narcotics efforts do not enable human rights abuses?
 - a) Where are these safeguards/procedures published?
9. What is the seniority level of the Departmental official, or who is the government Minister, responsible for signing off evaluations of human rights risks and approving international counter-narcotics spending?
10. Has an allocation of funds to an international counter-narcotics initiative ever been refused on the basis of human rights risk, and if so what was the reason for this refusal?

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

The information contained in the answers to the honourable Senator's questions covers the costs and activities of agencies within the Attorney-General's and Immigration and Border Protection portfolios. While the Health portfolio has lead responsibility for Australia's international engagement on counter-narcotic policy, the Australian Federal Police (AFP) and Department of Immigration and Border Protection (DIBP) are the only agencies or departments that carry out international counter-narcotics operations.

1. The AFP is able to provide the following breakdown of onshore and offshore expenditure on drug investigations for the financial years 2011-12, 2012-13 and 2013-14.

AFP Drug Expenditure on Drug Investigations by Financial Year	
Direct costs + Corporate and Close Support Overheads	
FY2011/12	Drugs Effort
AFP Drug Investigations (Australia Based excl. ACT Policing)	\$ 75,300,000
AFP Drug Investigations (International Network)	\$ 4,100,000
Total AFP (Excluding ACT Policing)	\$ 79,400,000
FY2012/13	Drugs Effort
AFP Drug Investigations (Australia Based excl. ACT Policing)	\$ 82,500,000
AFP Drug Investigations (International Network)	\$ 4,200,000
Total AFP (Excluding ACT Policing)	\$ 86,700,000
FY2013/14	Drugs Effort
AFP Drug Investigations (Australia Based excl. ACT Policing)	\$ 86,600,000
AFP Drug Investigations (International Network)	\$ 4,900,000
Total AFP (Excluding ACT Policing)	\$ 91,500,000

These figures are based on information derived from AFP Time Attribution, analysis of service requests and exhibit volumes from the Forensics Laboratory Information Management System (LIMS) and quarterly activity surveys conducted with members of the AFP International Network and Australian based staff. They include centrally controlled allocations (Building and Accommodation type costs).

Costs relating to drug investigations undertaken within ACT Policing are not included.

2. The AFP is in regular contact with the United Nations Office on Drugs and Crime (UNODC) at various round table discussions providing input and advice as required.

The AFP is not currently involved in the forthcoming UNODC country programmes in Pakistan and Iran, and no funding is currently allocated to AFP International Posts for involvement in these programmes.

3. See the answer to question 2, above.
4. The measure of efficiency and effectiveness of AFP drug investigations is based on the Drug Harm Index, which summarises, in dollar terms, the social impact of law enforcement efforts against importation of illicit drugs. The Drug Harm Index is the

estimate of the potential harm that would have ensued if drugs seized at the border had reached the community.

AFP annual reports contain an analysis of outcomes for each financial year based on the Drug Harm Index.

In relation to operations by the DIBP, regional border integrity, capability development and cooperation initiatives funded by DIBP are subject to regular review as part of the department's governance and accountability framework.

5. The Department of Health has lead responsibility for Australia's international engagement on counter-narcotic policy. However, the AFP and DIBP are the only agencies or departments that carry out international counter-narcotics operations.
6. The AFP undertakes international counter-narcotics operations from its annual base funding appropriation. In relation to the quantum of funding, please see the response to Question 1.

DIBP continues to work with partners in the region to identify areas of cooperation that will inhibit the movement of illicit goods, including narcotics across borders. The Department also works closely with key multilateral organisations including the Border Five and the World Customs Organisation to increase the effectiveness and coordination of border integrity initiatives and enhance resilience across the border continuum.

DIBP's funding of regional border security initiatives that inhibit the importation of illicit goods, including narcotics, are not specifically aimed at the narcotics trade but at improving screening and interdiction capabilities that impact on a range of transnational criminal activities.

7. Information on the AFP's activities and related budget allocations, including spending on international counter-narcotics activities, is published in the AFP Annual Reports, Portfolio Budget Statements and in relevant audit reports issued by the Auditor-General.

Information regarding DIBP's funding of bilateral and multilateral border initiatives, including those that build regional capacity to inhibit transnational criminal activities, is available through the Department's Annual Report.

8. Assistance provided by the AFP to foreign law enforcement agencies is undertaken with regard to the *Australian Federal Police Act 1979*, Ministerial Direction and any other legislation, treaty, convention, agreement, policy, guideline or associated governance document relevant to the provision of capacity development to foreign law enforcement.

All assistance provided by the AFP to its international partners is fundamentally designed to incorporate the key principles of supporting human rights.

For DIBP, human rights issues relating to the funding of bilateral and multilateral border initiatives are considered and managed in conjunction with the Department of Foreign Affairs and Trade (DFAT) and other relevant agencies.

9. In relation to the AFP, responsibility for evaluating human rights risks to persons detained offshore in relation to any operational matters lies with the AFP's Manager International Network (Senior Executive Band 1).

In accordance with the *AFP National Guideline on offshore situations involving potential torture or cruel, inhuman, or degrading treatment or punishment (TCIDTP)*, where AFP appointees become aware of credible information that an Australian citizen detained offshore has been or is likely to be subject to TCIDTP, or appointees may be involved in the interview of a detained person offshore where there is a substantial, real and not remote risk of TCIDTP, requests for information from foreign authorities must be referred to the Manager International Network.

In relation to DIBP, human rights issues relating to the funding of bilateral and multilateral border initiatives are considered and managed in conjunction with DFAT and other relevant agencies.

DIBP's International Engagement Strategy is approved by the Department's Executive.

10. There has been no refusal of an allocation of funds to an international counternarcotic initiative on the basis of a human rights risk.