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Australian Security
Intelligence Organisation

ASIO submission to the Parliamentary Joint Committee on Intelligence and Security

Review of the Counter-Terrorism Legislation Amendment
(Declared Areas) Bill 2024

Ref no. PCS 2024-05

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ASIO

Remembering the past, securing the future

Pott's Point, Sydney—ASIO HQ 1949–1951.

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The Australian Security Intelligence Organisation (ASIO) welcomes the opportunity to make a submission to the Parliamentary Joint Committee on Intelligence and Security review of the Counter-Terrorism Legislation Amendment (Declared Areas) Bill 2024 (the Bill).

The Bill extends the declared areas provisions in the *Criminal Code Act 1995* (the Criminal Code) for a further three years to 7 September 2027. The provisions prohibit Australians from entering, or remaining in, areas in a foreign country where terrorist organisations are engaged in hostile activities, without a legitimate reason.

ASIO acknowledges that two declarations have been made to date (Al-Raqqa province in Syria on 4 December 2014 and the Mosul district, Ninewa Province in Iraq on 2 March 2018), which resulted in four Australians being charged under the declared areas offence. ASIO is aware that the declarations contributed to a reduction in Australians travelling to Syria and Iraq conflict zones, and this played an important role in efforts to prevent Australians from becoming foreign fighters.

ASIO notes there has been a decline in the number of people who aspire to travel overseas to participate in or support terrorist activities since the height of the caliphate in Syria and Iraq.

While there are currently no areas declared, the security environment remains complex, challenging and changing. The National Terrorism Threat Level is POSSIBLE and terrorism remains a real and pervasive threat. In this regard, ASIO acknowledges that the declared areas offence is a necessary and proportionate tool to manage the terrorist risk to Australia in the current threat environment.