

Parliamentary Joint Committee on Intelligence and Security

Report by Statement

**A review of regulations listing Sonnenkrieg Division
as a terrorist organisation under the *Criminal Code Act 1995***

June 2021

Mr President and fellow Senators – I rise today to present a statement of the Parliamentary Joint Committee on Intelligence and Security for the review of regulations listing Sonnenkrieg Division as a terrorist organisation under the *Criminal Code Act 1995*.

Regulations that specify an organisation as a terrorist organisation cease to have effect on the third anniversary of the day on which they take effect. Organisations can be re-listed, provided the Minister is satisfied on reasonable grounds that the organisation continues to directly or indirectly engage in terrorism or advocate the doing of a terrorist act.

Sonnenkrieg Division has not been previously listed as a terrorist organisation by the Australian Government. It is the first extreme right-wing organisation to be listed in Australia. The Committee is currently conducting an inquiry into extremist movements and radicalism in Australia and may make further recommendations.

The regulations to list Sonnenkrieg Division were tabled in Parliament on 23rd March 2021.

Mr President, the Committee's review examines the Minister's decision to list this organisation. Section 102.1A of the *Criminal Code* provides that the Committee may review a regulation which lists or re-lists an organisation as a terrorist organisation and report its comments and recommendations to each House of the Parliament before the end of the applicable 15 sitting day disallowance period. This statement serves this purpose and is being presented within the required period.

In determining whether the regulations listing this organisation should be supported, the Committee reviewed the merits in accordance with the Minister for Home Affairs's explanatory statement, ASIO's statement of reasons for the organisation, and other publicly available information. This included a submission received from the Australia/Israel & Jewish Affairs Council. Their submission is supportive of the listing and makes note of the threat to the Australia-Jewish community by individuals and groups with extreme right-wing ideologies and suggests the Government to consider additional approaches to combating the threat.

In its deliberations, the Committee determined that:

- Sonnenkrieg Division seeks to encourage lone-actor terrorist attacks against its political, racial, and ethnic enemies. SKD members acting on behalf of the organisation, have encouraged, promoted, and glorified terrorist acts through online propaganda. SKD adheres to an ideology that is violently opposed to multi-ethnic Western societies and there is a possibility that a lone-actor attack directed or inspired by SKD could result in harm to Australians.

Mr President, whilst Australians are not directly involved in SKD its encouragement, promotion and glorification of lone-actor attacks could inspire some Australian extremists, and the availability of SKD propaganda online has potential to contribute to the radicalisation of others.

The Committee encourages the Government to continue investigating other like-minded organisations with a view to listing them as terrorist organisations under the *Criminal Code*, if they meet the criteria. The Committee will continue its own investigations in this regard through its concurrent inquiry into extremist movements and radicalism in Australia.

In examining the evidence that has been provided, the Committee is satisfied with the listing processes and considers that they have been followed appropriately for this organisation. The Committee therefore supports the listing of the organisation under Division 102 of the *Criminal Code* in order to protect Australians and Australia's interests, and finds no reason to disallow the regulations.

Senator James Paterson

Chair