



Australian Government
**Australian Security
Intelligence Organisation**

ASIO Submission to the Senate Legal and Constitutional Affairs Legislation Committee

Inquiry into the Criminal Code Amendment (Prohibition of Nazi Symbols) Bill 2023

April 2023



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Introduction

ASIO notes the *Criminal Code Amendment (Prohibition of Nazi Symbols) Bill 2023*.

ASIO is aware that nationalist and racist groups use hate speech and extremist insignia in their recruitment and profile raising. Globally, there can be links between hate speech and hate motivated crimes, including terrorism. The possession of extremist material has featured in many prosecutions of terrorist offences. The *Criminal Code Amendment (Prohibition of Nazi Symbols) Bill 2023* would assist law enforcement in early intervention. This submission explains how the display of extremist insignia such as Nazi symbols is a feature of terrorism and violent extremism, specifically Nationalist and Racist Violent Extremism (NRVE).

Threat of terrorism

Australia's National Terrorism Threat Level is POSSIBLE. ASIO assesses that while Australia remains a potential terrorist target, there are fewer extremists with the intention to conduct an attack onshore than there were when we raised the threat level in 2014. Most significantly, the threat from religiously motivated violent extremists has moderated. While we remain concerned about ideologically motivated violent extremism, we assess that the vast majority of these extremists are more likely to focus on recruitment and radicalisation rather than attack planning in the foreseeable future.

It remains entirely plausible there would be a terrorist attack in Australia. Our biggest concern is that individuals and small groups who could move to violence without warning.

Nationalist and Racist Violent Extremists adopt specific imagery and terminology to signal their ideology, build in-group belonging between adherents, and provoke or intimidate ideological opponents

NRVE are individuals who support the use of violence to achieve their ideologically motivated political, social and economic goals. While these goals vary, they generally involve the belief Australia should be a predominantly white nation which is isolated from the international arena and global institutions. Some NRVEs are overtly National Socialist and anti-Semitic, while others are primarily motivated by opposition to immigration, globalism and progressive government policies. Australians who have strong or even extreme views on these issues, but who do not support violence, are not considered to be NRVEs and are not of security interest to ASIO.

Nationalist and racist groups in Australia continue to focus on radicalisation, recruitment and preparing for, what they believe, will be the inevitable collapse of society and the opportunity to implement their beliefs. As most NRVEs believe this collapse is inevitable, they consider politically motivated violence to be unnecessary and potentially counterproductive at this point in time—but maintain in-principle support for violence under the right circumstances. A minority of NRVEs are 'accelerationists' who believe that actions—including violence and sabotage—which reduce social cohesion are necessary to accelerate the collapse and bring about the race war. Our greatest concern remains the threat of lone individuals or small cells who could mobilise to violence and/or sabotage with little or no warning.

NRVEs adopt specific imagery and terminology to signal their ideology, build in-group belonging between adherents, and provoke or intimidate ideological opponents. There is however, also substantial overlap in terminology between NRVE and the broader internet subculture as some NRVEs also adopt misleading terminology and symbolism, or co-opt existing non-extremist imagery.

Why are extremist insignia images so effective?

Extremist insignia is an effective propaganda tool because they are easy to remember and understand. They also can transcend language, cultural and ethnic divides; creating, distributing and understanding them is not limited to a select few or one cultural or language group:

- They provide immediate and personal access to the ideas and the ideology: any person who has access to a smart phone or a laptop (and an internet connection) can interact with the images and by that the ideology.
- Insignia is easy to acquire and, with freely available software, can be easily adapted for propaganda purposes. Production costs—whether time, money or obtaining raw materials—are very low; and due to the small file size of most images, they are easily distributable. Images and current technology enable any person, anywhere to be involved as producer, consumer and distributor. And by being involved, they can easily obtain status among their peers.
- Many images evoke emotions and most often focus on emotions that motivate action. They can also induce belief or inspire imitative behaviours by glorifying actions or individuals as heroic. Emotions can also include anger, admiration, adulation, and altruism through to feelings of tranquillity and calm. This emotional response plays to the desired influence the extremist producing and distributing the images is seeking to evoke.
- Insignia can convey complex ideological tenets that usually would be expressed in many words.