

Department of Foreign Affairs and Trade**Submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade****Inquiry into Australia's Maritime Strategy****Introduction**

As an island nation and continent to itself, facing three oceans, Australia is more dependent than most countries on the successful development and implementation of a national maritime strategy. Our geography confers major strategic advantages, including the protection which derives from a sea/air gap. But a coastline in excess of 37,000 kilometres, an Exclusive Economic Zone (EEZ) of some 11 million square kilometres, and a thinly-populated northern region also pose particular challenges. As a trading nation with global interests Australia's prosperity is also highly dependent on the security of sea lanes through our region and beyond, the maintenance of peace and stability, both in our region and in those of major trading and investment partners, and the effective functioning of the international system, including through the United Nations.

The key policies of Government for defending and advancing Australia's security and economic interests are set out in the 1997 Foreign Affairs and Trade White Paper, *'In the National Interest'*, and the 2000 Defence White Paper, *'Our Future Defence Force'*. A new Foreign Affairs and Trade Policy White Paper, *'Advancing the National Interest'*, is due to be concluded shortly. This submission outlines aspects of the role of the Department of Foreign Affairs and Trade (DFAT) in advancing national maritime strategy, and provides some examples of how the maritime capabilities of the Australian Defence Force (ADF) support the Government's foreign and security policy objectives.

Australia's Maritime Strategy

As the Defence White Paper states, the primary priority for the Australian Defence Force (ADF) is to maintain the capability to defend Australian territory from any credible attack. In terms of Australia's wider regional security strategy, the 1997 Foreign Affairs and Trade White Paper sets out four key components: maintaining a strong national defence capability; the security alliance with the United States; developing bilateral defence and security relationship with countries throughout the Asia Pacific, and strengthening multilateral security links in the region.

Given our geography, and that of the Asia-Pacific – a region dominated by oceans and featuring numerous archipelagos and islands, reliant on seaborne trade and crossed by major sea lanes, and richly endowed with marine resources – both the defence of Australia and advancing Australian interests in regional security depend heavily on our ability to access and use the maritime environment unimpeded. Our maritime capabilities - including not only those of the Royal Australian Navy (RAN), but also related and complementary capabilities of the Royal Australian Air Force (RAAF) and Army - must be adequate to defend our country; operate with those of our major ally,

the United States; and to work with other countries in the region and beyond to advance common security interests.

Regional and Global Security

Australia pursues a number of important interests through targeted and effective participation in the United Nations system. An important Australian objective in this context is to contribute to UN efforts to improve global security and, in particular, to enhance the stability and security of our own region.

The RAN, together with air and land forces, continues to assist UN Security Council authorised peace enforcement activities. For example, Australia currently contributes two major surface vessels to the Multinational Interception Force (MIF) in the Persian Gulf. The MIF was established by Security Council resolution 665 and enforces the embargo on Iraq. Australia's contribution to the MIF is an important demonstration of the Government's strong commitment to ensuring the full implementation of Security Council resolutions designed to address threats to peace and security and, more broadly, to upholding the integrity of the system of international law.

A second important contribution Australia makes to UN peace operations is by directly supporting peacekeeping efforts. While Australia's contribution to peacekeeping is substantially undertaken by land forces, both the navy and air force play a vital role in assisting the deployment and support of Australian peacekeepers while on duty. This is particularly the case in regional peacekeeping activities. In East Timor Australian naval and air assets provided similar assistance, at the UN's request, to other troop contributing nations.

ADF assets contribute to UN and other peace operations in a third, and increasingly important, way. Often in conflict-affected countries there is a need to evacuate personnel and provide emergency humanitarian relief. In our own region particularly, these conflicts can affect small island states with a lack of appropriate infrastructure. Evacuation and relief operations are often heavily reliant on RAAF and RAN assets with the reach, sustainment and ability to operate with limited external support. These would typically deploy with land force elements to effect an evacuation of nationals or to assist in relief operations. Such ADF operations to support essential humanitarian relief activities can maximise the prospects for successful peace building efforts.

Two regional examples – Solomon Islands and Bougainville

Following an escalation of civil unrest in Solomon Islands in mid-2000, the navy evacuated Australians and other foreign nationals. During that period of instability, an Australian naval vessel provided a neutral and secure venue for truce talks between militant groups. The navy also subsequently provided a vessel in support of the deployment in Solomon Islands of the International Peace Monitoring Team. In addition to providing an emergency medical evacuation capability, the ship's deployment off Guadalcanal was a visible reminder of the active backing of the Australian Government for the peace process in Solomon Islands.

Australian naval assets have also provided essential support to efforts to bring peace to Bougainville through the Peace Monitoring Group (PMG). During the initial stages of

Australia's involvement, HMAS Tobruk provided a neutral venue for the negotiation of a permanent ceasefire. More recently, RAN vessels have provided crucial logistics support to the weapons disposal process. A naval vessel also remains an integral part of the PMG's contingency plans to extract itself in the event of a rapid deterioration in the level of security on Bougainville.

Other Bilateral and Regional Links

Australia's standing as a capable regional defence power supports diplomatic and other activity in the region to advance Australian interests through close and productive relationships with other countries. Visits to countries in the region and beyond by RAN vessels are also an important symbol of our commitment to common security interests and to the maintenance of strong bilateral relationships. Our diplomatic missions provide significant support to such visits, and work closely with the Department of Defence at all times to develop productive cooperation and exchanges between the ADF and the defence forces of other countries.

Our membership of the Five Power Defence Arrangements (FPDA) with Malaysia, Singapore, New Zealand and the United Kingdom serves enduring Australian interests in the security of maritime Southeast Asia.

International Law of the Sea

Australia is a maritime nation dependant on the freedom of movement of its vessels and aircraft in maritime zones in its region and beyond. It is also dependant to a large degree on seaborne trade. Australia therefore has strong interests in protecting freedom of navigation as provided for in the 1982 United Nations Convention on the Law of the Sea. The Department provides advice to Government and participates in dialogue with relevant countries and international organisations to help ensure those interests are protected.

Piracy

Australia does not have a piracy problem in its own waters but does what it can to assist other countries in our region to deal with the issue, including through the activities of the Regional Piracy Centre, the International Maritime Board and the International Maritime Organisation (IMO).

The number of piracy attacks and attempted attacks around the world reported to the IMO in 2001 was 370, down from 508 in 2000, but still high by recent standards. Much of the piracy activity was concentrated in our region, particularly the South China Sea, the Indian Ocean and the Malacca Strait.

The Department sees regional initiatives as one important mechanism for combating piracy. DFAT supports work on piracy with the APEC Transportation Security Experts Group. This group drafted Ministerial Comments at its meeting in Brunei in April 2001 that encourage States to achieve, on an urgent basis, effective implementation of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (the "Rome Convention") and its Protocol for the Suppression of Unlawful Acts against Fixed Platforms located on the Continental

Shelf, and the IMO's guidelines and recommendations for suppressing piracy and armed robbery at sea. Australia is a party to the Rome Convention and Protocol as well as the Law of the Sea Convention. It has also implemented appropriate legislation through the *Crimes (Ships and Fixed Platforms) Act 1992* and Part IV of the *Crimes Act 1914*.

Illegal, unregulated and unreported (IUU) fishing

Australia has a strong interest in combating IUU fishing, particular within maritime areas over which it exercises sovereignty, sovereign rights and jurisdiction. The Department supports these interests through lobbying relevant countries and international organisations to cooperate in achieving stronger measures, including international agreements and arrangements, against IUU fishing. The Department also seeks cooperation from other countries in preventing trade in suspected illegal catches.

In our region, fisheries are a particularly important resource for most Pacific island countries – countries whose resources are otherwise generally limited. The Pacific Patrol Boat program in conjunction with ADF maritime surveillance advisers play a key role in assisting Pacific countries to police their EEZs and curb illegal fishing. The ADF's long-range air and naval capabilities also support the efforts of the Australian Fisheries Management Authority to protect Australia's natural fisheries resources, particularly in the area around Heard and McDonald Islands in the Southern Ocean. Earlier this year, Operation Sutton resulted in the apprehension of two illegal fishing vessels and 200 tonnes of illegal catch valued at two million dollars.

People Smuggling

People smuggling is a threat to national sovereignty and security. It is a form of transnational crime, and, as Australia is a destination country, it represents a threat to our interests. The International Organization for Migration estimates that four million people are moved illegally around the world each year, delivering between USD 7 and 10 billion annually to the organisers. Some of these people smugglers have links to other forms of transnational crime such as money laundering, document fraud, narcotics trafficking and arms smuggling.

Preventing illegal immigration by strengthening border protection is an important Government objective. The Government has adopted a comprehensive strategy to prevent unauthorised boat arrivals in Australia. The strategy is underpinned by the principle of encouraging intending migrants and would-be asylum seekers to use regular channels to seek entry to Australia and not to put themselves at risk in the hands of people smugglers by undertaking potentially dangerous sea journeys. The Government is committed to combating people smuggling and Australia's air and naval assets play an important role in preventing unauthorised boat arrivals.

DFAT works with other departments and agencies to deliver the Government's objectives. There are a number of elements to the strategy to prevent unauthorised boat arrivals. These include working with source and transit countries to strengthen effective protection for asylum seekers; disrupting the operations of people smugglers in source and transit countries; encouraging more effective regional cooperation to combat people smuggling and related transnational crime; and working with Papua

New Guinea and Nauru in establishing offshore processing arrangements for asylum seekers.

Effective surveillance and deterrence of vessels seeking to enter Australian waters carrying prospective unauthorised boat arrivals is another important element of the whole of government approach to combating people smuggling. Coastwatch and the ADF have for many years made important contributions to identifying vessels bound for Australia. The initiation of Operation Relex in September 2001 was a central element of the Government's strategy of preventing and deterring unauthorised boat arrivals.

Consular Support

ADF assets provide an important dimension to the Government's consular response in protecting Australians overseas during times of crisis. DFAT works closely with the Department of Defence to develop contingency plans, a key component of which includes the integration of ADF maritime resources – where operationally feasible – to assist in the overseas evacuation of Australian nationals.

Given the large populations of expatriate Australians particularly within the South Pacific and maritime South East Asia, forward-planning on evacuation options within the region is given close attention by DFAT. The priority of this work has been underscored in recent times by the tragic events of Bali and September 11. While neither event necessitated the evacuation of Australians, these crises nevertheless underscored the breadth of threats to Australians overseas and the enduring importance of contingency planning to protect our citizens abroad.

The integration of ADF assets is a critical element to our contingency planning for posts in the region. In examining options for ADF assistance, close attention is paid to linking evacuation plans with the ADF's operational reach. Development of the details of contingency plans is taken forward through close liaison between DFAT and the Department of Defence. The importance of ADF assets in contingency planning was underscored, as noted earlier, by the evacuation from Solomon Islands of 471 Australian nationals (and other approved foreign nationals from 24 countries) on HMAS Tobruk in June 2000.

There are strict protocols in place governing the deployment of ADF assets to assist with the evacuation of Australian nationals. The broad architecture for an evacuation, including the possible deployment of air and naval platforms, is outlined in a post's contingency plan. These contingency plans are maintained by all Australian posts. A decision to initiate an evacuation is made in close consultation with senior Ministers, following a recommendation by the Head of Mission. In the event ADF resources are required to implement the contingency plan, a formal request is made by DFAT's Consular Branch to Strategic Operations Division in the Department of Defence, with the agreement of portfolio Ministers. Throughout an evacuation operation, the work of DFAT and the Department of Defence will be closely integrated to ensure a well-coordinated response that protects Australian citizens overseas.