



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES
AUTONOMOUS SANCTIONS BILL 2010

Second Reading

SPEECH

Thursday, 24 June 2010

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date Thursday, 24 June 2010
Page 6665
Questioner
Speaker Robert, Stuart, MP

Source House
Proof No
Responder
Question No.

Mr ROBERT (Fadden) (6.17 pm)—I will make some very brief comments on the Autonomous Sanctions Bill 2010. The purpose of the bill is to strengthen Australia's autonomous sanctions regime by allowing greater flexibility in the range of measures that Australia can seek to implement, therefore allowing our sanctions, which we autonomously can put in place, to match the scope and indeed the range of measures that like-minded countries are seeking to put together. There is also a range of administrative and compliance issues that go along with the bill.

Suffice to say, we live in an uncertain world. In 1986, the International Year of Peace, 46 wars ravaged the globe. I look across the desk and see the Parliamentary Secretary for Defence Support. He and I have spent a fair bit of time together in uniform and overseas on operations serving our nation in uncertain times. War is a dreadful thing. Everyone would concede that it is a horrendous thing. To send young men and women into harm's way is not something an executive would seek to do lightly. At times, the profession of arms and forced combat is indeed necessary, but it behoves all executives and the parliaments which keep them accountable to ensure that we do everything possible before engaging in the ultimate battle of wills that is armed combat. Indeed, armed combat—the force of arms—should be used only as an absolute and utter last resort.

There is any number of options that any nation of the world can take forward before resorting to force. I think I join all members of the House in hoping, and indeed praying, for a world where the force of arms is not needed. Unfortunately, the reality is we must do everything to ensure the security of our borders, of our nation and of our national interest. One of the key measures that needs to be considered before the use of force has to be the use of sanctions, of economic might, of political muscle, of the strength of our argument and our ideas, backed up by the strength of our commerce, to achieve our political end state first, before the ultimate battle of wills may be necessary. This is the role of sanctions.

As we know, there are United Nations imposed sanctions whereby the UN seeks and passes a resolution for sanctions against a particular nation. And of course there are autonomous sanctions—sanctions imposed by individual countries. In the case

of Australia, we currently have a range of sanctions in place against countries such as Burma, North Korea, Zimbabwe, Iran and Fiji. These sanctions range from financial sanctions to travel restrictions and, of course, suspension of government-to-government links, not allowing ambassadors and the like to be there. The purpose of these sanctions is to send a very clear message that we as a nation will seek to stand up to tyranny, that we will not allow other countries to sink into anarchy, that we will protect the rights of democracy and that we will set an example of a First World nation as it seeks to do its bit in bringing about a world far freer from the threats of violence, from disease and from hunger. That is why various governments have taken the move to put sanctions against such dictatorial and brutal regimes as Burma, North Korea, Zimbabwe and Iran, and nations where constitutional democracy has unfortunately failed, like Fiji.

The challenge is that currently sanctions are imposed by relying on legislation that is intended for other purposes. I thought the Minister for Foreign Affairs in his second reading speech gave a very good example of where governments currently do that. For example, financial sanctions imposed autonomously by Australia are actually applied by using the Banking (Foreign Exchange) Regulations 1959. These regulations were originally promulgated for the protection of our nation's currency and the regulation of our foreign currency reserves. However, we have used that bill to provide the basis for financial sanctions against some nations of the world.

The purpose of the bill before us today, the Autonomous Sanctions Bill, is to provide greater flexibility and responsiveness in imposing sanctions from our nation on a range of countries without having to rely on using a range of other legislation that was not fit for purpose. Providing this flexibility and giving government the vehicle and the powers it needs to appropriately and legally impose sanctions for the betterment of mankind in other parts of the world is sensible, is right and is supported. Sanctions, where appropriate, are absolutely supported, especially if they are targeted and mindful of past events.

The coalition believes autonomous sanctions can play a very significant part in sending a very clear message. If we look at regimes like those in Iran,

North Korea and Burma—regimes where democracy is not permitted, where human rights are grossly violated, where independent political parties seeking to represent people are not allowed and where trade unions are not permitted—for these countries it is appropriate for a nation like Australia to seek to use sanctions to send a very clear message that freedom is not just for a few; freedom is for all. People in countries must be free to assemble under trade unions. As a Liberal, I actually take great pride in fighting for the rights of people to assemble in a trade union. They have that right and they should have that right to seek to come together. They should also have the right not to be a member of a union. They should have the right to join a political party and to seek office. People should have the right of free speech, cognisant of course of the needs of others. People should have the rights of travel and expression.

protect the rights of individuals through sanctions, and it certainly enjoys our support.

People should be able to enjoy freedom in all its realms and, as a first-world nation, we are not ignorant of the plight of others nor do we ignore them or turn the other way. We seek to use every measure at our disposal that is sensible, appropriate and warranted to achieve the end of sending a clear, appropriate and compassionate message that, whilst we care for the peoples of other nations, at times we do not care for their unelected dictatorial representatives. I would rather use sanctions to achieve a political end state and I would rather we seek to continue to use sanctions than move to rely upon force.

I am not blind to the fact that force is sometimes required, that it can be all too necessary. As we speak, there are 3½ thousand Australian combat soldiers deployed overseas on a range of operations seeking to assist, help and support people who are suffering under dictatorial, oppressive and brutal regimes and insurgencies. I am not blind to the fact that the force of arms is necessary and that the price of peace is eternal vigilance. There is no way for us to move away from that, but this bill provides the platform we need to allow appropriate measures to be used first, one of those being sanctions.

I note that there has been a range of privacy concerns raised by the coalition on this bill. I believe the bill is being referred to a Senate inquiry to further tease out some of those privacy issues that arise, because the bill facilitates access to information for purposes to allow the bill to be enacted. Whilst on the surface this would seem appropriate, the due course of parliamentary oversight does require the bill to be analysed in greater detail, and I certainly applaud the Senate for taking that move. The Autonomous Sanctions Bill 2010 will provide an appropriate framework for the executive to undertake the role of seeking to preserve freedom and