

# INTERNATIONAL TERRORISM AND AUSTRALIAN FOREIGN POLICY

The Standing Advisory Committee — Protection against Violence (SAC-PAV) is a major committee of a Commonwealth-State co-operative organisation devoted to protection against violence.

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IT is sometimes asked, particularly by those directly responsible for the more specialised, operational aspects of counter-terrorism, what place foreign policy has in combatting this problem.

The speeches of Foreign Ministers around the world and the pronouncements of diplomats all too often appear merely to be high-blown rhetoric, used by governments to disguise either an inability, or at times an unwillingness, to take the tough, sometimes unpopular, decisions necessary to make a real impact on international terrorism.

Terrorism is by definition a political crime. International terrorism, by extension, is an international political crime, with serious implications not only for relations between different countries but also for international society as a whole. This is particularly so in the case of state-sponsored terrorism, where terrorist tactics or terrorist organisations are used by countries as an instrument of foreign policy or as a means of conducting warfare through surrogates.

The responses of countries (individually and collectively) to the problem, and the effect of such responses on the international environment, all place international terrorism firmly within the legitimate concerns of foreign ministries.

As has been demonstrated by numerous incidents in recent years, the Australian Department of Foreign Affairs also plays a direct and important role in the collection of information, contacts with other governments (at various levels), the assessment of international reactions to terrorist violence, the protection of Australian citizens abroad and the Government's foreign policy responses to such violence.

Since the beginning of the 1980s, the frequency and deadliness of international terrorist attacks have risen dramatically, particularly in Western Europe and the Middle East. The increasing use of terrorist tactics by states like Libya, Syria and Iran, and the weight given to terrorist issues by the Reagan Administration, have all brought terrorism to the forefront of global politics.

More recently, the American bombing of Libya has raised serious questions over the use of force as a means of reducing the threat of terrorist violence.

As an active member of the international community, and a traditional ally of the United States, Australia has been called upon to take a public stand on a number of complex terrorist issues. There is also a growing public awareness of the scope and potential of the terrorist problem, to which the Government has needed to respond. Of concern to many Australians now is the possibility of a terrorist incident in this country or the danger of becoming involved in a terrorist incident while travelling overseas.

There has been no formal comprehensive statement on the foreign policy

aspects of international terrorism by the Hawke Government since it assumed office, but a number of Ministers and other senior Government representatives have referred to the subject on numerous occasions. By surveying these scattered references it is possible to identify six broad themes which run consistently through the Government's public comments on the terrorist problem.

Since 1983, Government members have stated on numerous occasions, in Parliament and elsewhere, their firm belief that 'terrorism and violence are unacceptable means by which to pursue political objectives'. Terrorism has been characterised as a destructive force more likely to harden attitudes and exacerbate differences between peoples than to achieve any political objectives. Australian representatives have also made it clear to whom they feel the term 'terrorist' should apply, directly confronting the moral and political confusion so often associated with debates on this issue.

In an address to the Australian-Lebanese Chamber of Commerce in Syd-



ney on 24 October 1985, for example, Foreign Minister Bill Hayden said:

*It is often argued that it is not possible to distinguish between a terrorist and a freedom fighter — that the use of one particular label is a purely subjective assessment depending on ones support for or opposition to a particular cause. However, there is a distinction. It is questionable to describe as a terrorist those who seek the overthrow of a cruel and repugnant regime through the use of force when all other efforts to achieve peaceful change have failed. But violence can never be justified if there are alternatives. Nor can the threat of violence against innocent civilians ever be condoned. Such actions are those of the terrorist.*

Mr Hawke was among those Commonwealth Heads of Government in Nassau in October 1985 who together 'condemned all terrorist activities whether perpetrated by individuals, groups or states, and resolved to counter them by every means available'.

The Nassau communique also 'acknowledged the duty of Governments to refrain from acts of, and encouragement to, terrorism in the territories of other states' and Australia has been quick to condemn states known to be engaging in or sponsoring terrorism.

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In July 1985, for example, after French secret service agents sank the Greenpeace vessel Rainbow Warrior in Auckland harbour, Mr Hawke condemned the action as a 'cold-blooded, premeditated act of international terrorism' and expressed Australia's support for the New Zealand Government's efforts to have those responsible brought to justice.

More recently, Australia has vigorously condemned Libya for its involvement in, and support for, international terrorism and has called on the Qaddafi regime to disavow terrorist violence as an instrument of Libyan foreign policy.

At the 1985 Nassau CHOGM Australia also undertook to resist the demands of terrorists. As acknowledged by the Special Minister of State, Mr Mick Young, on 17 October, the Australian Government has long held to a 'hard line' policy against making significant concessions to terrorists.

Australia already enjoys close working relations in the counter-terrorism field with its friends and allies. Our police and armed forces share information and techniques with their counterparts in friendly countries and there is a well developed intelligence exchange system with many

other countries on terrorist matters. Similar links exist in the field of airline security.

These exchanges are in addition to those conducted by Australia's diplomatic representatives abroad who, in consultation with specialist departments and agencies, are in continual contact with members of other governments on security issues, including aspects of the terrorist problem.

A fourth theme running consistently through the Government's statements on terrorist matters is that emphasising the peaceful resolution of disputes and reliance on international legal norms as the basis for responses by states towards this problem. In keeping with the Government's hard line against terrorism this approach does not extend to treating with terrorists themselves, but it strongly influences Australia's approach to these questions in multilateral forums and its responses to the counter-terrorist policies of other countries.

In October 1985 the Minister for Foreign Affairs put this commitment to legal processes into a practical perspective when he said:

*... every legal effort should be employed to apprehend and bring to justice those responsible for acts of terrorism. It is to be hoped that the capture, prosecution and punishment of those responsible for terrorist attacks will act as a deterrent to other would-be terrorists. It should also encourage Governments to seek to exercise the due process of law in punishing such people rather than resorting to armed retaliation which serves only to expand the cycle of violence.*

Australia has spoken out strongly against countries claiming to fight terrorism, where the actions of such countries were considered to be in violation of international law. In October 1985 it condemned Israel for its bombing raid on a Palestinian base in Tunisia and called on Israel to respect the norms of international law.

As it had done in 1973, Australia strongly criticised Israel in February 1986 for its interception of a civilian aircraft thought to be carrying terrorists. On the latter occasion Mr Hayden stated that he 'could understand the motive of Israel in seeking to act against international terrorism, but that did not justify this interception of a civil aircraft in international air space'.

Such sentiments were relatively muted, however, when United States jet fighters forced down an Egypt Air Boeing 737 carrying the terrorists responsible for the seizure of the Italian cruise ship Achille Lauro, and the death of an elderly American passenger.

The Acting Prime Minister stated in Parliament on 16 October 1985 that Australia supported the American action, but a carefully worded message sent to President Reagan the same day avoided any explicit expressions of approval.

Explaining this apparent difference in

Australian standards, as applied to the Americans and the Israelis, Mr Hayden later told Parliament that 'it is not possible to state in a general way how or when the interception of a civil aircraft in international air space may be justified. Much will always depend on the prevailing circumstances at the time'.

The importance Australia places on international legal efforts to combat terrorism is perhaps most clearly seen in the area of multilateral agreements. Since the

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adoption of the Tokyo, Hague and Montreal Conventions on air safety and the 1973 New York convention on crimes against internationally protected persons, a number of other international instruments have been negotiated to cover offences which may be regarded as acts of terrorism. These include the 1979 International Convention Against the Taking of Hostages and the 1980 Vienna Convention on the Physical Protection of Nuclear Material. Australia is a signatory to the latter instrument and has begun action formally to ratify it. This will be possible when the Nuclear Non-Proliferation Safeguards Bill (introduced into Parliament early in 1986) becomes law.

Australia is not a signatory to the Hostages Convention but proposes to accede to it in the near future. Once this is done Australia will be party to all international conventions against terrorist acts.

The fifth theme running consistently through official Australian statements on terrorist issues is the important role played by multilateral institutions such as the United Nations, the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO). Both Liberal-Country Party and Labor Party Governments have turned to these bodies to achieve broad-based co-operative measures against international violence, including terrorism.

In the Sixth (Legal) Committee in particular, Australian delegates have made significant contributions to UN debates on terrorist issues. As a member of the Security Council (and President for a month) Australia was also in a position to play an active part in the consideration of a number of significant terrorist issues which arose during the 1985 UN session.

Following the Achille Lauro seizure, for example, the Council unanimously agreed with a Presidential Statement which condemned the hijacking and 'terrorism in all its forms, wherever and by whomsoever committed'.

After a number of kidnappings, including the abduction of an Australian couple to Afghanistan, Australia co-sponsored Security Council Resolution 579, which condemned unequivocally all acts of hostage-taking and abduction. It called upon all states to take measures to secure the safe release of hostages and to facilitate the prevention, prosecution and punishment of all acts of hostage-taking and abduction.

Australia has also supported action against international terrorism in specialised multilateral agencies like ICAO and IMO. It is co-sponsor of a Canadian initiative on airport security, which is currently being considered by ICAO's Legal Committee.

In the wake of the Achille Lauro seizure Australia co-sponsored an IMO resolution drafted by the United States which called upon all governments, port authorities, shipowners, shipmasters and others to take steps to review and, as necessary, strengthen port and onboard security. Australia also participated in the drafting of the final resolution at the IMO Assembly in November 1985.

In keeping with this emphasis on the peaceful and legal resolution of political disputes through international negotiating groups, successive Australian governments have called for countries and multilateral organisations to look beyond purely preventive and reactionary counter-terrorist measures to an appreciation of the root causes of extremist violence. Since 1983 the Government has called for a serious commitment to the elimination of factors which, in many instances, have contributed to the rise of international terrorism.

Such an approach has not always met with a very warm welcome. Israel, for example, has criticised it as a 'total non-starter'.

The Government believes it is pursuing a 'very even-handed' policy towards the Middle East. It 'respects' but sees certain shortcomings in Israel's position. It also recognises the 'justifiable claims' of the Palestinian people and accepts that the PLO has a role to play if there is to be any peaceful and durable conclusion to the problems of the region. This role, however, depends on acceptance by the PLO of Israel's right to exist.

The six themes which consistently run through Australian foreign policy state-

ments on international terrorism can all be seen in the Government's responses to Libyan terrorism, in particular its reaction to the bombing of a West Berlin discotheque in April 1986 and the American bombing raids on Tripoli and Benghazi which followed.

Australia had been monitoring Libyan activities for some time prior to 1986, including its possible involvement in a number of international terrorist incidents and increasing Libyan interest in the Pacific. As a sign of the disfavour with which Australia viewed the policies of the Qaddafi regime, a number of protests were made and official restraints introduced to limit the bilateral relationship. These measures were extended in January 1986, after the Prime Minister received a letter from President Reagan outlining American responses to terrorist attacks at Rome and Vienna Airports on 27 December 1985.

Presented with 'fairly convincing evidence' of direct Libyan involvement in these two incidents, Federal Cabinet announced that the level of official Libyan representation in Australia was to be reduced from seven to five and, pending an official review, no new places were to be made available in Australia for Libyan students. In addition, the Australia Trade Commission was directed not to provide finance and insurance facilities for new Australian business with Libya, apart from contracts in the food and agriculture sectors.

These measures were taken 'as part of collective international measures to demonstrate to Libya that its behaviour in support of international terrorism is totally unacceptable to the international community'. Despite American calls for comprehensive economic sanctions, the Government did not agree to any further restriction on commercial activity with Libya. It said, however, that Australia would be prepared to consider trade sanctions if they had widespread international support, and thus a greater likelihood of being effective.

When the United States launched a series of bombing raids against Libya on 15 April, Mr Hawke told Parliament that the Government:

*... deeply regrets that this conflict has taken place and urges both sides to suspend hostilities and engage in genuine*

*efforts to bring about the peaceful resolution of their differences.*

Australia accepted, however, that 'there is a substantial body of evidence of Libyan involvement in and direction of international terrorism', including 'apparently compelling evidence' of direct Libyan links with the bombing of the Berlin nightclub. The Australian Government called for Colonel Qaddafi to 'terminate his Government's indiscriminate export of terrorist activity against civilians and civilian targets, especially United States civilians'.

In surveying Australian statements on the international terrorist problem it is immediately apparent that there is a remarkable consistency in the approaches taken by the Hawke Government and those taken by earlier Administrations, whether they be Coalition or Labor. Since the 1960s there have been certain variations of emphasis or delivery, reflecting developments in the nature and dimensions of international terrorism, and in the global environment generally, but no appreciable departure from the anti-terrorist policies first announced years before.

The policies adopted by successive Australian Governments towards international terrorism have been consistent largely because they reflect something more fundamental and enduring than any particular party line or official point of view. Responding to demands for national positions on terrorism over the years, Australia's policy makers have been inspired by the same perceived national interests which have always governed Australia's approach to certain international phenomena.

Successive Governments have drawn too on the same deep-seated values, and attitudes to indiscriminate violence, which have characterised the Australian community since it first became aware of the terrorist problem. As these attitudes have remained largely unchanged so the Government policies reflecting them have done the same.

Should Australians become more directly affected by terrorist violence — either at home or abroad — this situation may change, but unless and until these community values markedly alter, it is unlikely that Australia's foreign policy responses towards international terrorism will change.

## Pinstripe and Lovelace

