

**THE HON RICHARD MARLES MP
SHADOW MINISTER FOR DEFENCE
MEMBER FOR CORIO**

**E&OE TRANSCRIPT
TV INTERVIEW
AM AGENDA
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SUBJECT/S: Mosul; South China Sea

KIERAN GILBERT: This is AM Agenda, with me now the Shadow Defence Minister, Richard Marles. Some progress it looks like in terms of taking back Mosul for the Iraqi Forces. Yesterday Andrew Shearer, the former advisor to Tony Abbott said Australia should be doing more. There would be disappointment from the US that we don't have an accompanying role with the Iraqi Forces. What do you say to that? Do you think that's fair enough?

RICHARD MARLES: I think our role we're playing in this campaign is appropriate. It's obviously one that's been worked through with the US. It is a very significant moment, the beginning of the taking of Mosul and obviously there's a long way to go before that occurs, but everybody will be hoping and praying for that result. Given Mosul's position in terms of the territory that ISIL has held over the last couple of years, the second largest city in Iraq, it is a very critical moment.

GILBERT: Where they declared their caliphate as well. So symbolically it would be a huge one.

MARLES: Obviously it is a critical moment in terms of defeating ISIL. But denying ISIL the legitimacy of being able to claim that caliphate is very important in terms of the international movement. I think the other point to make is Australians are involved in terms of the training being provided in terms of their support. I know everyone is very proud of the contribution they're making.

GILBERT: I want to ask you, you've copped some flak from Paul Keating, from three former Ambassadors over comments you made in relation to the South China Sea. I just want to give you a chance to respond to that criticism and clarify once and for all. When you say that operational decisions should be ceded by politicians to military commanders; obviously you've got to set the parameters first of all. Would that include, would you, a Labor government if you were elected, would that include within 12 nautical miles of this reclaimed territory?

MARLES: Well let's just clear up the question of the relationship with the ADF. We've been trying to talk about this in an in-principal way because that's all you really can do from Opposition. In that sense we've been trying to talk about the political authority that ought to be given here. Now obviously operational details of this kind are going to be worked out by

the ADF and by the military and that's the point I was trying to make. But, the ultimate approval for any operation is clearly going to be made by government. I actually did make that point last week and in that we wouldn't be acting any differently from governments in the past.

GILBERT: Just to clarify, because it is important. Labor wouldn't authorise freedom of navigation exercises within 12 nautical miles?

MARLES: Let me come back to the substantive question in a moment. But – in a sense this side issue of the question of the relationship with the ADF – I do want to make it really clear that a significant operation of that kind would ultimately require the approval of government. We're not trying to make any point there – we would be acting consistently with governments of the past. In terms of the substantive issue that you've raised, we support freedom of navigation which asserts the UN Convention on the Law of the Sea. We regard the decision that has been made by the Court of Arbitration in relation to the construction of the artificial islands by China as a very significant decision. Australia does have a critical interest in terms of freedom of navigation because of the substantial trade that goes through the South China Sea.

GILBERT: But it doesn't go within 12 nautical miles of these reefs. Would you go within the 12 nautical miles?

MARLES: As I say, we support freedom of navigation which asserts the UN Convention on the Law of the Sea. That is what we've been consistently saying for months now. And it is what I said for example in the interview –

GILBERT: So that would open up the prospect of 12 nautical mile territory?

MARLES: As I say, we would support freedom of navigation which asserts the UN Convention on the Law of the Sea. The precise operations that are going to occur at the end of the day are going to be a decision for government – bearing in mind the circumstances of the time, bearing in mind the operational advice that's being received by the relevant agencies, in this case the ADF, and bearing in mind consultations you would inevitably have with your friends and allies given their circumstances.

GILBERT: So it's possible, you're open to that option?

MARLES: The principled statement that we can make from Opposition – in all of those matters we are not the Government, we are not privy to all of those conversations with friends and allies, that's fair enough, they ought to be had behind closed doors. The principled statement we can make and the one we are consistently making is that we support freedom of navigation which asserts the UN Convention on the Law of the Sea.

GILBERT: So let me ask you then. So it sounds like it's a possibility within 12 nautical miles of the territories claimed by China, would you do the same within territories claimed by the Philippines, Vietnam and others contesting? Because that's an important question as well. There are other territories that the Philippines and Vietnam claim that are disputed. Would you contest that as well?

MARLES: All we can talk about from a position of Opposition is the statement of principle which I've just articulated. I'd also make this point – in relation to the underlying sovereignty claims in respect of various reefs and islands between the countries of the region, we've consistently said, and indeed this has been the case across a number of Australian governments, we don't take a position in relation to those claims, that we hope they are

worked out through negotiation. Indeed we have been active and we were, during the Rudd-Gillard years, in trying to build regional infrastructure which allowed that to occur.

GILBERT: Why then is Labor pushing the line that you might test it in relation to the Chinese reclaiming territory? Because that international tribunal, one, the US haven't ratified that particular convention under which that decision was made and, secondly, the Chinese don't recognise it.

MARLES: Firstly, there is a complete difference in terms of the reclaiming of the reefs which is being undertaken by China. I think we all understand that. As I say, the decision that was made by the Court of Arbitration we regard as very significant. The principle point here, which is the one we can meaningfully make from Opposition, is freedom of navigation which asserts the UN Convention of the Law of the Sea. The reason why it's important that we do that is because so much of our trade and indeed over flight occurs in this part of the world and so we do have a significant national interest.

We've been making that point, and I want to make one other point Kieran – we don't seek to make partisan contests with the Government on this. This does need to be beyond the partisan frame. It is disappointing to look at the way in which the Foreign Minister has gone about this to try and make a partisan issue out of this. This should be apart from politics.

GILBERT: Mr Marles, thanks for your time.

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