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**E&OE TRANSCRIPT
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SUBJECTS: Military assistance to the Philippines; North Korea; Citizenship

HOST: To talk about those issues, as well as some of the wider domestic political issues, we are joined now live from our Geelong studio by the Shadow Defence spokesperson, Richard Marles. Thanks very much for your company.

I might go to the first of those two security issues that Paul was talking about in his editorial, that is to say the threat, the risk, the concerns attached to IS gaining a foothold in the southern Philippines: would you describe that, at the moment at least, as Australia's greatest security challenge?

RICHARD MARLES, SHADOW MINISTER FOR DEFENCE: It's certainly one of the greatest security challenges that we face, and I heard Paul's editorial and frankly I agree with that. It would be enormously concerning for Australia if ISIS-inspired groups gain a foothold in South East Asia, and we need to be very alive to this and doing everything we can to prevent this from becoming a reality, and that does mean working as much as we can with the Phillipino Government.

HOST: Can I just ask, therefore, does Labor essentially support, so far, the position taken by the Government, with Julie Bishop indicating that we are prepared to provide military assistance, support and training?

MARLES: Yes, and that's the sort of assistance that we've been providing elsewhere in the world, and as you know, Paul, we are providing a degree of assistance right now in the Philippines.

It is a matter, of course, of working with the Phillipino Government. We need to be doing this at their invitation and in cooperation with them. At the end of the day, that's going to be the single biggest practical limitation on the extent to which we can participate, but this directly engages our national interest – be assured of that. It's very important that we are as active as we can be to preventing IS-inspired groups from getting a foothold in South East Asia.

HOST: Now, we know this is a pretty obnoxious Philippines government, given all the shootings and so on, and given all the executions, and there have been a number of protests about that. To what extent should that factor be a limiting factor for us in supporting that government against ISIS, or should we simply assess this in terms of the threat coming from ISIS itself?

MARLES: We need to be combating IS-inspired groups around the world, and obviously particularly within our region, and we need to be doing that with a high degree of energy. It's to state the obvious that the world out there is complex and often you don't get to choose the partners that you work with, and what that means is that we need to be very clear-eyed, therefore, about what is our national interest, and our national interest, and I've described, is certainly to not have ISIS-inspired groups within the region.

It's also important that as a country we are prepared to express the values which underpin our nation. Now, we've done that in relation to the United States, for example, with the immigration travel ban that the President sought to put in place the beginning of this year. We've made our criticisms in respect of our greatest ally, the country which is the centrepiece of our national security framework. It's important that we stay true to ourselves in terms of how we articulate issues on the global stage.

Just because we work with a government in dealing with ISIS doesn't mean that there is an endorsement of every policy that they undertake.

HOST: Now, how important is it, in terms of what we do in the southern Philippines, to work with other countries, to be seen to be working with other South East Asian countries who are clearly concerned about that? What's your reading of the concern in South East Asia about the situation in the Philippines, and the extent to which other countries in the region are also getting involved?

MARLES: I think if you look at what is occurring now in Iraq and Syria, and indeed what's occurring in Afghanistan in combatting global terrorism there, one of the real strengths of those efforts is that they are multinational efforts and there is a huge degree of cooperation from countries around the world. I think it's for that reason that it's important that we play our part in that region of the world.

It stands to reason, then, that we should absolutely be trying to have as great a cooperative relationships as we can with countries when we're dealing with any potential IS-inspired threats in this region, and I think the countries of South East Asia are engaged in this. They are aware of the threat of foreign fighters coming back from the Middle East to South East Asia, what that would mean in terms of raising the threat of terrorism within South East Asia, and we've seen incidents over the last 12 months which have focussed on countries within South East Asia. I think there is an intent there to deal with this, and it's very important that we work cooperatively with those countries.

HOST: Let's go to North Korea. Malcolm Turnbull raised this week the possibility of China cutting of oil supplies to North Korea, and he was strongly criticised for that. Did Turnbull make a mistake or not?

MARLES: China is the key to this, and you said that in your editorial and I agree with that. China can do more, but China has done a fair bit up until this point, and China has been moving in the last few weeks, and that's the point that we need to be focussing on.

The Chinese support for the UN Security Council resolution, I think, was very significant. The Chinese tightening of sanctions on North Korea which saw a reduction of the importation into China of commodities such as iron ore, which was providing North Korea with much-needed hard currency – very significant step. I was critical of China earlier this year for actually increasing their imports of iron ore, as an example, from North Korea, but that they are now putting in place sanctions in respect of that I think is very positive.

So, we need to be commending China in what they've done so far, but acknowledging that China is the country which holds the key, and that there is more that can be done, and I think if you take a step back from there we need to be pursuing every diplomatic avenue we possibly can be in respect of North Korea. China is clearly fertile ground in terms of trying to pursue other diplomatic avenues.

HOST: So, did the Prime Minister make a mistake this week? Did he mis-speak?

MARLES: Well, I think it is right to be making it clear that China is the country which holds the key, and I think it is important that we are providing options by which China can act in the future. I think it is very-

HOST: -But Mr Marles, I think Paul's point, though, correct me if I'm wrong, I think Paul's point is that because the Prime Minister was so forceful with his rhetoric around China, you would know as well as anyone that that is potentially counterproductive if China is the key to their involvement. Do you think he went too far?

MARLES: I'm not about to criticise the Prime Minister in relation to this. I think the issue here is that we need to be engaging China as much as possible, but the point you just made there, Peter, is also true: we need to be bringing China along, obviously. It doesn't assist if we've got a situation where China turns its back on the global effort.

Now, right now, seeking to engage China has been the right strategy of the global community, and indeed the US have been pursuing that, and there has been progress. We've seen China be more active in the last month, and that's what we need to continue working on.

HOST: Do you agree with Donald Trump when he says the time for talk is over when it comes to North Korea?

MARLES: Well, I'm not exactly sure what he means in relation to that. What I do think is that the time for diplomacy is certainly not over. We need to be pursuing every-

HOST: -You generally need to be talking for diplomacy to still have a role, though, so it sounds like-

MARLES: -Agreed

HOST: -Donald Trump is suggesting that that's over.

MARLES: Well, I agree that talking is a critical component of diplomacy. It is a huge call, and not one that I would make, to say that diplomatic efforts are at their end.

I agree with what General Mattis said, the Secretary of Defense, that were we to see conflict on the Korean Peninsula we would be viewing conflict of a kind that has not been seen in the lifetime of most people on the planet. It would be absolutely horrendous, and what that means, then, is there is a huge premium on taking every diplomatic step that be taken before we get anywhere near the reality of that prospect, so I'm am very much of the view that every diplomatic effort needs to be pursued. That's why we need to be trying to engage China.

That's not going to be an easy path forward. I absolutely acknowledge that, but we do need to be engaging China in terms of how they relate to North Korea.

We also need to be bringing the global community together, and there have been good steps in respect of that over the last few weeks, the UN Security Council resolutions being a case in point, but I certainly think there is a long way to go in terms of pursuing the diplomatic road.

HOST: Given that in the past North Korea has not responded to economic sanctions, those sanctions have not had a significant impact on North Korea's outlook, to what extent are you optimistic that this new round of significant increase in sanctions is likely to have any impact?

MARLES: Well, I think we've got to give it the opportunity to work is the really the answer to that question, Paul, and that opportunity we don't see playing out over the course of a few days. We've got to give it the time to actually bite.

But I'd also make this observation, and in a sense it's one that the Prime Minister made during the week, as well, and that is that were North Korea to initiate conflict it would be very counterproductive in terms of the future of the regime itself. That says to me we are still a fair way from the point at which North Korea acts, and acts unilaterally, and on that basis it does provide the space for diplomatic efforts to be pursued, and I think we've got to give the time for this round of sanctions to see whether they can have an impact on shaping the behaviour of North Korea.

HOST: We're going to take a break here on Sunday Agenda. We're talking to the Shadow Defence Minister, Richard Marles, live from Geelong. We'll continue the discussion and move into some of the domestic political issues in the mix ahead of the return of parliament when we come back.

[AD BREAK]

HOST: -Korea and South East Asia, we're speaking to the Shadow Defence spokesperson, Richard Marles.

HOST: Richard Marles, is it your view that a military option in relation to North Korea must remain on the table as an option, or given what you've just said about the disastrous consequences of any military conflict, is the reality that it's got to be, in fact, in practice, off the table?

MARLES: I think we need to be pursuing every diplomatic avenue that we can be. There is a whole lot of military presence on the Korean Peninsula right now. I think that speaks to the significance of the military equation which ultimately underlies the terms on which any discussions are taken. So, the military option is there. I mean, it's present every day, but we need to be doing everything we can to be pursuing a diplomatic outcome to this, because the alternative is absolutely appalling.

HOST: How concerned are you in the management of this that President Trump, that the Trump administration, has just for months and months sent a whole collection of mixed messages, the President saying one thing, the Secretary of State, Secretary of Defense, saying something else. I mean, it's been a tremendously confusing collection of messages. How much of a problem is this?

MARLES: This a version of a conversation that we've all been having, really, since January of this year. I think that international relations, national security policy, is best dealt with in a predictable way. I don't like the idea of diplomacy by tweet. I think what has served the region so well, and indeed the globe so well, is a sense of predictability against a backdrop of a rules-based order. That's why our relationship with the United States is so important.

Now, having said all of that, we have a President in power at the moment who would see his unpredictability as being a virtue, and whatever we think about that, whether we like it or not, it is the reality-

HOST: -Well, do you think it's a virtue? I mean, on that particular point, OK, Donald Trump might think that being unpredictable's a virtue: what's your view about that?

MARLES: Well, I think I've just stated my view, which is that predictability in global affairs is what I think is the best way forward. That's how I think Australia should go about its business and I think the way in which countries have dealt with issues on a global basis in a predictable way is what has served a peaceful and prosperous world which underpins the prosperity of the region that we live in.

The reality is, though, that that's not what we face this current American President. He does things in a different way, and in a sense what I think or don't think doesn't really matter. We've got to deal with the circumstances that we are now dealing with, and Donald Trump may well argue that his unpredictability is bringing about results.

This is the situation we are in. All I think we can do is continue to make sure that we are very clear, from an Australian point of view, about how we see the world and what our interests are here, and when it comes to North Korea there is absolutely no doubt that a North Korea with a nuclear capability and an intercontinental ballistic

missile is an enormous threat to the world. It breaches a whole range of international conventions. It breaches the resolutions of the UN Security Council. We need to make our condemnation of North Korea in that regard total and complete.

At the same time, we need to be making it very clear that the resolution of this needs to be pursued with diplomatic means.

HOST: Just switching to domestic affairs, will Labor accept any situation where Barnaby Joyce becomes acting prime minister at any point over the next several weeks before the High Court decision, and what can you do about?

MARLES: Again, this is ultimately a matter for the Government, but our position in relation to the way in which the Government should be handling Barnaby Joyce's situation has also been clear, and it's a no brainer: Barnaby Joyce should be put on the bench until the uncertainty around his status is resolved, and that ought to be the same for all of those who are finding themselves in a situation of needing to await a High Court decision.

That's in effect what the Government did in relation to Matt Canavan. The fact that they have a different set of rules now applying to Barnaby Joyce, presumably because he is the deputy prime minister and in the House of Representatives speaks to how completely inconsistent they've been on this.

But it also speaks, Paul, to the total lack of authority that the Prime Minister has in trying to deal with this situation in any normal and sensible way. I think the whole question of citizenship is going to come and go, and it's going to be resolved and kind of be ancient history before we know it, but what's going to remain and linger is the inept and hysterical and shrill way this government has dealt with this particular situation at hand.

No-one is going to forget quickly that our Foreign Minister went out and said in relation to all of this that our relationship with New Zealand is dependent upon who wins the New Zealand election. Now, that's an appalling thing for a foreign minister to say, and it breaks a golden rule of diplomacy.

We've learnt so much about the Government in terms of its reaction to this whole situation, far more than the effect of the situation itself, and I actually think that's what ought to concern Australians most.

HOST: Why on earth won't Bill Shorten just provide the paperwork to show that he actually did in fact renounce his British citizenship by descent? I mean, he says that he did. I don't actually doubt him once he says it, but it would be nice just to see the evidence. Tony Abbott provided the evidence when this whole saga started that he renounced his British citizenship upon entering parliament. Why won't Bill Shorten show it?

MARLES: We need to be really clear about the situations here, Peter. If people have issues such that they need to refer themselves or be referred to the High Court for the High Court's consideration, then so be it, and that's what should occur. In respect

of everyone else, I think the idea that we are now going to require everyone to come forth with their material is counter productive.

There's no-one out there suggesting that Bill Shorten has-

HOST: -Why is it counterproductive when there's so many doubts? A number of the people who have been referred to the High Court, had they not done it themselves they would be able to do exactly what Bill Shorten is doing and just simply refusing to release information. Now, the difference is that they presumably didn't have that information. I believe Mr Shorten that he does, but I just for the life of me can't understand why he wouldn't just stop questions needing to be asked about this by releasing them.

MARLES: No-one is suggesting Bill Shorten has an issue. There is no-one out there suggesting Bill Shorten has an issue. That is not the case in relation to Barnaby Joyce, in relation to Matt Canavan-

HOST: -But how would any of us know that, Mr Marles. I know this is a bit unusual, because the concept of having to prove one's innocence is an unusual one under the rule of law, but Section 44, in a sense, does reverse-

MARLES: -I'm actually not sure that that is right. Those who are in front of the High Court now are there because issues have been raised in respect of them. No-one has raised an issue in relation to Bill Shorten, and it's as simple as that.

HOST: But that's because he won't show us anything. If he would show us the documents saying he renounced it, all over, we move on, we're wasting our talking about this, but for some reason he won't show it and I'm the last person to jump on some sort of conspiracy theory bandwagon. I never did during years of Tony Abbott refusing to release citizenship papers, but the second that Section 44 was in the headlights, bang, he did it on Twitter. I just don't understand why Bill Shorten won't just resolve this.

MARLES: And then we get to a point where every member of parliament is being asked to provide the birth certificates of all four of their grandparents. That's not where we need to be ending up here. The issue here is that there are a number of MPs for whom issues have been raised about them. Those MPs have referred themselves to the High Court. No-one – no-one – is suggesting that there is an issue with Bill Shorten, and what this is is a diversion on the part of the Government away from the fact that they have a real issue in respect of their deputy prime minister, who does have an issue. By his own confession, he has an issue.

HOST: I've got to say, Mr Marles, I think there's a little bit of a gilding of the lily in that. It's not just Bill Shorten, but Ann Sudmalis, others as well. There are question marks over quite a few MPs. That's why I favour what *The Australian* newspaper editorialised and what the Greens want – and unusual alliance, there – which is some sort of full audit so that we can actually have some certainty here. There are question marks hanging over a lot of MPs. I think that the Australian public deserves to have a line ruled under this once and for all. Perhaps after the High Court cases are determined around Section 44: you'd support an audit then?

MARLES: I don't accept that there is a question mark hanging over the MPs in the way that you have described. There's no question mark hanging over Bill Shorten. The MPs who are in front of the High Court right now have raised question marks in respect of themselves because there is material out there.

If there was the slightest suggestion, like a real suggestion, that Bill Shorten had a problem, I guarantee you Malcolm Turnbull would have that information in front of your right now. The reality is there is no issue. This is trying to just create a smokescreen in respect of the whole situation given what the Government is currently facing and how ineptly the Government has been dealing with it.

HOST: Surely we're in a situation where if the High Court finds on a strict or conservative interpretation of Section 44 that Barnaby Joyce is not eligible and there has to be a by-election in New England and many of the other MPs are also found against as well, surely at that point there's going to be enormous pressure on the parliament to demonstrate its legitimacy and its integrity by having some sort of independent process to test how many other people are involved?

MARLES: I think we just need to take a deep breath here and not get beyond the situation. There are a handful of MPs who have issues that have been raised in relation to them, issues that you can clearly see by examining where they've been born or where their parents have been born, and the High Court will make a ruling in relation to that.

The Labor Party has a system in place where we are asked, all of us are asked, before we nominate for public office, where our grandparents, our parents, and where we ourselves were born, and based on the answers to those questions research is then undertaken about whether or not-

HOST: -Mr Marles, a political party is a private organisation. Government policy across a host of private organisation requires a public accountability, so why when it comes to the Labor Party, as a private organisation, albeit doing what I don't doubt is quality vetting, but why does it not get the same public scrutiny that every other private organisation has under the oversight of various regulators, rather than us just take the Labor Party as a private organisation on its word? It's one rule for a political party, and it's a whole other rule for every other private organisation operating in society. I just don't understand it.

MARLES: Well, I don't for a moment think that's the case, Peter. You can be sure that there is a whole lot of vetting and scrutiny which is currently underway by media organisations and by our political opponents in relation to the citizenship status of everyone. I think getting to a point where all MPs are now required to provide the birth certificates of our grandparents would not be a healthy place for our democracy to end up.

There are a number of people who have issues which, had vetting been done, would have been found out straight away. It wasn't. I don't think that means that the sky is about to fall in. I don't think it's the end of democracy as we know it. The High Court has a decision to make. They'll go and make it. Depending on the outcome of that, some of

these situations can be remedied, others, you know, I actually think Barnaby's situation, he's going to work that out one way or another.

What I find amazing in the whole process here is the way in which the Government has acted. They have absolutely botched this from the outset-

HOST: -You've made the point about the Government. Let me ask you directly: are you therefore entirely confident that there is no other member of parliament who is a dual citizen, apart from the ones that have been referred to the High Court? Are you entirely confident of that?

MARLES: Well, I'm confident of the Labor Party's processes-

HOST: -No, I asked you about, I'm not asking you about Labor, I'm asking you are you entirely confident that there is no other MPs who is a dual citizen?

MARLES: What I'm confident about, Paul, is that our system of government, including our judicial system, can deal with this situation and can deal with it without too much difficulty. I am completely confident of that, and in addition to that I am confident about the Labor Party's processes-

HOST: -But it clearly can't, Richard Marles. It clearly can't, because Scott Ludlam was there for a really long time. Larissa Waters as well. Barnaby Joyce, I mean, he was elected back in 2004 and he's been on both houses of parliament and he was a Kiwi the whole time. The system clearly can't deal with it. It clearly can't. We need some change here. This is a classic example, surely, where we need independence in the vetting process, an audit for those that have not had that to date, and then going forward a new system which is done independently to confirm whether or not we have illegal citizens of other countries representing Australia in the parliament. I mean, frankly, it is the theatre of the absurd and the public have every right to look at this and just say 'what a joke'.

MARLES: Peter, I respect you greatly, but at this point we need to take a breath. Illegal non-citizens? I mean, there was a lot of phrases that just came out there. We actually need to add them up and just for a moment ground ourselves in reality.

What we know is this: there are a handful of politicians which seem to have an issue. The High Court will make a decision. Their status can be rectified after we know what that decision is.

In terms of what they have done over the past, we have doctrines of law which ensure that their participation in our parliament and executive processes is validated, so there's no concern about that.

What there is a concern about, and if we want to get into the legal weeds here, this is why I think the Government have handled Barnaby Joyce's situation I particular so badly, is that from the moment that Barnaby Joyce realised he had an issue he was put on notice, and that does then raise a question about the validity of his actions from that moment forward.

HOST: We've got to go back to this issue that we are discussing. You've just conceded, in response to my question, that you can't be confident that there aren't other MPs in the parliament who are also dual citizens, and I think that is clearly an honest answer and that is the reality. That is, no-one knows how many other dual citizens are sitting in the parliament, possibly contrary to the constitution. Now, surely that is an untenable position.

MARLES: I don't think we are at a point where our democratic sky is about to fall in. I just don't accept that, and again, I know I made the point, I think it's a much more telling issue here about how the Government has reacted, but what I've said, Paul, is I'm absolutely confident about our system's ability to deal with this issue.

I can't speak for the processes of other political parties, so I don't know what steps they've gone through to determine whether candidates do or don't have a constitutional issue. I do know the system in the Labor Party, and I've described it to you, and when I look at all the issues that have been raised by others, I reckon the system that we've got would have picked up every one of them.

What I also know is that we do have doctrines of law that will deal with the fact that people may have served for a period of time and that their actions are validated. We do have a High Court which can consider these matters and come up with a decision, and there will be processes afterwards which will allow these issues to be resolved.

I think by the time we get to the end of the year there'll be a whole lot of clarity about this question and I really do think this is an issue which is going to come and go. I don't think this is the great critical moment of our democracy, and I do think that if what we got to at this stage is a situation where everybody standing for office needs to dig up and prove the birth certificates of all their four grandparents, I don't think that's appropriate at all.

Issues have been raised by those individuals. The issues are going to be sorted. It should be an easy play for the Government, which is that if there's anybody that's got a question mark they sit on the bench until that's resolved. We move on. It's actually not that hard.

HOST: Richard Marles, we're out of time. We appreciate you joining us. You are generous with your time. Happy Father's Day. Thanks for your company on *Sunday Agenda*.

MARLES: Same to both of you.

ENDS