

House of Representatives

Supplementary Order Paper

Tuesday, 9 December 2014

Countering Terrorist Fighters Legislation Bill

Proposed amendments

Dr Kennedy Graham, in Committee, to move the following amendments:

Clause 4

In the *clause 4 heading*, replace “**section 45 inserted**” with “**sections 44A to 46 inserted**”.

In *clause 4*, after “insert:” (page 3, after line 6), insert:

“**44A Purpose**

- “(1) The purpose of **sections 45 and 46 and the Schedule** is to ensure that New Zealand—
- “(a) meets its obligations under UN Security Council resolution 2178 of 24 September 2014 to combat threats to international peace and security caused by terrorist acts including those perpetrated by foreign terrorist fighters; and
 - “(b) ensures that such action by New Zealand remains consistent with its obligations under international human rights law, international refugee law, and international humanitarian law; and
 - “(c) ensures that such action by New Zealand is not associated with any religion, nationality, or civilization.
- “(2) **Sections 45 and 46 and the Schedule** apply to any person suspected of being a **foreign terrorist fighter** as defined in **subsection (3)**, and to no other person.
- “(3) **Foreign terrorist fighter** means a person who travels to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict.”

Clause 7

In *clause 7*, after “insert:” (page 4, after line 29), insert:

“280LA Purpose

- “(1) The purpose of **section 280M** is to ensure that New Zealand—
- “(a) meets its obligations under UN Security Council resolution 2178 of 24 September 2014 to combat threats to international peace and security caused by terrorist acts including those perpetrated by foreign terrorist fighters; and
 - “(b) ensures that such action by New Zealand remains consistent with its obligations under international human rights law, international refugee law, and international humanitarian law; and
 - “(c) ensures that such action by New Zealand is not associated with any religion, nationality, or civilization.
- “(2) **Section 280M** applies to any person suspected of being a **foreign terrorist fighter** as defined in **subsection (3)**, and to no other person.
- “(3) **Foreign terrorist fighter** means a person who travels to a State other than their State of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict.”

Clause 9

In *clause 9*, after “insert:” (page 7, after line 2), insert:

“4IAA Purpose

- “(1) The purpose of **sections 4IA to 4IG** is to ensure that New Zealand—
- “(a) meets its obligations under UN Security Council resolution 2178 of 24 September 2014 to combat threats to international peace and security caused by terrorist acts including those perpetrated by foreign terrorist fighters; and
 - “(b) ensures that such action by New Zealand remains consistent with its obligations under international human rights law, international refugee law, and international humanitarian law; and
 - “(c) ensures that such action by New Zealand is not associated with any religion, nationality, or civilization.
- “(2) **Sections 4IA to 4IG** apply to any person suspected of being a **foreign terrorist fighter** as defined in **subsection (3)**, and to no other person.
- “(3) **Foreign terrorist fighter** means a person who travels to a State other than their State of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist

acts or the providing or receiving of terrorist training, including in connection with armed conflict.”

Explanatory note

The purpose of this Supplementary Order Paper is to amend the Counter Terrorist Fighters Legislation Bill to ensure that there is explicit reference made to the Security Council Resolution on which this law change was based. This will limit the scope of the effect of these provisions so that they do not go on to infringe on the rights of ordinary citizens. A set definition of foreign terrorist fighters also ensures the Bill is limited to the purpose for which it is being enacted.
