

Australian military intelligence agency emerges in ‘Fitzgibbon affair’

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One feature of the current accusations against Australian Defence Minister Joel Fitzgibbon of being unduly influenced by an Australian-Chinese businesswoman is the murky role of the military intelligence agencies.

When the Fitzgibbon affair first erupted last week, the *Sydney Morning Herald* reported that a Defence Signals Directorate (DSD) officer had accessed his office IT system and found details of banking details for Helen Liu, to whom Fitzgibbon paid rent for his Canberra residence. The newspaper added that unnamed officials in the Defence Department had conducted a covert investigation into the minister's 16-year friendship with Liu, as a possible security risk. [See "Australia: Relations with China behind defence minister scandal"]

The DSD specialises in signals intelligence or "signet": high technology monitoring of telephone calls and other telecommunications, bugging devices and radio transmissions. It operates as part of a world web with the American CIA and National Security Agency (NSA) and Britain's MI6 and General Communications Headquarters (GCHQ), providing data from Australasia, Southeast Asia, and the South Pacific, and sometimes from other regions, including Central Asia and the Middle East. In return, the Australian military receives intelligence from the US, Britain, Canada and their allies.

Under the Intelligence Services Act, the DSD is meant to target only foreign countries. The agency is barred from collecting intelligence on Australians unless authorised by the defence minister. However, like all the Australian security agencies, the DSD has a record of politically intervening during periods of crisis.

During 1975, the Whitlam government kept secret the DSD's monitoring of Indonesian preparations for the invasion of East Timor, including the October 1975 murder of five Australian-based newsmen in Balibo. The Labor government wanted to not only cover up its own complicity in the invasion—Whitlam had assured General Suharto of Australia's support—but also shield the DSD's operations from public scrutiny.

Labor's protection of the intelligence apparatus did not prevent the Whitlam government from becoming a victim of its machinations. The CIA and its Australian partners were heavily involved in the destabilisation and dismissal of the Labor government in November 1975 by Governor-General Sir John Kerr, who had longstanding connections to the intelligence services.

In recent years, the DSD's activities have come to light with increasing frequency. When the Howard government decided in August 2001 to turn away the Tampa, a Norwegian container ship carrying more than 400 refugees, the DSD reportedly bugged the ship's captain Arne Rinnan, talking to his Australian lawyers. The illegal eavesdropping operation was part of the government's efforts to ensure that the refugees were denied their legal right to apply for asylum. Defence Minister Robert Hill later claimed that any DSD involvement would have been an "inadvertent error".

The Fitzgibbon affair is not the first time that the DSD has been accused of spying on a politician. In 2003, the agency was alleged to have listened into the telephone calls of Labor MP Laurie Brereton who, as Labor's foreign affairs spokesman, had produced leaked intelligence (also from the DSD) showing that the Howard government had known about high-level Indonesian orchestration of atrocities in East Timor well

before the Australian military intervention in 1999. Communicating DSD information to the media is an offence, punishable by two years jail.

The leaked DSD intercepts showed that from early February 1999, the Howard government was told that leading figures, notably General Feisal Tanjung, coordinating minister for politics and security, and former generals A.M. Hendropriyono and Mohammad Yunus Yosfiah, were personally directing the mayhem. The leaks embarrassed the government which was seeking to maintain the myth that it was unaware of Indonesia's involvement and had acted promptly out of humanitarian concern.

The agency's domestic role last surfaced as part of the Howard government's failed terrorism witch-hunt against Indian-born doctor Mohamed Haneef in 2007. Howard and his key ministers presided over a massive operation, involving more than 600 federal and state police and the intelligence agencies, in an unsuccessful effort to produce evidence against Haneef. Last December's Clarke report into the Haneef affair revealed that during the operation the DSD answered 71 requests to intercept Haneef's telecommunications.

As in previous cases, the Defence Department has quickly dismissed the allegations of DSD spying on Fitzgibbon. The Defence Security Authority (DSA), which is responsible for vetting defence staff, carried out a 48-hour inquiry. Another intelligence agency, the Inspector-General of Intelligence and Security, which operates out of the Prime Minister's Department, is conducting a further closed-door inquiry.

Given the DSD's record, it would be quite naïve to accept any findings or assurances that result from these inquiries.



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