

Australian government expands spy agency's powers

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1 June 2011

The minority Labor government of Prime Minister Julia Gillard is moving to significantly expand the surveillance powers of the Australian Security Intelligence Organisation (ASIO), the country's political spy agency to monitor anyone overseas, including Australian citizens, considered a threat to "national economic well-being," "security" or "foreign relations."

The legislation, currently before a Senate committee, further boosts the considerable powers handed to the intelligence and security services during the past decade under the cover of the so-called "war on terror."

Two amendments to the ASIO Act, scheduled to pass parliament by June, highlight Labor's ongoing extension of anti-terrorism provisions to deal with anticipated political and social unrest under the guise of combatting threats to "national security".

ASIO is primarily a domestic agency, with free rein to operate against internal political dissent, but the changes will expand its powers outside the country. According to Attorney-General Robert McClelland, the shift will enable it to work more closely with the country's two main overseas agencies, the Australian Secret Intelligence Service (ASIS) and the Defence Signals Directorate (DSD), which eavesdrops on telecommunications throughout the Asia-Pacific region.

One of the amendments enables the government, via the attorney-general, to authorise ASIO to carry out activities including secret searches, phone-tapping, bugging and computer hacking for the purposes of obtaining "foreign intelligence" that affects economic interests.

This means that ASIO could operate against anyone perceived as a threat to the profits of Australian corporations, such as the mining companies and banks. This could include rival firms, or Australians employed

by them, and could also cover political groups or protesters opposed to the operations of Australian big business.

The other amendment widens the definition of "foreign intelligence" from the activities of a "foreign power" to those of "people or organisations outside Australia". Any group or individual—for example, WikiLeaks and its founder Julian Assange—regarded as a danger to "security" or "economic well-being" could be officially targeted.

In a written Senate committee submission, the Law Council of Australia, which represents the legal profession, objected: "The new definition and test will afford the Minister and the agency almost unfettered discretion to determine when and how ASIO's powers may be used to gather information about people's activities, communications and relationships abroad."

The government has flatly rejected the Law Council's criticisms, declaring that the changes simply bring ASIO into line with the powers already exercised by ASIS and the DSD. If the powers were not "aligned," there would be "some potential gaps in Australia's intelligence coverage," the Attorney-General's Department insisted in a submission.

But these powers for ASIS and the DSD were only introduced in the past decade. Last year, Labor amended the Telecommunications (Interception and Access) Act to widen DSD's activities, in line with those authorised for ASIS under the previous Howard government by the 2001 Intelligence Services Act.

The changes add to the powers handed to the intelligence services by the Howard government, with Labor's bipartisan backing, under the false pretext of protecting ordinary people from terrorism following the 9/11 attacks in the United States. ASIO was given the unprecedented ability to conduct secret interrogations

and detentions, as well as greater leeway to clandestinely search homes, use bugging devices and intercept email and other telecommunications, often without the formality of judicial warrants.

The Labor government is implementing a shift, in line with that of the Obama administration, to broaden the concept of “security” to deal with economic and political discontent. In a speech last October, ASIO’s recently appointed director-general, David Irvine, cited the new definition of national security in the 2009 Defence White Paper. It spoke of “sustaining our fundamental capacity to advance economic prosperity for all Australians” alongside “ensuring Australia’s freedom from attack or the threat of attack”.

By bolstering ASIO, the Gillard Labor government is performing a similar role to its predecessors under Chifley in the 1940s, Whitlam in the 1970s and Hawke and Keating in the 1980s and 1990s. Chifley established ASIO, Whitlam conducted a royal commission into the agency, which laid the basis for a major expansion under the Fraser Liberal-National government, and Hawke convened a second royal commission, which led to a further expansion.

ASIO has more than trebled in size since 2001, with the pace of growth that only continuing under Labor since 2007. According to ASIO’s 2009-10 annual report, its funding that financial year amounted to \$368 million, a 5 percent increase from 2008–09, with the total rising another 12 percent to \$413 million for 2010-11.

The report noted that the “tempo” of ASIO’s activities “remained high” with its workload including “over 38,000 visa Security Assessments, 98,000 counter-terrorism checks and over 22,000 personnel Security Assessments.” Through these programs, ASIO and the government have almost unchallengeable powers to reject visa applications, classify individuals or groups as terrorist threats and block public service appointments.

In 2009-10, ASIO delivered more than 3,200 reports to the government. The agency also noted a marked increase in the services that it provided directly to the corporate elite. “Beyond Government, ASIO provided advice to industry sectors via the Business Liaison Unit. Over the reporting period there was a significant increase of 33 percent in the number of subscribers to ASIO’s Business Liaison Unit website,” the report

noted.

The Greens spokesman, Senator Scott Ludlam, said that if the government wanted ASIO to “conduct essentially commercial espionage on behalf of Australian companies,” then the government needed to “make that case”. He called for a “careful examination” by parliament of the ramifications, adding that greater powers required “genuine scrutiny”.

Ludlam’s comments are a continuation of the part played by the Greens over the past decade, posturing as defenders of “human rights” while backing every legislative enhancement to the intelligence services in return for token and ineffectual “safeguards” to avoid “abuses”.

Labor’s ASIO amendments further underscore the true character of the entire security-intelligence apparatus: it represents a conspiratorial and repressive force—directed against the legal and democratic rights of the working class—that exists solely to defend the interests of the corporate and ruling elite.



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