

# Australia: Deportation of Pakistani student

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The interrogation, detention and deportation of a Pakistani student as an alleged security risk underscores the Labor government's growing reliance on police-state powers given to the security agencies since 2001 under the guise of the "war on terrorism."

Salman Ghumman, 23, an accounting student, was removed from Australia just before Christmas after being questioned by Australian Security Intelligence Organisation (ASIO) officers. Having lived in Australia since June 2010 on a valid student's visa, he was summoned to two clandestine interviews, during which he was asked, among other things, about his views on Kashmir, and to account for every one of his 208 "friends" on his Facebook page.

Interviewed by the *Australian* in Islamabad, Ghumman said the ASIO officers had questioned him about Lashkar-e-Toiba (LeT), a group opposed to Indian rule of Kashmir. The student insisted he had no links to LeT, or any violent group, no political affiliations or criminal record. "They asked me for the phone numbers of all my friends and family and I gave them to them," he said. "I thought I had to."

Ghumman was ultimately handed a notice stating that ASIO had assessed him to be "directly or indirectly a risk to security." On December 21, two immigration officers apprehended him at an outer Melbourne railway station, placed him in detention, and told him of the futility of appealing against his deportation.

The young man said he still had no idea why had been removed. His plight illustrates the establishment of an unaccountable security apparatus, based on the violation of the most elementary legal and democratic rights. These include freedom from detention without trial, the right to political dissent, the right to know the nature of any charges and basic procedural fairness.

Ghumman said he wanted to appeal against the ASIO ruling, but to do so is virtually impossible. Rejected visa holders and applicants have no right to be told why they were given an adverse assessment. The Migration Act specifies that security reports cannot be divulged to applicants or their lawyers, even in court.

Although ASIO conducts the "security checks," the Labor government deports the victims. ASIO reports are handed to the immigration minister, who can cancel any visa on vague and highly political "character" grounds. The government need only assert that the person might "vilify a segment of the Australian community ... incite discord ... or become involved in activities that are disruptive to that community."

Under the anti-terrorism laws, ASIO was handed extraordinary powers to secretly interrogate or detain anyone suspected of having information about terrorism, without any charge or trial. It is a crime, punishable by years of imprisonment, to refuse to answer ASIO's questions or to inform anyone, even a family member, that you have been detained.

According to ASIO's annual report, those powers were not used in 2010-11. Ghumman's treatment, however, indicates how the powers are used informally to coerce unknown numbers of people into acceding to ASIO's interrogations.

There is much evidence from previous terrorism prosecutions, such as those of Mohammed Haneef, Jack Thomas, Itzar ul-Haque and Zac Mallah, that ASIO and the federal and state police forces, which have similar draconian powers, fabricate allegations against individuals, and rely upon coercion and intimidation to try to compel them into making prejudicial statements or incriminating others.

Far from being curtailed as a result of the exposures of ASIO's abuses in these cases, the agency's activities have mushroomed under Labor. According to the annual report: "The number of ASIO counter-terrorism investigations and inquiries has grown consistently on a year-to-year basis—from just over 100 in 2005 to almost 300 in 2011."

ASIO's operations are by no means confined to alleged Islamic fundamentalists. Since 2007, under the Labor government, ASIO security checks have cast an ever-greater net over entire sections of the population, including passport-holders, refugees, international students, public servants and maritime and aviation workers.

ASIO can ask the government to cancel the passport of any citizen regarded as a "security risk." ASIO's annual report states that the agency issued seven such adverse reports in 2010-11. Among those whose passport had been withheld, but since reinstated, was former Guantánamo Bay detainee Mamdouh Habib, who was seeking to travel to Egypt to gather evidence to support legal action against the Australian government and ASIO for complicity in his illegal rendition to Egypt, where he was tortured.

It is likewise for visa holders. In 2005, Scott Parkin, a United States citizen and antiwar, anti-corporate activist, was deported from Australia on the basis of his political views and activities, with no right or opportunity to challenge his adverse ASIO assessment (see: "Australian government to deport American antiwar activist").

ASIO vets all visa applicants, including refugees fleeing persecution, and rejects those deemed a risk to "security," which is defined to include damage to the interests of "any foreign country." ASIO completed 34,396 visa security assessments in 2010-11, with 45 visas refused or revoked, 40 of them on "counter-terrorism grounds."

ASIO's report is deliberately evasive on how ASIO and the immigration authorities determine which visa applicants, who include tens of thousands of tourists and other temporary visitors, are investigated. Those decisions are "intelligence-led" and "risk-managed,"

the report states.

By government policy, however, all refugees are subjected to the "full ASIO investigative security process," causing lengthy detentions. As of last June, 456 refugees were still held in immigration camps awaiting ASIO assessment. Some are known to be Tamils from Sri Lanka, whose government routinely brands Tamils as "terror suspects."

Under Labor's laws, in 2010-11, ASIO also conducted 109,166 counter-terrorism security assessments, 97,922 of which were for maritime or aviation security ID cards—an 11 percent jump from 2009-10. This means that the country's maritime and aviation industry workers are increasingly under ASIO surveillance. Two adverse assessments were issued during the year—the first time that ASIO had issued adverse reports for such purposes.

There was an even sharper rise—39 percent—in the number of federal public sector workers subjected to ASIO personnel security assessments. ASIO carried out 31,099 such investigations, in line with Labor's new national security clearance protocols.

In order to conduct this broadening range of surveillance, the Gillard government has bolstered ASIO's personnel and resources to unprecedented levels. During 2010-11, ASIO employed an average of 1,769 staff—more than trebling the 560 it had in 2000-01.

ASIO's widening web meets all the classic definitions of a police state: a system in which the government and the state apparatus can, in order to suppress perceived political threats, abrogate the personal liberty, employment prospects, residency status and civil rights of members of society without any effective legal challenge or public scrutiny.



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