

New Australian terrorism bill to facilitate targeted military killings

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For the third time in two months, the Australian Senate has signed off another “counter-terrorism” bill that grants unprecedented powers to the intelligence and military apparatus.

The latest laws, rubberstamped this week, allow the government to designate individuals and “classes” of Australians who can be attacked, and potentially killed, during military operations on the basis of information supplied by the Australian Secret Intelligence Service (ASIS), the overseas spy agency.

Fully backed by the Labor Party opposition, the Liberal-National government’s legislation also dramatically widens the capacity of the government and the security services to impose control orders, a form of detention without trial.

On the pretext of combatting the alleged dangers posed by a relatively small number of Australians—reportedly about 200—supposedly fighting for, or supporting, the Islamic State in Iraq and Syria (ISIS), Prime Minister Tony Abbott’s government is again introducing provisions that can, and will, be used against anyone perceived as a political threat to the ruling establishment.

Citing an Australian Federal Police submission that the involvement of Australians with ISIS “totally changed” the “security environment,” the government insists that it must have powers that go far beyond the barrage of “anti-terrorism” laws already introduced over the past decade.

All the false claims made by Washington and its allies to launch the fraudulent “war on terrorism,” exploiting the terrorist attacks in the United States on September 11, 2001, are being revived and magnified. Then, the US government and its partners declared that “everything has changed,” in order to both invade Afghanistan and Iraq, and erect police-state

frameworks domestically.

Today, under the cover of fighting ISIS, a renewed war is underway to secure hegemony over the Middle East, and fundamental legal and democratic rights are being further dismantled at home.

The latest bill allows a single government minister, or in “emergency” situations an intelligence chief, to authorise ASIS to give the Australian Defence Force (ADF) intelligence on “one or more members of a class of Australian persons” and to assist the ADF in activities likely to “have a direct effect” on them. This is a euphemism for being targeted for military attack or assassination.

In effect, government ministers will be able to place Australians on “kill lists,” like those drawn up by US President Barack Obama for drone attacks. Without any criminal charges even being laid, let alone proven in court, designated people or “classes” of people can be executed. Due to overwhelming public opposition to it, the death penalty was abolished decades ago in Australia, but now it is being authorised by military means.

Nothing in the provision confines its operation to Iraq, ISIS or even terrorism. “Classes” of people can be specified on the basis that they “are, or are likely to be, involved in an activity or activities that are, or are likely to be, a threat to security.”

“Security” is defined by the Australian Security Intelligence Organisation (ASIO) Act. That definition is sweeping. It includes “politically motivated violence,” which is also defined in far-reaching terms, such as “acts or threats of violence or unlawful harm that are intended or likely to achieve a political objective, whether in Australia or elsewhere.”

Those who can authorise lethal ASIS collaboration with the military include the prime minister, defence

minister, foreign minister and attorney-general. In an undefined “emergency” this can be done orally, i.e., over the phone.

Such authorisations will also allow the ADF to supply information from ASIS, and two other intelligence agencies, the Australian Signals Directorate (ASD) and the Australian Geospatial-Intelligence Organisation (AGO), to Australia’s military partners, most obviously the United States.

As documented in detail by US National Security Agency (NSA) whistleblower Edward Snowden, the ASD, Australia’s electronic eavesdropping service, is already an integral part of the NSA’s global mass surveillance network. Moreover, the US-controlled “Joint Defence Facility” at Pine Gap in central Australia plays a key role in the illegal US drone assassination program in Central Asia and the Middle East, helping to locate the targets marked for extrajudicial execution by President Obama and his officials.

In the Senate, Attorney-General George Brandis dismissed as “preposterous” suggestions, made in written submissions by legal and civil liberties bodies, that the new bill permits the targeted killing of Australians. But he did not rule out the possibility. Brandis’s stance flies in the face of a media briefing on November 5 by the ADF’s chief of joint operations, Vice Admiral David Johnston, who stated unequivocally that the military would attack anyone, including Australian citizens, in order to achieve “military objectives.”

The latest bill’s other main feature will expand the use of control orders, which were first introduced in 2005, following a terrorist “alert” issued by the Howard government. Control orders can range from full house arrest to wearing a tracking device, ceasing employment and being banned from using the Internet or a phone.

Control orders can be imposed without any criminal charge, simply on the “balance of probabilities” that the order would help prevent a terrorist act. Those grounds will now be extended to preventing “support” for a terrorist act or support for “hostile activity in a foreign country.” People accused of advocating opposition to Australian military interventions, for example, could be placed under house arrest.

This bill is the third tranche of the Abbott

government’s “security” legislation. The first, the “ASIO powers bill,” permits the spy agencies to covertly take control of computer networks and imposes jail terms of up to 10 years on anyone who exposes their undercover operations

The second tranche, dubbed the “foreign fighters bill,” includes lengthy jail terms for supporting “subversive activity” in any country, or for even indirectly and recklessly “promoting” terrorism. A fourth tranche, the yet-to-be-passed “metadata retention bill,” provides for surveillance of the entire population, via the storage of all telecommunications and on-line information.

As with the Abbott government’s first two tranches, Labor gave complete support to the latest bill, after a few cosmetic modifications recommended by a bipartisan parliamentary committee. Again, too, the Greens criticised aspects of the legislation, while emphasising their underlying support for the spy and military apparatus and the fraudulent “war on terrorism.” Far from opposing the new powers, Greens Senator Penny Wright called for “greater parliamentary and public debate” about “having a government being able to kill its own citizens in foreign countries.”

From its inception in 2001, the “war on terrorism” has been a sham. It is a cover for wars and invasions by the US and its allies, seeking domination over the Middle East, and for the imposition of draconian powers domestically to deal with popular opposition to the program of militarism and austerity being driven by the corporate elite.



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