

Australian government prepares “foreign interference” prosecutions

Mike Head
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Just two weeks after pushing sweeping anti-foreign interference laws through parliament, the Turnbull Liberal National government declared it had selected initial targets for prosecution.

Attorney-General Christian Porter told the Nine Network last weekend that the government knows “the behaviour goes on... We’ll be watching very, very closely and we expect that there will be, in due course, prosecutions that arise out of this legislation.”

Porter said the Australian Security Intelligence Organisation (ASIO), the domestic political surveillance agency, and the Australian Federal Police (AFP) had been preparing for the introduction of the new laws.

“We don’t believe that going forward we will find a shortage of targets,” Porter stated.

Labor Party opposition leader Bill Shorten supported Porter’s declaration and reiterated his party’s backing for the legislation. “We’ve supported the regulation of foreign intervention. We’ve supported the latest changes to our national security laws,” he said.

These remarks are a warning. The Australian political establishment, under mounting pressure from Washington to take a more aggressive stand against China, is already selecting targets to test the new laws.

When Prime Minister Malcolm Turnbull first introduced the laws into the parliament last December, he cited media reports of the Chinese Communist Party “working to covertly interfere with our media, our universities and even the decisions of elected representatives right here in this building.” Based on a still-secret report by ASIO, Turnbull declared: “We take these reports very seriously.”

From the outset, this underscored that, while nominally directed at combating “improper influence” by any foreign power, the laws are aimed, in particular, against China.

The objective is to silence or criminalise anyone

associated with China, or who opposes preparations for war against China, as well as opposition to the deepening attack on the jobs, wages and living conditions of the working class. This has profound implications for free speech and political dissent.

Totalling some 150 pages, the Espionage and Foreign Interference (EFI) and Foreign Influence Transparency Scheme (FITS) Acts are the most extensive, anti-democratic legislation in Australia since World War II, when governments ruled by wartime regulations.

They contain 45 new or expanded criminal offences, with penalties up to life imprisonment, ranging from “treason” to “advocating mutiny,” “sabotage” and “dealing” with leaked information that “harms” Australian “national security.”

Among them are an unprecedented seven new offences of “foreign interference.” They punish political cooperation with overseas or international organisations, including political parties, and even reporting Australian human rights abuses to the UN.

Campaigning against Australian involvement in a US-led military intervention could be outlawed if “covert” contact was made with an organisation in the targeted country. “Covert” could mean simply using encrypted communications, a standard form of privacy protection.

According to Saturday’s *Australian*, the AFP has “begun preliminary inquiries” into “alleged foreign agents” as authorities “prepare to test tough new espionage laws.” AFP officers have been sent abroad to train with unspecified law enforcement agencies, almost certainly including the US FBI.

Australian Attorney-General Porter was scheduled to fly out yesterday for “high-level talks with his counterparts in London and Washington.” These talks were said to relate to the planned “foreign influence” register, due to come into operation within a year.

The register will cover all organisations deemed to

cooperate with overseas entities, with special exemptions for non-political charities, trade unions, professional bodies and arts organisations. The FITS Act sets up to five years' jail for those who fail to register or comply with complex reporting requirements

The *Australian* reported: "Entities such as Chinese state-owned corporations or foreign-language media outlets such as *Russia Today* would be required to self-report. Failure to do so could lead the Attorney-General's Department to issue a transparency notice compelling them to register or face the threat of criminal prosecution."

The newspaper pointed to a much closer relationship between the AFP and ASIO, which would "work hand in glove." Foreign interference investigations would be run out of the AFP's Overseas and Special Investigations Area, described as a secretive unit specialising in complex and sensitive investigations.

Prosecutions may be imminent. The newspaper reported: "It is understood ASIO and the AFP have identified a small number of suspected cases of foreign interference and they are currently being evaluated for formal investigation."

The fact that Porter has flown to Washington and London points to the primary source of "foreign interference" in Australia and many other countries around the world. As the revelations of WikiLeaks, Julian Assange and Edward Snowden have documented, the US is responsible for countless invasions, coups, regime-change operations and war crimes.

Over the past decade, particularly since the advent of the Obama administration's "pivot to Asia," aimed at militarily, diplomatically and economically combatting China's growing influence in the Indo-Pacific region, the US military-intelligence-political elite has insisted on an unconditional commitment by the Australian ruling class to prepare for conflict with China.

Britain's ruling establishment also plays a key part in this line-up, including through the US-led "Five Eyes" global electronic spying network, whose other members are Australia, Canada and New Zealand.

Underscoring the mounting pressure from Washington for Canberra to play a leading role in war preparations against China, Fairfax Media international editor Peter Hartcher published an "exclusive" Washington-based report on Saturday, declaring that "China's biggest challenge to the supremacy of the US Navy will come within the year." China's armed forces would hold exercises in the South China Sea and close the air and sea

space in the area, at least temporarily.

"Beijing would have asserted de facto control of the world's most valuable commercial artery and 3.6 million square kilometres of ocean," Hartcher claimed. He insisted that, in order to counter this threat, Australia must "be more active, more robust and more assertive than it has ever been." There was "no time to waste."

In another front-page piece today, Hartcher said the Trump administration would ask Australia to step up efforts to counter China's "grab for international sea lanes" and "pernicious meddling" in the small countries of the South Pacific. The request would be made at the scheduled July 23–24 annual AUSMIN talks between the two countries' defence and foreign ministers.

For several years, starting under the Obama administration, US political and military officials have demanded that Australia undertake supposed "freedom of navigation" challenges inside the territorial waters of Chinese-controlled islets in the South China Sea. Such aggressive activities would potentially trigger a military conflict.

As for Hartcher, he has long served as a media advocate for an anti-China witch hunt. He set the tone in September 2016, when he called for the eradication of "rats, flies, mosquitoes and sparrows" who had Chinese links or reservations about the increasingly confrontational attitude of the US toward China. His targets included former Foreign Minister Bob Carr, along with Australians of Chinese descent, Chinese students and local business tycoons who depend on Chinese markets.

These "pests" may be among the first victims of the new laws, in an effort to stir up wartime jingoism and xenophobia, and test the waters for wider prosecutions.

In Australia, the Socialist Equality Party and International Youth and Students for Social Equality are currently holding public meetings to raise awareness about the new laws, which were introduced behind the backs of the population. The meetings are explaining the need to develop a powerful political movement in defence of democratic rights and civil liberties, and to unify workers and youth internationally against the descent toward a catastrophic war.



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