

Former Australian PM asked to register under “foreign agent” laws

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Seemingly surprising developments have placed a new spotlight on the draconian and anti-democratic character of the “foreign interference” legislation that was imposed last year by the Liberal-National Coalition government, with the Labor Party’s backing.

On the weekend, the *Australian* reported that since August, both former Coalition Prime Minister Tony Abbott and a far-right conference organiser received threatening correspondence from the Attorney-General’s Department under the Foreign Influence Transparency Scheme (FITS).

This initial targeting of alt-right elements appears to be a political manoeuvre. It sets a precedent for the use of the laws against their intended victims—left-wing and progressive groups that oppose militarism, capitalism and the alignment of the Australian ruling class behind Washington’s confrontation with China.

As well as establishing an unprecedented “foreign agents” register, the legislation creates or extends a range of criminal offences. People can be imprisoned for years for allegedly assisting “foreign interference” or “espionage” or for leaking or publishing information deemed to endanger Australia’s “economic relations” or “national security.”

Significantly, while Attorney-General Christian Porter this week tried to distance himself from the move against Abbott and Andrew Cooper, an organiser of August’s Conservative Political Action Conference (CPAC) in Sydney, the Labor Party backed it.

Porter told the *Australian* he had asked his department to “demonstrate a focus on the most serious instances of noncompliance”—in other words, use the laws against the originally intended targets. However, Labor’s home affairs spokeswoman Kristina Keneally defended the department’s actions. She tweeted: “The FITS law must be applied equally. It can’t exempt groups just because you like them. It applies to all potential foreign

interference, full stop.” The tweet underscored Labor’s backing for wider prosecutions using the legislation.

The “interference” laws were pushed through parliament during 2018 amid a mounting anti-China witch-hunt, fuelled by unsubstantiated intelligence agency-based accusations of “meddling” and “cyber warfare” by Beijing. This “interference” was supposedly assisted by thousands of people of Chinese descent, as well as business figures and students living in Australia. But as the Socialist Equality Party and the WSWS warned, the legislation, while initially targeting China-linked entities, went further. It was the most sweeping attack on basic democratic rights since World War II.

Those warnings have been vindicated by the measures invoked against Abbott and Cooper. A day before Abbott was due to address the CPAC, he received a formal letter dated August 8 asking him to register with the FITS as an “agent of foreign influence.” The letter came from the deputy secretary of the Integrity and International Group of the Attorney-General’s Department, Sarah Chidgey.

Abbott was informed that, as a former cabinet minister, he had “a lifetime obligation to register any activity you undertake on behalf of a foreign principal.” In a follow-up email, sent by the department last month, Abbott’s CPAC address and a September speech to a far-right summit in Budapest, Hungary, were identified as potentially problematic.

On October 21, the threats mounted. Cooper received a legal notice from Chidgey demanding the production of a wide range of documents relating to his organisation, LibertyWorks, which co-sponsored the CPAC event with two far-right lobby groups, the Australian Institute of Public Affairs and the American Conservative Union (ACU).

The notice instructed Cooper to provide all documents including, but not limited to, any agreement, contract or other document detailing any understanding between

LibertyWorks and the ACU, and any invitations, letters or other correspondence from LibertyWorks or the ACU sent to individuals invited to speak or attend CPAC.

Also demanded were copies, transcripts or video or audio recordings of speeches made by the speakers at CPAC, including of speeches by members of LibertyWorks or the ACU to introduce or conclude the conference, or on specific days or events at the conference.

Further demanded were summaries of topics covered by speakers at the conference, and material produced or distributed by LibertyWorks promoting CPAC or the ACU. The notice said failure to comply with the order within 14 days carried a maximum penalty of six months' jail.

Under section 45 of the FITS Act, the Attorney-General's Department has far-reaching powers to issue notices requiring anyone to produce an almost unlimited range of information, where officials "reasonably suspect" that a person might be liable to register under the scheme.

The laws enable the government to collect extensive political and private information on the mere suspicion of "foreign influence" without even a warrant or court order. The Act explicitly excludes the basic right to procedural fairness, or a fair hearing, making it almost impossible to legally challenge the arbitrary issuing of such a notice.

The CPAC event was the first such high-profile alt-right conference held in Australia, mirroring similar gatherings in the US. Besides Abbott, speakers included British Brexit Party leader Nigel Farage, US Republican congressman Mark Meadows, Liberal Party senator Amanda Stoker, Liberal member of parliament Craig Kelly and former Labor Party federal leader Mark Latham.

The event was thoroughly reactionary and a part of the efforts to develop a Trump-style fascist movement in Australia under conditions of collapsing support for the longstanding parties of capitalist rule, Labor and the Coalition. But by seemingly singling out this event for the first potential enforcement of the "foreign interference" laws, the authorities are clearing the way for their use against left-wing and oppositional organisations.

History provides many examples of such duplicity. In one crucial Australian instance, last year the government barred entry to Chelsea Manning, the courageous US military whistleblower who had been jailed for seven years on charges of giving WikiLeaks documents that exposed US and allied war crimes, regime-change

operations and mass surveillance around the world.

Amid growing public concern about the persecution of WikiLeaks' founder Julian Assange, Manning had been due to speak to large audiences in Sydney, Melbourne and Brisbane, but was denied a visa under the Migration Act's "character test." In doing so, the government exploited the precedent set by the Keating Labor government's similar 1992 ban on British far-right Holocaust denier David Irving.

For now, both Abbott and Cooper have publicly refused to comply with the FITS demands. Noticeably, Cooper criticised the Attorney-General's Department for not focusing on more pressing "stories of Chinese Communist Party agents influencing university campuses."

Reportedly, the notice to Cooper was the only one issued thus far under section 45. But the department has sent about 500 letters to individuals and organisations asking them to consider registering. At present, there are 194 entries on the FITS register, including the US Studies Centre, which is funded by Washington to counter deepening public opposition to the US military alliance.

Under the vague wording of the FITS Act, any political party, business or individual that allegedly cooperates with a so-called "foreign" group or government, including international organisations, must register with the department, which can then hand extensive information over to the intelligence and prosecution agencies.

Anyone who supposedly fails to register also can be charged with an offence under the parallel Espionage and Foreign Interference Act, punishable by up to 20 years' jail, for "covertly" collaborating with an overseas group or individual to seek political change.

As the WSWS warned, this legislation has vast implications. It is aimed, above all, at criminalising opposition to Australia's role in the US-led preparations for war with China. It can be used to illegalise the activities of publishers and whistleblowers exposing war crimes and government wrongdoing, as part of the efforts to suppress the emerging struggles of the Australian and global working class.



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