

Assange denounced as UK's dictatorial National Security Bill passes second reading

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The British government is updating Official Secrets Act legislation with more sweeping and draconian provisions. On Monday, while attention was focussed on the Conservative no-confidence vote in Boris Johnson, Home Secretary Priti Patel's National Security Bill passed its second reading in Parliament.

Existing espionage offences under the Official Secrets Acts 1911, 1920 and 1939 are to be replaced with "a suite of new offences and accompanying powers".

The offence of "obtaining or disclosing protected information" is exceptionally broad. Protected information includes "any information... which either is, or could reasonably be expected to be, subject to any type of restrictions of access for protecting the safety and interests of the UK." The "safety and interests of the UK" is summarised in the explanatory notes as "the objects of state policy determined by the Crown on the advice of Ministers."

An offence is committed if a person "obtains, copies, records or retains protected information, or discloses or provides access to protected information" for a purpose "that they know, or ought reasonably to know, is prejudicial to the safety or interests of the United Kingdom" and if "the foreign power condition is met".

This condition applies if the act is deemed to have been "carried out for or on behalf of a foreign power," including through "an indirect relationship". The explanatory notes add, "A person may intend to benefit a foreign power even if their conduct is motivated by financial gain, or a desire to cause harm to the UK as a result of a grievance. Provided that the person is aware that their conduct will benefit the foreign power and chooses to engage in that conduct with this knowledge, the test will be met."

The offence of "assisting a foreign intelligence service" is even more loosely defined. A person "commits an offence if they know or reasonably ought to know that

conduct that they are engaged in is of a kind that it is reasonably possible may materially assist a foreign intelligence service in carrying out UK-related activities."

A memorandum on the bill's relation to the European Convention on Human Rights admits that another offence, "Unauthorised entry etc to a prohibited place", could affect protest activity. It adds, "However, the Government considers that any interference with Article 11 (freedom of assembly) would be justified in the interests of national security, territorial integrity or public safety, or for the prevention of disorder or crime."

Obtaining or disclosing protected information will carry a life sentence. Assisting a foreign intelligence service will carry 14 years and unauthorised entry to a prohibited place either six months in prison or a £5,000 fine.

This is a war propagandists' charter, pushed through amid the NATO offensive against Russia, designed to criminalise protest at military sites and journalism exposing government lies used to prepare and justify military aggression. Monday's debate on the National Security Bill was littered with references to the primary targets of world imperialism: "Russia", "the Kremlin", "China" and the "Chinese Communist Party." The bill would allow for a more ferocious crackdown on broadcasters in some way linked to foreign governments than has already been seen with the bans on channels like Russia Today (RT), and closures of thousands of YouTube and social media accounts.

The terms of the legislation are so broad as to catch anyone carrying out journalistic work inconvenient to the British state. The central figure in this new evisceration of democratic rights is WikiLeaks founder Julian Assange, currently in London's Belmarsh maximum security prison awaiting Patel's say-so for extradition to the United States. He faces life imprisonment on charges under the Espionage Act for journalism exposing US war crimes, coup plots and human rights abuses and the

complicity of the UK and other allies.

Assange was spitefully referenced throughout the debate. Conservative MP and former justice secretary Sir Robert Buckland demanded a means of “ensuring that those such as Julian Assange who dump data in a way that has no regard for the safety of operatives and other affected people are still subject to criminal sanction,” adding later, “None of us wants to see Julian Assange and his type carry sway here.” Tory Privy Councillor Sir John Hayes denounced “a WikiLeaks-type disclosure dressed up as being by a guardian of liberty or some such other nonsense.”

Police powers set out by the National Security Bill are a legal codification of Assange’s decade of persecution by the UK. The home secretary is empowered to require an individual “to reside at or within a specified residence”, “remain wholly within the residence during the specified hours”, “impose restrictions on an individual entering specified areas or places”, restrict “the individual’s access to financial services”, prohibit “an individual from possessing or using electronic communications devices without permission, and impose conditions on the possession or use of any permitted devices” and to “impose restrictions on the individual’s association or communication with other persons.”

Any of these measures can be imposed for a year after seeking a court’s permission, but without the target being made aware of the application. If the government declares the case “urgent”, they can proceed before receiving the court’s permission. Measures can be renewed four times, up to a maximum of five years.

Recalling plans for the assassination or rendition of Assange and whistleblower Edward Snowden, the bill grants immunity for crimes carried out abroad by UK agents provided they are deemed “necessary for the proper exercise of any function of the Security Service, the Secret Intelligence Service or GCHQ or the proper exercise of any function of the armed forces.”

The Labour Party gave full-throated support to Patel’s legislation. Shadow Home Secretary Yvette Cooper paid “tribute to those who work in our intelligence and security services”, declared that “defending national security would be at the very heart of a Labour Government” and stressed the party’s willingness to “work constructively with the government on our national security.”

Asked by Tory MP Theresa Villiers if she would “condemn the WikiLeaks-type mass dumping of information in the public domain,” Cooper replied, “Yes, I strongly do, because some of the examples of such leaks

that we have seen put agents’ lives at risk, put vital parts of our national security and intelligence infrastructure at risk and are highly irresponsible.”

As far as Labour MPs raised criticisms, they were to say Patel had not gone far or fast enough. The current National Security Bill does not reform the Official Secrets Act 1989, though the government intends to do so. Its provisions are more directly relevant to Assange and WikiLeaks.

Labour’s Kevan Jones warned that if the 1989 Act is not changed, “we will have a situation where someone can get life for foreign espionage under this legislation, but only two years under the Official Secrets Act 1989.” Another of the “current problems” with the 1989 legislation is “the requirement to prove damage from unauthorised disclosures is in most cases a real barrier to prosecution.”

Minister for Security and Borders Damien Hinds hurried to reassure his colleague that under the National Security Bill “the maximum sentence for an indiscriminate disclosure—a bulk data dump—will be higher than it is today if that act is done for a foreign power or the disclosure would materially assist a foreign intelligence service, even if not procured by that foreign intelligence service itself.”

If necessary, the government plans to go further. In a consultation document published last summer, “Legislation to Counter State Threats”, the Home Office wrote that it “welcomes” a recommendation by the law commission to increase the maximum sentence for unauthorised disclosures as set out in the 1989 Act. It goes on, “we do not consider that there is necessarily a distinction in severity between espionage and the most serious unauthorised disclosures.”

The National Security Bill confirms the warnings of the *World Socialist Web Site* that the persecution of Assange is setting the precedent for an unprecedented assault on freedom of speech, protest and the media, in line with escalating plans for imperialist war abroad and social counterrevolution at home. The fight to free Assange, whose extradition is due to be decided on by Patel before July 18, excluding extensions, must become the spearhead of a mass movement in defence of democratic rights.



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