

# Australian government to detain women repatriated from Syria

Mike Head  
10 October 2022

Like the Liberal-National Coalition government before it, Australia's Labor government is exploiting laws passed under the flag of the US-led "war on terror" to override basic democratic and legal rights.

Last week, the government made it known, through the pages of the Murdoch media's *Australian* newspaper, that 16 Australian women and 42 children would be repatriated after years of detention in hellhole conditions in northeastern Syria, only for the women to be detained immediately upon arrival in Australia.

These wives and children of dead or former Islamic State (ISIS) members have been detained in tent encampments since the defeat of ISIS in March 2019. Previously, the Coalition government callously refused point blank to help them, resulting in illnesses and deaths among the children.

But the Labor government has now taken a different tack. According to the newspaper, Labor's "national security committee of cabinet convened in Canberra on Tuesday to discuss final details."

Some of the women are to be charged with terrorism-related criminal offences for entering Syria. The others will face courts to be subjected to control orders. These orders will force them to wear ankle monitoring devices and allow the police and the Australian Security Intelligence Organisation (ASIO) to monitor their social media activity, internet use, communications, movements and associates.

Supposedly, family and kinship groups will care for some children in the short term, while others will be placed in state care. Reportedly, 25 of the children are eight years or younger, and the youngest is just two.

This will be the largest yet use of control orders, which override basic freedoms such as speech, movement, association and communication, and can reach the level of complete home detention. The police only have to assert that such an order would "substantially assist in preventing a terrorist act." That is far less than evidence of criminal intent, let alone any plan or act.

Control orders were introduced in 2005 by the Howard Coalition government, with Labor's support, as a supposed

response to an unspecified dire terrorist threat. But they have always been designed for wider use. Under the more than 120 "counter-terrorism" laws rubber stamped by Australia's parliament since US President George W. Bush declared the "war on terror" in 2001, terrorism is defined so broadly that it can cover many forms of anti-government political activity.

The Labor government is paving the way for the broader imposition of control orders, while also responding to "security" concerns expressed in Washington about the Syrian detention camps becoming a focus for ongoing anti-US sentiment throughout the Middle East.

An October 3 the *Australian* editorial stated: "Security is paramount. That is why the US is keen to see the camps emptied as soon as possible, fearing a fresh security crisis could arise in such a hothouse environment."

Accordingly, senior Labor minister Bill Shorten told Nine media outlets that national security was the government's paramount priority in repatriating the women and children. "I just want to reassure people it's about national security first," he said.

Likewise, Liberal-National leader Peter Dutton embraced the switch from the Coalition government's refusal to assist the refugees. His only question was whether the Labor government would sufficiently boost ASIO's funding, which has already soared during the past two decades, to maintain extensive surveillance of the women and their families.

For all the media demonisation of the women, ISIS is largely a creation of the drive by US imperialism and its allies to overturn the regime of Syrian President Assad. The real aim was, and remains, to secure control over the entire Eurasian landmass, where the US confronts Russia and China.

The US and its partners turned to Islamic fundamentalist forces to carry out their objectives, as they did earlier with Al Qaeda in Afghanistan. Foreign fighters were allowed to flood into Syria, including from Libya, where they had been supported by the US and NATO in 2011 to overthrow the

Gaddafi regime.

Having helped create ISIS, the imperialist powers then exploited its existence to justify further military intervention in Iraq and Syria and attacks on democratic rights at home. Australia redeployed troops to Iraq in 2014 to support the US occupation of the country and military operations against ISIS fighters who had crossed into the country from Syria.

Successive Australian governments, Coalition and Labor alike, had previously sent troops to the illegal US wars in Afghanistan and Iraq, aimed at securing US dominance over the resource-rich region. More than a million people have died in these wars and entire societies have been destroyed, with tens of millions made homeless.

Amid the denunciations of the women there is no mention of the social conditions that have provided fertile ground for the recruitment of vulnerable youth by Islamists. In Australia's working-class suburbs, young people from immigrant backgrounds face low-wage employment, poor educational and social facilities, and constant police harassment.

The October 3 *Australian* editorial linked the repatriation plan to another far-reaching assault on core legal and democratic rights. It insisted that the plan underscored the necessity for Prime Minister Anthony Albanese's government to retain draconian laws to keep prisoners convicted of terrorism-related offences in jail, potentially indefinitely, after serving their sentences.

The editorial reinforced a message the newspaper had sent to the government the day before, when it declared: "With 21 convicted terrorists due for release in the next five years and another 30 also in jail, the Albanese government faces a critical, potentially life-and-death decision."

Continuing Detention Orders (CDOs) were legislated by the Coalition government in 2016, also with Labor's backing. They allow prisoners to be incarcerated indefinitely, using renewable detention orders, regardless of the original terms of their imprisonment. They violate the core legal principle of habeas corpus—no detention without a criminal trial.

Such orders require no proof of any intent to commit a further offence—just a "high degree of probability" that a crime could occur. This involves speculative allegations by police and ASIO of an "unacceptable" risk that a prisoner might commit a violent act, based on their religious beliefs.

Like many other "terrorism" laws, this legislation extends beyond terrorism-related offences. It also covers prisoners convicted of treason or "foreign incursions." Treason includes "assisting countries or forces engaged in armed hostilities against the Australian Defence Force." That could mean opposing US-instigated wars and other military interventions.

The extensive list of relevant offences also includes membership of, or raising funds for, an organisation declared by ministerial decree to be terrorist, and "providing support" to such a "terrorist organisation."

To attempt to poison public opinion, the *Australian* said the prisoners due for release by 2027 "feature some of Australia's most notorious terrorists." Invariably, as the WSWS has earlier documented, these men were convicted on the basis of vague conspiracy charges involving undercover police or ASIO agents who entrapped them into making statements about possible terrorist attacks.

Under laws rushed through parliament in 2005, with Labor and Greens support, people can be convicted for allegedly discussing "a" possible terrorist act, even where there is no mooted location, time or method of attack.

Any talk of killing innocent people expresses the reactionary perspectives of Islamic fundamentalism and individual terror. But jailing people for voicing hostile sentiments toward the government and the wars in Syria, Iraq and Afghanistan sets a dangerous precedent for use against political dissent.

These prisoners include Abdul Benbrika, who was due for release in November 2020 but became the first prisoner to be kept in jail via a CDO. Benbrika challenged this in the High Court, arguing it was unconstitutional. However, by a majority, the judges gave a green light to CDOs. They ruled that CDOs were needed for "the safety and protection of the community" and therefore did not violate the principle of no imprisonment without trial.

As the WSWS has warned from the outset, unprecedented police-state powers have been created via the "war on terror" that can be used to outlaw, silence or intimidate political and working-class discontent as social inequality intensifies, the danger of nuclear war rises and preparations mount for a US-led war against China for global hegemony.



To contact the WSWS and the  
Socialist Equality Party visit:

**[wsws.org/contact](https://wsws.org/contact)**