

Australian government ramps up “foreign interference” witch hunt as a key prosecution case unravels

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Facing rapidly declining public support, the Albanese Labor government is escalating its claims of widespread “foreign interference” as a pretext for further whipping up an anti-China campaign and bolstering Australia’s political surveillance apparatus.

Last Friday, Home Affairs Minister Clare O’Neil announced that the Counter Foreign Intelligence Taskforce, an operation led by the domestic spy agency, the Australian Security Intelligence Organisation (ASIO) and the Australian Federal Police (AFP), would be expanded and made permanent.

In addition, a Technology Foreign Interference Taskforce (TechFIT), similar to the University Interference Taskforce (UFIT), will be established to supposedly protect the IT sector from espionage, sabotage and other international threats. The university taskforce involves intensive monitoring of educators and their students, and bars any research or teaching that could be branded as assisting a foreign government, especially China.

As well, the Labor government is setting up a Foreign Interference Communities Support Hub to urge immigrant groups to identify and report such “threats.” Migration regulations are being amended also to refuse or revoke visas for international students, academics and others in “sensitive” fields of research or industry.

These moves will have a further chilling effect on universities and free speech, adding to the xenophobic atmosphere being created by the government’s slashing of international student enrolments, scapegoating them for the intensifying cost-of-living and housing crisis facing working-class households.

O’Neil declared in a statement: “These changes are essential upgrades to our defences, which will result in vulnerable communities and sensitive technologies being better protected from a threat that the director general of ASIO has identified as the most serious we face.”

As O’Neil indicated, this offensive is being conducted on

the basis of unsubstantiated claims by ASIO and its chief, Mike Burgess. Media outlets, including the state-owned ABC and SBS, uncritically reported assertions by a “senior intelligence source,” who was “not authorised to share classified information publicly.”

The unnamed source insisted that “foreign agents” were befriending and bribing bank workers, university staff and policemen to gather the home addresses and financial details of Australian residents critical of countries from which their families hailed. The source also claimed that the ASIO-AFP taskforce had “successfully disrupted” more than 120 foreign interference plots since it was established in 2020.

ASIO and Australia’s entire intelligence machine are an integral part of the US-led “Five Eyes” global spy network. This network is on the frontline of Washington’s aggressive war operations, from Gaza to Ukraine and the Indo-Pacific, against what US imperialism regards as the existential threats to its global hegemony, including Iran, Russia and, above all, China.

In every one of his annual “threat assessment” speeches since 2021, Burgess has raised the spectre of “nests” of foreign spies establishing relations with politicians and others. This year, in his February address, Burgess ratcheted up the allegations to a new level, including by saying an “A-team” of “spies” had “successfully cultivated and recruited a former Australian politician.”

Burgess’s 2024 speech backfired, however, due to the lack of evidence. The obvious question was: Why there had been no prosecutions for such allegedly heinous crimes? After all, they carry potential sentences of life imprisonment under the foreign interference legislation, which was pushed through parliament in 2018 by the previous Liberal-National Coalition government with Labor’s backing. Moreover, on top of the 2018 laws, treason and espionage remain among the most serious offences in the federal criminal code.

In the same week as Burgess’s speech, Melbourne businessman and Vietnamese-Chinese community figure Di

Sanh Duong became the first and only person to be convicted under the 2018 legislation. He was declared guilty of a vague charge of “preparing for or planning an act of foreign interference,” supposedly on behalf of China.

In a largely closed-door trial, prosecutors argued that Duong planned to secretly gain political influence in 2020 by cultivating a relationship with a then-Coalition government minister Alan Tudge on behalf of the Chinese Communist Party.

This “covert” interference took place in the full glare of publicity, however. Duong allegedly arranged for Tudge to receive a \$37,450 novelty cheque donation raised by community organisations for the Royal Melbourne Hospital in June 2020 amid the onset of the COVID-19 pandemic.

A judge nevertheless sentenced Duong, 68, to a two-year and nine-month prison term, despite his ailing health.

The lack of foreign interference evidence only became more glaring in March. A Parliamentary Joint Committee on Intelligence and Security report admitted no criminal prosecutions have been undertaken for offences under the 2018 Foreign Interference Transparency Scheme Act, despite criminal penalties for failure to register.

The bipartisan Labor-Coalition committee did its best to secure arrests. It recommended expanding the already sweeping definition of foreign government-related bodies and forcing targeted people to register with the scheme against their will.

Now the anti-China witch hunt has been dealt another blow. The only other prosecution case, which Attorney-General Mark Dreyfus personally authorised last December, is unravelling.

Late last month, Alexander Csergo, a Sydney businessman charged with “reckless foreign interference,” was granted bail after Judge Graham Turnbull said the case against him was “arguable,” yet he could spend almost another year in custody awaiting trial.

Csergo has pleaded not guilty to the charge, which carries a 15-year prison term. He was arrested in April last year, having just returned to Sydney from China. He remained in custody for more than a year, even after March, when prosecutors dropped their accusation that his conduct “prejudiced Australia’s national security.”

Judge Turnbull said the prosecution case contained no allegation of dealing in official secrets. He added that defendants in Csergo’s position faced difficulties in preparing a defence, given such “document-heavy” cases and restrictions in accessing material and lawyers in custody.

Even so, the judge imposed a lengthy list of bail conditions on Csergo, including ankle bracelet monitoring, daily reporting to police, a ban on going within 500 metres of any international departure point and surrendering his passport.

He must also not communicate with any prosecution witness, not leave the state of New South Wales without telling police, avoid all foreign consulates and only use one phone, without accessing any encrypted apps or websites.

Csergo’s only “crime” appears to be working in China as a corporate consultant. He had run a digital advisory business that provided services to large corporations. There was no indication that he had access to classified documents. All the information, on topics such as the state of the mining industry, that he gave to two clients, alleged to be undercover Chinese agents, was based on publicly available material.

The charge of “reckless” foreign interference shows how far the legislation can stretch. It does not require a deliberate attempt to act on behalf of a foreign power. Instead, it is enough that an individual was “aware of” a “substantial” and “unjustifiable” risk that their conduct could go in that direction.

As the WSWs has documented and explained, the “foreign interference” laws not only target China and its alleged local sympathisers. They can be used to outlaw political opposition, anti-war dissent and social protests by alleging that these activities are connected to “foreign” or international campaigns.

As well as creating seven new far-reaching offences, the legislation expanded existing offences, such as treason, sabotage, advocating mutiny and breaching official secrecy, to broaden their potential use to criminalise anti-war advocacy and activity, including the exposure of war crimes.

Last year’s \$368 billion AUKUS deal for Australia to acquire nuclear-powered submarines is clear preparation for aggressive US-led operations directly targeting China. Labor is already presiding over a vast expansion of US basing arrangements and an unprecedented build-up of Australian long distance strike capabilities.

While aimed at China, the foreign interference laws are part of plans to suppress the developing struggles of the Australian and global working class under conditions of an economic and social crisis, outrage over the Gaza genocide and the ever-rising danger of catastrophic US-instigated wars.



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