

Australian business heads warned not to criticise “foreign interference” laws

By Mike Head
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The *Australian Financial Review* reported on its front page on Tuesday that the country’s intelligence and foreign affairs heads have told corporate boards not to publicly differ with the “foreign interference” legislation that was rammed through parliament last week.

Just days earlier, in a sign of the government’s rush to enforce the new laws, the Espionage and Foreign Interference (EFI) and Foreign Influence Transparency Scheme (FITS) Acts were given royal assent by the governor-general on June 29, a day after they were passed.

According to the corporate newspaper, Australian Security Intelligence Organisation (ASIO) director general Duncan Lewis and Department of Foreign Affairs and Trade secretary Frances Adamson have conducted “briefings” in recent months with the country’s “top 20 companies” and those “that have major trade exposure to China.”

One “senior company director” told the newspaper that Lewis and Adamson warned the government’s offensive against alleged “interference” by China would be undermined by criticism from business. “Don’t give us such a hard time,” was the general message, the director said.

Lewis and Adamson reportedly urged the boards to stand behind the government’s measures despite “trade disruption” and alleged likely “cyber-attacks” from China. Companies were told to watch out for “foreign influence” and be “mindful of the sensitive and complex security environment.”

Sections of the Australian corporate establishment have raised concerns about the anti-China propaganda associated with the bills, to which the Chinese government has sharply objected. The fear in these circles is damage to Australian capitalism’s lucrative connections with China, the country’s largest export market, on which entire industries depend. Among these voices have been iron ore magnates Gina Rinehart and Andrew Forrest, former Trade Minister Andrew Robb and ex-Foreign Minister Bob Carr.

These anxieties are intensifying as the Trump administration steps up its trade war measures against China, intent on preventing Beijing from challenging the

United States’ post-World War II supremacy in high-tech and military weaponry. Any full-scale trade war would have devastating consequences for the Australian economy, especially in the resource, education and agricultural sectors.

While seeking to silence objections within the corporate and political establishment, there is an even more critical purpose to the anti-China offensive. That is to poison public opinion, stifle popular anti-war sentiment and prepare for a potentially devastating military conflagration that would likely mean the use of US and Chinese nuclear weapons.

In preparation for wartime conditions, the legislation constitutes a far-reaching assault on freedom of speech and other basic legal and democratic rights. The EFI Act—which is already in force—outlaws many forms of political activity deemed to “prejudice national security” or to be conducted in cooperation with overseas or international organisations.

The FITS Act establishes a public register for individuals and organisations accused of cooperating with international or overseas entities. There will be lengthy jail terms for those who fail to register or comply with intrusive reporting requirements. This Act will commence within 12 months, once the register is set up.

Leading US political, military and intelligence figures demanded the rapid passage of the legislation. Washington’s hand was again highlighted on Wednesday. The *Australian Financial Review* reported that a US “cyber-warfare” officer warned that military security would have been compromised if Huawei, the world’s largest telecommunications equipment firm, had been allowed to build an Internet cable from Solomon Islands to Australia.

US Navy Lieutenant Commander Jake Bebbler told the newspaper the \$137 million cable, which is now being funded through Australia’s aid budget, would have been a significant strategic asset for China. “The US would have been concerned about China laying that cable,” he said.

Bebbler’s intervention reinforced the insistence of the Australian security agencies—which are integrated into the US-led “Five Eyes” global surveillance network—that the Turnbull government must ban Huawei from providing

equipment for Australia's proposed 5G mobile system.

Australia's incorporation into Washington's war preparations deepened on Wednesday. The Liberal-National Coalition government announced a contract worth up to \$1 billion for IBM, the US IT giant, to supply computer equipment and software across the entire federal government.

In 2014, former US National Security Agency (NSA) contractor Edward Snowden revealed that major Internet companies, including IBM, were providing real-time access to content on their servers to the NSA's worldwide spy operations, under a program called Prism.

While Huawei is being denounced as a conduit for the Chinese government to supposedly take control of sensitive data, no such objections have been raised about the government's decision to place IBM in charge of Australia's data.

The opposition Labor Party, which is just as committed to the US military alliance as the Coalition, helped push the two bills through parliament in a near-record three days. Labor claimed that about 280 last-minute amendments reduced the impact on civil liberties.

Nothing could be further from the truth. As well as expanding offences, such as "treachery," "advocating mutiny" and "sabotage," that carry potential life sentences, the legislation has introduced vague new ones, such as "foreign interference."

Anyone who conducts an activity to "influence" a political or governmental process, even organising a rally, without revealing that they are coordinating with an international or foreign organisation, could face charges that carry jail terms of up to 20 years.

The Labor-backed amendments primarily focus the legislation more tightly on political entities, such as environmental, human rights and socialist organisations, which conduct campaigns in alliance with international co-thinkers.

Narrow exemptions from some measures were drafted for professional journalists and media staff, corporate lobbyists and "charities, arts organisations and industrial associations." These exceptions are essentially designed to protect business interests, while retaining the legislation's central anti-China and anti-dissent axis.

The exemptions do not cover activity judged threatening to "national security," which is defined to include "the country's political, military or economic relations with another country or other countries"—in other words, the profit interests of the Australian capitalist class, which depend heavily on the US for military and strategic support.

New secrecy offences go far beyond the previous outlawing of leaking classified material. Publishing or

otherwise "dealing" with information deemed "harmful" is now a crime. The proposed maximum penalty was reduced from 20 to 10 years' imprisonment and a highly-conditional defence was created for "reasonably" believing that it was in the "public interest" to expose the information. But that just covers media company employees, not Internet contributors or members of the public.

Another "protection" that Labor claimed to secure was that the attorney-general must personally authorise some types of prosecutions. In reality, that only makes political victimisation more likely.

In fact, on the same day the bills were passed, it was revealed that Attorney-General Christian Porter had authorised a prosecution under a similar provision in the Intelligence Services Act. A former intelligence officer and his lawyer face imprisonment for exposing Australia's spying operation in 2004 against East Timorese ministers during talks over disputed oil and gas rights in the Timor Sea.

This move is a clear warning of the kind of draconian and anti-democratic charges that governments, both Coalition and Labor, will pursue under the "foreign interference" laws.

There is a wall of silence in the capitalist media, and the pseudo-left outlets, about the latest assault on democratic rights. Only the WSWS has documented and warned of the reactionary and far-reaching nature of the new laws. The Socialist Equality Party has called urgent public meetings to discuss them and raise the need for a powerful movement of the working class against war and the tearing up of political rights.

To contact the WSWS and the
Socialist Equality Party visit:

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