



## Five Eyes plan global police state

By Elisa Barwick

20 Aug.—At the end of August representatives of the Five Eyes intelligence alliance—the USA, UK, Canada, New Zealand and Australia—will meet on the Gold Coast. Not much is known about the upcoming summit and may not be even after it occurs, but fortunately—at least for the purpose of understanding what the top-secret alliance is planning—Australia’s Home Affairs Secretary Michael Pezzullo is a bit of a windbag. Pezzullo has asserted that “trail-blazing” initiatives would emerge from the consultations, and in a number of speeches has foreshadowed a new era of globalisation in the realm of security.

In a 26 June parliamentary speech about the Turnbull government’s foreign interference bills, MP and Iraq WMD whistleblower Andrew Wilkie said, “I will go so far as to say that Australia is a pre police state”. The *National Security Legislation Amendment (Espionage and Foreign Interference) Act 2018*, which passed the federal parliament on 28 June, established an unprecedented state-secrecy regime smothering freedom of speech, association and political communication, in the name of curbing so-called foreign influence. (“Resistance builds to Turnbull’s totalitarian ‘national security’ laws”, AAS 7 Feb.; “Officials warn ‘foreign influence’ laws undermine parliamentary privilege”, AAS 4 April.) London’s *Financial Times* revealed on 27 June, in “Australia leads ‘Five Eyes’ charge against foreign interference”, that the push for foreign interference laws was occurring under the Five Eyes umbrella. All Five Eyes members, bar New Zealand—whose ongoing membership the article queried—are implementing measures ostensibly to prevent hostile foreign powers, a.k.a. Russia and China, manipulating elections or policies. In reality the Anglo-American financial establishment behind the Five Eyes is trying to prevent Western collaboration with nations seeking to establish a new fair and just economic and security architecture based on peaceful collaboration for development.

### Security overhaul

According to Pezzullo’s pontifications, what is being planned is far worse than Wilkie foreshadowed—*global police state laws* dictated by the Five Eyes. The new scheme has emerged following the dramatic shakeup of Australia’s security framework which began with last year’s review of the Australian Intelligence Community, and which effectively puts Five Eyes in charge of domestic security. The Australian Security Intelligence Organisation (ASIO) and Australian Secret Intelligence Service (ASIS) have always functionally been branches of their British counterparts MI5 and MI6, but Pezzullo now heads a super-ministry, modelled on the UK Home Office. The new Department of Home Affairs was created to oversee operations, strategic planning and coordination of the response to security threats, as conducted by ASIO, the Australian Federal Police, the Australian Border Force, the Australian Criminal Intelligence Commission, the Australian Transaction Reports and Analysis Centre (AUSTRAC) and the Office of Transport Security—agencies which currently operate under the purview of a number of ministerial portfolios. Pezzullo had pushed for such a super-ministry since he was Opposition Leader Kim Beazley’s deputy chief of staff in 2001; he pushed it as Secretary of the Department of Im-



Home Affairs Secretary Michael Pezzullo testifying at a Senate hearing. Photo: Screenshot

migration and Border Protection under the Abbott government, which considered such a move; and when the Turnbull government adopted it in December 2017, Pezzullo scored the top job under Minister Peter Dutton.

In addition, a new Office of National Intelligence is to be established, likely taking over the operations of peak intelligence body the Office of National Assessments, but assuming a broader role coordinating and directing Australia’s five spy agencies—ASIO, ASIS, the Defence Intelligence Organisation (DIO), Australian Geospatial-Intelligence Organisation (AGO) and Australian Signals Directorate (ASD). The independent statutory body will operate within the Prime Minister’s portfolio and report directly to the PM.

The bill to establish the Office of National Intelligence was introduced into the House of Representatives on 28 June following examination by two parliamentary committees. When Turnbull announced the Office on 18 July 2017, he stressed that all other Five Eyes partners have a “single point of coordination” for intelligence, and that “Australia doing the same will ensure even better collaboration with our Five Eyes partners”. At the Commonwealth Heads of Government Meeting (CHOGM) in London on 19-20 April, Turnbull signed Australia up to a new cyber security pact forged by the 53 member nations, extending the collaborative relationship between the Five Eyes spy alliance (four of which are Commonwealth countries) into a broader network. On the sidelines of the meeting, Australia and the UK signed up to a new joint strategy to work together at the operational level to target cyber crime, piloting “new tactics, techniques and capabilities” and coordinating “global responses” to attacks.

### Pezzullo reveals all

Delivering the keynote address at the International Summit on Borders in Washington, DC on 19 June, “Rethinking the Security Role of the State in a Complex and Connected World”, Mr Pezzullo demanded that security mechanisms keep up with the advance of globalisation. Along with its benefits, he observed, globalisation has also brought a “dark side” as criminal networks and terrorists take advantage of global connectivity and less rigid borders, typified by cyberspace.

Pezzullo noted that the Five Eyes grouping has taken up the need for transnational collaboration on domestic security and law enforcement. “[F]or decades these issues were

seen as matters to be dealt with ‘within jurisdiction’, ... this is no longer the view held by the Five Eyes partners, ... the meeting in Australia in August will be a trail-blazing one in terms of significantly advancing transnational security collaboration across a broad range of functional problems and mission areas.”

Calling for the integration of “all of our tools of national power, including the cloak and the dagger, the data scientist and the detective, the border officer and the diplomat”, Pezzullo spelt out how we must rethink the function and structures of government itself. While “we tended to think of the state as possessing ‘majestic power’” following the rise of the modern nation-state in Europe in the 17th century, with today’s erosion of sovereignty “nothing less than the transformation of the state itself will be required. Still under the rule of law, and consistent with our fundamental constitutional arrangements, the state will in future need to become at times less visible, more deeply embedded in sectors and vectors, and ever-vigilant. We will have to reorganise how government works in order to achieve this and we will have to factor in a transnational model of security.”

In a subsequent, 17 July speech to the 4th Australian Security Summit in Canberra, Pezzullo elaborated on the envisioned new global security architecture: “Ironically—and somewhat paradoxically—in the networked and connected world that I have described, *unity of command, clarity of authority, and singularity of purpose* need to be hardwired into our security architecture lest our agility and flexibility to respond be compromised. [Emphasis added.] We certainly need to *re-think the paradigm that domestic security and law enforcement can be exclusively executed within national jurisdictions*. [Emphasis in original.] This is, of course, the

prevailing paradigm—and understandably so in a world of nation states; the world that emerged in that same 17th century after the Peace of Westphalia.”

New “values, norms and legal constructs” are required, he said, to fill regulatory and compliance gaps created by the globalised world, which is outpacing national laws and rules. The argument is that criminal syndicates can “operate in the gaps and seams created through those jurisdictional boundaries” of traditional, national jurisdictions, i.e. sovereign nations. New models of decision-making are required, incorporating sophisticated data models, analytics, powerful computational capabilities, and even artificial intelligence, to accurately assess risk and secure borders, vital infrastructure and the integrity of elections.

Given the history of the Five Eyes network, transparency on exactly what this will mean shall definitely not be forthcoming. Only a survey of existing police-state laws in Australia and the UK provides an indication of the direction that will be taken. (The latest proposals before the UK parliament have been denounced by former MI5 officer Annie Machon as “a potentially dangerous blueprint for a techno-Stasi state”, AAS 27 June.) Originally set up by Britain in 1946 as the UKUSA Agreement, to leverage its influence over the United States after World War II, the existence of the broader Five Eyes alliance was unacknowledged for thirty years. Even thereafter it did not gain wide public attention until 2013, when documents released by National Security Agency (NSA) whistleblower Edward Snowden revealed the group’s extensive monitoring of each other’s citizens to get around domestic surveillance laws. Fellow NSA whistleblower Thomas Drake called the Five Eyes and its extensions “a hidden empire”. Is this the institution we want in charge of our “security”?

## Turnbull: Assange broke no Australian law

In a 31 July article for *Consortium News*, Virginia State Senator Richard Black urged a sovereign state to step forward and offer WikiLeaks founder Julian Assange asylum.

Black argued that “Government ‘of the People’ cannot flourish beneath a suffocating cloak of secrecy. And secrecy is often aimed, not at protecting us from enemies abroad, but at deceiving us about the dark machinations of our own government. ...

“Before Assange, those who ‘broke the code’ and detected the Deep State’s patterns of misbehaviour were labelled ‘conspiracy theorists’ or worse.” Black points out that Assange’s information, with the advent of WikiLeaks, produced “original, unchallenged source documents that have proven our arguments, and revealed the truth to citizens”.

Since the election of US President Donald Trump, which “sent shock waves through the Deep State”, there is a new, more intense “coordinated effort to reimpose information control”, said Black. In that context Assange’s life may even be at risk, he continued, as “Julian Assange and WikiLeaks are among the censors’ prized targets”.

“I realise that Julian Assange is controversial”, Black concluded, “but I’d be pleased if some courageous nation granted him permanent asylum. Let him continue giving citizens an honest peek at the inner workings of their governments. That seems to be our best hope for peace.”

It is a no-brainer that as Assange is an Australian citizen, Australia should be that country, and our Prime Minister has more reason than most to consider it. Former senior MI5 officer Peter Wright, whose book *Spycatcher* breached the UK’s *Official Secrets Act*, was defended in his late 1980s court case by then up-and-coming lawyer Mal-

colm Turnbull. Wright’s right to publish his book in Australia was upheld, a victory for free speech. Sky News *Outsiders* program host and former Liberal MP Ross Cameron revealed on 16 August an audio clip of then Shadow Minister for Communications reflecting on this case, and on Assange’s plight, in front of some of the country’s most eminent lawyers at the Sydney University Law School on 31 March 2011. Turnbull said:

“The High Court was very clear in declaring that an Australian Court should not act to protect the intelligence secrets and confidential political information of a foreign government, even one which was a very friendly one, and even in circumstances where the Australian government requested the court to do so. Now I stress this point because it has a current relevance to the case of Julian Assange, who you will remember, our Prime Minister Julia Gillard described as someone who had broken the law—acted illegally by publishing the contents of confidential US State Department cables.

“Not only was it perfectly obvious that Mr Assange had broken no Australian law—and despite the strenuous effort of the Americans there is no evidence that he has broken any American ones—but the decision of the High Court in *Spycatcher* makes it quite clear than any action in an Australian court to restrain Mr Assange from publishing the state department cables would have failed. These remarks by the Prime Minister, which were echoed by her Attorney General, are particularly regrettable, not simply because she was so obviously in error from a legal point of view, but whatever one may think of Mr Assange, whatever Julia Gillard may think of Mr Assange, he is after all an Australian citizen.”