

Spy agency sets sights on new terror targets

PAUL MALEY, The Australian, June 26, 2015

Immigration officials have begun compiling a list of suspected Australian extremists who could lose their citizenship under tough new anti-terrorism laws, with ASIO estimating that up to half of all Australians fighting in Syria are dual nationals.

The Australian has been told work has begun identifying terrorists who could fall foul of the new laws, expected to be passed by the parliament with the support of both the major parties.

It is understood the government expects to strip the first dual nationals of their Australian citizenship by the end of the year.

They are also reviewing suspected extremists still in Australia who may also lose their citizenship under provisions that apply to onshore extremists.

The job of identifying dual nationals has fallen to ASIO.

But the work is more complicated than it seems, as it is not always clear if a person holds two passports.

Under controversial new laws introduced into the parliament on Wednesday, dual nationals who are found to have engaged in terrorist conduct will automatically lose their citizenship.

The government has billed the changes as modernising existing sanctions in the act which strip Australian dual nationals of their citizenship if they serve in the armed forces of a country that Australia is at war with.

However, critics of the bill argue it is an overreach of executive power that sidelines the courts and gives too much weight to the judgment of security agencies, who will determine when such conduct has occurred.

The Australian has been told that officials have been gathering information about the number of dual nationals fighting in Syria over some time, partly in preparation for the bill.

There are about 120 Australians fighting with Islamist groups in Syria, mostly Islamic State or Jabhat al-Nusra, al Qaeda's official affiliate in Syria. Between 40 per cent and 50 per cent are dual nationals.

The deputy director of the Australian Strategic Policy Institute, Anthony Bergin, has urged the government to go further, arguing that Australia should temporarily withdraw from the UN Convention on the Reduction of Statelessness in order to apply the citizenship sanction to naturalised Australians. Among the options the government considered prior to introducing this week's legislation was a proposal that would have allowed the Immigration Minister to strip sole nationals of their Australian citizenship.

The proposal prompted widespread discord in the Abbott cabinet amid concerns it could render people stateless. "What the government's done today is in effect deal with half the problem, because on the government's own admission only half the foreign fighters are dual nationals," Dr Bergin told The Australian.

"If the government wanted to, they could denounce the (19)61 convention and then re-accede to the convention with a reservation along the lines that Britain did when they signed it. That allows the revocation of a citizen where someone acts prejudicial to Australia's national security."

Like Australia, Britain has signed the 1961 Convention on the Reduction of Statelessness, but with a reservation that allows it to deprive naturalised Britons of their citizenship, should they engage in conduct that is considered prejudicial to the "vital interests" of the crown.