Australian PM prejudices rights of terrorist suspects to fair trial

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Two days after the police raid and arrest of two young men on allegations of terrorism, Australian Prime Minister Tony Abbott used his parliamentary privilege on Thursday to make deeply prejudicial statements about the case and attempt to stoke an atmosphere of fear and hysteria over "home-grown" terrorist threats.

Responding to an already prepared question by a member of the Coalition government, Abbott gave lurid details of what he claimed was a video seized from the home of the two men, 25-year-old Kuwaiti Mohammad Kiad, and 24-year-old Iraqi Omar al-Kutobi.

Abbott said that he had been shown the "pre-attack" video by police that proved the young men were acting in the name of Islamic State of Iraq and Syria (ISIS)—which Abbott has taken to referring to as "the death cult."

Abbott claimed that one of the arrested men was shown "kneeling before the death cult flag with a knife in his hand and a machete before him." Abbott read out what was purportedly an English translation of the man's statements in Arabic: "I swear to almighty Allah, we will carry out the first operation for the soldiers of the caliphate in Australia. I swear to almighty Allah, blond people, there is no room for blame between you and us. We owe you only stabbing the kidneys and striking necks."

Abbott asserted: "I do not think it would be possible to witness uglier fanaticism than this, more monstrous fanaticism and extremism than this, and I regret to say it is now present in our country."

Police have claimed that the video provides evidence that a so-called "lone-wolf" terror attack was imminent. The video, however, has not been made public, and there has been no verification of the government's claims or of the accuracy of the English translation. As with every purported terrorist incident, the official version presented by the state cannot be taken at face value. In case after case, in Australia and internationally, it has later been exposed as riddled with falsifications and distortions.

After massive police raids in Sydney and Melbourne last September, assertions of a plot to publicly "behead" someone, made on the basis of a phone-call intercept, later proved to be baseless. The word "behead" was never actually been used, and the "weapon" turned out to be a plastic ornament owned by an individual who was not even charged.

A hostage incident in Sydney at the Lindt Café in December was blown up by the government, police and media into a national terrorist crisis. It rapidly emerged that the hostage-taker, Man Haron Monis, was a disturbed man who was well-known to police and had no connection to ISIS or terrorist organisations. No attempt was made to negotiate a peaceful conclusion and it ended with police storming the café and the death of Monis and two hostages (see: "The Sydney siege: Official lies and contradictions").

Several lawyers have publicly condemned Abbott's comments on the latest incident as outrageous and deeply prejudicial. Having publicly read out evidence that would be used in the trial of the two young men, and effectively declared them guilty, Abbott has ensured that they will be unable to receive a fair trial.

Prominent Australian barrister Robert Richter QC said that if Abbott had made his statements outside of parliament, he could have been held in contempt of court. "To make those sorts of inflammatory utterances is calculated to influence the judicial process, and it's being done for a political purpose," he said.

Criminal lawyer Adam Houda also pointed to the political calculations underlying Abbott's statements

and the timing of the police raid itself. He suggested it was aimed at diverting attention from the deepening crisis facing Abbott's government. The raid took place in the immediate aftermath of a leadership challenge to the prime minister last Monday, and ongoing opposition to Abbott in the Liberal Party.

"He wants to milk this situation politically for all it's worth," Houda said. "And the unfortunate result is that it will also bring unfair prejudice to the matters now before the court and also undermine the court process." He added: "Is it coincidental that every time the Prime Minister is in the sh**, his mates find him a terrorist?"

Abbott's comments are part of a broader agenda of the government, Labor opposition and media to use the alleged threat of terrorism to justify their reactionary program of war abroad and the tearing up of democratic rights at home.

The massive "anti-terror" raids last September were timed to coincide with the Abbott government's announcement that it was sending fighter jets and Australian combat forces to join the renewed US-led war in Iraq. This week's widely-publicised arrests come amid preparations by the Obama administration to further escalate US military operations in the Middle East.

Australian forces are an important component of Washington's military strategy and planning in Iraq and Syria. In a speech on Thursday, Vice-Admiral David Johnston, the head of the Australian Defence Force's Joint Operations Command, stated that the coalition had conducted 2,000 airstrikes in Iraq and Syria since August, 13 percent of these were carried out by six Australian F/A-18 Super Hornet fighter-bombers. Johnston alleged that 8,000 ISIS fighters had been killed, mostly from airstrikes, and that Australian planes had killed "hundreds."

The Abbott government also dispatched 200 special forces commandos to Iraq, who have been attached to three brigades of the Iraqi Counter Terrorism Service (CTS). The CTS forces have a documented record of functioning as sectarian Shiite death squads. They stand accused of murdering numerous perceived opponents of the US-backed puppet Shiite government in Baghdad (see: "Australian special forces working with sectarian Shiite troops in Iraq").

The Abbott government has used the latest police raid to justify a series of draconian laws passed in the wake of the September raids, and to call for an even greater build-up of state powers. During his speech on Thursday, Abbott declared that "the anti-terror legislation recently passed by the parliament was helpful in securing this arrest." Along with many other anti-democratic provisions, the legislation lowered restrictions on the power of police to make arrests, by requiring that they only "reasonably suspect" someone of having committed a crime, rather than the previous legal standard of "reasonably believes."

Abbott explicitly tied the arrests to another tranche of the government's anti-democratic legislation, which will soon come before parliament. The legislation will require Internet providers and social media platforms to hold metadata of all their users for two years, allowing intelligence agencies to trawl through it and build up a detailed profile of anyone's life. Abbott declared that the bill "must be passed if our community is to be as safe as it should be in these difficult times."

The latest arrests are also being used to fan anti-Muslim and anti-immigrant xenophobia, which is aimed at diverting growing social tensions in Australia into reactionary nationalist channels. In response to another staged question about how al-Kutobi was allowed to enter Australia, Minister of Immigration and Border Protection Peter Dutton declared that intelligence agencies had been "pushed to the limit and beyond" by the influx of refugees to Australia. He has foreshowed a review aimed at even tougher anti-immigrant measures.

The Labor opposition has given its unequivocal backing to the Abbott government's anti-terror campaign and the deployment of the Australian military into Iraq. In comments to reporters following Abbott's parliamentary speech on Thursday, Opposition leader Bill Shorten attacked Abbott, not for undermining the legal rights of the two suspects, but for compromising their conviction. He declared that it would be "terribly concerning if we've compromised a national security trial because the prime minister's just gone too far."

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