

Submission to the Parliamentary Joint Committee on Intelligence and Security

Inquiry into the National Security Legislation Amendment (Espionage and Foreign Interference) Bill 2017

Joint letter by scholars of China, the Chinese diaspora, China-Australian relations and
Australia's relations with Asia
28 March 2018

We the undersigned are scholars of China, the Chinese diaspora, China-Australia relations and Australia's relations with Asia. We are deeply concerned by a number of well-documented reports about the Chinese Communist Party's interference in Australia. We strongly believe that an open debate on the activities of the Chinese Communist Party (CCP) in this country is essential to intellectual freedom, democratic rights and national security. This debate is valuable and necessary.

It is vital that the debate is driven by fact-based research and reporting rather than sensationalism or racism. It is also vital that this debate is not stifled by self-censorship. We firmly believe the current debate is not characterised by racism and that it is crucial for Australia to continue this debate. Indeed, Chinese Australians are among the main initiators and drivers of this debate. We also believe in the need to encourage careful research into the CCP's covert and sometimes coercive activities here in Australia and in other countries, where we note that concern is also rising. Identifying, recognising and winding back CCP interference as an unacceptable and counterproductive part of bilateral engagement is a step towards developing a healthy China-Australia relationship over the long term.

We believe that some of the CCP's activities constitute unacceptable interference in Australian society and politics. We believe these have in a number of instances sought to restrict personal freedoms, impede democratic processes and affect national security, with the potential to harm Australia's interests and sovereignty. We recognise the need to consider seriously the extraordinary warnings about foreign interference from the Australian Security Intelligence Organisation. These warnings were certainly not made lightly.

Accordingly, the Australian government and civil society must remain vigilant against such activities as:

- Espionage and other unlawful operations by Chinese officials or their proxies on Australian soil
- Attempts to interfere in political elections
- Direct and indirect control of Chinese-language media in Australia
- Intimidation of Chinese Australians (both Australian citizens and permanent residents) for their political views and activities in Australia
- The use of political donations and agents of influence in attempts to change Australian government policies

- The takeover and co-opting of Chinese community groups to censor sensitive political discussions and increase the Chinese government's presence in the community
- The establishment of Chinese government-backed organisations on university campuses used for monitoring Chinese students
- Interference in academic freedom
- The cultivation of prominent Australians in attempts to sway public and elite opinion
- The covert organisation of political rallies by the Chinese government.

Where clear evidence of such activity exists, the Australian authorities should be willing and able to take appropriate steps to counter foreign interference and threats to sovereignty. We recognise the concern that existing legislative instruments are not sufficient for these purposes and acknowledge the need for laws suitable to today's circumstances. Like the many people and interests whose perspectives have been conveyed in recent submissions to the Parliamentary Joint Committee on Intelligence and Security, we hold a range of views about whether the Bills as currently drafted are acceptable or whether they will need some significant amendment. We also recognise that the proposed laws are not targeted solely at China and nor should they be.

In recent years the CCP's efforts at influence and interference in Australia have become increasingly bold, including an overt agenda to influence Chinese communities in Australia. The recently announced consolidation of Chinese state media outlets under the Propaganda Department and the expansion of the United Front Work Department's mandate for overseas Chinese suggest that the CCP's activities in Australia will continue and potentially intensify.

Any and all forms of racism, including against people of Chinese heritage, deserve condemnation. Racism was a deplorable part of Australia's history and continues to find expression in modern Australia. We oppose it unreservedly. However, we strongly believe that the growing public discussion on unacceptable CCP activities in Australia and many other countries around the world is not motivated by racism. The debate here has originated from genuine concern for Australia's national interest including this nation's fundamental value of tolerance for and protection of minority rights. For some of us, the debate has been motivated by the need to protect the interests of migrants from mainland China, Taiwan, Hong Kong, and of those in Uyghur and Tibetan communities in Australia, all of which have been targets of the CCP's interference.

There is a critical need to clearly distinguish between Chinese people and the CCP and avoid conflating the two in public discussions. We recognise that people of ethnic-Chinese heritage in Australia may have a range of national origins, and that it is inappropriate for the CCP to claim that they should have primary allegiance and emotional connection to a 'China' as defined by the CCP.

Alarmist and racist sentiments will exist at the fringes of any debate that touches on ethnic-minority communities, but they do not define the valuable discussion underway about CCP interference in Australia. The solution is not self-censorship but rather the normalisation of this debate as a part of the regular discourse about Australia's national interests. This is essential to avoid any risk of it being distorted by sensationalism or hijacked by extreme agendas.

Accusations of racism must be taken seriously, and great efforts must be made to avoid and end racism. We are mindful also that racism is precisely the accusation that is encouraged and levelled by the CCP itself as it tries to silence the current discussion. Through these accusations and its efforts to infiltrate Chinese communities, the CCP seeks to position itself as the protector of overseas Chinese and drive a wedge between Chinese communities and the rest of Australia. Should the CCP's operations of interference be allowed to continue in Australia, they will fuel divisiveness between Chinese communities and other Australians, weaken the Australian government's ability to communicate with Chinese communities and harm the democratic rights of Chinese Australians.

We appreciate and welcome the deep and dynamic connections between China and Australia in society, culture and trade. We believe that people of Chinese origin in Australia, whether citizens of this country or not, expect and deserve the same freedoms as others in our democratic system: to express opinions on any question, and to support or criticise any policy. Whether a scholar at an Australian university, or a student from the People's Republic of China, Hong Kong or Taiwan, all should be able to express their point of view free of fear or censorship, whether from forces foreign or domestic.

We have in Australia's mature multicultural society the capacity to conduct this important debate with rigour, balance, honesty and transparency, and without unnecessarily escalating either community tensions or diplomatic differences. We call on all involved in this debate to work towards these ends.

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