Fresh Perspectives in Security

Katherine Mansted, Sarah Logan, Susan Harris Rimmer, Sara E. Davies, Claire Higgins, Danielle Chubb
The Centre of Gravity series

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Welcome to the first Centre of Gravity for 2020. Our world has already faced numerous, unprecedented challenges in the first months of the new year. The depth and breadth of these challenges illuminate the increasingly complex nature of the security issues that bind us all as a global community, and more importantly, divide us in the creation of a proactive and realistic policy response.

It is no secret that the strategic landscape is evolving. Entire schools of academic thought once as peripheral concerns are now front and centre demanding attention. With such changes comes the opportunity, and the imperative, to highlight fresh perspectives. Such discourse will assist in the development of flexible response options when future challenges inevitably arise.

I have asked six of Australia’s most innovative scholars to challenge our thinking in the latest edition of the Centre of Gravity series. Their task? Present a fresh perspective.

MacCallum Johnson
Assistant Editor, Centre of Gravity Series

Citizen data: a centrepoint for trust in government and Australia’s national security
Katherine Mansted and Sarah Logan

Executive Summary

✦ Citizen data is both a public good and an emerging arena for strategic contest. This makes it a national security asset that requires increased protection.
✦ Advances in data-driven information and communications technologies, combined with the political warfare strategies of other states, has shrunk the distance between citizens, governments and national security.
✦ Citizen data is a key upstream input into economic and government processes; Australia has a strong interest in managing and protecting it.
✦ Citizen data is also an increasingly high-value target for hostile actors, vulnerable to theft, manipulation and weaponisation.
✦ Hostile actors increasingly act to exploit democratic trust deficits: how governments manage data strongly influences citizen trust in government, presenting an opportunity to build resilience to foreign threats (and a key vulnerability if mismanaged).

Policy Recommendations

✦ The Australian Government should clearly signal the strategic importance of citizen data to the public and all government agencies by declaring it ‘critical infrastructure’.
✦ Ministers and government leaders must involve the public in policy debates on data governance and national security matters to motivate the need for government to more actively use and protect national data holdings.
✦ All government agencies must hold themselves to the highest standards of data governance to maintain public trust and build national resilience to data-related attacks.
✦ The Australian Parliament should ensure that all legislation it passes includes robust, enforceable standards for data protection, incorporating best practice cybersecurity, privacy and data governance principles.

The strategic context: heightened competition, social disruption

Australia faces an environment of heightened strategic competition. Distinctions between ‘war’ and ‘peace’ are increasingly irrelevant: interstate competition is continuous and enduring, and security challenges blur international and domestic actors and interests.

Russia and China, for example, pursue whole-of-nation ‘political warfare’ strategies, marshaling state and market institutions to shape public opinion, corporations and democratic institutions inside foreign countries, including Australia. At the same time, advances in data-driven information and communication technologies (ICTs) have made Australian society unprecedentedly porous to external interference, coercion and manipulation. For example: the ubiquity of social media (each month, around 17.3 million Australians use Facebook, and 17.6 million watch YouTube) enables foreign actors to profile citizen preferences and behaviours, and to target them with misinformation and propaganda at scale, unhindered by national borders.
The same ICT advancements which create opportunities for interstate competition are also creating new domestic social vulnerabilities which hostile actors will exploit. For example: Australians’ low trust in media organisations—in large part a consequence of digital disruption of the sector—can make it difficult for governments and civil society to combat information manipulation.

Rapid technological change is also putting pressure on the social contract between democratic governments and their citizens. Norms and laws on privacy and ownership of personal data, for example, remain underdeveloped. Governments also face pressure to increase service-delivery efficiency from citizens whose expectations have been raised by seamless online social interactions and transactions. As a result, public trust in government is increasingly fragile. Significantly, adversaries are willing and able to exploit trust gaps in democracies for strategic gain. For example: a key goal of Russia’s ongoing digital interference in American politics is to undermine trust in American democracy, and to exacerbate declining social trust between political and identity groups.

The transformative role of data in national prosperity and security

Every day, huge swathes of data about Australian citizens’ social, economic and civic identities and activities are captured and stored by a constellation of private, commercial and government devices and databases. This data is significant for two main reasons:

1. **Data is a public good**. Insights generated from citizen data can be used by national security agencies to protect Australia’s interests, and by commercial and government agencies to improve service-delivery and to drive innovation and national competitiveness.

2. **Data is a strategic resource**. Hostile actors have intent and capability to steal, manipulate or weaponise citizen data (and the processes and systems which store and use that data) to advance their interests and damage Australia’s.

Citizen data is now a focal point for enhanced, whole-of-nation competition between states—and deserves priority consideration in national security and defence policy.

Data is a public good

Data has been forecast to be this century’s most important driver of innovation and economic prosperity. Most of the potential for value creation via data analytics remains open to capture and will continue to expand, as computing power and machine learning know-how advances.

Data analytics will not just underwrite Australia’s economic prosperity: with appropriate stewardship and investment it will lead significant improvements in healthcare, education, defence, law enforcement and other public and social goods.

The Australian Government therefore has a responsibility to ensure that data is collected and used across the economy and by government agencies in ways that drive innovation and social progress.
**Data is an arena for strategic contest**

As data’s importance to national outcomes rises, so too does its attractiveness to hostile actors. Data collected by governments and corporations is a strategic resource — in the sense that it is both closely linked to Australia’s ability to advance longer-term national economic and security interests, and something that can be weaponised by foreign actors, and therefore must be protected.

Foreign corporations and states may choose to disrupt, manipulate or steal national data holdings for a range of reasons. For example: Australians’ data can be used to train adversary machine learning and artificial intelligence algorithms, to build a detailed intelligence picture of our society and politics, to better target information manipulation against Australia’s interests, or to inspire fear and distrust in communities when it is stolen or leaked.

As technology advances, incentives (and opportunities) for data-related attacks are likely to increase. For example, as more commercial and government processes come to rely on machine-assisted decision-making, the likelihood and magnitude of ‘data poisoning’ attacks also rises. That is, adversaries may attempt to shape decisions and policy by altering the data or informational parameters on which machine-assisted decision systems rely. This is a more direct (if subtle) way of influencing national economic and political decisions than the comparatively imprecise approach of public opinion. Data poisoning attacks—regardless of whether they succeed on their objectives—can also weaken public trust in institutions.

**Data governance: a strategic asset**

The strategic importance of citizen data goes beyond the value of the data in itself. Effective data governance can build trust in government, with clear strategic implications in the context of misinformation. For Australians, government institutions are not distant entities: centralised service delivery sees citizens interacting with government at multiple points across their daily lives. Often this interaction involves the collection of citizen data by Australian agencies in health, social service delivery and tax, for example. The amount of data government collects about its citizens means the link between trust in government and data collection, storage and management—that is, data governance—is strong.
However, in practice, trust in government on this issue is relatively weak, and arguably weakening. Consider recent debates over Australia’s national digital ‘My Health Record’: what should have been championed as a generationally significant nation-building project instead became derailed by (important, but belated) conversations about whether citizens could trust government to secure their data and protect their privacy.

The My Health debate underscores recent research about Australians’ perceptions of government data management: citizens would be comfortable with government making greater use of their data, but do not trust government to keep their data safe. This hurdle must be urgently addressed so government can unlock the social, economic and national security opportunities of data use and analysis.

Data breaches, privacy failures, and other real or perceived failures in governments’ management of citizen data can damage trust in government—not just as a safe pair of hands for data, but as a trusted interlocutor in the online space. This can undermine government efforts to manage and use the online realm for a range of national security purposes—this is particularly pertinent in the context of policy debates on issues of surveillance. It can also minimise government’s capacity to act as a broker of truth in the online space, dampening the effectiveness of counter-misinformation measures.

The response: putting data at the heart of public policy

Citizen data should be treated as a strategic resource – and protected by laws and policies that emphasise trust, communication and high governance standards.

Frame data as a strategic resource

- Frame protection of citizen data by business and government as a national economic and security imperative. At present, government initiatives involving citizen data and data governance are often framed as issues of government efficiency. Instead, all conversations about data should foreground data as a driver of economic and social progress, the heightened threat environment Australia faces, and the national security consequences of data breaches and mismanagement. For example, forthcoming legislation on data governance, including on data sharing and release, should specifically address the way in which trust in government data handling is a strategic issue.

Failures in governments’ management of citizen data can damage trust in government.
• Declare data to be critical infrastructure. Chairman of the Foreign Investment Review Board, and former Director-General of the Australian Security and Intelligence Organisation, David Irvine, has argued that Australian citizen data should be treated as critical infrastructure. The Government should adopt this approach. Words matter, and few resources are as essential to Australia’s prosperity, or as vulnerable to foreign interference and manipulation.

• Establish a two-way conversation between government and the public to motivate the need for action. Citizens have equities in national security conversations relating to data, not least because it is ‘their’ personal data. Additionally, government policy decisions to protect data will limit choices available to consumers (for example: decisions to exclude certain foreign vendors from Australia on security grounds). They may also increase regulatory burdens on business (for example: organisations which hold sensitive data are likely to face stronger data governance and cybersecurity requirements, and increased scrutiny of foreign investment proposals). Decisions reached inside policy agencies in Canberra, while faster, may ultimately prove brittle and contested if not subjected to wider consultation and debate.

Put trust and credibility at the heart of data governance

• Ensure government maintains (or generates) an identity as an honest and credible broker of information. All agencies should increase public transparency and accountability about how, when, and why, they collect and use data—steps which have been shown to increase public trust in government.

• Increase transparency about threats to national data holdings. Trusted messengers in the national security sector, such as spy chiefs, can play an important role by establishing a public presence and delivering regular, focused messaging. Such messaging should be routine, rather than serving to only deliver bad news or to warn of new threats, as this might be perceived cynically.
• **Enhance communication protocols for reporting data breaches and leaks.** These announcements should be framed as part of an ongoing conversation that contextualises why data matters, what levels of risk are tolerable, and what government is doing to improve outcomes. Isolated ‘incident reports’ can increase public confusion and diminish public trust in the online environment. More open, consistent communication might result in uncomfortable news stories, but long-term will ensure government builds the social licence needed to operate in a data-driven world.

**Create enforceable data protection and governance standards across all government agencies and the economy**

- **Hold government agencies to the highest standards.** Robust data governance is essential for maintaining public trust—and an important pre-emptory measure to protect data from being exploited by hostile actors. Government should develop enforceable whole-of-government data standards, and hold laggard agencies accountable.

- **Test legislation for data standards:** Parliament should ensure that all new legislation passed—whether relating to individuals, business or government—appropriately protects citizen data.

The realities of enduring strategic competition and political warfare mean that Australia needs a new security paradigm that recognises that private citizens are increasingly frontline actors in defending Australia’s interests and values. We have argued in this paper that a key part of this shift will be recognizing that Australian citizens, and their data, are now at the centre of national defence and security.

In particular, government should be prepared for adversaries to increase data-driven misinformation and data sabotage attacks to manipulate public opinion, corrupt decision-making by government and other institutions, and damage social cohesion.

Defending against these threats will require action to proactively bolster data governance standards and public trust in government. It will also require an ongoing and mature national conversation about the threat environment Australia now faces, the strategic importance of data, and the policy options available to Australia to respond.

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**Australian citizens, and their data, are now at the centre of national defence and security.**

**Policy Recommendations**

- The Australian Government should clearly signal the strategic importance of citizen data to the public and all government agencies by declaring it ‘critical infrastructure’.

- Ministers and government leaders must involve the public in policy debates on data governance and national security matters to motivate the need for government to more actively use and protect national data holdings.

- All government agencies must hold themselves to the highest standards of data governance to maintain public trust and build national resilience to data-related attacks.

- The Australian Parliament should ensure that all legislation it passes includes robust, enforceable standards for data protection, incorporating best practice cybersecurity, privacy and data governance principles.
Endnotes


6 These include: (i) voluntary social interactions online (example: social media); (ii) compulsory (or at least necessary) interactions with government agencies (example: the Australian Taxation Office and Centrelink); and (iii) incidentally through daily interactions concerning transport and travel, rent and utilities, health records, financial transactions, job-seeking and employment. For further discussion, see Miah Hammond-Enrey, “The Transformative Potential of Big Data,” The Interpreter, 24 June 2019, https://www.lowyinstitute.org/the-interpreter/transformative-potential-big-data.

7 The Australian Competition and Consumer Commission estimates that up to 67 percent and up to 64 percent of the share price of Facebook and Google, respectively, is attributable to future growth projections—indicating that the market is confident in their ability to collect and monetize increasingly vast tranches of data: “Digital Platforms Inquiry: Final Report,” June 2019, https://www.accc.gov.au/system/files/Digital%20Platforms%20Inquiry%20-%20Final%20-%20June%202019.pdf.


9 The Australian Government’s response to the Productivity Commission Inquiry’s report into data availability and use makes clear that Government recognises this responsibility, and that data is a public good. Department of Prime Minister and Cabinet, The Australian Government’s Response to the Productivity Commission Data Availability and Use Inquiry, 2018.


Executive Summary

Australia's defence policy needs to engage in first principles debates about the purpose and future of defence spending, independent of our allies, as Hugh White suggests in the book *How to Defend Australia.*

Alongside Hugh White’s traditional security analysis, we must consider non-traditional security threats and elevate this analysis in order to protect Australia’s traditional and human security interests, especially the ‘threat multiplier’ effect of climate change. We need to consider a ‘dual use’ military fit to deal with climate emergencies.

Strategic choices are not limitless. Any nuclear options should be rejected as likely to be inconsistent with customary international law and our foreign policy objective of promoting a rules-based order.

Increased spending should be directed to conflict prevention, climate response, development assistance and preventative diplomacy.

The constituency for strategic studies needs to be broadened and deepened. Debates of this magnitude about defence spending and nuclear options affect all Australians, not just security specialists and conversely, the area of strategic studies becomes an critically important area for the Australian academy.

Policy Recommendations

- A restructure of Australia’s military capability should aim to create a ‘dual use’ force that can respond to climate emergencies as well as traditional security threats.
- Australia should invest in a signature whole-of-government unit focused on conflict prevention and mediation. Increased spending should be directed to conflict prevention, climate response, development assistance and preventative diplomacy.
- Nuclear options should be rejected, and instead Australia should sign the Treaty on the Prohibition of Nuclear Weapons.
- A diverse representative group should be invited to consider strategic security debates, for example, on whether Australia should become a neutral state, to deepen the constituency of strategic studies.

Pathways to a secure future

Australian defence policy is entering a new era of contestation due to the impact of ‘strategic competition’ in our region between China and the United States. Professor Hugh White should be congratulated on beginning a crucial debate on the implications of Australia’s possible divergent futures in his 2019 text *How to Defend Australia.*

White makes four key points. He presumes little or no support from the US as an ally in the future, and he stresses the need for an independent military strategy based on a robust defence of Australian territory using a strategy of ‘maritime denial’. White argues for a ‘radical’ force restructure, which should quadruple the size of the submarine fleet, double the size of the fighter-aircraft force, sell three air warfare destroyers which we have only just built, cancel the $35 billion contract for nine new frigates, and reform the army into a light constabulary force. He recommends Australia study the acquisition of a fleet of submarines armed with long-range nuclear-tipped missiles, similar to those operated by France and the UK. White estimates that doubling the defence budget could pay for these force structure proposals, amounting to roughly 3.5% or 4% of GDP.

I agree with White’s premise of independence, our ‘loneliness’ and the need for structural reform to our existing military capabilities, as discussed further below. The maritime denial strategy is an important contribution. However, I make three objections to White’s proposed solutions to rectify the problem as he has posed it, as set out below. I also call for a broader constituency for such debates about defence spending in particular, and the parameters of legal options that should be factored into such debates.

**Points of agreement**

White argues that our days of relying on powerful friends are numbered or over. I concur with this diagnosis of Australian ‘loneliness’ on matters of defence, based on the empirical evidence but also believing as a matter of principle, that Australian sovereignty should be a matter of carefully-guarded independence. Others disagreed, and like the Foreign Policy White Paper, double-down on the importance of the US alliance. For example, ASPI’s Michael Shoebridge does not accept the central thesis that the United States lacks the resolve to maintain primacy in the region, and pushes back on White’s key assumption that we really will be on our own. Others felt that his idea resonated with the current dynamics of foreign policy, such as Jack Waterford who commented, ‘…we need to plan a new independent foreign and defence policy, and come to an appreciation of our geography, not least as both an island and a continent’.4

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**Australian defence policy is entering a new era of contestation due to the impact of ‘strategic competition’ in our region between China and the United States.**
White’s solutions do not adequately address non-traditional security threats, especially those termed Anthropogenic existential risks, such as the risks posed by climate change.

In this aspect, White’s book should give other Australian thinkers the courage to pose the counter-narrative and avoid group-think. White thinks the threat lies in our loneliness rather than alliances, but voices in the UK have gone one step further. For example, Sir John Sawers, a former head of MI6, warns the policies being pursued by the divisive US President are ‘going to have a major disruptive effect’ globally. It is an adjustment to consider the US administration as a threat or source of risk to the national interests of its closest allies, such as Australia and the UK.

The biggest threat the world faces is how we all adjust to the progressive withdrawal of responsible American leadership and the network of alliances that America maintained with Europe, with Asian countries and the partnerships they had across the region.6 The other contribution of the book was to rethink strategy and force structure. Many, like I, found the maritime denial strategy logical, if provocative.6 The major role of the ADF in White’s book is to defend Australia itself—a territory-based approach that ‘has little time for expeditionary adventurism or the long-distance deployment of ADF platforms’.7 There is a masterful exposition of possible scenarios Australia could face and the types of responses that might be effective in safeguarding territory, rejecting the idea of a balanced force for one that is fit for our particular geographical challenges. Graeme Dobell calls the book a ‘military revolution’, based on White’s claim that Australia has spent two decades building the wrong defence force. He summarises White’s prescriptions: ‘Sink the navy and start again. Shrink the army. Double the air force.’8 Others object to the nuclear option, or to the level of spending required,9 which I discuss below.

My critique here is limited to the proposed policy solutions White offers rather than the framing of the problems, which represents a significant contribution. Moreover, White’s proposed solutions to rectify the problem as he has posed it are relevant to the question of broader directions for Australian diplomacy.
Three objections

The first objection is that White’s solutions do not adequately address non-traditional security threats, especially those termed Anthropogenic existential risks, such as the risks posed by climate change. Mark Beeson, but very few others, immediately raised this insight. White’s analysis is striking in how focused it is on traditional interstate conflict and kinetic warfare.

It is entirely reasonable to take a realist view on the inevitability of conflict, in the Platonic tradition. In one section, White argues that cyber attacks will not usurp traditional warfare in one of his trademark elegant sentences:

> It is more prudent to expect that the physical violence of kinetic war will remain the ultimate arbiter of politics among nations, and countries that do not wish to be subject to the dictates of other nations will need to have armed forces to resist the forces of others (p. 42)

Not for White the optimism of a Martin Luther King Jr. who famously refused to accept the view that “mankind is so tragically bound to the starless midnight of racism and war that the bright daybreak of peace and brotherhood can never become a reality...”

I make a different point here, namely that Beeson, myself and other governance scholars believe the security risk posed by climate change is bleaker and more fundamental than most traditional security analysts seem to accept. In this scenario, the liberal governance scholars are the source of pessimism for the future. Expert and UN opinion is converging to the idea of climate risks acting as a ‘threat multiplier’. As the UN Security Council debated in January 2019, climate change has a multitude of security impacts - rolling back the gains in nutrition and access to food; heightening the risk of wildfires and exacerbating air quality challenges; increasing the potential for water conflict; leading to more internal displacement and migration.

In addition, the academic consensus as represented in a recent *Nature* article shows broad agreement that climate variability and change shape the risk of organized armed conflict within countries. In conflicts to date, however, the role of climate is judged to be small compared to other drivers of conflict, and the mechanisms by which climate affects conflict are uncertain. The experts predict that as risks grow under future climate change, many more potential climate–conflict linkages become relevant and extend beyond historical experiences, and they predict the current risk will increase five-fold.

This leads to my first policy recommendation that any re-configured military capability must be ‘dual use’. In order to justify current levels of expenditure, the ADF should be trained and capable of dealing with the logistical fallout of climate risks, such as handling mass displacement and responding to ‘natural’ disasters.

A modest proposal

My second objection relates to the nuclear option reluctantly espoused by White, a modest proposal only in the Swiftian sense. My argument here comes from the realm of international law and diplomacy, in short, that there are such limited ways in which to legally deploy these weapons under customary international law that the threat of illegality would hover over the threat of use of force by our military.

Moreover, our clearest and strongest diplomatic message has been that Australia supports a rules-based order, and investing in such a capability at this time would undermine this message. Nuclear options should be rejected, and instead Australia should sign the Treaty on the Prohibition of Nuclear Weapons as a sign of the national independence White speaks to.
An even more radical idea than investing in nuclear submarines would be to debate the merits of Australia declaring itself under international law as a permanently neutral power, as has Switzerland, Ireland, Singapore, Sweden and so on.

**Multi-layered Threat Assessments**

White’s book is focused on traditional security threats; actual or potential invasion or incursion; political destabilisation supported by enemy states; expansionist tendencies embedded in competing ideologies; and instability in terms of an arms race or conflict in areas of geographic strategic interest. Traditional security goals include the maintenance of order and stability and the protection of those values that are associated with statehood: political independence, territorial integrity and internal order. In this case, White’s toolkit fits the bill perfectly with a focus on military strength and modernisation, deterrence, self-defence, and alliances.

However security studies also considers non-traditional threats including the well-recognised threats of international organized crime, terrorism, illicit trafficking (in drugs, wildlife, humans, arms, etc.), piracy, infectious disease/pandemics and illegal migration flows. These are joined now by emerging non-traditional threats, such as the Anthropogenic existential risks and cyber attacks as well as the potential for conflict in space, weaponised disruptive technologies - dual use, AI, encryption - and anti-microbial resistance. In practice even traditional security architecture like the 2018 Australia-U.S. Ministerial Consultations consider a range of issues like rare earths, health security, civil space dialogues and energy security.

These kinds of emerging threats are not given due consideration in White’s text. Australia talks in all its international-facing documents about the ‘rules-based order’ but this security approach does nothing to speak to challenges to the global commons such as cyber, space, submarine cables, internet, free navigation, even the murky new world of ‘deepfakes’.

Of course, when considering the defence of Australia, feminist scholars pose the prima facie questions: Whose security? From what threat? Based on what kind of threat analysis? As an example, given there were 61 deaths of women from intimate partner and family violence so far in 2019, different lenses on national security could raise different kinds of threats. Human security scholars also consider ‘securitization’ as a concept, and so might question the framing of the ‘war on drugs’, or boat people as national security issues, as opposed to health or humanitarian issues. As Thierry Balzacq famously states, ‘no issue is a menace of itself’. The consequences of framing issues such as illegal migration or pandemics as a national security issue are usually the political elevation of the issue, increased funding, secrecy, and militarisation of options. Many might object to the idea of using defence assets to counter climate emergencies as I have raised here, even under civilian control.
White’s book acts as a provocation to reconsider how Australia assesses threat levels, how it conducts risk-based analysis and probability and assesses responses to these risks. In the 2017 *Foreign Policy White Paper*, the word ‘threat’ is mentioned 69 times – including threats to “our ‘way of life’, whatever that might mean. The evolution of threat assessments is a global challenge. More diversity in this debate as called for below can only deepen the quality of our risk analysis.

How then should we keep Australians safe? Taking the lead from the Future of Humanity project, we should:

- Reduce nuclear weapons, prioritise arms trade treaty, traditional threats;
- Regulate of disruptive technologies to make them ethical, safe, bent towards human wellbeing and sane;
- Replace fossil fuels;
- Build backup systems and plans for all territories, focused on global transport, payment and logistics systems;
- Decentralise key systems;
- Invest heavily in Disaster Risk Reduction; and
- Uphold the rule of law.

**The Limits of Strategic Choices**

The increased military spending recommended by White raises other debates about national values. Australia already has either the 12th or 13th highest military expenditure in the world. Doubling this budget requires a serious national conversation because, as he notes, this is about deep, difficult choices that produce winners and losers. This proposal produces wry reflections on the state of aid spending. Finally, it is well-known that the US wishes its allies, including Australia to increase our military spending, and so it would be an odd way to demonstrate our new independence.

As Sam Roggeveen puts it, ‘it’s a scandal how much we’re spending for a defence force that will be totally unsuited to the world we are entering’.
The question is also how the money would be raised. Sarah Kreps has argued in this series that with the defence budget already rising and expectations of future conflict growing, the Australian government should pre-emptively seek to explain how it would fund future military expenses. Her recommendation is that direct war taxes should be the priority over deferred debt for reasons of clarity and accountability. Further, Kreps argues that the discussion of resources should also cover the obligations and call on citizens war might force, such as the use of conscription or systems of national service.

As White admits, ‘money spent on defence is money lost’ in the sense that it is an insurance policy. He suggests that ‘if we are not willing to spend much more than we are spending now, it might make better sense to spend a good deal less’, allowing money to be spent on areas like health, education, welfare and infrastructure that can improve Australian lives. As Sam Roggeveen puts it, ‘it’s a scandal how much we’re spending for a defence force that will be totally unsuited to the world we are entering’.

The proposal comes at a time when spending is already skewed heavily in favour of defence. At the macro level, the Coalition has moved to rapidly alter the balance of Australia’s foreign policy spending. The aid-to-defence spending ratio reached 20% toward the end of the previous Labor government. Following three successive cuts to the aid budget, that ratio is projected to halve, to around 10%, within the next two years.

The largest of the three cuts was announced in December 2014, as a part of general budget savings in the Mid-Year Economic and Fiscal Outlook. These cuts, reflected in the 2015-16 budget, mean Australia’s aid budget has fallen to A$4 billion, down from a peak of $5.6 billion in 2012-13.

The government’s budget cuts mark both the largest ever multi-year aid cuts (33%) and largest ever single year cut (20%, or $1 billion, in 2015-16). Australian aid will fall to 0.22% of gross national income (a global measure of donor generosity) in 2017-18, the lowest level in Australia’s history.

This comes only a handful of years after both sides of politics were promising to double the aid budget to $8 billion to reach 0.5% of GDP by 2015. Such rapid changes in comparative outlays on development, defence and diplomacy betray how limited the discussions have been in Australia about the most suitable international policy investment mix to generate shared prosperity and ensure Australian security in the contemporary environment. A reduced aid budget equates to the forsaking of real opportunities in foreign policy terms. In the long term, this could make the savings look miniscule compared to opportunity costs.

Again, where is the investment in such peace?
Are all voices equal in military strategy debates?

My final point is a plea for the deepening and broadening of debates around military spending and strategy in terms of diversity. Professor White has opened up a national conversation in his accessible and brilliant book. The voices that have emerged in the debate thus far in response are still too narrow and homogenous as a group to tackle the scope and seriousness of the ideas White is raising.

There are also clearly some misunderstandings about the strategic defence studies community, as demonstrated by the Twitter response to critique by Gwyn McClelland of White’s nuclear option. McClelland sought to add a historical lens to the use of nuclear weapons, but others on Twitter felt the strategic studies community was being accused of being pro-war. There is clearly a need for more structured sharing of views between disciplines, and more understanding of what value the Australian strategic studies community is seeking to add to defence debates.

There are also some structural barriers to diversity in this area, as explored in a recent Lowy Institute report. The report draws attention to the marginalisation of women from key policy-shaping activities.

From the study’s research on declared authorship, a woman is yet to be selected to lead on any major foreign policy, defence, intelligence, or trade white paper, inquiry or independent review.

A diverse representative group should be invited to consider strategic security debates, for example, on whether Australia should become a neutral state, to deepen the constituency of strategic studies.

Concluding thoughts

Angus Campbell has stated that ‘state-on-state war is the last and worst-case scenario: one that the ADF must prepare for but which we should all strive to avoid.’ I agree, but ask – just where across government is the evidence of such striving?

The 2017 Foreign Affairs White Paper recognizes that ‘no long-term foreign policy objective is more important to Australia than ensuring our region evolves peacefully…’, and notes: ‘We want peace to help sustain the growth that has brought the region to the centre of the global economy’. Again, where is the investment in such peace?

Australia should invest in a signature whole-of-government unit focused on conflict prevention and mediation. Increased spending should be instead directed to conflict prevention, climate response, development assistance and preventative diplomacy. This might be our best chance to keep Australians safe.

If peace were indeed our strategic priority, Australia would be full of best-selling books from a wide range of people about how we should be spending extra money on diplomacy, fairer trade relations, aid and peace-gaming exercises. We shall see.
Policy Recommendations

- A restructure of Australia’s military capability should aim to create a ‘dual use’ force that can respond to climate emergencies as well as traditional security threats.

- Australia should invest in a signature whole-of-government unit focused on conflict prevention and mediation. Increased spending should be directed to conflict prevention, climate response, development assistance and preventative diplomacy.

- Nuclear options should be rejected, and instead Australia should sign the Treaty on the Prohibition of Nuclear Weapons.

- A diverse representative group should be invited to consider strategic security debates, for example, on whether Australia should become a neutral state, to deepen the constituency of strategic studies.

Endnotes

5 https://www.independent.co.uk/news/world/americas/us-politics/trump-us-decline-global-leadership-menace-world-mil6-boss-john-sawers-a7801746.html
7 Dobell, op cit.
11 See further Beeson, Mark. Environmental populism: the politics of survival in the Anthropocene (Palgrave 2019)
12 Martin Luther King’s Acceptance Speech, on the occasion of the award of the Nobel Peace Prize in Oslo, December 10, 1964.
14 UN News, op cit.
21 Destroy the Joint Counting Dead Women 2019 Data Summary, Destroy the Joint


A Role for Defence in Accelerating Regional Health Security
Sara E. Davies

Executive Summary
✦ Political instability intensifies during health humanitarian emergencies.
✦ Australian Defence White Papers have identified humanitarian relief and assistance as a priority for improving regional stability and security.
✦ The Indo-Pacific is host to fragile states and high burden infectious diseases.
✦ Australia is well placed to promote civilian-defence cooperation and targeted community health care training in infectious disease response.

Policy Recommendation
✦ Australia should seek to broaden and align regional health security.
✦ Communicate and support regional emergency response plans.
✦ Task AUSMAT and NCCTC to co-ordinate with the Indo-Pacific Centre for Health Security, to identify and assist the undervalued contribution of community health care workers in the region.

National security and health: relationship

What does health have to do with national security? The physical, mental and social health of an individual, and a population, is determined by individual level behaviours (diet, exercise,) and socio-economic determinants (income, gender, race, disability). It is also determined by the scale and intensity of politics, geography and (increasingly) climate. National security however is a state-centric concern. When the two meet: health and national security, it is usually when an infectious disease outbreak event is not only infecting and killing individuals, but its spread is unusual and harmful in that it is affecting the function of the state and spreading beyond the state, which may affect and harm regional and international state relations.1

This is a rationalist approach used to define the starting point for alignment between health and national security. International law currently endorses this understanding. The Siracusa Principles permits, when a disease outbreak is placing strain on governance, medical and logistic resources, the state to declare emergency rule and suspend civil liberties and rights.2 The 2005 International Health Regulations defines a public health emergency of international concern as an “extraordinary public health event which constitutes a public health risk to other States through the international spread of disease, and may require a coordinated international response.”. A state uses four criteria to determine whether their health event constitutes a public health emergency: (1) the seriousness of the event’s public health impact; (2) the unusual or unexpected nature of the event; (3) the risk of international disease spread; and (4) or the risk that travel or trade restrictions will be imposed by other countries.3 Legal instruments that link health and national security make it very clear: the state capacity to respond, not individual suffering, is the guiding principle for when an outbreak shifts from a humanitarian concern to a security concern.
In practice however, there is a very close relationship between humanitarian concerns (priority and concern with the welfare of individuals) and national security. As the present Ebola viral disease outbreak in the Democratic Republic of Congo makes clear. More than half of all infected people have died from this disease (3000 cases, 2000 deaths). The humanitarian catastrophe – unprecedented number of children infected and dying, an already vulnerable population with high burden infectious disease and low life expectancy – is being compounded by the fact that the state itself has been in a protracted war, with fragile state institutions, few social services, and high levels of community level violence. The strain of managing a public health emergency in a fragile state can deplete already low economic and political stability. The problem to date is that not enough attention has been given to engage international diplomatic and defence cooperation to health security emergencies before the emergency arises.

**Australia’s defence capacity in health security**

Over the last decade the Australian Government has published two White Defence Papers: 2013 Defence White Paper and 2016 Defence White Paper. In both papers there is reference to the positive dividends to national and regional stability that comes from Australian defence forces providing a proactive humanitarian response in the region, i.e. humanitarian assistance and relief to humanitarian disasters in the region. Humanitarian assistance response and relief provided by the Australian Defence forces, under the cooperation of the Department of Foreign Affairs and Trade, has included medical aid, specialist personnel, equipment and logistics.

The 2013 Defence White Paper identified humanitarian assistance as contributing to security and stability in the South Pacific and Timor-Leste region; and to cooperative military contingencies in the region. In other words, when Australia’s defence forces provide humanitarian assistance and relief, and when proactive cooperation and partnerships are sought to train in the delivery of relief and assistance, this support serves as a “key opportunity [and] will be an enhanced capacity for Australia to contribute to stability and security in the Indo-Pacific”.

In 2016, the Defence White Paper again reiterated that Australia’s defence forces “will have enhanced capability to make meaningful contributions to operations addressing shared regional security challenges and humanitarian assistance and disaster relief efforts”. The 2016 White Paper referred to the dual benefit of enhanced cooperation with partners in the region in training, coordination, and response; as well as the preservation of regional stability from a proactive humanitarian response to complex emergencies.
To date, Australia’s region has been fortunate to not experience high-level complex emergencies that include communicable disease outbreaks like those afflicting the Democratic Republic of Congo (Ebola outbreak) and Yemen (Cholera). The Department of Foreign Affairs and Trade has however identified that health security in the Indo-Pacific is a national priority.11 The remainder of this paper will suggest three opportunities for aligning Australia’s enhanced diplomatic interest in regional health security with the Department of Defence interest in maintaining its force presence in the region as a positive force for regional stability and security. The recommendations here, deliberately, doesn’t identify new expenditure. Instead it encourages a discussion on the holistic connection between existing policies and programs across Australian Government departments.

Three opportunities

1. Broadening and Aligning Regional Health Security

In February 2019, Brigadier Ian Langford gave a lecture titled ‘Accelerated Warfare’.12 In this lecture Brigadier Langford talked about designing a future ready Australian defence force that can uphold the international rules-based order and serve to promote regional security. Accelerated warfare requires, in sum, focus on four areas: embrace technology, gain and maintain access, winning without fighting and win rapidly. The accelerating effect of technology, urbanisation, and climate change in the Indo-Pacific region will increase the complexity of warfare in the 21st century. The complexity of source insecurity may also require a reconsideration of Australia’s priority geopolitical region.

In his lecture, Brigadier Langford noted that the East Coast of the African continent has been traditionally neglected from Australian government inclusion of countries of priority in the Indo-Pacific region, yet the stability and security of East Africa is vital for the stability and security of the Indo-Pacific region.
If the security and stability of the Indo-Pacific region is widened to include a broader understanding of regional risk and regional stability, then the fragility of states and how they can manage complex emergencies, including infectious disease outbreaks, becomes a higher priority for Australia. The entire Indo-Pacific region is going through rapid urbanisation, and coupled with climate change, there is already predictions of urban poverty and higher rates of infectious disease spread in these conditions. This in turn will place strain on governance and stability in a number of countries.

Of the top 50 countries identified in the 2019 Fragile Peace Index, 15 were located in the Indo-Pacific region if we include East African coastline. High burden infectious diseases remain the highest contributors to morbidity and mortality: respiratory diseases, tuberculosis, malaria, HIV, diarrheal disease, dengue, measles. These diseases flourish in densely packed impoverished populations. In addition, mosquito borne and water borne infectious diseases are expected to rise with climate change induced seasonal weather changes. There is a role for Australia’s defence forces to play in promoting positive regional cooperation – widely geographically defined - to offset the risk of complex emergencies which may give rise to political instability. In other words, to win without fighting. The following recommendations suggest where there is existing capacity for Australia to devote existing defence and diplomatic interest in humanitarian relief to partner with regional civilian capacity to support community healthcare workforce development, and improve outbreak detection and management in ‘peacetime’ in readiness for an outbreak.

In my study of Southeast Asian regional cooperation I found that investment in dialogue, communication and exchange amongst first responders, civil service and politicians is vital for improved outbreak detection and response.
Australia has a positive experience to draw upon within its own domestic and regional delivery on humanitarian assistance and relief.

2. Regional communication of the COMDISPLAN

In late 2017, the Australian Government announced the creation of the Indo-Pacific Centre for Health Security. The primary regional focus of the Centre is on Southeast Asian countries, and the Pacific. The Centre been appropriated with $300 million funding over five years from 2017. There are four program priorities for the Centre: to help prevent avoidable epidemics, to strengthen early detection capacity, support rapid, effective national and international outbreak responses; and accelerate research on new drugs and diagnostics. The Centre has prioritised expanding national, regional and global partnerships in human and animal health systems; as well as funding as ‘official development assistance’ programs in people-to-people linkages to build national and regional health security capacity.

Australia has an excellent track record in understanding the importance of people-to-people linkages in the region. In my study of Southeast Asian regional cooperation to improve infectious disease outbreak surveillance, communication and response between 2005 and 2010, I found that investment in dialogue, communication and exchange amongst first responders, civil service and politicians is vital for improved outbreak detection and response. It was not inevitable that after the outbreak of the 2003 Severe Acute Respiratory Syndrome and the 2004 H5N1 Avian Influenza outbreak, that the region would collectively coordinate a regional health security response. It was the proactive engagement of donor partners, like the Australian government, that was vital in seeing the region proactive respond to and engage with the core capacity requirements under the International Health Regulations (IHR).
One of the findings from my study was that pre-existing political fragility hinders disease outbreaks surveillance and detection. Technology and communication in health surveillance requires trust and transparency. In political environments where there are trust and transparency deficits, it follows that surveillance, detection and risk communication during disease outbreaks will be compromised. How to support civilian governments during outbreak emergencies and gain the trust of civilians during outbreak emergencies, without compromising the rule of law, is an experience Australian defence forces has had under the Defence Assistance to the Civil Community (DACC) and Australian Government Disaster Response Plan (COMDISPLAN).¹⁸

In highly urbanised but fragile environment, a disease outbreak will test the functionality of a state. Australia has civilian-defence emergency assistance arrangements that could be communicated as a dedicated program for regional military and civilian staff to learn and develop coordinated outbreak detection and management systems during health emergencies. My research found that there remains a significant gap between linking national capacity (civilian workforce) with surveillance and detection (technical capacity), and risk communication (getting the message out to communities) in the Indo-Pacific region during health emergencies. With the support of the Australian government in a number of priority countries, there is a real opportunity to promote how emergency response is coordinated in rules-based state-led institutions. This program could be developed as a joint exercise between the Attorney General, Department of Defence, and Department of Foreign Affairs and Trade.

3. Community health workforce development and training

Finally, the Defence force has a long-standing arrangement under the Australian Medical Assistance Team (AUSMAT) to deliver humanitarian aid and specialist personnel during emergencies.¹⁹ In addition, there is the National Critical Care and Trauma Response Centre (NCCTRC) in Darwin, which provides training and mentoring to doctors, nurses and other medical professionals in the Indo-Pacific. There are opportunities to accelerate the training this program provides to communities beyond identified emergency responders.

In the Indo-Pacific community healthcare workers, often women in volunteer positions, play a vital role in detection and response to infectious disease outbreaks. In addition, maternal and child health care practitioners – not emergency specialists – are more likely to be the providers of first-response emergency care in an infectious disease outbreak event. There is an opportunity for AUSMAT and NCCTC to coordinate, with Indo-Pacific Centre for Health Security, how to identify and assist the undervalued contribution of community health care workers in the region. Providing these individuals with the opportunity to professionalise their emergency health care response capacity ensures that their work is recognised and supports the first line of regional defence to outbreak emergencies.

Conclusion

Australia has a positive experience to draw upon within its own domestic and regional delivery on humanitarian assistance and relief in the area of military medicine – training, logistics and personnel during emergencies – to deliver on a health security program that benefits the Indo Pacific region. There is a need to accelerate program delivery to larger regions in the Indo Pacific to support fragile states in infectious disease outbreak detection and management, as well as strengthen the skillset of community health care workers in coordination with the Indo-Pacific Centre for Health Security. The outbreak of COVID-19 (coronavirus) illustrates the importance of ‘peacetime’ regional coordination and diplomacy devoted to health security. Strong and equitable health systems is vital to achieve regional health security, but even the strongest system must work within a regional trade and travel system. Thus, is important to invest in relationships before crises and build channels of trust, communication and information sharing between states, health care actors, and citizens.
Policy Recommendation

- Australia should seek to broaden and align regional health security.
- Communicate and support regional emergency response plans.
- Task AUSMAT and NCCTC to co-ordinate with the Indo-Pacific Centre for Health Security, to identify and assist the undervalued contribution of community health care workers in the region.

Endnotes

3 World Health Organization, ‘Notification and other reporting requirements under the IHR (2005)’, IHR Brief No.2. https://www.who.int/ihr/publications/ihr_brief_no_2_en.pdf?ua=1
7 Defence White Paper 2013, p.31.
8 Defence White Paper 2013, p.35.
14 Ordered from most fragile to least: Yemen, Somalia, Afghanistan, Myanmar, Pakistan, Kenya, North Korea, Mauritania, Mozambique, Bangladesh, Timor-Leste, Djibouti, Nepal, Sri Lanka and Papua New Guinea. The 51st state was Philippines, Iran was 52nd, Cambodia was 54th and Solomon Islands was 55th. The Fund for Peace. *Fragile Peace Index 2019*. https://fragilestatesindex.org/data/
Executive Summary

- A securitized approach to asylum and refugee policy leaves Australia with little flexibility with which to respond to potential future refugee situations in the Asia-Pacific region, and limited leverage in a system of international protection that relies on states sharing responsibility for refugees.
- International refugee law provides Australia with the tools to protect both refugees and the nation’s security interests.
- The new Global Compact on Refugees provides Australia with an opportunity to manage entry in a protection-centred way.
- Australia must work to ensure that asylum seekers are not forced into exploitative people-smuggling networks and dangerous journeys at sea by using a comprehensive suite of measures underpinned by a long-term commitment to protection and international responsibility-sharing. This includes expanding pathways for resettlement and providing access to quality onshore asylum procedures.

Policy Recommendation

- Australia should expand resettlement pathways for people in need of protection, and provide access to fair and efficient onshore asylum procedures.

Since 2013, successive Australian governments have framed asylum and refugee policy as an issue of national security, one that relies on deterrence measures such as offshore processing and boat ‘turn-backs’. This leaves Australia little flexibility with which to respond to refugee situations that may emerge in future, and limited leverage in a system of international protection that relies on the sharing of responsibility between States. A shift toward a long-term, protection-centred approach that expands resettlement pathways and provides fair and efficient asylum procedures would allow Australia to manage and exhibit control over entry, while providing an alternative to irregular boat journeys and honouring the nation’s obligations under international refugee and human rights law.

As party to the 1951 Convention relating to the Status of Refugees (‘the Convention’), Australia has recognised that the movement of refugees is an issue of human security – the need to protect individuals from danger – and of international peace and security, because refugee situations are ‘international in scope and nature’ and cannot be resolved without cooperation and solidarity among States. Australia was one of the earliest States to become party to the Convention – its signature in January 1954 bringing the treaty into force three months later. The Convention and its 1967 Protocol are the core legal instruments that underpin the system of international refugee protection, complemented or supplemented by a body of international human rights law, and managed by the United Nations High Commissioner for Refugees (UNHCR).
Protecting Australia’s security interests

The Convention provides Australia with tools to safeguard the nation’s security interests when admitting refugees. Where Art 1A(2) of the Convention sets out the definition of refugee (a person who, being outside their country of origin on one of five grounds, is unable or unwilling to return owing to a well-founded fear of being persecuted), Art 1F requires States to exclude a person from refugee status where there are ‘serious reasons’ for suspecting that person has committed, among other offences, ‘serious non-political crimes’. And where Art 33(1) sets out the general international legal principle of non-refoulement, prohibiting States from returning a person to a territory where they may be at risk of persecution or other serious harm, Art 33(b) provides for an exception: a refugee for ‘whom there are reasonable grounds’ for regarding as a danger to the security of that country and/or its community.

Responding flexibly to protection needs

With an emphasis on protection and shared responsibility, and the tools to correctly determine refugee status, Australia responded flexibly to a dramatic increase in global refugee movements from the late 1970s into the 1990s. Fair and principled onshore asylum procedures were established on the premise that Australia has both international legal obligations to refugees and a right to control entry.

Successive Australian governments established a range of humanitarian programs to resettle tens of thousands of Vietnamese refugees from camps in Southeast Asia, and to rescue dissidents from Chile and Tamils fleeing Sri Lanka’s civil war, among many others fleeing persecution or serious human rights abuses. In doing so, Australia consolidated its reputation as a credible and reliable partner in global action to deal with forced displacement.
In comparison, Australia’s current response to people seeking protection is framed around the notion of ‘border security’, a defensive approach that is ill-equipped to respond to humanitarian situations that may develop in the region and beyond. The renewal of offshore processing under the Gillard and Rudd governments in 2012-13, and the military-led ‘Operation Sovereign Borders’, launched in 2013 under the Abbott government and maintained today, rely on deterrence measures that shift responsibility for refugees onto other States. In monetary terms alone, this does not enhance capacity and resilience in the region. In 2018-19, Australia spent an estimated $1.1 billion on detaining and processing around 1,300 refugees offshore on Nauru and on Manus Island, Papua New Guinea. Meanwhile, UNHCR spent just over $482 million to provide protection and assistance to 3.5 million refugees across the entirety of Asia and the Pacific. In human terms, offshore processing on Nauru and Manus Island has exacted a terrible cost, claiming the lives of thirteen people and severely damaging the mental health and wellbeing of others.

The short-term thinking that underpins these deterrence measures offers Australia little room-to-move in future. The maritime interception and ‘turn-back’ policy, under Operation Sovereign Borders, pushes asylum seekers back toward regional neighbours that already host large numbers of refugees. In the case of boat ‘take-backs’ to Vietnam and Sri Lanka, it returns them directly to the countries from which they fled. Both practices represent a potential breach of Australia’s non-refoulement obligations, and are a unilateral and inflexible response to a phenomenon that is highly complex and will remain so in future. It is wrong to suppose that the 3.5 million refugees currently hosted across Asia and the Pacific are a precursor to large-scale onward movement further south, but with displacement disproportionately impacting other countries in the region, such as Bangladesh and Malaysia, it behoves Australia to take a more flexible approach that is protection-centred and which helps to share responsibility for the long term.

While displacement is at record highs of 70.8 million worldwide, UNHCR has identified a relatively small number of refugees – around 1.4 million people – as needing resettlement in a third country in 2020.
A ‘policy toolkit’

Australia must work to ensure that asylum seekers are not forced into exploitative people-smuggling networks and dangerous journeys at sea, but a securitised approach to this issue does not provide the answers. Instead, Australia’s capacity to respond to displacement relies on it having what leading scholar Professor Jane McAdam has called a ‘policy toolkit’ at hand, one that contains a complementary suite of measures underpinned by a long-term commitment to protection and international solidarity. It would include expanded visa pathways that allow asylum seekers to travel safely, and ensure access to fair and efficient onshore asylum procedures; these are set out below.

Returning to a protection-centred, cooperative approach to asylum and refugee policy will not require Australia to relinquish its control over entry. In fact, the United Nations General Assembly has recently and unanimously affirmed that States ‘have rights and responsibilities to manage and control their borders’. In this historic resolution, known as the 2016 New York Declaration on Refugees and Migrants, States unanimously resolved to ‘implement border control procedures in conformity with applicable obligations under international law, including international human rights law and international refugee law’, through, for example, ensuring that border officials are trained to uphold human rights and the principle of non-refoulement. This message was reaffirmed when Australia and 180 other States adopted a Global Compact on Refugees in December 2018, which sets out how better management and control of entry can be achieved through measures such as the expanded pathways and quality asylum procedures described above, and by an overarching commitment from States to more equitably share responsibility for refugees. The Compact provides Australia with the opportunity to regain the reputation it once had, without compromising on security.

Allowing refugees to move in a way that is safe and orderly is an urgent priority for the international community. Australia is well placed to contribute to this objective.

Expanding safe pathways to protection

Allowing refugees to move in a way that is safe and orderly is an urgent priority for the international community. With unanimous adoption of the New York Declaration, UN Member States resolved to ‘expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries’. This was further emphasised in the Global Compact on Refugees, a core objective of which is to ‘facilitate access to durable solutions’. By expanding the ways in which an asylum seeker can apply to obtain a visa for the purpose of accessing protection, States can help to ensure that those individuals are not forced to undertake irregular modes of travel across dangerous land or sea routes.

Australia is well placed to contribute to this objective. In 2018-19 the nation’s annual resettlement program was capped at 18,750 places, largely split between refugees referred by UNHCR, and those proposed by family or community in Australia. This program is well-established and successful, and a good start – but given the scale of displacement around the world, which finds States such as Uganda hosting and integrating hundreds of thousands of refugees, Australia could and should do more. In fact, while displacement is at record highs of 70.8 million worldwide, UNHCR has identified a relatively small number of refugees – around 1.4 million people – as needing resettlement in a third country in 2020. This means that States like Australia could make a valuable difference by increasing the number of resettlement places on offer. In addition, Australia could establish an extra dedicated quota for emergency and urgent cases referred by UNHCR with which to resettle individuals or groups with the most pressing protection needs.
Australia could also expand access to a range of ‘protected entry procedures’, which are visa pathways that enable individuals who still are within their own country, or within a country of first asylum, to apply for entry into Australia before they flee or move onward. This would allow an asylum seeker to make an informed decision about their options for accessing protection. The process may involve submitting an application online or at a diplomatic mission. For example, since 2013 Brazil has offered a humanitarian visa for people fleeing the conflict in Syria, which allows asylum seekers to undergo preliminary screening at consular outposts in the Middle East and then lodge their protection claims once they’ve safely arrived.

Australia already has a visa for this purpose, the subclass 201 ‘In-country Special Humanitarian’, which is currently reserved for exceptional cases and has no set annual quota. Expert studies report that by using existing mechanisms to pre-screen asylum seekers and provide a greater number of safe, pre-authorised journeys, in-country processing and other protected entry procedures could be a low-cost way to expand access to protection.\(^{12}\)

When operating as a complement to asylum procedures (below), these pathways act as a form of responsibility-sharing and international solidarity, with strategic benefits that go beyond the benefits afforded to the individual refugee and the Australian community in which they are resettled. This includes enhancing resilience in, and relieving the pressure on, frontline States that host many thousands or millions of displaced people. This in turn can improve conditions on the ground for those refugees who do not travel onward, and who may instead integrate locally or, with time and the improvement of conditions in their country of origin, voluntarily return home. Close to home, these strategic benefits can link back to Australia’s interest in deterring boat arrivals, because research indicates that asylum seekers in countries such as Indonesia are unwilling to risk a dangerous or exploitative maritime journey if the wait for a resettlement place represents a viable and safe alternative, and if they can access support services during their stay in that host community.\(^{13}\)

**Providing access to fair and efficient onshore procedures**

As party to the Convention, Australia has obligations to refugees who reach its territory. This includes, first and foremost, the prohibition of *refoulement*. To uphold this obligation, Australia must ensure fair, efficient and transparent determination of protection claims. This includes allowing applicants access to translators, free legal assistance where required, and sufficient time to prepare their claims – ‘front-end loading’ the process to improve first-instance decision making. A case for refugee status may be highly complex, but quality support services can help to ensure a more efficient process for all involved.

Currently, Australia’s defensive, deterrence-based approach does not provide a fair and efficient determination of claims, or access to a permanent, durable solution for those found to be refugees. Offshore, those held on Manus or Nauru have waited years for determination of their claims; based on the most recent figures, several hundred people still remain in limbo without access to a durable solution.\(^{14}\)

Depending on their mode of arrival into Australia, asylum seekers who are onshore may be denied access to free legal assistance or an independent review of the decision on their application, and (if their claims are successful) placed on a Temporary Protection Visa that leaves their lives in limbo and hampers integration.

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Protected entry procedures can allow an asylum seeker to make an informed decision about their options for accessing protection.
The Temporary Protection Visa scheme creates a considerable administrative backlog for the Department of Home Affairs. In contrast, refugees who are given permanent settlement and a pathway to citizenship are better able to contribute meaningfully to their new community and to help rebuild their country of origin once conditions there improve.15

Fair, efficient and transparent asylum procedures, conducted onshore, can actually contribute to government messaging about rigorous control of entry, helping to build public confidence in the management of refugee admission to Australia. This in turn can set clear expectations for asylum seekers, because as UNHCR puts it, quality procedures ensure that a State can ‘identify those who should benefit from international protection under the Convention, and those who should not’.16

**Leading through a long-term commitment**

With a record 70.8 million people displaced around the world, forced migration is clearly an ongoing global phenomenon. It requires a cooperative, multi-pronged approach firmly oriented to protection and sustainable solutions. There are obvious challenges ahead, not least within this region, but Australia could and ought to contribute its knowledge, skill, resources and experience to building today those credible, working partnerships that will be needed tomorrow. With the tools at hand to protect both refugees and the national interest, Australia could contribute much to international solidarity, peace and security.

**Policy Recommendation**

✔ Australia should expand resettlement pathways for people in need of protection, and provide access to fair and efficient onshore asylum procedures.

**Endnotes**

6. UNGA Res.71/1, 3 October 2016, para. 24.
7. UNGA Res.71/1, 3 October 2016, para. 77.
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✦ Australia’s singular focus on North Korea’s nuclear program stands in the way of a more comprehensive approach to North Korea.

✦ North Korea’s continued denial of basic rights and freedoms to its population must be understood as a central component of how the state is structured, and the types of choices it makes.

✦ Australia first needs to decide whether or not to link human rights and security issues, and then how to go about formulating a coherent set of policies that reflect this position. If they are to be linked, this is a responsibility that lies beyond the capacity of the Department of Defence and should include a whole-of-government approach.

✦ A coordinated policy response would provide Australia with a reinvigorated analytical capacity to analyse and assess how to approach the North Korea situation, from a variety of vantage points. This could put Australia in a position to engage in a more active diplomacy vis-à-vis North Korea, that is customised to Australia’s own position and interests.

Policy Recommendation

✦ Australia should set up a whole-of-government working group on human rights and security in North Korea. This group should bring together defence, human rights and Korea (North and South)-focused policy groups from across government, and should consult regularly with a range of experts, with the view to continuously seek new and alternative ideas on a regular basis.

Successive Defence White Papers point towards the threat posed by North Korea, to regional stability, and to the rules based order. There is a clear sense, in these documents, of some of the challenges that North Korea poses to Australian security. In the most recent of these, the 2016 White Paper, North Korea is identified as exacerbating regional insecurity through its “threatening behaviour” (nuclear escalation or ballistic missile tests) with the goal of extracting concessions from the international community.

While Australia is right to remain vigilant to the threats posed by North Korea’s nuclear and conventional military programs, its approach to security on the Korean peninsula is characterised by a number of shortcomings that limit the development of a coherent or focused set of appropriate policies.

One of these shortcomings, as noted by a previous contributor to the Centre of Gravity Series, is that focus has been on North Korea’s conventional and military capabilities, with little attention given to sources of non-traditional security threats such as the country’s economic and political weaknesses.
Human rights issues are one of these non-traditional security concerns, and should be considered with greater sophistication and seriousness by Australian defence planners. It is important to stress that this is not to suggest that North Korea’s human rights violations can or should be addressed with a military solution (they can’t and shouldn’t be). But rather, that North Korea’s continued denial of basic rights and freedoms to its population must be understood as a central component of how the state is structured, and the types of choices it makes.

North Korea’s continued denial of basic rights and freedoms to its population must be understood as a central component of how the state is structured. North Korea’s continued subjugation of its population is tightly tied up with its existence. The North Korean regime’s ability to divert significant resources to its nuclear program, and garner popular support for measures that may lead to sanctions and a reduction in the quality of life inside the country, rely on a tightly controlled society with little (or no) access to the information revolution that has fuelled social change elsewhere in the world.

When it comes to Australia’s view of the relationship between North Korea’s human rights record and efforts to stop or reverse that country’s nuclear program, the message is mixed. Human rights issues are officially considered separate from security issues by Canberra, and are treated as such in terms of the policy mechanisms intended to deal with them. Yet at the same time, there are indications that Australia considers the two issues linked.

In 2014, for example, Australia led a group of ten United Nations Security Council members in a bid to place the North Korean human rights issue on the Council’s agenda, arguing at that forum that ‘these [human rights] violations threaten to have a destabilising impact on the region and the maintenance of international peace and security’.
This follows a trend elsewhere, whereby the issues are considered closely intertwined. In the United States, H.R. 757 ‘North Korean Sanctions and Policy Enhancement Act of 2016’ (NKSPEA) passed through Congress in the aftermath of North Korea’s fourth nuclear test, and makes sanctions relief incumbent upon human rights improvements in North Korea. And in his 2018 State of the Union address, President Trump made a clear case for the linkage of North Korean human rights and security issues with his claim that ‘we need to only look at the depraved character of the North Korean regime to understand the nature of the nuclear threat it could pose’ (emphasis added).

There are two things to say about this increasing tendency to link human rights and security issues. First, the relative merits of linkage – the pros and cons – have received surprisingly little attention or debate. As a result, the question of whether and how to approach human rights questions in the context of a tense security environment – or, for that matter, at times of improved relations – has not been seriously considered and instead debate over this issue tends to be highly politicised.

Careful consideration of the pros and cons of linking human rights and security issues matters, because conflating human rights and security policy risks weaponising human rights discourse as a means to an end. Ambassador Robert King, former US Special Envoy on North Korean Human Rights, has expressed this concern directly, arguing that human rights advocacy must be ‘genuine and sincere’, and not simply another point of leverage to use against a regime when other diplomatic and economic options have failed.2

Second, and in a more practical sense, this matters for the types of policy settings that are appropriate. Australia first needs to decide whether or not to link human rights and security issues, and then how to go about formulating a coherent set of policies that reflect this carefully considered position.

If Canberra decides that these twin issues are best dealt with in a linked fashion, how would such an approach be best carried out? This position would constitute a significant policy change, and so is worth considering in some detail. In Australia, human rights issues have been dealt with through the government’s diplomatic mechanisms, whereas security concerns have attracted more comprehensive, cross-departmental attention. What this means is that, while Australia continues to raise concerns about the North Korean human rights situation in multilateral settings, there is no coordinated policy platform that allows for a careful consideration of how Australia’s position on these issues might be modified or adapted during periods of heightened concern over North Korea’s nuclear program.

We should not expect the Department of Defence to manage responsibility for Australia’s international human rights policy settings, or even to address this issue in its White Papers or other policy frameworks.

One way of addressing the issue, therefore, would be through the establishment of a whole-of-government working group on human rights and security in North Korea. This group should bring together individuals and teams responsible for defence, human rights, North Korea and South Korea policy across government, and should consult regularly with a range of experts, with the view to constantly seeing new and alternative ideas on a regular basis.

Choosing a whole of government approach is an effective way to treat North Korean human rights issues in the context of a strained security environment, as the expertise for the various parts of the puzzle already exists within the relevant departments. There are also already mechanisms in place for bringing in experts (from academia or civil society, for example) to help expand this expertise by providing informal consultations to government.
The coordination of expertise across the security and diplomatic arms of government, and the incorporation of external advice from experienced individuals familiar with North Korea’s social, political and economic drivers would have the benefit of avoiding any substantial financial burden and, importantly, would not require the creation of a formal institutional structure that links together human rights and security issues. Indeed, flexibility is the key to success. The costs are thus low, whereas the benefits that could derive from such cooperation are significant.

Australia should deal with the human rights and security issues in North Korea as separate concerns. If this is the path Australia decides to take, this should be made as a deliberate choice rather than a default position, and it needs to be captured in policy. In addition, continuing with an approach that delinks human rights and security may well be appropriate, but this would not dispense with the need to coordinate policy positions between the Department of Defence and Department of Foreign Affairs and Trade. A Defence statement that clearly delineates between human rights and security may well be appropriate in this case.

There is at least one historical precedent whereby human rights and security issues were successfully delinked as individual components of an inseparable whole. The intention of this approach was to achieve the best possible outcomes in each area, and the result was to achieve progress in all of them. To have an impact, human rights considerations need not be directly or formally linked to progress on nuclear talks.

This historical precedent harks back to the end of the Cold War, with the Helsinki Final Act of 1975. The ‘Helsinki approach’ is often credited for helping to bring about the end of the Cold War by legitimising grassroots human rights advocacy in Eastern Europe. Yet it featured the deliberate separation of human rights and security issues, and was at the time criticised by human rights activists as a devaluation of human rights norms.
There is no ‘Helsinki model’ that can be easily superimposed onto the case of North Korea. However, it is worth remembering that the debate over whether responses to problematic human rights and security behaviours should be linked is not a new one. Further, this example reminds us that human rights change can occur in indirect, as well as direct ways and is not a linear process.

Such an approach relies heavily on the work of non-state actors. And indeed, North Korean human rights activists are well aware that it is incumbent upon them to explore a variety of possible solutions to the egregious violations taking place inside North Korea. The network is a diverse one, and comprises actors that take a wide range of practical and ideological positions.

Many of these activists already engage in dialogue with the Australian government, in an informal way. Diplomats based at Australia’s Seoul embassy regularly communicate – usually through attending roundtables or research events – with experts and researchers from the United Nations, academia and (importantly), from South Korea’s most well respected civil society groups working on various aspects of the North Korean human rights issue. These insights are invaluable, help further the ROK-Australia relationship through the development of a greater understanding of the South Korean political context, and should be shared back in Canberra with defence policy stakeholders through the types of cross-government policy consultations suggested here.

To conclude, the tendency for states to raise human rights issues only when relations have broken down exposes them to accusations of hypocrisy and amplifies the voices of critics who see human rights as a smokescreen for policies aimed at regime change.

Further, when strategic policy documents such as the White Paper focus only on conventional military aspects of the North Korean threat, Australia denies itself a fulsome understanding of the full range of sources of insecurity on the Korean peninsula. The most likely source of such insecurity is a humanitarian crisis. The best way to prepare for such a crisis is to develop a fulsome understanding of the social, political and economic drivers of change in North Korea, through cross-ranging policy development that involves a range of government departments, and brings in external expertise from civil society.
Australia has significant scope to creatively and constructively pursue a more holistic approach to North Korea policy, that takes into account a broader range of security concerns beyond the nuclear question. This would require both closer coordination between different policy stakeholders, as recommended here, as well as a re-thinking of Australia’s external diplomatic approach to North Korea.

A coordinated policy response would allow Australia to analyse and assess the North Korean situation from a vantage of useful vantage points.

Australia’s membership of the UN Command that signed the 1953 ceasefire means that Australia already has a valuable vantage point for such a foray into a more active, regionally focused engagement that is pursued in consultation with its allies the U.S. and South Korea, but is confident with regards to the specific priorities Australia wishes to emphasise. As a middle power, Australia should flex its strength: promoting multilateral channels for the resolution of traditional and non-traditional security channels, and balancing these with strong bilateral relations.

There will no doubt be those that see this as a smokescreen for ensuring a strong alignment between human rights and security, and question the wisdom of such an approach. To these critics, the issues should be siloed, and pursued separately. However, it is important to emphasise that advocating a whole-of-government approach to policy alternatives does not presume the linking of the issues. The problem of course is that this linkage is, in some important regards, already a fait accompli. Australia’s own remarks at the Security Council are an example of this.

Engaging in a thoughtful, holistic approach to policy making will shed light on the question of whether human rights and security concerns should indeed be linked or are instead best dealt with separately. Rather than continuing to turn a blind eye to this tension at the heart of North Korea’s relations with the outside world, Australia should seize the opportunity to engage deeply with question of how to best deal with the twin issues of human rights and security tensions on the Korean peninsula.

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