

From: [Davison, Ella MS](#)
To: [Varjavandi, Faz MR](#)
Cc: [Jeffrey, Hugh MR](#); [Harriss, Lauren MISS](#)
Subject: 181002 1417 - [Davison, Ella MS]-[Varjavandi, Faz MR] SCS points ~~[DLM-For Official Use Only]~~
Date: Tuesday, 2 October 2018 2:17:21 PM

~~For Official Use Only~~

Faz

As discussed, please see below:

If raised:

- Concerned by reports a Chinese vessel challenged the USS Decatur in the South China Sea.
 - Reportedly demonstrating unsafe and unprofessional manoeuvres.
- Australia continues to urge all claimants to refrain from destabilising actions.
- Australia's longstanding position on SCS is consistent and clear, and well known to China.
 - We have raised Australia's concerns about militarisation in the SCS as part of our enduring, broad dialogue with China.
 - China has also repeatedly made public commitments to non-militarisation and peacefully resolving SCS disputes.
- China has a particular responsibility to uphold global peace and security through its role as one of the five permanent members of the UN Security Council.
 - its conduct in the SCS needs to be consistent with that.

Regards

Ella

Ella Davison – a/g Assistant Secretary, Major Powers
International Policy Division
Department of Defence
Ph: **s47E(d)**
E: Ella.Davison@defence.gov.au

IMPORTANT: This email remains the property of the Department of Defence and is subject to the jurisdiction of section 70 of the Crimes Act 1914. If you have received this email in error, you are requested to contact the sender and delete the email.

From: [Varjavandi, Faz MR](#)
To: [Davison, Ella MS](#)
Cc: [Jeffrey, Hugh MR](#); [Harriss, Lauren MISS](#)
Subject: 181002 1428 - [Varjavandi, Faz MR]-[Davison, Ella MS] SCS points ~~[DLM-For Official Use Only]~~
Date: Tuesday, 2 October 2018 2:28:40 PM

Thanks, Ella.

Faz

Sent from my iPhone

On 2 Oct 2018, at 2:17 pm, Davison, Ella MS <ella.davison@defence.gov.au> wrote:

~~For Official Use Only~~

Faz

As discussed, please see below:

If raised:

<!--[if !supportLists]-->● <!--[endif]-->Concerned by reports a Chinese vessel challenged the USS Decatur in the South China Sea.

<!--[if !supportLists]-->o <!--[endif]-->Reportedly demonstrating unsafe and unprofessional manoeuvres.

<!--[if !supportLists]-->● <!--[endif]-->Australia continues to urge all claimants to refrain from destabilising actions.

<!--[if !supportLists]-->● <!--[endif]-->Australia's longstanding position on SCS is consistent and clear, and well known to China.

<!--[if !supportLists]-->o <!--[endif]-->We have raised Australia's concerns about militarisation in the SCS as part of our enduring, broad dialogue with China.

<!--[if !supportLists]-->o <!--[endif]-->China has also repeatedly made public commitments to non-militarisation and peacefully resolving SCS disputes.

<!--[if !supportLists]-->● <!--[endif]-->China has a particular responsibility to uphold global peace and security through its role as one of the five permanent members of the UN Security Council.

<!--[if !supportLists]-->o <!--[endif]-->its conduct in the SCS needs to be consistent with that.

Regards

Ella

Ella Davison – a/g Assistant Secretary, Major Powers
International Policy Division
Department of Defence
Ph: s47E(d)
E: Ella.Davison@defence.gov.au

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From: [Hawkins, Amy MS](#)
To: [Harriss, Lauren MISS](#)
Cc: [Geering, John MR](#); [Gard, Amelia MS](#); [Media](#); [Davison, Ella MS](#); [Jeffrey, Hugh MR](#)
Subject: 181002 1529 - [Hawkins, Amy MS]-[Harriss, Lauren MISS] USS Decatur - South China Sea
Date: Tuesday, 2 October 2018 3:29:01 PM
Importance: High

UNCLASSIFIED

Lauren,

As discussed, can you quickly see what we may be able to add. This is separate to the request from the office earlier today for quotes.

I recall we have previously used stronger language, along the lines of what Scott has included below.

Amy

IMPORTANT: This email remains the property of the Department of Defence and is subject to the jurisdiction of section 70 of the Crimes Act 1914. If you have received this email in error, you are requested to contact the sender and delete the email.

From: Bolitho, Scott MR
Sent: Tuesday, 2 October 2018 2:36 PM
To: Geering, John MR <john.geering@defence.gov.au>; Hawkins, Amy MS <amy.hawkins@defence.gov.au>
Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
Subject: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

John and Amy, Paul Maley has sought a response to the reported incident of a Chinese warship forcing USS Decatur to change course in the South China Sea. The Minister is minded to use a combination of the points below. s47E(d)

[REDACTED]

Would appreciate advice from Defence.

Scott

HEADLINE RESPONSE:

Australia supports and respects the rights of all states, including the United States, to exercise freedom of navigation and overflight under international law, including in the

South China Sea:

- o The United States has a long-standing policy of conducting operations to uphold these rights globally – these are not directed at any one state.

ADDITIONAL TALKING POINTS:

If raised: Will Australia conduct transits within 12 nautical miles of disputed features in the SCS?

As it has done for many decades, the ADF will continue to exercise rights to freedom of navigation and overflight under international law, including in the SCS

- o And we will continue to support the right of all states to do so

We will not comment publicly on the specific details of ADF operations.

s33(a)(iii)

Australia urges all claimants in the South China Sea to take meaningful steps to ease tensions and build trust, including through dialogue.



Scott Bolitho | Senior Media Adviser

OFFICE OF THE HON CHRISTOPHER PYNE MP

Member for Sturt | Leader of the House | Minister for Defence

Suite MG.43, Parliament House, CANBERRA ACT 2600

T: s47E(d) | M: s22 | E: scott.bolitho@defence.gov.au

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From: [Harriss, Lauren MISS](#)
To: [Llewellyn, Sarah MISS](#)
Subject: 181002 1535 - [Harriss, Lauren MISS]-[Llewellyn, Sarah MISS] USS Decatur - South China Sea
Date: Tuesday, 2 October 2018 3:35:00 PM
Importance: High

UNCLASSIFIED

Thoughts?

"Australia strongly opposes the use of intimidation or other unilateral actions that could increase tensions, including the deployment of advanced weapons systems and other forms of militarisation of disputed features."

Lauren Harriss

Assistant Director – North East Asia
International Policy Division

Department of Defence

R1-04-A035 | Russell Offices | PO Box 7902 | Canberra BC | ACT 2610

E: lauren.harriss@defence.gov.au | P: s47E(d) | M: s22

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From: Hawkins, Amy MS
Sent: Tuesday, 2 October 2018 3:29 PM
To: Harriss, Lauren MISS <lauren.harriss@defence.gov.au>
Cc: Geering, John MR <john.geering@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>; Media <media@defence.gov.au>; Davison, Ella MS <ella.davison@defence.gov.au>; Jeffrey, Hugh MR <hugh.jeffrey@defence.gov.au>
Subject: FW: USS Decatur - South China Sea [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Lauren,

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From: Bolitho, Scott MR

Sent: Tuesday, 2 October 2018 2:36 PM

To: Geering, John MR <john.geering@defence.gov.au>; Hawkins, Amy MS <amy.hawkins@defence.gov.au>

Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>

Subject: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

John and Amy, Paul Maley has sought a response to the reported incident of a Chinese warship forcing USS Decatur to change course in the South China Sea. The Minister is minded to use a combination of the points below s47E(d)

Would appreciate advice from Defence.

Scott

HEADLINE RESPONSE:

Australia supports and respects the rights of all states, including the United States, to exercise freedom of navigation and overflight under international law, including in the South China Sea:

- o The United States has a long-standing policy of conducting operations to uphold these rights globally – these are not directed at any one state.

ADDITIONAL TALKING POINTS:

If raised: Will Australia conduct transits within 12 nautical miles of disputed features in the SCS?

As it has done for many decades, the ADF will continue to exercise rights to freedom of navigation and overflight under international law, including in the SCS

- o And we will continue to support the right of all states to do so

We will not comment publicly on the specific details of ADF operations.

s33(a)(iii)

Australia urges all claimants in the South China Sea to take meaningful steps to ease tensions and build trust, including through dialogue.



Scott Bolitho | Senior Media Adviser

OFFICE OF THE HON CHRISTOPHER PYNE MP

Member for Sturt | Leader of the House | Minister for Defence

Suite MG.43, Parliament House, CANBERRA ACT 2600

T: s47E(d) | **M:** s22 | **E:** scott.bolitho@defence.gov.au

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From: [Llewellyn, Sarah MISS](#)
To: [Harriss, Lauren MISS](#)
Subject: 181002 1548 - [Llewellyn, Sarah MISS]-[Harriss, Lauren MISS] USS Decatur - South China Sea
Date: Tuesday, 2 October 2018 3:48:23 PM

UNCLASSIFIED

These reports are unsettling

We would view any use of intimidation or aggressive tactics as destabilising and potentially dangerous development

Australia has consistently expressed concern over ongoing militarisation of the South China Sea and we continue to urge all claimants to refrain from unilateral actions that would increase tension in the region

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From: Harriss, Lauren MISS
Sent: Tuesday, 2 October 2018 3:36 PM
To: Llewellyn, Sarah MISS
Subject: FW: USS Decatur - South China Sea [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Thoughts?

"Australia strongly opposes the use of intimidation or other unilateral actions that could increase tensions, including the deployment of advanced weapons systems and other forms of militarisation of disputed features."

Lauren Harriss

Assistant Director – North East Asia
International Policy Division

Department of Defence

R1-04-A035 | Russell Offices | PO Box 7902 | Canberra BC | ACT 2610

E: lauren.harriss@defence.gov.au | P: s47E(d) | M: s22

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From: Hawkins, Amy MS
Sent: Tuesday, 2 October 2018 3:29 PM

To: Harriss, Lauren MISS <lauren.harriss@defence.gov.au>
Cc: Geering, John MR <john.geering@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>; Media <media@defence.gov.au>; Davison, Ella MS <ella.davison@defence.gov.au>; Jeffrey, Hugh MR <hugh.jeffrey@defence.gov.au>
Subject: FW: USS Decatur - South China Sea [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Lauren,

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Amy

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To: Geering, John MR <john.geering@defence.gov.au>; Hawkins, Amy MS <amy.hawkins@defence.gov.au>
Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
Subject: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

John and Amy, Paul Maley has sought a response to the reported incident of a Chinese warship forcing USS Decatur to change course in the South China Sea. The Minister is minded to use a combination of the points below. s47E(d)

Would appreciate advice from Defence.

Scott

HEADLINE RESPONSE:

- Australia supports and respects the rights of all states, including the United States, to exercise freedom of navigation and overflight under international law, including in the South China Sea:
 - The United States has a long-standing policy of conducting operations to uphold these rights globally – these are not directed at any one state.

ADDITIONAL TALKING POINTS:

If raised: Will Australia conduct transits within 12 nautical miles of disputed features in the SCS?

- As it has done for many decades, the ADF will continue to exercise rights to freedom of navigation and overflight under international law, including in the SCS
 - And we will continue to support the right of all states to do so
- We will not comment publicly on the specific details of ADF operations.

s33(a)(iii)

- Australia urges all claimants in the South China Sea to take meaningful steps to ease tensions and build trust, including through dialogue.



Scott Bolitho | Senior Media Adviser

OFFICE OF THE HON CHRISTOPHER PYNE MP

Member for Sturt | Leader of the House | Minister for Defence

Suite MG.43, Parliament House, CANBERRA ACT 2600

T: s47E(d) | M: s22 | E: scott.bolitho@defence.gov.au

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From: [Harriss, Lauren MISS](#)
To: [Davison, Ella MS](#)
Subject: 181002 1552 - [Harriss, Lauren MISS]-[Davison, Ella MS] USS Decatur - South China Sea
Date: Tuesday, 2 October 2018 3:52:00 PM
Importance: High

UNCLASSIFIED

Ella,

s47E(d)

Below for your clearance please.

These reports are unsettling. We would view any use of intimidation or aggressive tactics as a destabilising and potentially dangerous development. Australia has consistently expressed concern over ongoing militarisation of the South China Sea and we continue to urge all claimants to refrain from unilateral actions that would increase tension in the region.

Lauren Harriss

Assistant Director – North East Asia
International Policy Division

Department of Defence

R1-04-A035 | Russell Offices | PO Box 7902 | Canberra BC | ACT 2610

E: lauren.harriss@defence.gov.au | P: s47E(d) | M: s22

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Sent: Tuesday, 2 October 2018 3:29 PM
To: Harriss, Lauren MISS <lauren.harriss@defence.gov.au>
Cc: Geering, John MR <john.geering@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>; Media <media@defence.gov.au>; Davison, Ella MS <ella.davison@defence.gov.au>; Jeffrey, Hugh MR <hugh.jeffrey@defence.gov.au>
Subject: FW: USS Decatur - South China Sea [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Lauren,

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Sent: Tuesday, 2 October 2018 2:36 PM
To: Geering, John MR <john.geering@defence.gov.au>; Hawkins, Amy MS <amy.hawkins@defence.gov.au>
Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
Subject: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

John and Amy, Paul Maley has sought a response to the reported incident of a Chinese warship forcing USS Decatur to change course in the South China Sea. The Minister is minded to use a combination of the points below. s47E(d)

Would appreciate advice from Defence.

Scott

HEADLINE RESPONSE:

Australia supports and respects the rights of all states, including the United States, to exercise freedom of navigation and overflight under international law, including in the South China Sea:

- The United States has a long-standing policy of conducting operations to uphold these rights globally – these are not directed at any one state.

ADDITIONAL TALKING POINTS:

If raised: Will Australia conduct transits within 12 nautical miles of disputed features in the SCS?

As it has done for many decades, the ADF will continue to exercise rights to freedom of navigation and overflight under international law, including in the SCS

- And we will continue to support the right of all states to do so

We will not comment publicly on the specific details of ADF operations.

s33(a)(iii)

s33(a)(iii)

Australia urges all claimants in the South China Sea to take meaningful steps to ease tensions and build trust, including through dialogue.



Scott Bolitho | [Senior Media Adviser](#)

OFFICE OF THE HON CHRISTOPHER PYNE MP

Member for Sturt | Leader of the House | Minister for Defence

Suite MG.43, Parliament House, CANBERRA ACT 2600

T: s47E(d) | M: s22 | E: scott.bolitho@defence.gov.au

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From: [Hawkins, Amy MS](#)
To: [Harriss, Lauren MISS](#)
Subject: 181002 1552 - [Hawkins, Amy MS]-[Harriss, Lauren MISS] USS Decatur - South China Sea
Date: Tuesday, 2 October 2018 3:52:45 PM

UNCLASSIFIED

Lauren, Minister is keen for lines ASAP.

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From: Bolitho, Scott MR
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To: Hawkins, Amy MS <amy.hawkins@defence.gov.au>; Geering, John MR <john.geering@defence.gov.au>
Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
Subject: RE: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thank you. Minister is chasing up.

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From: Hawkins, Amy MS
Sent: Tuesday, 2 October 2018 3:27 PM
To: Bolitho, Scott MR <scott.bolitho@defence.gov.au>; Geering, John MR <john.geering@defence.gov.au>
Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
Subject: RE: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

Scott, will come back to you shortly.
Amy

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From: Bolitho, Scott MR
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Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
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Would appreciate advice from Defence.

Scott

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If raised: Will Australia conduct transits within 12 nautical miles of disputed features in the SCS?

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- o And we will continue to support the right of all states to do so

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Australia urges all claimants in the South China Sea to take meaningful steps to ease tensions and build trust, including through dialogue.



Member for Sturt | Leader of the House | Minister for Defence

Suite MG.43, Parliament House, CANBERRA ACT 2600

T: s47E(d) | M: s22 | E: scott.bolitho@defence.gov.au

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From: [Davison, Ella MS](#)
To: [Harriss, Lauren MISS](#)
Subject: 181002 1558 - [Davison, Ella MS]-[Harriss, Lauren MISS] USS Decatur - South China Sea
Date: Tuesday, 2 October 2018 3:58:10 PM

UNCLASSIFIED

These reports are unsettling. We would view any use of intimidation or aggressive tactics as destabilising and potentially dangerous.

Australia has consistently expressed concern over ongoing militarisation of the South China Sea and we continue to urge all claimants to refrain from unilateral actions that would increase tension in the region.

Previously provided to OMINDEF (2:17pm today):

If raised:

- Concerned by reports a Chinese vessel challenged the USS Decatur in the South China Sea.
 - Reportedly demonstrating unsafe and unprofessional manoeuvres.
- Australia continues to urge all claimants to refrain from destabilising actions.
- Australia's longstanding position on SCS is consistent and clear, and well known to China.
 - We have raised Australia's concerns about militarisation in the SCS as part of our enduring, broad dialogue with China.
 - China has also repeatedly made public commitments to non-militarisation and peacefully resolving SCS disputes.
- China has a particular responsibility to uphold global peace and security through its role as one of the five permanent members of the UN Security Council.
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From: Harriss, Lauren MISS
Sent: Tuesday, 2 October 2018 3:53 PM
To: Davison, Ella MS <ella.davison@defence.gov.au>
Subject: FW: USS Decatur - South China Sea [SEC=UNCLASSIFIED]
Importance: High

UNCLASSIFIED

Ella,

s47E(d)

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Lauren Harriss

Assistant Director – North East Asia
International Policy Division

Department of Defence

R1-04-A035 | Russell Offices | PO Box 7902 | Canberra BC | ACT 2610

E: lauren.harriss@defence.gov.au | P: s47E(d) | M: s22

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Sent: Tuesday, 2 October 2018 3:29 PM

To: Harriss, Lauren MISS <lauren.harriss@defence.gov.au>

Cc: Geering, John MR <john.geering@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>; Media <media@defence.gov.au>; Davison, Ella MS <ella.davison@defence.gov.au>; Jeffrey, Hugh MR <hugh.jeffrey@defence.gov.au>

Subject: FW: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

Importance: High

UNCLASSIFIED

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Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
Subject: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

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Scott

HEADLINE RESPONSE:

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- o The United States has a long-standing policy of conducting operations to uphold these rights globally – these are not directed at any one state.

ADDITIONAL TALKING POINTS:

If raised: Will Australia conduct transits within 12 nautical miles of disputed features in the SCS?

As it has done for many decades, the ADF will continue to exercise rights to freedom of navigation and overflight under international law, including in the SCS

- o And we will continue to support the right of all states to do so

We will not comment publicly on the specific details of ADF operations.

If raised: China's claims that its militarisation of disputed features constitutes 'necessary defensive measures' in response to US military presence in the South China Sea?

Do not agree that the militarisation of disputed features can be considered as 'necessary defensive measures'.

Australia urges all claimants in the South China Sea to take meaningful steps to ease tensions and build trust, including through dialogue.



Scott Bolitho | [Senior Media Adviser](#)

OFFICE OF THE HON CHRISTOPHER PYNE MP

Member for Sturt | Leader of the House | Minister for Defence

Suite MG.43, Parliament House, CANBERRA ACT 2600

T: s47E(d) | M: s22 | E: scott.bolitho@defence.gov.au

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From: [Harriss, Lauren MISS](#)
To: [Hawkins, Amy MS](#)
Cc: [Llewellyn, Sarah MISS](#); [Davison, Ella MS](#)
Subject: 181002 1600 - [Harriss, Lauren MISS]-[Hawkins, Amy MS] USS Decatur - South China Sea
Date: Tuesday, 2 October 2018 4:00:00 PM

UNCLASSIFIED

Amy,

The following has been cleared by A/ASMP Ella Davidson.

These reports are unsettling. We would view any use of intimidation or aggressive tactics as destabilising and potentially dangerous.

Australia has consistently expressed concern over ongoing militarisation of the South China Sea and we continue to urge all claimants to refrain from unilateral actions that would increase tension in the region.

The following was also previously provided to OMINDEF (2:17pm today):

If raised:

- Concerned by reports a Chinese vessel challenged the USS Decatur in the South China Sea.
 - Reportedly demonstrating unsafe and unprofessional manoeuvres.
- Australia continues to urge all claimants to refrain from destabilising actions.
- Australia's longstanding position on SCS is consistent and clear, and well known to China.
 - We have raised Australia's concerns about militarisation in the SCS as part of our enduring, broad dialogue with China.
 - China has also repeatedly made public commitments to non-militarisation and peacefully resolving SCS disputes.
- China has a particular responsibility to uphold global peace and security through its role as one of the five permanent members of the UN Security Council.
 - its conduct in the SCS needs to be consistent with that.

Lauren Harriss

Assistant Director – North East Asia
International Policy Division

Department of Defence

R1-04-A035 | Russell Offices | PO Box 7902 | Canberra BC | ACT 2610

E: lauren.harriss@defence.gov.au | P: s47E(d) | M: s22

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From: Hawkins, Amy MS
Sent: Tuesday, 2 October 2018 3:53 PM
To: Harriss, Lauren MISS <lauren.harriss@defence.gov.au>
Subject: FW: USS Decatur - South China Sea [SEC=UNCLASSIFIED]

UNCLASSIFIED

Lauren, Minister is keen for lines ASAP.

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From: Bolitho, Scott MR
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Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>
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Cc: Varjavandi, Faz MR <faz.varjavandi@defence.gov.au>; Kenny, Ella MISS <ella.kenny@defence.gov.au>; March, Hannah MISS <hannah.march@defence.gov.au>; Gard, Amelia MS <amelia.gard@defence.gov.au>

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Would appreciate advice from Defence.

Scott

HEADLINE RESPONSE:

Australia supports and respects the rights of all states, including the United States, to exercise freedom of navigation and overflight under international law, including in the South China Sea:

- o The United States has a long-standing policy of conducting operations to uphold these rights globally – these are not directed at any one state.

ADDITIONAL TALKING POINTS:

If raised: Will Australia conduct transits within 12 nautical miles of disputed features in the SCS?

As it has done for many decades, the ADF will continue to exercise rights to freedom of navigation and overflight under international law, including in the SCS

- o And we will continue to support the right of all states to do so

We will not comment publicly on the specific details of ADF operations.

s33(a)(iii)

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[REDACTED]

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s47E(d)




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s33(a)(iii)



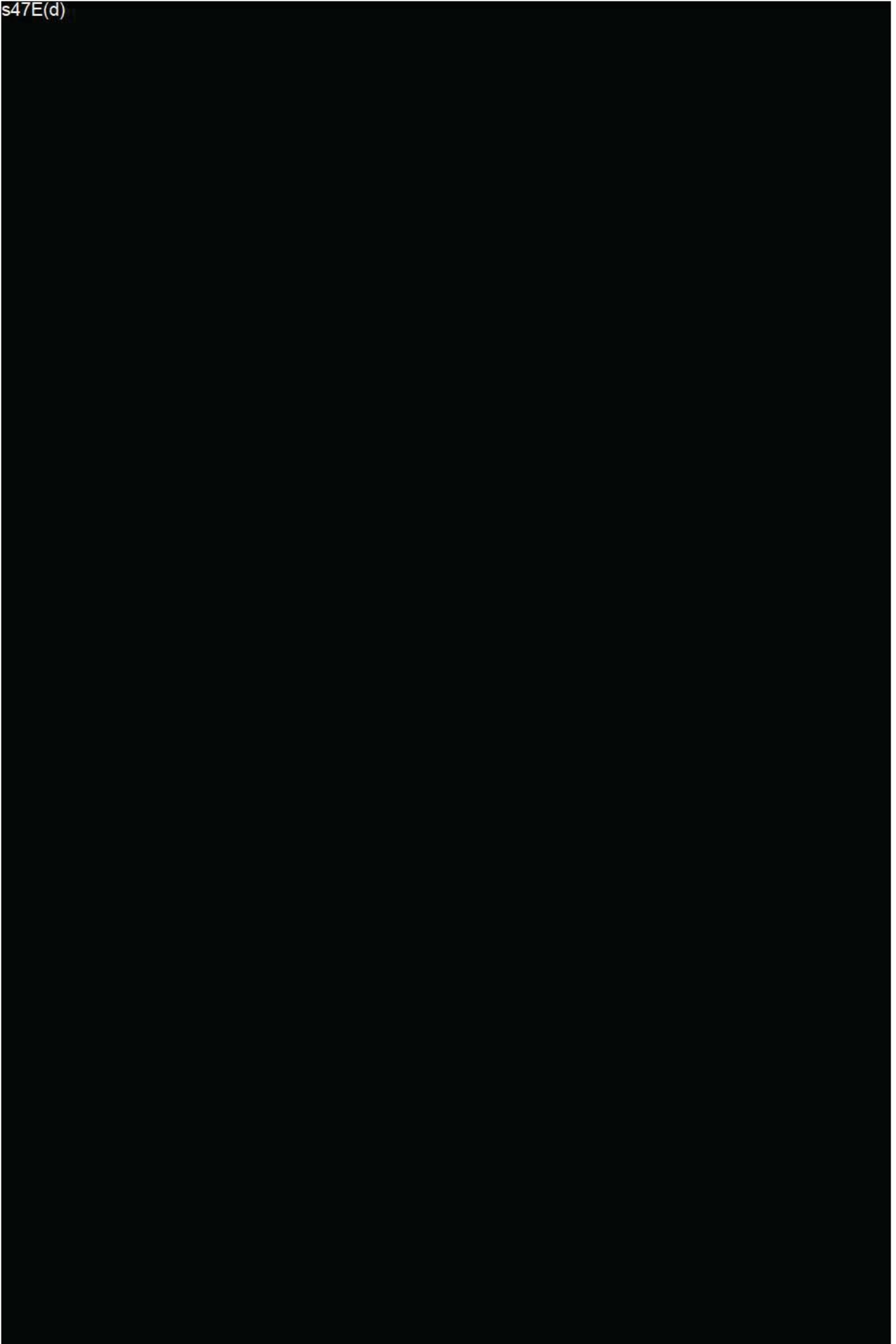
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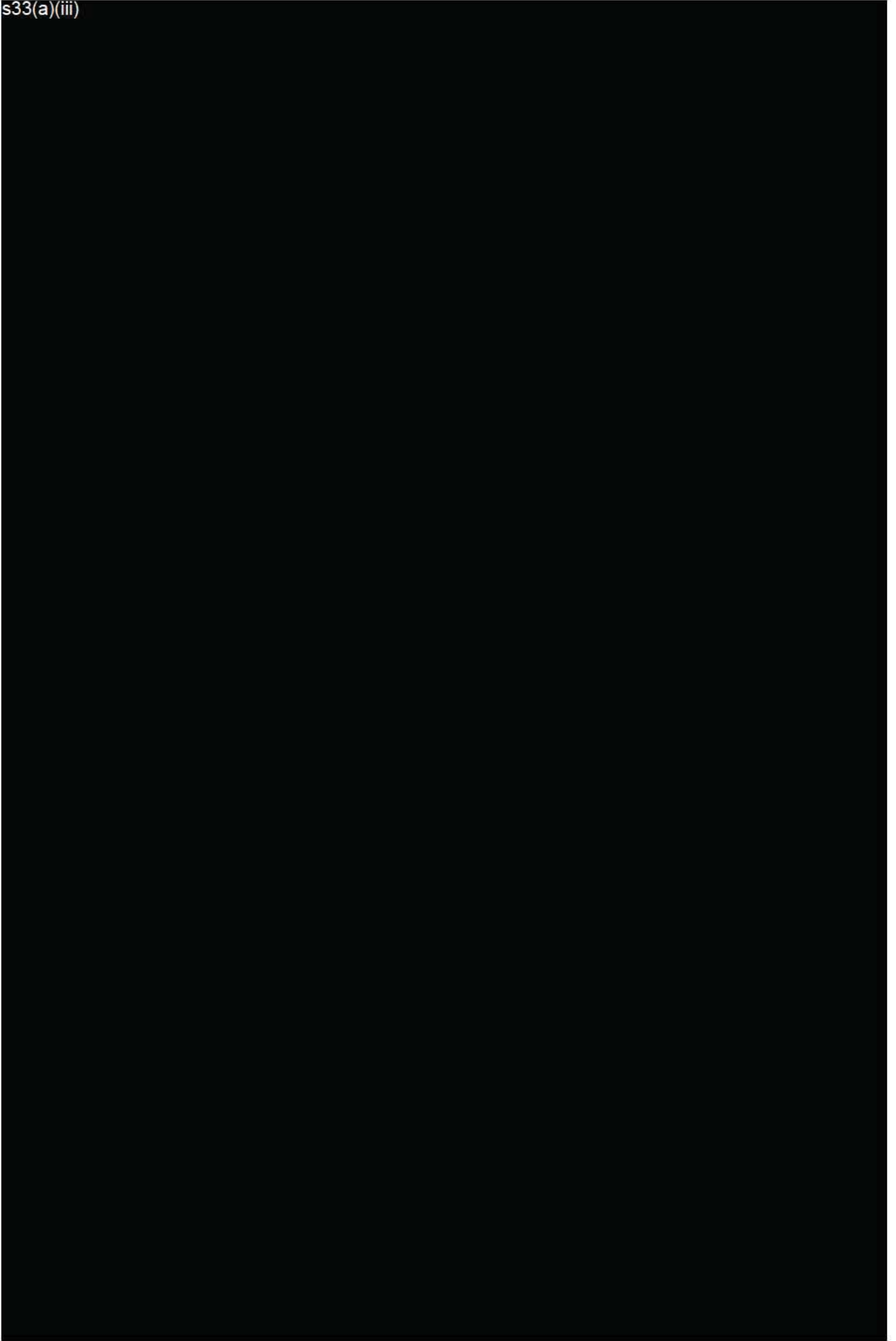
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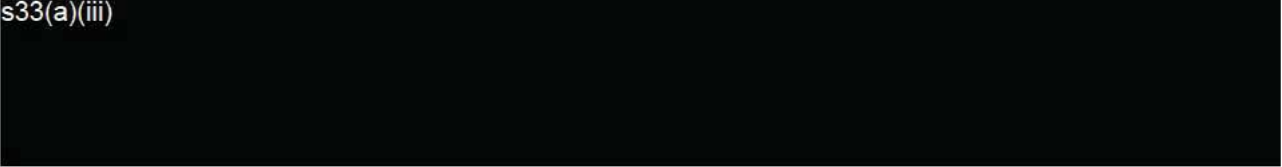
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s47E(d)



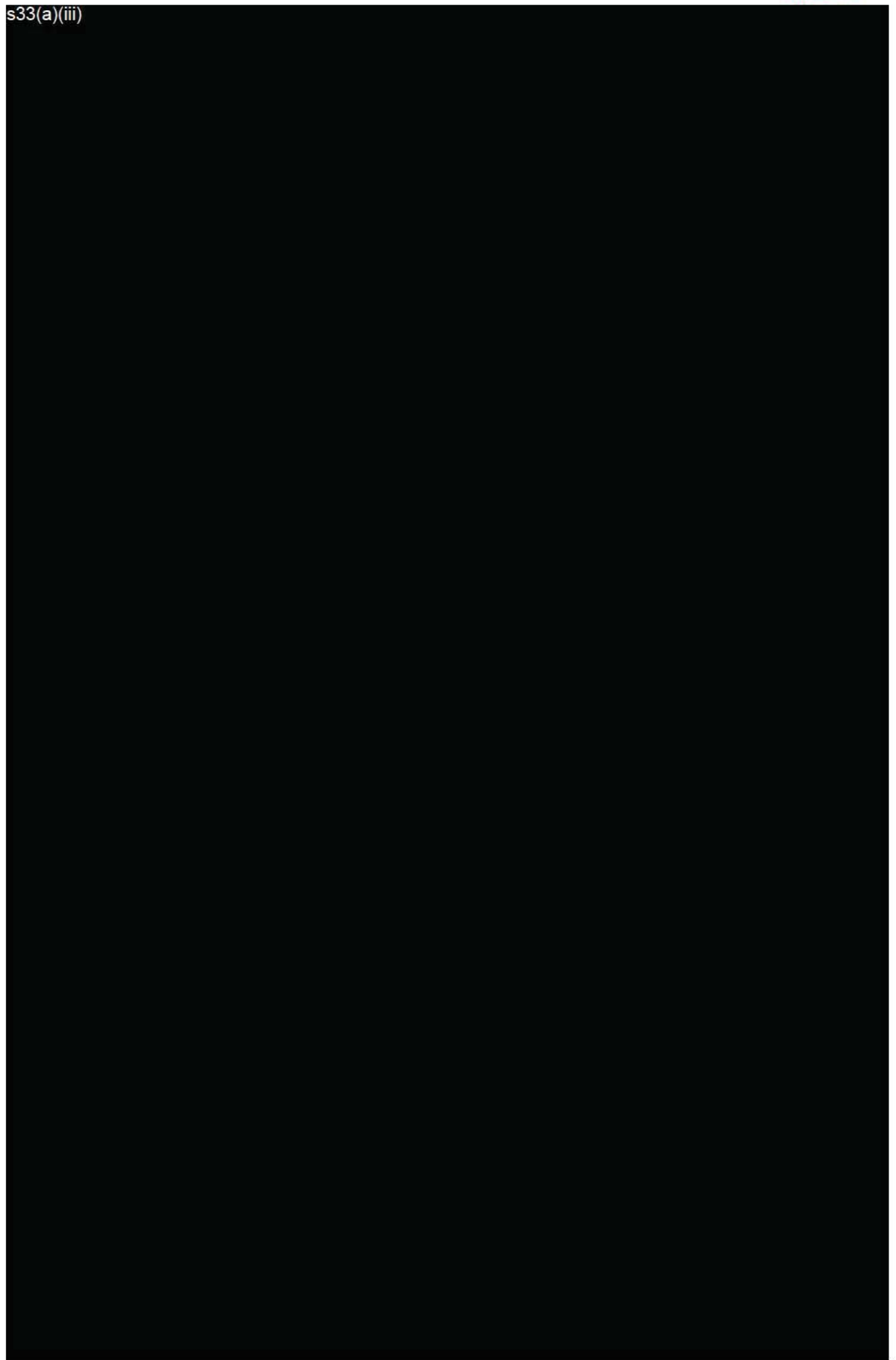
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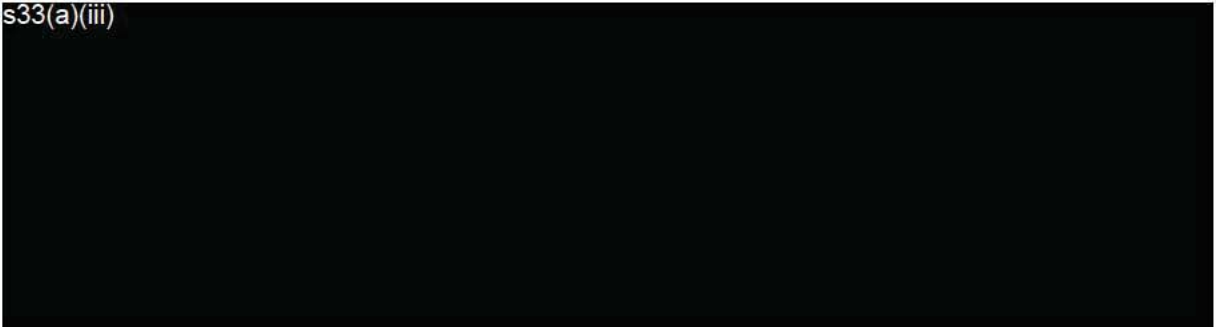
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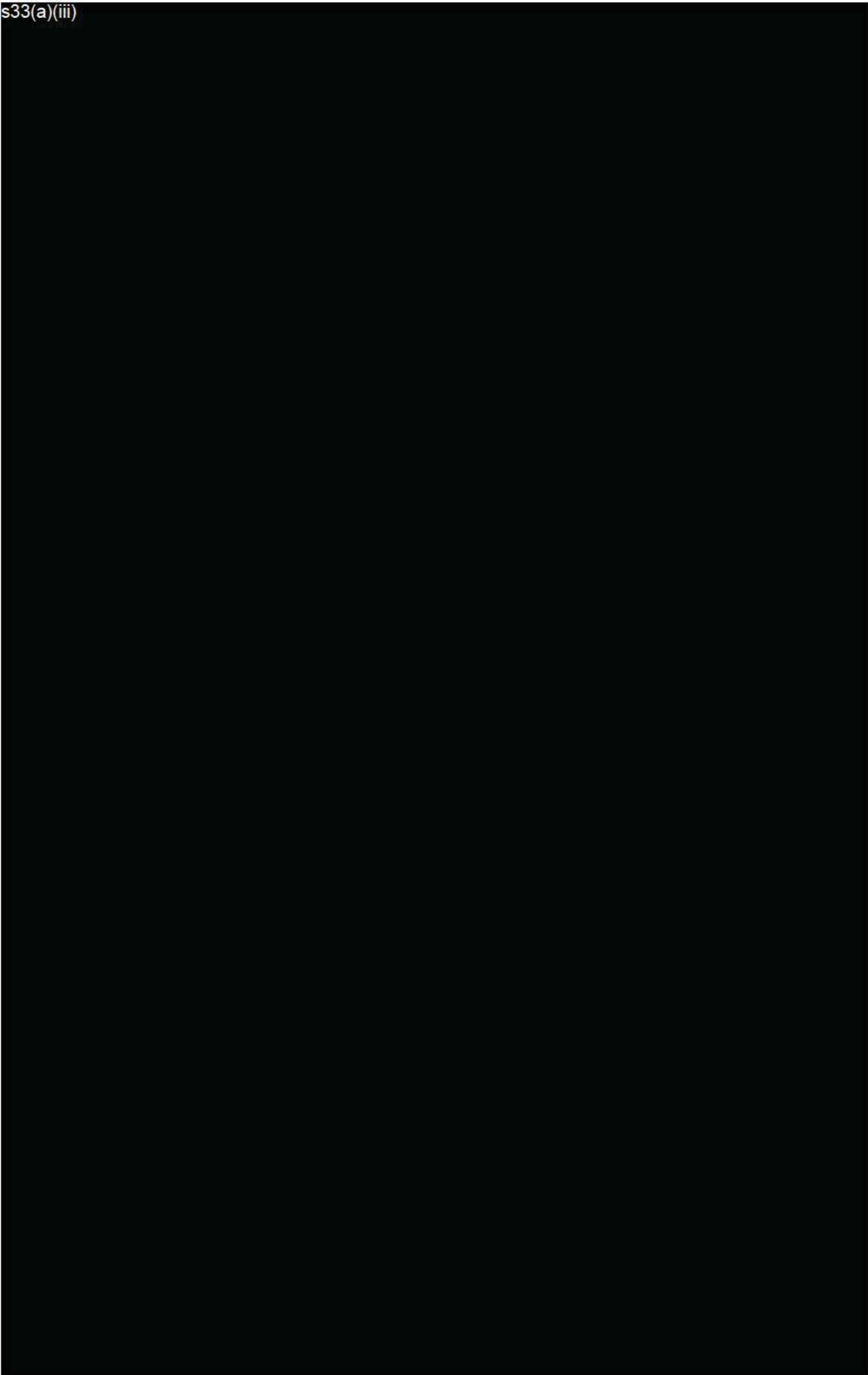
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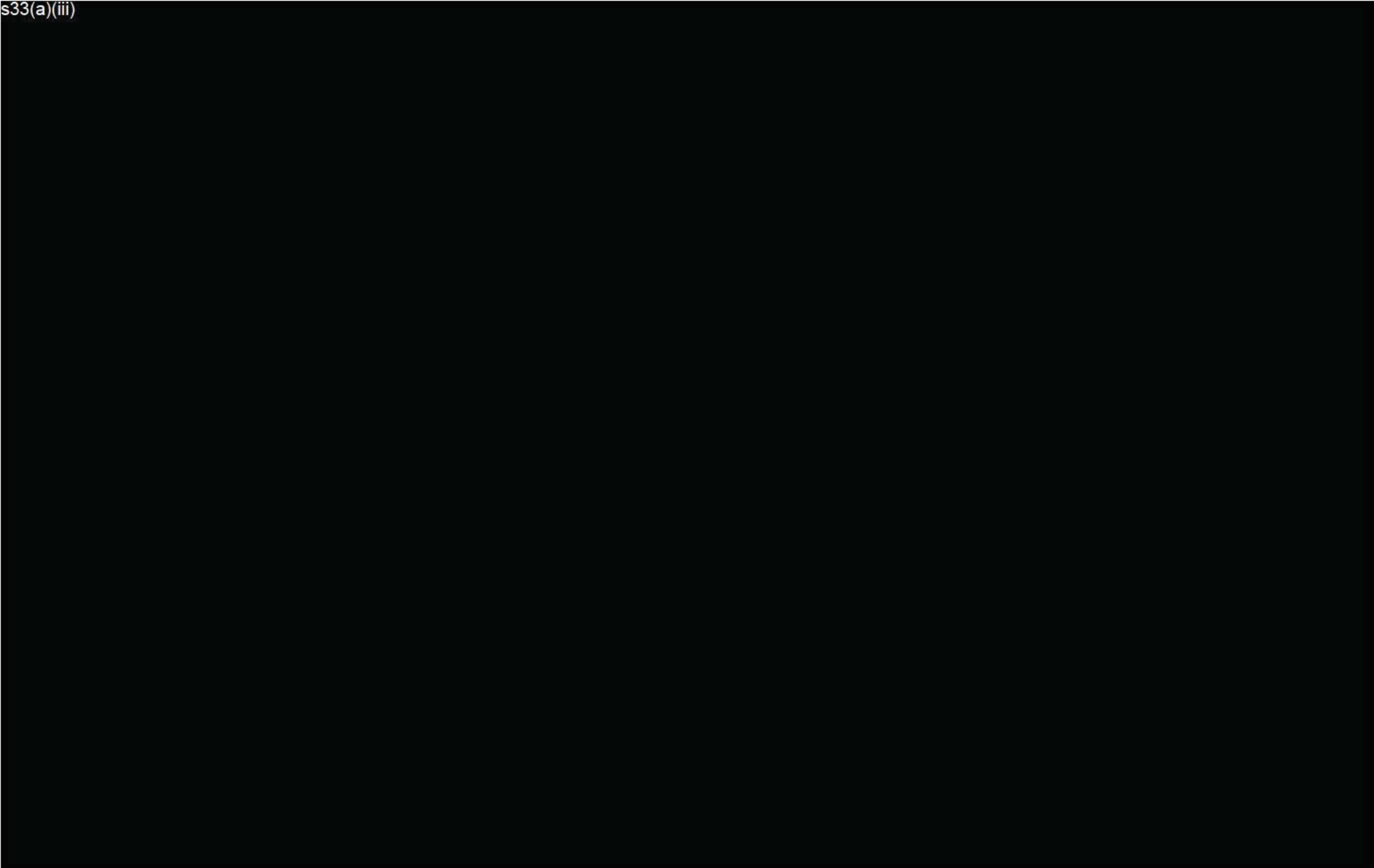
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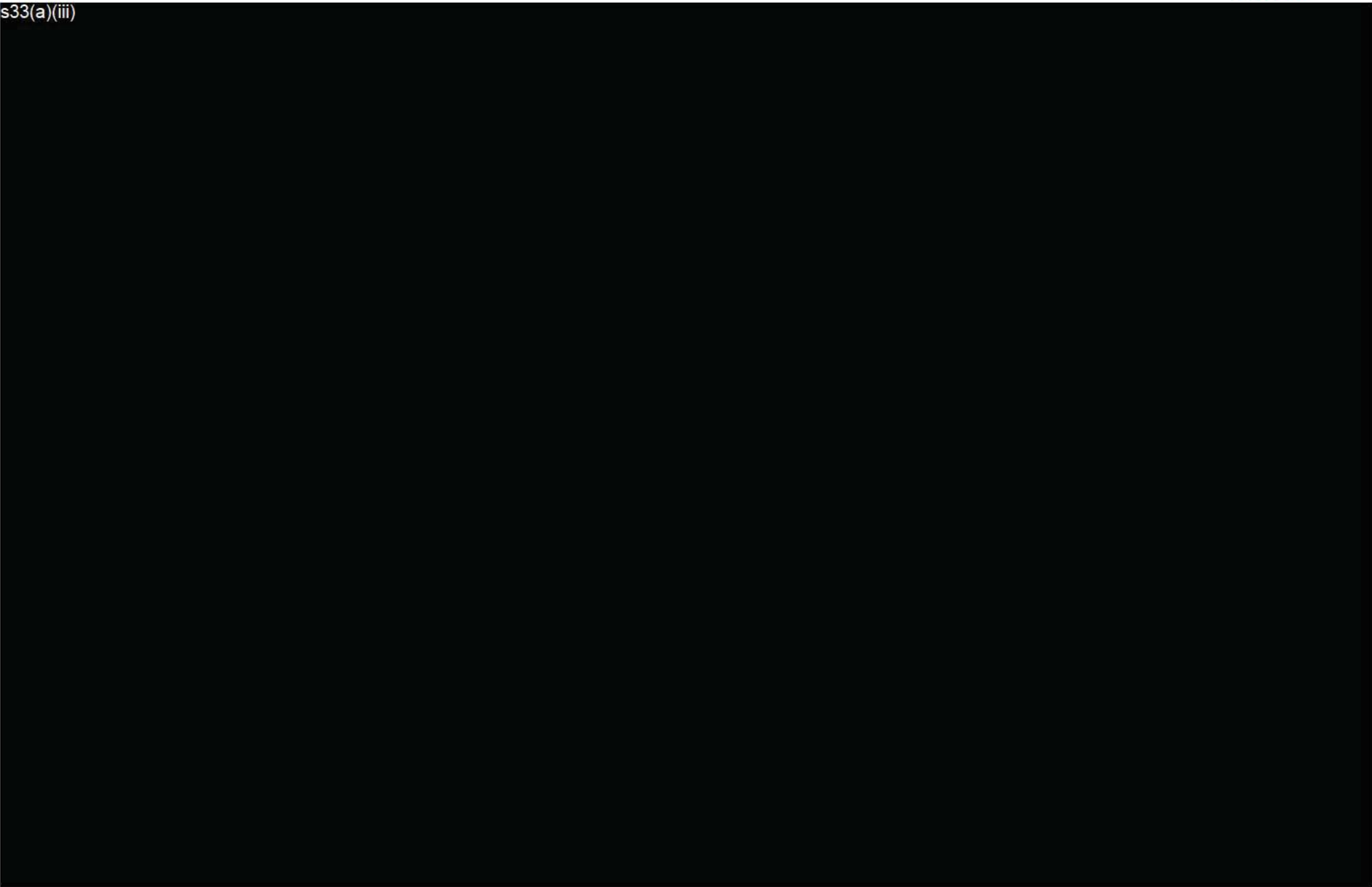
s33(a)(iii)



s33(a)(iii)



s33(a)(iii)



From: Bruce, Cameron
To: [Keys, Alison](#); [Kendall, Holly](#); [Willing, Ross](#); [Oakes, Gerard](#); [Llewellyn, Sarah](#) MISS; [Tim Lindenmayer](#)
Cc: [Robertson, Broughton](#); [Akila, Suzanne](#); [Kimpton, Philip](#); [Dowling, Tom](#); [Wilcock, Greg](#); [Tow, Shannon](#); [Mckinnon, Robert](#); [Harriss, Lauren](#) MISS; [Glass, David](#) MR; [zz \[External\] mark.bellchambers@pmc.gov.au](#); [Macdonald, Angela](#)
Subject: 181003 1347 - [Bruce, Cameron]-[Keys, Alison] For Comment: Updated SCS Media TPs ~~[DLM-For Official-Use Only]~~
Date: Wednesday, 3 October 2018 1:47:30 PM
Attachments: [image002.png](#)
[181003 - SCS Media Talking Points - US FONOP.DOCX](#)

For-Official-Use-Only

Dear colleagues,

We have updated yesterday's media TPs that followed news of the US FONOP.

We've just added background with all the various official commentary (Pentagon, Chinese ministries, Aus Foreign and Defence Ministers) but would appreciate any comments you might have by 4pm today.

Kind regards,

Cameron Bruce

Policy Officer | Regional Maritime Security and South China Sea Section
US and Indo-Pacific Division

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Australian Government

Department of Foreign Affairs and Trade


South China Sea – media talking points

29 September 2018

Talking Points

- Australia's longstanding position on the South China Sea remains consistent and clear
 - we do not take sides on competing territorial claims
 - but, like the six ASEAN non-claimants, we have a strong interest in the stability of this crucial international waterway and the norms and laws that govern it.
- Concerned at militarisation in the South China Sea, by any claimant, particularly of disputed features
 - we consistently urge all claimants in the South China Sea to take meaningful steps to ease tensions in the South China Sea and build trust, including through dialogue.
- We call on claimants to clarify territorial claims and to resolve disputes peacefully in accordance with international law, including the UN Convention on the Law of the Sea (UNCLOS).
- Australia acknowledges movement by ASEAN states and China towards a Code of Conduct (CoC) for the South China Sea
 - while Australia is not a party to the negotiations, we share a clear interest with the six ASEAN non-claimants in how tensions in the South China Sea are managed
 - as well as any new arrangements for the South China Sea that would prejudice the interests of third parties or the rights of non-signatories.
- We consider that any CoC should:
 - not prejudice the interests of third parties or the rights of all states under international law, including UNCLOS
 - reinforce existing regional architecture and ASEAN centrality, and
 - strengthen parties' commitments to cease actions that would complicate or escalate South China Sea disputes, including militarisation.

s33(a)(iii)



s47E(d)



BACKGROUND

Freedom of Navigation Operations

A 2 October article in the *New York Times* – titled ‘American and Chinese Warships Narrowly Avoid High Seas Collision’ – reported that US and Chinese vessels came “perilously close to colliding in the disputed waters [of the South China Sea]” during a US freedom of navigation operation. A spokesperson for the Pentagon described the actions of the Chinese navy as “unsafe and unprofessional”, including conducting “a series of increasingly aggressive manoeuvres”. At one point, according to the Pentagon, China’s ship came within 45 yards (41 metres) of the US Navy ship [*USS Decatur*].

China's Foreign and Defense Ministries both issued strong statements in response. Senior Colonel Wu Qian, a spokesperson for China's Ministry of National Defense, made the following comment:

The United States has repeatedly sent military ships to South China Sea islands and its adjacent waters, threatened China's sovereignty and security, seriously damaged the relations between the two countries and militaries, and endangered regional peace and stability.

During her visit to Washington, Foreign Minister Payne was asked for her response to the reports of China's unsafe manoeuvres. The minister said:

I think more broadly I would always encourage, and certainly did in my previous role, those working and moving and engaging in that part of the region to do so safely and professionally. I think actions which don't exhibit safety and professionalism are not conducive to stability and not conducive to security so I would be concerned if that was the case. I've seen those reports, and again, we would encourage all parties who are active in the area to engage in freedom of navigation, freedom of overflight according to international law – as we always have.

In a 3 October article in *The Australian*, Defence Minister Pyne is quoted as saying:

We would view any use of intimidation or aggressive tactics as destabilising and potentially dangerous...Australia has consistently expressed concern over ongoing militarisation of the South China Sea and we continue to urge all claimants to refrain from unilateral actions that would increase tension in the region.

According to media reports, the **United Kingdom's** HMS Albion passed by the Paracels in late August on its way from Japan to Vietnam. China reportedly dispatched a PLA Navy frigate and two helicopters to challenge the vessel. An anonymous source also told the BBC that Chinese jets flew low over the Albion during the encounter and that the PLA Navy vessel was shadowing the Albion as close as 200 metres away.

China's Ministry of Foreign Affairs, in an official statement, said:

the British warship violated Chinese law and relevant international law and infringed upon China's sovereignty. China is firmly opposed to this. We have lodged stern representations with the British side and expressed our strong dissatisfaction. The Chinese side strongly urges Britain to stop this kind of provocation lest it should undermine the overall picture of bilateral ties as well as regional peace and stability. China will continue to take all necessary measures to safeguard its sovereignty and security.

The UK has not regularly transited the South China Sea until this year and this was its first transit of the Paracels. China's military presence in the Paracels is more entrenched than the Spratlys and only Vietnam and Taiwan have competing claims there (compared to the Spratlys where Brunei, Malaysia and the Philippines also have claims). China also claims 'straight baselines' around the Paracels that are rejected by states such as the United States.

Where states do draw straight baselines they must do so consistently with the UN Convention on the Law of the Sea. Media reporting suggests that the Albion did not transit within 12nm of a disputed feature but, given China's claimed 'straight baselines', it is possible that the Albion transited within China's claimed territorial sea.

According to media reports, on 27 May, the **United States** conducted two simultaneous 'innocent passage' operations in the Paracels Group in the South China Sea. This was reportedly the first time the US had conducted a freedom of navigation operation using two vessels. The operations are part of the United States' longstanding **global freedom of navigation program (FONOPs)** which challenges excessive maritime claims.

On 27 May, China's Defense Ministry expressed its "anger", stating it had sent ships and aircraft to warn the US warships to leave, and saying they had entered the country's territorial waters without permission. On 30 May, a US Navy statement said the response of Chinese warships and aircraft scrambled to confront the US freedom of navigation exercise was "safe but unprofessional".

Australia has publicly supported the United States' right to undertake freedom of navigation operations wherever international law allows. On 8 June the Commander of the US Marines in the Pacific, Lieutenant General David Berger, reportedly said during a visit to Canberra that each country had to make its own decisions, but that the US would "absolutely" welcome Australia taking part in FONOPs.

On 23 July, then Foreign Minister Bishop said it would be "an extraordinary step" for Australia to conduct a unilateral freedom of navigation operation against China. Ms Bishop said, "if suddenly Australia conducted FONOPs against China, it would be the first we have done anywhere in the world. That would be an extraordinary step for a country like Australia to take when we have never conducted one anywhere". She also said, "we will continue to do what we have always done [and] we have certainly stepped up the tempo of our passage through the SCS in international waters".

Militarisation

On 16 August, Chinese state media announced China's intention to launch ten satellites to reinforce "national sovereignty, protection of fisheries, and marine search and rescue." According to the director of the Sanya Institute of Remote Sensing, "each reef and island as well as each vessel in the South China Sea will be under the watch of the 'space eyes'". This is the latest in a series of civilian developments that could also serve strategic purposes, following China's announcement on 13 August that it stationed a maritime search and rescue vessel in the Spratly Islands.

On 6 July, CNBC reported that China has been "quietly testing" its **electronic warfare (jamming) assets on the Spratlys**. The article reported that this was China's first known use of the assets since their deployment to the Spratlys earlier this year.

On 3 May, CNBC reported the **deployment of anti-ship cruise missiles and surface-to-air missiles by China** to three disputed features in the Spratlys (Fiery Cross, Subi and Mischief Reefs). In comments during a 3 May news conference, a Chinese MFA spokesperson said "the deployment of necessary national defence facilities are meant to safeguard China's sovereignty and security" and "the relevant deployment targets no one".

The state-owned China Daily reported on 19 May that the **Chinese air force had landed H-6K bomber aircraft** on an (unspecified) airport in the South China Sea during a recent exercise, marking the first time Chinese bombers had used an airport in the region. A number of analysts were quoted as speculating that the exercise was conducted on Woody Island in the disputed Paracel Islands group. The following day, the Chinese Defence Ministry was reported as stating that the exercise improved China's ability to "conduct strikes at any time and strike in all directions".

The Paracels are the subject of competing claims by China (and Taiwan) and Vietnam, in contrast to the Spratlys which have a larger number of claimants. As such, the Paracels weren't a subject of the Philippines' South China Sea arbitration.

Responses to militarisation

When asked on 3 May about the reported deployment of missiles to disputed features in the Spratlys, White House Press Secretary Sarah Huckabee Sanders said that the US was "well aware of China's militarisation of the South China Sea" and that the US had "raised concerns directly with the Chinese about this, and there will be near term and long term consequences".

In response to the reported deployment to the Spratlys, the **US rescinded China's invitation to this year's Rim of the Pacific exercise (RIMPAC)**. RIMPAC is a multilateral military exercise held every two years and hosted by US Pacific Fleet in Honolulu. RIMPAC *was held* from 27 June to 2 August 2018 in Hawaii and off the coast of California. It is the world's largest maritime exercise and includes 25,000 personnel from 27 countries.

On 2 June, US Defense Secretary Jim Mattis told the Shangri-La Dialogue in Singapore that the decision to rescind China's RIMPAC invitation was an "initial" and "relatively small" response to China's continued militarization of the South China Sea.

Many of the countries involved in RIMPAC are participating in Exercise KAKADU in Darwin and northern Australia from 30 August to 15 September 2018.

On 14 August, **Philippines** President Duterte made rare public criticisms of China's activities in the SCS saying that he hoped China would "temper...its behaviour". He asserted, "you cannot create an island, it's man-made, and you say that the air above these artificial islands is yours. That is wrong because those waters are what we consider international sea". Duterte added, "the right of innocent passage is guaranteed. It does not need any permission to sail through the open seas." This follows Duterte's comments of 23 July, during his state-of-the-nation address before congress, where he vowed for the first time in a major policy speech that he would "defend our interests in the West Philippine Sea". President Duterte has also been reported as stating that if China acts unilaterally to mine the natural mineral and oil resources within the contested waters of the South China Sea, it will have "crossed a line".

The Philippines has reportedly expressed concern to China over the increasing number of Chinese radio messages warning aircraft and ships to stay away from Chinese-claimed features in the SCS. On 11 August, CNN and BBC released footage of US and Philippine reconnaissance aircraft receiving aggressive radio challenges from China while flying near disputed SCS territory.

On 9 May the South China Morning Post reported that **Vietnam's** Foreign Ministry had issued a statement requesting China to withdraw military equipment from the South China Sea. It quoted Vietnamese Foreign Ministry spokeswoman Le Thi Thu Hang as saying: "Vietnam is extremely concerned about the information (as reported) and reaffirms that all militarization activities, including the installation of missiles on the Spratly islands, is a serious violation of Vietnam's sovereignty". On 21 May, in response to China's bomber aircraft exercising in Hoang Sa archipelago (Paracels), Vietnamese Ministry of Foreign Affairs Spokesperson Le Thi Thu Hang stated that the deployment, "hampers the negotiation between ASEAN and China on a Code of Conduct [CoC] in the East Sea [SCS], increases tension and instability in the region, and is not conducive to the maintenance of peace, stability and cooperation in the East Sea".

Recent Statements

On 29 August, an article appeared in a Chinese language online media outlet, Guancha, titled, 'New Australian FM Eager to Meet Chinese Officials While Stabbing China in the Back'. The article criticised Australia's decision to exclude Huawei and ZTE from the bidding process for building Australia's 5G mobile network and reported on some of Minister Payne's comments about the South China Sea (SCS) in a Sky News interview of 27 August.

Foreign Minister Payne said in the Sky News interview that militarisation in the SCS has "long been Australia's concerns, and militarisation of those features doesn't contribute to security and stability for all users in all parts of the region". The Minister noted that she had "articulated that view and it's one which we have held consistently." The Minister further said that in discussions with China she would reinforce that "Australia, as an observer of international law and as an observer and participa[ant] in the rules-based global order has always supported, for example: freedom of navigation, freedom of overflight. We will continue to advocate for those approaches."

Australian media quoted the Australian Ambassador to the Philippines Amanda Gorely, from a speech in Manila on 17 August, in which she reiterated Australia's consistent position on a Code of Conduct for the South China Sea (CoC), including that the "Code of Conduct should not prejudice the interests of third parties of the rights of all states under international law".

Following the **Trilateral Strategic Dialogue**, then Minister Bishop and her counterparts from Japan and the US released a statement on 5 August, which "expressed serious concerns about developments in the South China Sea (SCS), including the deployment of advanced weapons systems on disputed features." The Ministers "voiced strong opposition to coercive unilateral actions that could alter the status quo and increase tensions...[or] cause permanent physical change to the marine environment in areas pending delimitation". They also "underscored the importance" of the Arbitral Tribunal ruling of 2016 and acknowledgement recent movement towards a CoC for the SCS.

The Chairman's Statements for the **East Asia Summit** and **ASEAN Regional Forum** of 4 August highlighted Code of Conduct progress, but also "took note of some concerns on the land reclamations and activities in the area, which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the region". The foreign ministers also "emphasised the importance of non-militarisation and self-restraint in the conduct of all activities by claimants and all other states [in the SCS]".

The joint statement issued after **AUSMIN** talks on 23-24 July noted that then Foreign Minister Bishop, then Defence Minister Payne, and their US counterparts Secretary of State Pompeo and Secretary of Defense Mattis: “emphasised that militarisation of disputed features in the South China Sea is contrary to the region’s desire for peaceful development, and reiterated the obligation to respect freedom of navigation and overflight, and other lawful uses of the sea, in accordance with international law. Both sides called for the Code of Conduct for the South China Sea to be consistent with existing international law, as reflected in UNCLOS, to support existing regional architecture, to reinforce the parties’ commitment to cease actions that complicate disputes, and not to prejudice the interest of third parties or the rights of all states under international law”.

Code of Conduct

On 2 August, foreign ministers from ASEAN states and China agreed on a single draft document that will form the basis for negotiations for a **Code of Conduct in the South China Sea** (CoC). Announcing the agreement at the start of an annual ASEAN-China ministerial meeting, Singaporean Foreign Minister Vivian Balakrishnan described the document as “yet another milestone”.

Media reporting on the draft document has focused on clauses purportedly proposed by China that seek to limit the engagement of non-parties to the CoC, and extra-regional parties in commercial, military and other activities in the SCS.

Negotiations for a CoC commenced in early March in Vietnam, and were followed by a second round of talks in China’s Changsha City in late June, and a third round in Siem Reap, Cambodia in mid September. Parties have made clear that the CoC will not seek to resolve territorial or maritime delineation disputes in the SCS. Instead, the Code is expected to focus on confidence-building measures and principles to guide parties’ behaviour in the SCS (e.g. exercising restraint). A deadline for the completion of the CoC has not been set.

From: Isentia Daily Briefings
To: [Media](#)
Subject: 181003 2008 - [Isentia Daily Briefings]-[Media] Defence Evening News Update - 3 October 2018
Date: Wednesday, 3 October 2018 8:08:27 PM
Attachments: [image001.png](#)

Defence Evening News Update

Coverage of available leading TV News from 1700 until 2000 today

Wednesday, 3 October 2018

Lead Stories

- Women's groups have welcomed the Federal Government's announcement that the 'tampon tax' will be scrapped from the start of next year. (ABC Canberra)
- As rescuers reached parts of the country that have been cut off for five days, the death toll from the earthquake and tsunamis has reached beyond 1400. (ABC Darwin)
- The Court of Appeal has agreed to keep one of the state's worst predators, Robert John Fardon, under supervision after an appeal by the Attorney General. (Channel 7 Brisbane & Channel 10 Brisbane)
- A woman's body, with bound hands and a collar around her neck, has been found in a Hunters Hill park. (Channel 7 Sydney, Channel 9 Sydney & Channel 10 Sydney)
- The ex-husband of mother Gayle Potter is in jail, charged with her murder after running her over with his car in Airfield Rd, Traralgon. (Channel 7 Melbourne)
- Queensland women are being warned because a violent sexual predator remains on the loose. (Channel 9 Brisbane & Channel 9 Darwin)
- A mother and her two young children were forced to hide in a bedroom while a group of young thugs ransacked their Sunshine North home. (Channel 9 Melbourne)
- Authorities have issued an urgent health alert after a 2yo boy attending a metropolitan childcare centre contracts meningococcal disease. (Channel 9 Adelaide)
- James Todd faced court via a video link charged with the rape and murder of Eurydice Dixon at Carlton North in June. (Channel 10 Melbourne)
- South Australians are being urged to enjoy a beer in support of West End Brewery as Lion plans to cut a third of the local workforce. (Channel 10 Adelaide)
- A light installation is being installed in Albany to celebrate 100 years since the Armistice Treaty. (Channel 10 Perth)
- The Federal Government's proposed changes to the GST has encountered major blows with States and Territories rejecting the plan. (Southern Cross Tasmania)
- A Canberran family's townhouse exploded into flames. Police say it is a

possible arson attack. (WIN Canberra)

- Ten people have managed to escape after a blaze tore through a Hill Street home in Gatton this morning. (WIN Toowoomba)

Ministerial Mentions

Nil.

Opposition Mentions

Nil.

Defence Mentions

The US Navy destroyer, USS Decatur, had to avoid a collision on Sunday after a Chinese warship came too close to its bow along the disputed island chain in the South China Sea. Australian Prime Minister Scott Morrison says Australia will continue to conduct itself around these issues constructively and modestly. (ABC Melbourne) [Play Now](#)

Pictures have emerged of a near collision between Chinese and American warships engaged in dangerous brinkmanship in the South China Sea. [...] Australia warned China using such tactics would be destabilising and potentially dangerous. (ABC Canberra) [Play Now](#)

Darwin-based Critical Care and Trauma Response Centre is on standby to send its field hospital to the tsunami site. [...] According to Minister Payne, Australia's Defence Force will also be delivering relief supplies like water, shelter, hygiene kits and generators. (ABC Darwin) [Play Now](#)

News Headlines

Date	Media Outlet	Location	Summary
7:00:08 PM	ABC	NT	News Headlines - Quicksand horror in Indonesia. - Darwin's Trauma Centre on standby to help in Indonesia. - Rising tensions between the US and China. - Tiwi Islander taking the helm as AFL NT's new Community Football Manager.
7:00:02 PM	ABC	ACT	News Headlines - States and Territories agreed to scrap the tampon tax. - Liquefaction: the latest challenge facing residents and rescue crews in Palu.

			<ul style="list-style-type: none"> - Some close calls between the United States and Chinese navies. - Some senior Canberrans give graffiti a try.
7:00:00 PM	ABC	VIC	<p>News Headlines</p> <ul style="list-style-type: none"> - The Coalition has pledged \$19b for fast rail links to the regions. - State and territories have agreed to axe the tampon tax. - Anglesea's old power station has successfully gone down. - Cricket Australia has a new boss.
5:59:43 PM	Southern Cross Tasmania	TAS	<p>News Headlines</p> <ul style="list-style-type: none"> - Tasmania goes head-to-head with the Federal Government over proposed changes to the GST. - More 1080 poison to be laid in the state's Central Highlands. - Australian doctors prepare to fly into Indonesia's disaster zone. - Tasmanians have their say on a new Derwent River ferry service. - More calls for short stay accommodation to face tougher regulations. - A new service taking visitors to the top of Mount Wellington.
5:59:42 PM	Channel 9	NSW	<p>News Headlines</p> <ul style="list-style-type: none"> - A report on a hunt for a killer after a woman's body was found near a Hunters Hill playground. - A tax on women is set to be lifted. - A look on a dramatic end to high speed police chase. - A report on the Opal card deal. - Mal Meninga speaks up about his disappointment on Greg Inglis' drink driving charge.
5:59:41 PM	Channel 7	VIC	<p>News Headlines</p> <ul style="list-style-type: none"> - A mother of three has been run down and killed and her ex-husband has been charged with murder. - A Melbourne baseballer's killer is freed from jail. - Matthew Guy's \$19b high-speed rail plan. - The GST on sanitary products is finally axed. - Bringing down the Anglesea Power

			Plant. - The Magpies celebrate Wacky Wednesday.
5:59:40 PM	Channel 9	VIC	News Headlines - Gang terror. - Man charged with murder after mowing down a mother. - Eurydice Dixon's accuser revealed. - Matthew Guy's double-decker dream. - Tax on sanitary products axed. - Uber Eats driver caught tasting the merchandise.
5:59:40 PM	Channel 9 Darwin	NT	News Headlines - New fishing tournament offering big money as prices. - Federal Treasurer fights to protect the NT's share of GST. - A tax on women is set to be lifted. - A warning for business owners to protect themselves from cybercriminals. - The inspiration for a teenager eyeing big things in the pool.
5:59:39 PM	Channel 7	QLD	News Headlines - Sex offender Robert John Fardon to remain under supervision. - Job losses at the XXXX brewery. - A drone delays a rescue operation. - Tax axed. - Level headed. - The date is set for Jeff Horn's next fight.
5:59:00 PM	Channel 7	NSW	News Headlines - Murder mystery in the Hunters Hill. - Beach brawl. - A deadly flaw in the new Northern Beaches Hospital. - Indonesian volcano eruption. - Botched light rail project. - NRL update.
5:00:16 PM	Channel 10	NSW	News Headlines - A council worker has found a woman's body in a Hunters Hill park. - There's been a dramatic police pursuit spanning Sydney suburbs. - A volcano has erupted in Indonesia as Australia promises more aid. - All States and Territories have

			<p>agreed to make sanitary products GST-free.</p> <ul style="list-style-type: none"> - Residents and business owners have revealed the impact of the State Government's light rail project on them. - The big rigs have rolled into town ahead of the Bathurst 1000.
5:00:16 PM	Channel 10	QLD	<p>Program Preview</p> <ul style="list-style-type: none"> - Notorious sex offender Robert John Fardon is to remain under supervision just hours before he was due to live freely in the community. - The states have finally agreed to lift the tax that has angered women across Australia. - A drone has delayed the rescue of a fisherman stranded on the Gold Coast Seaway. - Queensland's accident hotspots have been revealed. - Jeff Horn vs Anthony Mundine match preview.
5:00:00 PM	Channel 10	WA	<p>Program Preview:</p> <ul style="list-style-type: none"> - Bargain hunters flock to the new DFO centre which caused major traffic for those heading to the airport. - A fire has left a family homeless. - An erupting volcano is threatening Indonesia' tsunami survivors. - Serena Williams joins Roger Federer at the Hopman Cup finals.