Security Challenges

Volume 11 Number 1 (2015)

Security Challenges
ISSN 1833 – 1459

Project Management and Cover: Qote Canberra (02) 6162 1258
Published and distributed by: The Institute for Regional Security
2/10 Kennedy St
(PO Box 4060), Kingston ACT 2604
T: (02) 6295 1555 F: (02) 6169 3019
E: info@ifrs.org.au
W: www.securitychallenges.org.au

All articles published in *Security Challenges* are fully peer-reviewed. Any opinions and views expressed are those of the authors, and do not necessarily reflect the opinion of the Institute For Regional Security or the editors of *Security Challenges*.

Security Challenges is indexed on EBSCOhost™ EBSCO

SPECIAL—MEDIA AND TRANSPARENCY IN AUSTRALIAN DEFENCE POLICY

COMMENT

ARTICLES

Editors' Note

This edition of Security Challenges focuses on Media and Transparency in Australia's defence debate. It features a major article by Kevin Foster which examines what the ADF might learn from its allies' media operations practices in Afghanistan. Supporting this are comment pieces. James Brown deepens the examination of how the ADF views defence transparency while Sam Roggeveen draws on his experience as both commentator and publisher to analyse Australia's media and national debate on defence policy issues. The editors of Security Challenge see this as merely the beginning of a discussion, given our belief that the relationship between the ADF and the media needs much greater consideration. We would welcome further submissions on these topics.

This edition also features an examination of recent changes in the Australia-India relationship by David Brewster, an analysis of the China-Japan relationship and its dynamics by Euan Graham, and insight into Jihadist Targeting and Tactics by Shandon Harris-Hogan. All are extremely relevant and engaging pieces for assessing the Asia-Pacific's security environment in early 2015.

As you will have noted, our parent organisation has renamed to the Institute For Regional Security. You will also notice some change in the hardcopy and online presentation of *Security Challenges*. However, the journal itself is not changing. Our mission of presenting high quality peer reviewed scholarship on the leading policy and strategic questions of the Asia-Pacific remains firm.

Peter Dean Andrew Carr & Iain Henry
Managing Editors
March 2015

Going Dutch or Candidly Canadian? What the ADF Might Learn from its Allies' Media Operations Practices in Afghanistan

Kevin Foster

The Primacy Of Perception

These are inauspicious times to be promoting greater openness and cooperation in relations between the government, the military and the media. The blanket secrecy around Operation Sovereign Borders not only represents a fundamental abrogation of the government's responsibility to keep its citizens informed about the nature, purposes and implementation of its policies, it also sets a dreadful and potentially damaging example for other government departments of how to conduct one's relations with the media. The prominent role afforded Lieutenant General Angus Campbell in the early days of the operation was the most obvious reflection of the fact that many of the Immigration Minister's practices and directions had their origins in the Australian Defence Force's (ADF) interactions with the fourth estate during the wars in Afghanistan and Iraq, where its costiveness with information was legendary.[1] If imitation is the highest form of flattery, the government's information campaign around asylum seekers reflected its esteem for the ADF's information management practices over the preceding years. Yet the ADF would do well to consider the consequences of its antagonistic relations with the media and how well placed this has left it to face the emerging threats from non-state actors and conventional forces.

In the face of former Immigration Minister Scott Morrison's refusal to comment on any "on-water matters" during his infrequent Operation Sovereign Borders briefings, it is hard to believe that it is scarcely ten years since US Assistant Secretary of Defense for Public Affairs, Victoria Clarke, issued Public Affairs Guidance to the US military as it prepared to invade Iraq that put at its heart the media's right to access, move within and report from the area of operations and the military's duty to facilitate that access. Clarke's instructions were

[1] For more on this see Tom Hyland, 'Funny Old War: The News from the ADF', in Kevin Foster (ed.), *What Are We Doing in Afghanistan? The Military and the Media at War* (Melbourne: Australian Scholarly Publishing, 2009), pp. 102-18: Ian McPhedran, 'War! What War?', in Kevin Foster (ed.), *What Are We Doing in Afghanistan? The Military and the Media at War* (Melbourne: Australian Scholarly Publishing, 2009), pp. 65-74.

underpinned by ten-years of bitter experience, highlighted by serious reverses in Somalia and the Balkans and the realisation this had bred within the US military that independent media coverage of its operations was vital to ensure public support for and success in them:

> We need to tell the factual story—good or bad—before others seed the media with disinformation and distortions, as they most certainly will continue to do. Our people in the field need to tell our story—only commanders can ensure the media get to the story alongside the troops. We must organize for and facilitate access of national and international media to our forces, including those forces engaged in ground operations, with the goal of doing so right from the start.[2]

This is brave stuff and its message about the value of openness in the face of an enemy determined to contest the information space is especially important in the wake of the Australian experience in Afghanistan. Here the Taliban not only proved itself to be a resourceful and resilient foe on the battlefield, its information operations showed surprising sophistication as it successfully communicated its message to a diverse array of audiences. The illiterate villagers and farmers who constituted a significant portion of the Taliban's domestic audience were intimidated into conformity with night letters, or *shabanamah*, while in urban areas the more literate population was cowed by DVDs, delivered to specific targets or sold cheaply in local bazaars, that demonstrated the bloody reprisals exacted against those who worked with or supported the International Security Assistance Force (ISAF). At the same time the Taliban ran a "global information campaign" directed at "two entirely different audiences: their supporters and their enemy's supporters, that is, global jihadis and the publics of the countries engaged in Afghanistan".[3] Though its influence on public opinion in the ISAF countries is yet to be definitively determined, this campaign was certainly effective in publicising civilian casualties, regularly forcing ISAF onto the back foot to justify, explain or deny Taliban allegations that it was indifferent to casualties among the local civilian populace.

The experience in Afghanistan evidently struck a chord in Defence Headquarters at Russell. The *Future Land Warfare Report 2014* acknowledged the likely centrality of information operations in future conflicts:

> Contemporary trends suggest future conflict will increasingly involve multiple diverse actors all competing for the allegiances and/or acquiescence of targeted populations. Consequently, the outcome of conflict will be influenced

[2] Office of the Assistant Secretary of Defense for Public Affairs, *Public Affairs Guidance (PAG) on Embedding Media During Possible Future Operations/Deployments in the U.S. Central Commands (CENTCOM) Area of Responsibility (AOR)* (Washington: Department of Defense, 2003), A.2. For more on the United States' bitter lessons see Thomas Rid, *War and Media Operations: The US Military and the Press from Vietnam to Iraq* (London: Routledge, 2007), pp. 89-108.

[3] Thomas Rid and Marc Hecker, *War 2.0: Irregular Warfare in the Information Age* (Westport, CT: Praeger Security International, 2009), p. 178.

> by the perceptions of these populations rather than solely the results of battlefield action.[4]

The key to geographical dominance resides in mastery of the human terrain. Recent events in Iraq offer a graphic demonstration that these trends are being realised on the ground. When fighters from the Islamic State in Iraq and Syria (Isis) overran large portions of north-western Iraq, including the country's second city, Mosul, in early June 2014 it was less force of arms that carried them to victory than a canny information campaign. Isis's "regressive goal … to return to the ultra-conservative traditions that—they claim—the earliest Muslims lived by" was advanced by "a hypermodern propaganda machine that sees Isis's sadistic attacks promoted by a slick social media operation, a specially designed app—and well-made videos".[5] The app, Dawn of Glad Tidings, demonstrates a particular awareness of the role of Twitter as a disseminator and aggregator of opinion. The app enables Isis

> to use [its Twitter followers'] accounts to send out centrally written updates. Released simultaneously, the messages swamp social media, giving Isis a far larger online reach than their own accounts would otherwise allow. The Dawn app pumps out news of Isis advances, gory images or frightening videos …—creating the impression of a rampant and unstoppable force.[6]

According to Abu Bakr al-Janabi, an Iraqi supporter of Isis with an inside knowledge of its media operations, the Iraqi troops defending Mosul fled because the fate of those who opposed Isis had been graphically illustrated through tweets and videos that said "look what will happen to you if you cross our path. And it actually worked: a lot of soldiers deserted when they saw the black banners of Isis."[7] The resulting fear that Isis was about to storm Baghdad was "borne out of their social media campaign, not reality", claimed the *Guardian*'s Middle East correspondent, Martin Chulov, as "They don't have the manpower to do that."[8]

It is not only non-state actors who are busy realising the battlefield advantages afforded by command of the information environment. A Pentagon report warned that in pursuing a "three warfares" strategy combining "legal warfare," "media warfare" and "psychological warfare", China's rapid development of its information operations capability posed a real threat to the United States and its allies in the East and South China Seas.[9] Given these developments it is evident that in future conflicts, in the face of determined and well-targeted information operations assault from well-resourced and sophisticated

[4] Modernisation and Strategic Planning Division – Australian Army Headquarters, *Future Land Warfare Report 2014* (Canberra: Commonwealth of Australia, 2014), p. 4.
[5] Patrick Kingsley, 'Who is behind Isis's Terrifying Online Propaganda Operation?', *The Guardian*, 24 June 2014, p. 8.
[6] Ibid.
[7] Ibid.
[8] Ibid.
[9] J. Garnaut, 'Pentagon Report Reveals Chinese Strategy has US Rattled', *The Age*, 11 April 2014, p. 10.

opponents, a steady stream of cheerful press releases from Defence media ops, of the kind that characterised official Australian communications during the war in Afghanistan will not be nearly enough to keep the domestic population on-message, informed or on side.[10] The ADF will need to upgrade its information operations assets, to radically re-think their purposes and applications and to re-visit the training of its personnel. While it hopes that its development of social media strategies will herald a new, more direct relationship with the Australian public, this remains to be tested. On the evidence to date, social media affords greater advantages to insurgent groups rather than their counter-insurgency adversaries.[11] While the ADF comes to grips with the implications of this it needs to reconfigure its relations with the mainstream media. Notably, the Iraqi Government's response to the panic unleashed by Isis propaganda and the approach of its fighters to the outer suburbs of Baghdad was a live, television/radio broadcast by former Prime Minister Nouri al-Maliki calling the country to arms and reassuring the public. Though some may scoff at the proposition, a time will come when the ADF will need the media desperately, when, as in the case of Iraq, only the mainstream media will have the reach, the penetration and the authority needed to project the official line. With such an eventuality in mind this is an appropriate moment to appraise the current state of relations between the military and the media in Australia and to determine what lessons for the future the ADF can take from its interactions with the fourth estate in Afghanistan. For purposes of illustration I will compare and contrast the ADF's dealings with the media with those of two of Australia's coalition allies in Afghanistan, the Dutch and the Canadian militaries who, for similar reasons and by parallel means recast their relations with their media during the conflict and benefitted from the new arrangements.

'Media Hosting'—The ADF and The Fourth Estate

What can we determine about the nature and effects of Australian media-military relations from the evidence of its conduct in Afghanistan? The ADF itself has conceded that its media management policy for the greater part of its deployment in Afghanistan was unnecessarily restrictive. In the first instance just how one attained a place on an embed was shrouded in mystery. There were, until 2010, no clear guidelines about how one applied for an embed and the grounds determining who was selected. It was not until late 2011 that the ADF called for Expressions of Interest from media personnel interested in embedding with the troops in Afghanistan. Prior to 2009 the only way for reporters to access Australian forces in Uruzgan was via the 'Bus Tours' run by the ADF. The programme was closely managed by ADF Public Affairs (PA) and was roundly despised by the media who chafed at the

[10] For more on this see Kevin Foster, *Don't Mention the War: The Australian Defence Force, the Media and the Afghan Conflict* (Melbourne: Monash University Publishing, 2013), pp. 86-97.
[11] See Rid and Hecker, *War 2,0*, pp. 1-12.

restrictions on their freedom of movement.[12] ADF PA "fixed" the reporters' itineraries "well in advance" and once they were on base "chaperoned" them "every step of the way".[13] Little was left to chance. As SBS's former Political Editor Karen Middleton noted, the ADF's determination to minimise the scope for surprises or negative publicity ensured that as a journalist with the ADF in Afghanistan, while "You can't be sure what will happen during your allotted time in country or what kind of stories you will be able to do … You can be absolutely certain you will be subject to considerable restriction."[14] Though the ADF regarded the bus tours as a key means of promoting the successes of its mission in Afghanistan, a review of the ADF's embedding program acknowledged that it had persisted with them longer than was necessary and, in the long run, they had damaged relations with the media and tarnished Defence's credibility: "The decision to operate this way made sense during the initial phases of the conflicts with their heavy Special Forces presence, but once large bodies of conventional troops were on the ground, Defence's on-going justification became untenable."[15]

The ADF's first, tentative foray into embedding media in a 2009 trial did little to enhance relations with the fourth estate. Indeed, given the way the trial ran and the media's responses to it, it is a surprise that a formal program ever eventuated. In an open letter to then Defence Minister, Senator John Faulkner, one of the three participants in the trial, News Limited's Ian McPhedran, offered a scathing assessment of its premises and conduct:

> From the outset it should be noted that the word 'embedding' is not the correct term to describe what the Australian Defence Force is offering to the Australian media in Afghanistan.
>
> True embedding, as practiced by US and British forces, involves journalists agreeing to a set of well-defined and binding ground rules and then being attached to a military unit without an escort officer. The level of access

[12] The shortcomings of the bus tours have been dealt with comprehensively elsewhere by Australian journalists, Karen Middleton, Chris Masters, Tom Hyland, Sean Hobbs, Ian McPhedran and an array of others whose principal complaints focus on access—highly restrictive; freedom of movement—minimal; exposure to military PR—relentless; and control over copy—negligible. See Karen Middleton, 'Who's Telling the Story? The Military and the Media', in P. Dennis and J. Grey (eds), *The Military, the Media and Information Warfare* (Canberra: Australian Military History Publications, 2009), pp. 147-57; Karen Middleton, *An Unwinnable War: Australia in Afghanistan* (Melbourne: Melbourne University Publishing, 2011); Chris Masters, 'The Media's Left and Right of Arc', in Kevin Foster (ed.), *The Information Battlefield: Representing Australians at War* (Melbourne: Australian Scholarly Publishing, 2011), pp. 33-40; Chris Masters, *Uncommon Soldier: Brave, Compassionate and Tough, The Making of Australia's Modern Digger* (Sydney: Allen and Unwin, 2012); Hyland, 'Funny Old War', pp. 102-18; Sean Hobbs, 'How to Build a Pergola: With the ADF in Afghanistan', in Kevin Foster (ed.), *What Are We Doing in Afghanistan? The Military and the Media at War* (Melbourne: Australian Scholarly Publishing, 2009), pp. 89-101; McPhedran, 'War! What War?', pp. 65-74.
[13] Hobbs, 'How to Build a Pergola', p. 92.
[14] Middleton, 'Who's Telling the Story?' p. 152.
[15] Jason Logue, *Herding Cats: The Evolution of the ADF's Media Embedding Program in Operational Areas* (Canberra: Land Warfare Studies Centre [Working Paper No. 141], 2013), pp. 13-14.

> granted to the journalist becomes a matter between the commanding officer and the journalist.
>
> The ADF model should be called 'media hosting'.[16]

In particular, McPhedran took aim at the ADF's determination to employ the journalists as conduits for military propaganda and the promotion of their mission:

> Having military personnel trying to sell stories about schools or bridges or hospitals, when the real story is out in the 'green zone' with the infantry patrols, simply wastes valuable time and generates major frustrations. The best stories from the visit came from the three foot patrols that we were permitted to accompany …
>
> The 'soft' PR stories about diggers doing good works have a place and that place is the Army News newspaper or on the defence website, it is not in the pages of major metropolitan newspapers. We would never dare suggest where the CO should place his troops, so we shouldn't be told how to do our job or what is a good story.[17]

By 2009, Ian McPhedran noted, the ADF's restrictions on media reporting had grown so onerous that "there is more value in Australian reporters seeking help from British or American or Dutch or Romanian forces on operations than there is from the Australians".[18]

A Lack of 'Editorial Commitment'

Yet the "lack of evidence based coverage" of what Australian forces were doing in Afghanistan was "not only down to the ADF being obstructive".[19] Media organisations were themselves reluctant to invest the resources necessary to ensure solid coverage of events in Afghanistan. They were, admittedly, distracted by the biggest crisis in the industry's modern history, the collapse of their traditional funding model, and the decimation of newsrooms that it brought. Figures from the Australian Bureau of Statistics indicate that in the five years between 2006 and 2011 the newspaper industry shed almost 13 per cent of its workforce.[20] The Media Entertainment and Arts Alliance, the main trade union for media employees, estimated that over the winter of 2012, one in seven journalism jobs disappeared.[21] Foreign bureaux were closed down, specialist reporters with international and defence experience took

[16] Ian McPhedran, '"Embedding" Trial Report', 9 September 2009, <www.abc.net.au/mediawatch/transcripts/0935_report.pdf> [Accessed 8 August 2014], p. 1. For a parallel report of this information see I. McPhedran, 'Defence Coy on Embedding Media', *The Australian*, 14 September 2009, p. 4.
[17] Ibid., p. 2.
[18] McPhedran, 'War! What War?', p. 71.
[19] Masters, 'The Media's Left and Right of Arc', p. 37.
[20] Australian Bureau of Statistics, 'Graphic Designer: The Most Popular Cultural Occupation', *Employment in Culture, Australia 2011*, Media Release, 20 December 2012.
[21] See 'News Limited Redundancies Should Be the Last', Media, Entertainment and Arts Alliance, 4 September 2012, <www.alliance.org.au/news-limited-redundancies-should-be-the-last> [Accessed 8 August 2014].

redundancy packages and their expertise was lost.[22] Already "one of the toughest assignments on the media horizon", the straitened economies of the funding crisis ensured that the truth about what was happening in Afghanistan was "harder than usual to come by".[23] However, the media's failures in Afghanistan could not be attributed to financial pressures alone. As the conflict unfolded it became increasingly apparent to journalists that among the newspapers and broadcasters they served, "editorial commitment" to reporting the war was "weak" and there was "no appetite for sustained and detailed coverage except when there was an extraordinary event".[24] In some cases media organisations refused to meet the full costs of transporting or insuring reporters who went to cover the war, while in others they baulked at the bonuses and allowances to which their employees were entitled.[25]

More damningly, over the course of Australia's commitment in Afghanistan the media signally failed to make even the most basic investment in the human or physical resources needed to ensure that the public had access to sustained and detailed coverage of the nation's longest ever military deployment. For more than nine years no Australian media outlet committed a permanent correspondent to Afghanistan. Though this situation was finally rectified in January 2011, when the ABC opened a Kabul bureau headed by Sally Sara, when her posting ended twelve months later and she returned to Australia the national broadcaster promptly mothballed the office. Without a resident, well-informed specialist, coverage of the war was left to an array of differently qualified reporters who mostly dropped into Afghanistan on brief embeds, went where they were taken, saw what they were shown, and left the country, and their readers, little wiser about the conflict than they were before. As a consequence of these arrangements the greater portion of the reporting from Afghanistan struggled to illuminate the conflict's complex origins, geography and alliances. If the public was ill informed about the basic facts of the war in Afghanistan it owed its ignorance as much to the Australian media's hindrance of its own reporters as it did to the ADF's efforts to obstruct or censor them.

[22] Early in 2013 Crikey reported that *The Australian* was soon to close its London, Washington and Tokyo bureaux, while Fairfax was also looking to close its London bureau having mothballed its Kabul office. See Matthew Knott, 'Foreign Bureau Get the Chop as News, Fairfax Cut Costs', *Crikey*, 9 January 2013, <media.crikey.com.au/dm/newsletter/dailymail_e034edb700ec5d29edf45c4d76b17320.html#article_22103> [Accessed 8 August 2014].

[23] Masters, *Uncommon Soldier*, p. 207.

[24] Masters, 'The Media's Left and Right of Arc', p. 37; Tom Hyland, interview with author, 19 December 2012.

[25] Chris Masters recalled that while the Australian Defence Force applied a maximum threat level to Afghanistan, thereby entitling its personnel to an extra $141.36 per day, tax free, when he notified his superiors that he and his film crew would be travelling to Uruzgan to make a documentary "the ABC asked that we take a reduced travel allowance, advancing the rationale that we would have no use for it". Masters, *Uncommon Soldier*, p. 219.

Missed Opportunities

There were also vocal complaints about the paucity of coverage from within the ADF itself, a disgruntlement that ran from the top to the bottom of the organisation. Former Chief of Army, Peter Leahy, regretted the multiple missed opportunities to promote the ADF and its personnel. As a result of the failure to better publicise what the military was doing in Afghanistan, he lamented the fact that "the nation is being denied its heroes, and its heroes are being denied their heroism".[26] During his time as the Commander of Joint Task Force 633, Major General John Cantwell was exasperated by his own organisation's failure to celebrate its men and women:

> I approve scores of media updates, make or release dozens of newsy videos, provide commentary on our challenges and progress, and look for every opportunity to tell the Australian people what our troops are doing, and how well they're doing it. Most of these messages sink without a trace in the Defence and parliamentary precincts of Canberra. I get more mileage from the story of sending home a long-lost and rediscovered explosive-detection dog, Sarbie, than from all of my other media engagements combined. In general, the work of our service men and women seems to be invisible in the Australian media. It's partly the fault of the press, but largely due to the draconian control of information by the Department of Defence Public Affairs Office and the Defence Minister's office.[27]

Some mid-ranking officers with command responsibility in Afghanistan likewise believed that Defence's reluctance to engage with the media was impeding the necessary publicisation of the military's work in Afghanistan and proactively sought to engage with them. The Commanding Officer of Mentoring and Reconstruction Task Force 1, Lieutenant Colonel Shane Gabriel, believed that it was important for the fourth estate to bear witness from the front lines: "The media has a right to be there. We have nothing to hide."[28] At Patrol Base Wali the Commanding Officer, Major Jason Groat, made it clear to visiting reporters that "We are welcome inside at any time and have an open invitation to every daily briefing."[29] At the other end of the rank scale, as the war dragged on soldiers were increasingly frustrated by the Australian public's apparent ignorance of, if not indifference to their efforts in Afghanistan. By 2010 James Brown noted that many in the ranks were "starting to ask why there isn't more public debate on Australia's Afghan strategy".[30] When Chris Masters arrived Afghanistan in the same year he was

[26] Peter Leahy, 'The Government, the Military and the Media', in Kevin Foster (ed.), *The Information Battlefield: Representing Australians at War* (Melbourne: Australian Scholarly Publishing, 2011), p. 10.
[27] John Cantwell with Greg Bearup, *Exit Wounds: One Australian's War on Terror* (Melbourne: Melbourne University Publishing, 2012), p. 326.
[28] Masters, *Uncommon Soldier*, p. 200.
[29] Ibid., p. 227.
[30] James Brown, 'And then there's their Battle at Home', *Sydney Morning Herald*, 28 July 2010, p. 10.

surprised by "the trace of anger I heard when soldiers spoke of a failure to understand what they are doing back at home".[31]

A Climate of Suspicion?

There is no escaping the fact that, in large measure, the ADF's mistrust of and often adversarial posture towards the media underlay the public's ignorance about what its men and women were doing in Afghanistan. When Fairfax's Chief Correspondent, Paul McGeough, and photographer Kate Geraghty travelled to Tarin Kot in January 2013 to report on the latter days of the ADF's mission in Uruzgan, they were "met on the tarmac by several Australian military officers" who told them "You have no permission to be here." Determined to avoid the routine restrictions imposed on reporters by the ADF, McGeough and Geraghty had decided to seek accreditation for their assignment from an Afghan agency and had travelled to Uruzgan independent of the ADF. When the ADF discovered this, McGeough alleges, it set out to "derail the Fairfax assignment", and so "block independent reporting in the province", by holding a meeting with spokesmen "from a raft of government agencies in southern Afghanistan" where the Afghans were pressured to withdraw any assistance they may already have offered the Fairfax journalists. Farid Ayil, a spokesman for the Uruzgan Chief of Police, Matiullah Khan, corroborated McGeough's account, claiming that "The [ADF] guy went around the table getting everyone to say they had refused." When it became clear that the Chief of Police had determined to host the journalists, the unnamed ADF officer "demanded to know why we were taking you" and presented "a litany of reasons" to back his arguments for excluding the reporters: "the Fairfax team was in Oruzgan to 'write wrong stories'; it had travelled to Tarin Kowt 'without permission'; and it had entered Afghanistan 'without a letter from the Australian government.'"[32] Though the journalists had not written a word or taken a single photograph in Uruzgan to this point, in the eyes of the unnamed officer their intention to work beyond ADF oversight was evidence of an inherent hostility towards the military and a legitimate basis for excluding them. This approach to its relations with the fourth estate may have enabled the ADF to get on with its tasks in Afghanistan in relative peace, but it also ensured that what they did remained mostly unseen and so unappreciated by their countrymen and women.

When, in 2011, a formal embedding program was finally instituted, greater numbers of reporters were able to travel to and report from Afghanistan than had previously been the case. When he studied the reporting from this period Lieutenant Colonel Jason Logue found that while "the overall trend of Australian media reporting concerning operations in Afghanistan was favourable … the coverage sourced from media embed participants, a relatively small percentage of overall coverage, was of considerably higher

[31] Masters, *Uncommon Soldier*, p. xviii.
[32] Paul McGeough, 'How the ADF Tried to Control the Real Story of Oruzgan', *The Saturday Age*, 16 March 2013, p. 9.

favourability than reporting from afar".[33] Better still, not only was the embeds' reporting favourable, it "showed a strong correlation with the identified favourable messages", the positive narrative about the war that the ADF so assiduously promoted, namely "the ADF supporting its personnel, the military/personal conduct of ADF personnel as 'beyond reproach' and that ADF operations were making progress towards strategic goals".[34] One can only assume that on the basis of this evidence the ADF will deploy embedded media to future conflicts with far greater alacrity. Yet while the favourable reporting was an obvious PR plus for the military, there was no evidence that it left the public any better informed about what was happening in Uruzgan. Indeed, whatever the public's approval of what the troops were doing, opinion polling indicates that this had little impact on broader measures of support for the war, which consistently trended downwards from 2009 onwards.[35]

This brings us back to the government whose aversion to transparency around military matters has long and deep roots. In Australia, relations between the Department of Defence, the ADF, politicians, the media and the public have never been easy.[36] In 2000, public comment arrangements in the Department of Defence were brought into line with other government portfolios when the uniformed leadership were "forced … to cede to the Minister, and executive government as a whole, much more power over defence public information".[37] However, the reforms intended to re-assert the accountability of the armed forces to their civilian governors played into the hands of unscrupulous politicians. The assertions by senior government ministers, including the Defence Minister, Peter Reith, during the Children Overboard Affair in October 2001, that asylum seekers had thrown their children into the sea in an effort to secure rescue and passage to Australia, outraged the military. Though the Royal Australian Navy had evidence that this was not the case all comment regarding the incident had to come through the Minister's office and so they were not allowed to present it.[38] This experience badly "strained the relationship between Defence and successive ministers", irreparably damaged whatever trust had built up between the military and the government and, in the opinion of former Defence Minister Joel Fitzgibbon, "produced a more risk averse culture and a determination [in the ADF] to put up barriers

[33] Logue, *Herding Cats*, p. 26.
[34] Ibid., p. 27.
[35] For more on this see Foster, *Don't Mention the War*, pp. 104-21.
[36] See Fay Anderson and Richard Trembath, *Witnesses to War*: *The History of Australian Combat Reporting* (Melbourne: Melbourne University Publishing, 2011); John Hilvert, *Blue Pencil Warriors: Censorship and Propaganda in World War II* (St Lucia: University of Queensland Press, 1984); Ian Jackson, '"Duplication, Rivalry and Friction": The Australian Army, the Government and the Press during the Second World War', in Foster, *The Information Battlefield*, pp. 74-85; Trish Payne, *War and Words: The Australian Press and the Vietnam War* (Melbourne: Melbourne University Publishing, 2007); Foster, *Don't Mention the War*.
[37] Brian Humphreys, 'The Australian Defence Force's Media Strategy: What it is and Why, and Why it Needs to Change', in Foster, *What Are We Doing in Afghanistan?* p. 41.
[38] For more on the Children Overboard affair see Senate Select Committee, *Report into a Certain Maritime Incident* (Canberra: Commonwealth of Australia, 2002); and David Marr and Marian Wilkinson, *Dark Victory* (Sydney: Allen and Unwin, 2002).

between both politicians and media organisations".[39] The conviction among the ADF's senior commanders that some of the politicians they served were without principle, "that 'public information' was a dirty word" and that that they should keep out of it, resulted in the establishment of a "thicket of procedures and clearance requirements" around interactions with the media and the public.[40] By 2009 "self-serving obfuscation" had become an "ingrained habit" in Defence and an editorial in the *Sydney Morning Herald* noted that, "To outsiders—who include the public, the media, and most members of Parliament—the Defence Department has become increasingly tight with even routine information over recent decades."[41] This "tightness" reflected both a literal and a figurative closing of the uniformed ranks in the face of perceived enemies, among whom the ADF numbered not only hostile powers, but also the politicians tasked with their management. Politicians and public servants deputed to manage members of the armed forces regularly ran into a wall of resentment and resistance. Another former Defence Minister, Dr Brendan Nelson, suggested it was "fair to say that at times the uniformed side of Defence finds it difficult to respond to directives that come from civilians in the form of the government and minister of the day".[42]

Averse, as any government is, to bad news, wedded to a "forward defence" rationale for the conflict that became increasingly untenable as the sponsors and agents of terrorism moved to Pakistan, Yemen, Somalia and Syria, the government employed every lever of power at its disposal to slow the flow of information from Afghanistan to a carefully monitored trickle. Accordingly with regards to the extent to which the reporting from and about Afghanistan informed and helped foster links between the public and the armed forces, broadened and deepened the public's understanding of why the ADF was there and what it might reasonably achieve, and afforded a degree of historical and political context for the conflict, it is not unreasonable to pronounce the coverage of Australia's war in Afghanistan an abject failure. For the greater part of the war the media were prevented from doing their job, and when they were able to do it they received little backing or encouragement from their own editors or proprietors; the public was detached from events that seemed far away and of scarcely passing interest; the troops were increasingly disenchanted by apparent public ignorance of what they were doing; and the government, desperate to avoid the political fallout from bad news, doggedly stuck to an outmoded defence of the commitment and refused every entreaty to pressure the military to afford greater access for the fourth estate.

[39] Deborah Snow and Cynthia Banham, 'Calling Shots in Defence', *Sydney Morning Herald*, February 28-March 1 2009, p. 7; Cynthia Banham and Jonathan Pearlman, 'It's War: Minister Takes Aim at Defence', *Sydney Morning Herald*, 28 February-1 March 2009, p. 1.
[40] Humphreys, 'The Australian Defence Force's Media Strategy', p. 43.
[41] Snow and Banham, 'Calling Shots in Defence', p. 7. Editorial, 'Need-not-to-Know Doctrine', *Sydney Morning Herald*, 27 February 2009, p. 12.
[42] Cynthia Banham and Deborah Snow, 'They Don't Follow Orders: Nelson Opens Fire on Top Brass', *Sydney Morning Herald*, 26 February 2009, p. 1.

The Netherlands — Informing the Public While Rehabilitating the Military

Given the fractious nature of military-media relations in Australia, what lessons can the ADF take from the media-management practices of its ISAF allies in Canada and the Netherlands? Dutch and Canadian reporting of the war certainly was not perfect and there were many flashpoints between the military, the media and government. What distinguished the Dutch and Canadian experience from that of the Australians was the commitment at the highest levels of government, the military and the media to the creation of a macro political/bureaucratic environment that, for a period of time, both facilitated and reinforced open communications within and between the State, its institutions and its people. As a consequence while the Dutch and Canadian publics enjoyed relatively open and comprehensive coverage of their nations at war, Australians were left to ponder what the ADF was doing in Afghanistan and why its personnel continued to die there.

The Dutch Coalition Government was an ambivalent participant in the ISAF mission from the outset, faithfully reflecting the widely divergent views within Dutch society about the propriety and efficacy of military intervention in Afghanistan.[43] When the Dutch deployed their forces to Afghanistan as part of Operation Enduring Freedom their every move was closely scrutinised by the responsible authorities and the deployment and use of assets was subject to detailed political oversight. In January 2004 when the Dutch Government acceded to an ISAF request to augment the firepower of the Kabul Multi-National Brigade (KMNB) by sending six AH-64D Apache helicopters, it directed the *Ministerie van Defensie* (MvD) to post "liaison officers to the staff of the KMNB and to the ISAF headquarters to evaluate the deployment of the helicopters against the mandate and the rules of engagement".[44] When the Dutch returned to Afghanistan in 2006 the opposition Labour Party was only persuaded to support the engagement when assured that the troops were leading a "reconstruction mission".[45] The resulting deployment, Task Force Uruzgan, was uniquely a joint command shared between an Army Colonel and a political advisor. The Dutch commitment in Afghanistan thus proceeded against the backcloth of the full and free flow of information from the war zone.

The Dutch media were afforded largely unfettered access to the area of operations from the earliest days of the 2006 deployment. The MvD offered Dutch reporters free transport to Afghanistan from the military airbase at

[43] A dispute about the extension of the Dutch commitment in Afghanistan brought down the Dutch Government in 2010.
[44] Netherlands Institute of Military History, International Security Assistance Force (ISAF), *Mission Overview* (The Hague: Ministry of Defence, 2009), p. 9. See <www.defensie.nl/english/nimh/history/international_operations/mission_overview/48178809/international_security_assistance_force_(isaf)> [Accessed 14 February 2013].
[45] Joseph T. Jockel, 'The Dutch Army in Afghanistan', *The Dorchester Review*, 20 October 2011, <www.dorchesterreview.ca/2011/10/20/the-dutch-army-in- afghanistan/> [Accessed 11 August 2014].

Eindhoven, free accommodation and personal safety equipment, and made available three embed places of two weeks duration on a rolling basis. Once in Uruzgan Dutch reporters were free to go wherever they wished on base, and to visit Provincial Reconstruction projects and accompany Dutch military patrols off it, subject to local conditions and the Commander's approval. There was, technically, a requirement that a Public Information Officer (PIO) accompany the reporter at all times and that all interviews were on the record, but Dutch journalists indicated that this regulation was rarely, if not barely, observed. Dutch reporters were also free to disembed from the military, to leave the base to cover accessible stories in civilian areas before re-embedding and returning to the security of the base. The main bone of contention between Dutch reporters and the MvD was over control of content. The MvD, like the British, insisted on and enforced a process of universal copy review. All material had to be submitted to a PIO to ensure that there were no inadvertent breaches of operational security. Journalists adopted a range of positions on this: some accepted it as a reasonable condition of privileged access, some welcomed the clear parameters it brought, while others virulently opposed the principle that their copy was not their own.

Not only were the Dutch military keen to be deployed to Afghanistan they welcomed the media coverage it brought. In part this was because the military were desperate to restore their reputation and rebuild their relations with politicians and the public. These had been shattered by the catastrophe at Srebrenica in July 1995 when 8000 Bosnian men and boys had been carried off and massacred after Serb forces overwhelmed the Dutch troops deputed to protect them. Liora Sion has noted that prior to the events in Bosnia, the Dutch armed forces already suffered from "low status" at home.[46] What happened at Srebrenica suggested to the weekly newspaper, *HP De Tijd*, that Dutch forces were "too sweet and innocent for war", and that their actions there had "diminished the status of the military even further" to the point where it became "a threatened organization".[47] The invitation to contribute troops first to Iraq, from 2003 to 2005, and then to Afghanistan in 2006 presented the Dutch military with the opportunity to move on from Srebrenica, to win back the confidence of the politicians and the respect of the public. Yet in order to affect this the military had to demonstrate its professional prowess and its moral bona fides to the widest possible audience at home, and it could only do that by forging a new relationship with the media. As the former Head of Operations in the Directorate of Information and Communications in the MvD, Robin Middel noted, for the first time the Dutch armed forces had to "open up for the public and make sure that they know what you are doing".[48]

If keeping the public informed about what its armed forces were doing was a positive PR strategy for the military it was a moral and political responsibility

[46] Liora Sion, '"Too Sweet and Innocent for War?" Dutch Peacekeepers and the Use of Violence', *Armed Forces and Society*, vol. 23, no. 1 (2005), p. 2.
[47] Ibid., pp. 133, 4, 2.
[48] Commander Robin Middel, interview with author, 23 September 2010.

for the MvD and a vital means of ensuring public support for the mission. As its Director of Communication, Dr Joop Veen, noted,

> The chance that Dutch soldiers would be killed or would be badly hurt was very real … We knew that beforehand and we said to ourselves if we don't make visible from the beginning of the mission what the military are doing over there, then you have a gap between the perceptions here in the Netherlands and what is happening over there.[49]

Determined to avoid such a gap, the MvD promoted and enforced a greater openness towards the military than had existed before. The resulting policy was intended to convince the public that the military was not only a force for good but a force to be reckoned with—a force ready to fight and die in defence of Dutch values and thus a force that the Dutch people could be proud to own.

Joop Veen noted that the policy was intended to garner public support for the mission and the troops conducting it:

> We thought that by making visible that mission, automatically as it were, there would be support not only for the military over there—'We are standing behind you'—but also for the purpose of the mission. That the average Dutch citizen will say that mission is very useful because it has results. It has effects.[50]

While Veen conceded that the strategy failed to positively impact popular support for the mission it certainly helped rehabilitate the armed forces in the eyes of the people. Peter ter Velde, the Defence correspondent for the Netherlands most popular broadcaster, NOS, argued that as a result of the MvD's more open media policy and the reporting it facilitated, the Dutch public's perceptions of the military were "much improved … Afghanistan … showed that they could fight, that they could win battles … So that … the view in general of the public about [the] military has changed … in a positive way and they became more like part of society, more than they were before Afghanistan".[51]

Canada —'The Afghanistan Solution'

Like the Dutch, Canadians have long held an ambivalent view of their military, its place in the nation's history and its role in the formation of its identity. The prime minister in the inter-war years, Mackenzie King, cultivated what Kim Richard Nossal has called "an attitude of indifference towards the Canadian military as an institution important for the building of the nation".[52] In the decades after the Second World War this perception was little changed as "more and more Canadians came to the view that the primary mission of the armed forces was peacekeeping, that Canadians were an 'unmilitary people'

[49] Dr Joop Veen, interview with author, 21 June 2012.
[50] Ibid.
[51] Peter ter Velde, interview with author, 23 September 2010.
[52] Kim Richard Nossal, 'The Unavoidable Shadow of Past Wars: Obsequies for Casualties of the Afghanistan Mission in Australia and Canada', *Australasian Canadian Studies*, vol. 26. no. 1 (2008), p. 91.

and that Canada was a 'peaceable kingdom.'"[53] By the late 1980s, years of political indifference had left the Canadian Forces a depleted and disillusioned organisation, cut off from its political masters and the people it ostensibly served: "the public's attitude seemed to be that we had all volunteered, so if we didn't like it, we could leave".[54] Little effort was expended on the cultivation of closer relations between the armed forces and the media. Indeed, up until the deployment to Afghanistan in 2002 the media had spent decades "ignoring defence issues that were not scandal related".[55] In mid-1993 just such a scandal erupted and indifference to Canada's forces was transformed into open hostility. On 16 March 1993, a Somali teenager, Shidane Arone, was apprehended by US soldiers and handed over to members of the Canadian Airborne Regiment participating in the UN mission to Somalia. Incensed by constant thefts from their camp at Belet Huen, and convinced that Arone had been bent on such a purpose, over the course of the evening a small group of Canadian soldiers tortured and beat the young Somali to death. The subsequent arrest and prosecution of the men involved appalled the public. When Defence and the military sought to shift blame for the episode the scandal deepened and the last vestiges of respect for the armed forces were replaced by "scorn".[56]

In the wake of the Somalia affair, revelations about violent hazing rituals and claims that accusations of sexual assault on military bases had been inadequately investigated, the government slashed the defence budget, gutted the military's equipment and personnel numbers, and was thereafter understandably reluctant to expose the armed forces to closer media scrutiny. As a consequence, during the Canadian Forces' first deployment to Kandahar in 2002, and in the early stages of its 2003-2005 deployment to Kabul, Chris Wattie of the *National Post* claimed that admission to the main Canadian base, "Camp Julien was repeatedly delayed, and once inside, access to troops was minimal and depended largely on the commanding officer's discretion".[57] This strategy of obstruction, Wattie alleged, had its origins at the highest levels of government: "Certain elements in the Prime Minister's Office, Privy Council Office, and Director General Public Affairs, both civilian and uniformed, opposed embedding from the beginning."[58]

[53] Ibid., p. 92.
[54] Rick Hillier, *A Soldier First: Bullets, Bureaucrats and the Politics of War* (Toronto: HarperCollins, 2009), p. 109.
[55] Sharon Hobson, *The Information Gap: Why the Canadian Public Doesn't Know More About Its Military* (Calgary: Canadian Defence and Foreign Affairs Institute, 2007), p. 5.
[56] Hillier, *A Soldier First*, p. 115. For detailed coverage of the events in Somalia and their lengthy political ramifications see the Canadian Broadcasting Corporation's The Somalia Affair, <http://www.cbc.ca/archives/categories/war-conflict/peacekeeping/the-somalia-affair/topic-the-somalia-affair.html> [Accesed 1 February 2015].
[57] Dominique L. Price, 'Inside the Wire: A Study of Canadian Embedded Journalism in Afghanistan', M.A. Thesis, Carleton University, Ottawa, 2009, p. 52.
[58] Hobson, *The Information Gap*, p. 10.

Yet this strategy was about to change. When the United States invaded Iraq in February 2003, though "the stench of Somalia" was still thick in the air and the nation's forces "were in disrepute and despair", the military were suddenly in a position to do their political masters a favour and the media were needed to advertise the fulfilment of a promise.[59] Under pressure from the United States to contribute troops to Iraq, and keen to avoid what would have been a deeply unpopular commitment at home, the invitation to deploy forces to Afghanistan as part of ISAF provided the Canadian Government with a convenient solution to a tricky political problem.[60] For the armed forces, the nation's largest military commitment since Korea was heaven sent. It provided them with the opportunity to demonstrate their relevance to their political masters, to leverage some new capability, and above all else to show the Canadian public that they were a disciplined and moral fighting force. In their eagerness to regain the politicians' trust and the public's respect, the military pushed for a visible presence in Afghanistan and agreed to more open relations with the media to publicise their works there. The Chief of the Defence Staff, General Rick Hillier, had already rejected an invitation to serve under the Italians at Chagcharan in Herat Province because "There was no upside, no profile … Nobody would have noticed that we were there."[61]

In electing instead to assume the leadership of Regional Command South in Kandahar, by 2006 among the most dangerous places in an increasingly perilous country, the Canadians ensured that they would be constantly in the public eye. Recognising the risk they were embracing the government and the military did their best to prepare the public for the casualties that were likely to ensue. In turn, as Sharon Hobson noted, "The prospect of increased risk brought the media to Afghanistan in droves."[62] Once there, large numbers of the media—in the first instance thirty embed places were available to Canadian and foreign media at any time—enjoyed virtually open access to Canadian Forces, extensive freedom of movement in theatre and the right to dis-embed and return to their place on embeds that lasted six weeks and could be extended beyond that. They exercised control over their own copy and were able to pursue particular assignments with the military through negotiation with Public Affairs Officers on a "bid and ask" basis.[63] These conditions met with a generally "enthusiastic" response from the press who, from soon after the return of Canadian forces to Kandahar in 2006, for up to eighteen months enjoyed, in Sharon Hobson's phrase, "tremendous access to the soldiers they were covering".[64]

[59] Janice Gross Stein and Eugene Lang, *The Unexpected War: Canada in Kandahar* (Toronto: Penguin, 2007), pp. 12, 57.
[60] Canadian politicians referred to this as 'the Afghanistan solution'. For more on this see Gross Stein and Lang, *The Unexpected War*, pp. 65, 67-8.
[61] Ibid., p. 136.
[62] Hobson, *The Information Gap*, p. 12.
[63] Price, *Inside the Wire*, p. 56.
[64] Hobson, *The Information Gap*, p. 12.

Get it in Writing

For differing reasons, political conditions in Canada and the Netherlands conspired to support candid coverage of the engagement in Afghanistan. In both countries the military exploited these conditions to ensure maximum exposure and optimal leverage from the resulting political and public relations advantages. Notably, for the Canadians, as for the Dutch, the new policy of openness towards the media and their publics was underwritten by and framed within a formal agreement between the military and the media dictating ground rules, duties, responsibilities and dispute resolution processes for both parties. By the time Canadian Forces re-deployed to Kandahar in 2006, the Canadian Forces Media Embedding Program Ground Rules (CFMEP) document had been in place and evolving for almost three years. Its introduction made it plain that its principal objective was less to address operational security requirements or furnish commanders with the directions necessary to adjudicate information management problems in theatre, though these were amply accommodated in the document, than it was to serve the public, "to inform Canadians about the role, mandate and activities of the Canadian Forces (CF) on deployed operations".[65] The document underwent a lengthy process of refinement in the face of experience in theatre and these changes were incorporated into subsequent drafts of the policy.[66]

Dutch military-media relations in Afghanistan were also shaped by an explicit communications strategy, the *Communicatieplan*, whose purpose, like the CFMEP, was "to showcase the importance and the developments of the mission and its specific assignments in a professional manner, to reach the public, visitors, politicians and others that are involved".[67] The *Communicatieplan* was informed by four principles of respect that underpinned the planning for media coverage of the deployment and informed the behaviour of media organisations and their representatives, the MvD, its uniformed personnel and the PIOs—these were "respect the security, respect the individual, respect the home front, respect the coalition".[68] While the Dutch media, like their Canadian counterparts, had no role in the drafting of the original document, they did, like the Canadians, play a central role in

[65] Canadian Expeditionary Force Command, *Canadian Forces Media Embedding Program: Guidelines, Ground Rules and Documentation for Joint Task Force Afghanistan* (Ottawa: Department of National Defense, 2010), p. 1. The document was formerly available on the Department of National Defense website, but since the withdrawal of Canadian Forces from Afghanistan the link has been disabled.

[66] For example, after CF re-deployed to Kandahar, "the number of embed positions was cut in half, down from 30 to 15; a maximum embed stay of six weeks was implemented; and, a process was put in place for news organizations to formally request embed extensions". Price, *Inside the Wire*, p. 56.

[67] Ulrich Mans, Christa Meindersma and Lars Burema, *Eyes Wide Shut? The Impact of Embedded Journalism on Dutch Newspaper Coverage of Afghanistan* (The Hague: The Hague Centre for Strategic Studies, 2008), p. 15. The *Communicatieplan* is available (in Dutch) at <www.communicatieplan.info/wp-content/uploads/2008/02/communicatieplan_mindef_uruzgan_2006.pdf>.

[68] Ibid., p. 16.

interpreting and adapting it for use in the field. These revisions were effected through irregular meetings between the then Head of Operations in the Directorate of Information and Communications in the MvD, Robin Middel, and a core of defence correspondents who made a number of visits to Afghanistan over the course of the Dutch deployment. Other localised arrangements were worked out between reporters and the Dutch military's PIOs. From the example of the Dutch and the Canadians it is hard to overstate how the military and the media benefitted from a jointly constructed document in which both parties had a practical investment.

These formal compacts produced consensus on and cooperation around seven fundamental factors shaping the nature and quality of media coverage from Afghanistan.

1. The provision of an explicit media management policy to which both parties freely subscribe and which is subject to adaptation by means of negotiation as necessary.

2. A transparent process for the selection and allocation of reporters to embed places—a queue, if you like.

3. Mutual consultation re the timing of media visits, subject to operational exigencies.

4. The military's facilitation of minimally restrictive media access to its personnel in the field.

5. The military's facilitation of maximum freedom of movement among the troops for the media—with customary exclusions for Special Forces.

6. Media control over content—subject to appropriate operational security briefings.

7. Mutually agreed sanctions for the infringement of the ground rules.

While the ADF began to incorporate some of these features in its arrangements for the Australian media towards the end of its deployment, up until 2011 it lacked an explicit media management policy, a transparent process for the selection and allocation of embeds, minimally restrictive media access to the area of operations or unfettered freedom of movement for embedded media within it, while retaining the right to examine all media copy. The ADF are to be congratulated for finally arriving at a system that enabled greater access and greater freedom of movement for the media in the final years of the conflict in Afghanistan. But it is sobering to consider how different the coverage of the conflict, and its consequences for all parties, might have been had the military worked with the media at an earlier point to establish the framework for an information management policy and its ground rules, clearly

setting out mutual rights and responsibilities. Such tortured relations between the military and the media raise the question of how much the ADF has learnt from its experiences in Afghanistan and how well equipped it is to deal with the likes of Isis, or the Chinese military. How, one wonders, when put to the test, as it inevitably will be, will the ADF rise to the information-centric challenges of the modern battlefield?

Dr Kevin Foster is an Associate Professor in the School of Media, Film and Journalism at Monash University. He has published widely on the coverage and representation of war in a range of national and international journals. He has written and edited a number books in the field, among them a study of the Falklands Conflict, Fighting Fictions: War Narrative and National Identity (1999), What are we Doing in Afghanistan? The Military and the Media at War (2009) and The Information Battlefield: Representing Australians at War (2011). His most recent book is Don't Mention the War: The Australian Defence Force, the Media and the Afghan Conflict (2013). kevin.foster@monash.edu.

New Media and Australia's National Security Debate

Sam Roggeveen

Over the last decade there has emerged in Australia a small but fertile and occasionally influential group of blogs devoted to international security and foreign policy. This is not the romantic grass-roots story that beguiled US media watchers in the mid-2000s, in which a handful of lone enthusiasts pioneered a new publishing form, building their part-time passion into influential outlets for punditry, and sometimes creating successful media businesses. In Australia, the major international-policy-themed blogs emerged quite late in the short history of blogging, and they are all supported to varying degrees by non-profit institutions. Notable in this regard are *The Interpreter* (established 2007 by the Lowy Institute for International Policy; covers world politics from an Australian perspective, with a focus on Asia), *The Strategist* (established in 2012 by the Australian Strategic Policy Institute (ASPI); focused mainly on defence and national security); *East Asia Forum* (established in 2006 by Peter Drysdale and Shiro Armstrong, based in the Crawford School of Public Policy, Australian National University; focused on Asia Pacific politics and economy). and *New Mandala*, which is focused on political analysis of Southeast Asia. Like East Asia Forum, it was established by two academics in 2006 and is partly supported by the Australian National University.

Some 'grass roots' sites have had an impact on Australia's online international-policy scene too.Notable examples include Andrew Zammit's counter-terrorism site *The Murphy Raid*, Leah Farrell's *All Things Counter-Terrorism*, the defence-focused group blog *Pnyx*, Andrew Carr's *Chasing the Norm* and *Security Scholar* by Natalie Sambhi and Nic Jenzen-Jones (the last three sites are no longer active).

But on its face, it is odd that this subject area has not generated more grass-roots online activity.Granted, the audience for a site dedicated to this policy area in Australia is relatively small. But that is typically not a disincentive for bloggers who are passionate about a topic. And given the popularity of international studies degrees in Australia, one might have expected that more students frustrated by the difficulty of getting their opinions past the gatekeepers of the mainstream media would have recognised blogs as an easy and cheap alternative.

But although starting a blog is easy, maintaining it is hard, especially when study gives way to full time work. Institutions, by contrast, can devote

resources to such projects over a sustained period of time. A second explanation is that, since Australia is seldom a decisive player in international affairs and foreign policy is rarely prominent in the national political debate, these issues have less cachet among the aspiring policy commentators, who may believe that they are more likely to make an impression on readers and their peers by focusing on aspects of domestic policy. A third possibility is that potential bloggers are put off because there is so little chance of them ever decisively influencing policy. The foreign-policy-making system in Australia is relatively closed, being almost the sole preserve of a tightly disciplined executive. In contrast to the United States, for instance, where Congress plays an independent role and party discipline is relatively loose, Australia's parliament has little role in the formation or oversight of foreign and national security policy. There are thus few avenues for influencing Australian foreign and defence policy. Or, to put it another way, there are not many people whom it is worth trying to persuade.

Influencing the National Debate

Yet the major international-policy-themed sites have had a measure of success over the years. They tend to be read by academics, students, policy professionals and journalists with an interest in foreign affairs, so their influence is elite rather than popular. But they have chalked up some notable achievements. ASPI's *The Strategist* and the Lowy *Interpreter*, for instance, are cited regularly in the Australian media and elsewhere. *New Mandala* has a strong readership in Southeast Asia, and its coverage of last year's Indonesian election got widespread media attention there. The site was particularly strong on presidential candidate Prabowo Subianto's anti-democratic stances and on the underhanded tactics used by his supporters during the election. The Indonesian election was important for *The Interpreter* too. The site was the first to report on the fact that some pro-Jokowi institutions which had commissioned opinion polling on the election were delaying publication of the results because of Prabowo's strong showing.

In fact, these sites have achieved a number of 'scoops' over the years. But they don't break news in the usual way, and this illustrates something important about how specialist sites can enrich media coverage and the broader debate on foreign and national security policy.

The mainstream media tends to be very good at what we might call traditional news scoops, where journalists reveal information that those in positions of power would prefer to keep secret—think Woodward and Bernstein with Watergate or Chris Masters' work on Queensland corruption in the 1980s. By contrast, specialist websites tend to be better at what the media analyst Jay Rosen calls 'thought scoops', which have nothing to do with uncovering secrets. Rather, they require an analyst to impart new meaning to information that is already public. The *Interpreter*'s first scoop, for instance, came in 2007 when I wrote a piece highlighting some video footage from the Pakistani

military which showed the test-launch of a new nuclear-capable cruise missile. As an aviation enthusiast with some professional background in regional nuclear proliferation, I recognised the launch aircraft as being the same type that Australia sold second-hand to Pakistan in the late 1980s, which meant there was strong reason to believe Australia had abetted Pakistan's nuclear program. The piece was noticed by *The Age*, which wrote it up as a front-page story with a reaction from the Defence Minister. This illustrates that, when it comes to niche areas (such as weapons technology), specialists have an advantage over journalists, who tend to be generalists. This has always been the case, but the internet now gives specialists the ability to exploit that advantage.

But although 'thought scoops' are part of the value that Australia's international-policy sites add to the policy debate, it would be selling them short to judge them solely by the attention they get from the mainstream media for their occasional scoops. Each of these sites produces daily content which covers international politics in greater depth than the quality mainstream media can manage, particularly as media organisations have been forced to retreat from foreign news coverage over the last decade for budgetary reasons. The major media outlets of course do a far better job of covering breaking news, but the international-policy sites follow closely behind with their analysis of the news. And because the contributors and audience tend to be specialists rather than media professionals, these sites also stand at a healthy remove from the news cycle, occasionally puncturing the news media's 'parochialism of the present'.

Structure and Limits of the Online Debate

In format, the major Australian international-policy sites are roughly similar, and each has combined the technical and formatting advances of the online format with traditional magazine-style editorial approaches. Three of them have maintained the reverse-chronological format of the blog, with the most recent post appearing at the top of the homepage; readers scroll down the page to see the rest. Only *New Mandala* has moved to an online magazine-style format with boxes on the homepage which display headlines and some teaser text, but with the article itself appearing on a dedicated page. But all of them adopt a higher degree of editorial control than is common for a blog—authors are commissioned and sometimes paid; drafts go through an editorial process similar to that for a newspaper or magazine—and for that reason it is probably more accurate to refer to all of them as online magazines.

To a degree, they also copy the newspaper op-ed pages in their style and tone. Each tends to focus largely on contemporary issues and the analysis of breaking news, with articles of about 800 words. And many of the pieces published on these sites are stand-alone articles written in a newspaper op-ed voice, which means, among other things, that they tend to be self-contained The best ones will summarise the news and anticipate counter-arguments so

that readers will be able to understand the issue without reference to other sources.

By contrast, the best blog writing tends to exploit the fact that sources can be cited easily via hyperlinks, and that readers can, with a few clicks, look back at earlier posts in a series, or at responses by other bloggers or from readers. This makes blog writing richer (sources can be cited with ease) and more economical (one can simply hyperlink rather than summarise). It also allows the opportunity for a more equivocal tone. An op-ed tends to present a writer's settled view. In the online world, by contrast, writers have the luxury of not making up their minds, because there is always space for another post. Loyal readers of a blog can see a writer's argument unfold over time as the writer sifts evidence and considers new perspectives.

But this style of writing—more conversational, less declaratory—has never been fully embraced on Australia's international-policy sites. Unfortunately, they remain relatively isolated from one another. You would be hard pressed to find more than an occasional discussion between these sites, despite the considerable overlap in their subject areas. They link to one another's content occasionally, but there is little discussion or debate. In short, although the technology allows it, Australia's international-policy sites have not created a 'commons' for the exchanging and debating of ideas.

On the other hand, one thing readers do see on these sites, which goes some way to explaining the absence of interaction between them, is internal debate. Each of them is a 'group' site with multiple contributors who regularly debate one another. *The Interpreter*, which was conceived as an outlet for Lowy Institute research staff, has become a hub for literally hundreds of Australian and foreign commentators, with Lowy Institute staff making up no more than a large minority of the contributions. *The Interpreter* has become a place for all types of foreign policy professionals—policy-makers, academics, journalists, students—to debate their ideas. In their different ways, *The Strategist*, *East Asia Forum* and *New Mandala* have done the same thing. So we may not have a commons, but each of these sites has created an attractive, lightly walled private garden.

As well as being isolated from each other, Australia's major international-policy sites have also been largely overlooked by the rest of the Australian political blogosphere. Major Australian politics blogs such as *Grog's Gamut*, *Larvatus Prodeo*, and *Road to Surfdom* have rarely engaged with Australian international-policy sites. And the major international-policy sites barely feature in two books charting the rise of Australian online political debate—*The Rise of the Fifth Estate* by Greg Jericho and *The New Front Page* by Tim Dunlop.

The rise of Twitter in Australia's online political debate has alleviated this situation to a large degree. Although Australia's political class did not embrace

blogging in the way Americans or Brits did, Twitter has largely (and somewhat belatedly) filled this space, to the benefit of the major Australian international-policy sites. A recent survey found that there are 2.8 million Twitter accounts in Australia, and although many would not be active and the vast majority are not concerned with politics, the survey also found an unusual concentration of Twitter accounts around Canberra, where Australia's international-policy debate is centred. Australian politicians, journalists and commentators have created a new space for political discussion through Twitter, and it is commonplace to find some of Australia's most prominent political tweeters recommending or critiquing articles appearing on Australian international-policy sites.

Institutional Obstacles

The online discussion of international policy in Australia faces several what might be called 'institutional' obstacles between them and their core audience. Much of this audience resides in the Commonwealth public service, particularly the Department of Foreign Affairs and Trade, Defence, and the intelligence community. While the major Australian international-policy sites are avidly read in these agencies, the readers tend to remain mute. To a degree, this is only proper; the rules relating to public commentary by government officials exist for a reason. But there is also a culture of extreme caution in the federal public service that unnecessarily prevents officials, who are often highly knowledgeable and articulate, from contributing to the public debate through these sites. As editor of *The Interpreter*, I have received emails from officials helpfully and innocently alerting me to an interesting new essay, and suggesting I share the hyperlink with readers. But these emails were accompanied by nervous entreaties to please not publish their names!

If anything, the culture of suspicion about contributing to public debate is even more extreme in Australia's military. As Albert Palazzo has written:

> the most striking thing about the debate on the future of war in Australia is its near total absence. The ADF, it appears, is notably cautious about debating openly either its own future or the future of war … the members of the ADF are constrained by factors that make it nearly impossible to conduct a debate in the style of the US military … The Department of Defence hierarchy has implemented policies which mean that only the soon-to-be-retired officer dares speak openly on any issue of importance to the profession of arms. Defence Instructions state the limits of external engagement, making it clear to the ranks that they are to remain on message, or even better, say nothing.[1]

Academics too face institutional barriers to contributing to the online debate about international policy. Academic voices are reasonably prominent on the major international-policy sites, which is something of a credit to the academic community, given the scarcity of career incentives for publishing in anything

[1] http://www.lowyinterpreter.org/post/2012/08/16/ADF-silent-in-debates-on-modern-warfare.aspx

except refereed journals. These sites would be all the stronger if universities created clearer links between career advancement and engagement in public debate.

Some Trends to Watch

The Australian online publications devoted to defence and national security issues have been affected by broader online media trends, and that will continue to be the case. For instance, one prominent industry trend is the emergence of 'clickbait', which is light, trivial, superficial material designed to attract traffic. Clickbait tends to carry teasing, enticing, headlines and often appears in the form of listicles (a portmanteau of 'article' and 'list': e.g. 'Ten reasons you're not losing weight.') It is a format that has been perfected by pop culture sites such as *Buzzfeed*, but venerable titles such as *Foreign Policy*, *The Atlantic*, *The American Interest*, *The Diplomat* and in Australia the Fairfax news websites (all of which maintain more staid and respectable editorial stances in their print publications) have succumbed to it in their online editions. In some cases it has compromised the respect and esteem in which these historic mastheads are held, but so far, this has not been the case on Australian international-policy sites. Listicles do appear on these sites from time to time, but they are generally well-conceived and well written, and maintain a fairly sober tone.

Another important trend is the rise of social media such as Facebook and Twitter; increasingly, readers find news, analysis and opinion via their social media accounts. But online editors who embrace social media as a source of traffic are learning that such traffic tends to arrive not via the homepage but to specific article pages. In May 2014 this year a leaked New York Times internal memo revealed that traffic to its homepage had dropped by half in the last two years. The Times' overall traffic had increased in that period, but its readers were arriving via 'back doors', links to specific pages which were recommended via social media or email. These readers tend to be less loyal to the masthead; they visit because an article interests them, not because they think highly of the publication. So to maintain traffic growth, editors constantly need to find new ways to entice these readers back, which can increase the incentive to head downmarket. It can also change the way articles are structured and erode the willingness of editors to stage extended debates. Because readers arriving via social media 'helicopter' in, they need self-contained articles rather than pieces which assume sustained attention over time.

Finally, another trend to watch in Australia's small online international-policy scene is the entry of new participants. The online media scene in Australia has been tempestuous in recent years. Unlike the familiar story of slow decline which we hear from print media, online media in Australia has been replete with new entrants such as *The Guardian*, *The Conversation*, the now defunct *Global Post*, and even Australian editions of the *Daily Mail*, *Buzzfeed*

and in the near future *Huffington Post*. None of these entrants has directly challenged the smaller international-policy sites which are the subject here (though increasingly there is competition for the services of the most talented writers), but that situation may not last. Given how unpredictable the online media scene is in Australia, and how relatively inexpensive it would be for a new entrant to launch an online publication in this broad issue space, the quite sudden emergence of a new title cannot be ruled out. It is unlikely that any such title could succeed on commercial terms, but that may not deter wealthy individuals or institutions.

Sam Roggeveen is the editor of The Interpreter, http://www.lowyinterpreter.org/. He can be contacted at SRoggeveen@lowyinstitute.org.

A Disconnect between Policy and Practice: Defence Transparency in Australia

James Brown

In a bureaucracy as large as the Australian Defence Organisation (ADO) attributing the cause of policy failure is a difficult task. I've previously highlighted societal and parliamentary factors that hamper transparency and the scrutiny of defence policy in Australia.[1] This commentary will more deeply consider bureaucratic, legal, and cultural traits within the ADO that militate against the organisation's own stated policy of a "pro-disclosure" culture, as well as Defence's legislated requirement to be open and accountable to the Australian public. Analysing the ADO's information disclosure policy with regard to an operational incident that took place in Afghanistan nearly two years ago, shows that a particularly toxic combination of deliberate opaqueness, stalled process, and capacity constraints have served to create a roadblock to defence transparency and public accountability. The case study examined is one in which Australian soldiers were originally accused of having committed war crimes: a grisly incident where Special Forces personnel decided to sever the hands of dead Afghans for tactical reasons. To be sure it is not an incident of which Defence is particularly proud, but as will be argued the ADO's policy response contravenes its own stated policy, weakens the public reputation of the Australian Defence Force, does not serve the ADF members involved well, and undermines the important need within a parliamentary democracy for military forces to be both transparent and accountable. Of course, there are many pressures on the defence establishment at the moment, and providing information to the general public about a sensitive operational incident might seem an annoyance. But the true test of an organisation's character is best measured at such pressure points. This incident suggests a serious need for renewed efforts to ensure the ADO complies with its need to be transparent.

The Zabul Incident

On the evening of 28 May 2013 a contingent of the ADF's Special Operations Task Group conducted a joint night raid with Afghan National Security Forces in Zabul. The target was reportedly Mullah Bakht Mohammad, a key commander for the Taliban in Southern Afghanistan though subsequent

[1] James Brown, *Anzac's Long Shadow: The Cost of our National Obsession* (Collingwood: Black Inc, 2014); James Brown, 'Politics Rules and Scandals Blow Up in Public but Defence just Ignores the Indefensible', *Sydney Morning Herald*, 15 April 2011.

International Security Assistance Force (ISAF) mentions referred to him only as an "IED facilitator".[2] During the mission four insurgents were killed and a small quantity of weapons and explosives were recovered. Nine days later, the ISAF Public Affairs Office announced an investigation into an internal report of misconduct by ISAF personnel during the mission.[3] The ADO subsequently issued a 170-word media release confirming an investigation into the incident was underway and declining to comment until it was complete.[4] The then Defence Minister Stephen Smith incorporated this media release verbatim into a parliamentary statement on Afghanistan delivered on 16 May 2013, but provided no additional detail clarifying what was alleged to have taken place.[5]

Three months later ABC television reported that during the Zabul incident Special Forces personnel had severed hands from corpses in order to confirm insurgent identities through biometric testing, concluding "The mutilation or mistreatment of the bodies of the dead is a violation of the laws of war."[6] In response, the ADO issued a 280-word media release that detailed the dangers faced by Australian personnel during the Zabul mission and asserted the ADF's general compliance with international law—though with no further detail on the incident or investigation.[7] Allegations that Australian soldiers had committed a war crime by desecrating the body of an adversary were reported widely in international media. NATO commanders were concerned about a possible tactical backlash against ISAF troops because of the allegations and the Australian Ambassador in Kabul met with Afghan officials to discuss the incident.[8] Defence Minister Smith publicly concluded "It's difficult for me to prejudge but the available evidence suggest that what is essentially asserted

[2] Xinhua-ANI, 'Taliban Key Commander, 3 Others Killed in Southern Afghanistan Town', Yahoo! News India, 29 April 2013, <in.news.yahoo.com/taliban-key-commander-3-others-killed-southern-afghan-083833642.html> [Accessed 19 February 2015]; ISAF Joint Command Public Affairs Office, 'ISAF Joint Command Operational Update April 29th', Resolute Support Mission, 2013, <www.isaf.nato.int/article/isaf-releases/isaf-joint-command-operational-update-april-29th.html> [Accessed 19 February 2015].

[3] ISAF Public Affairs Office, 'ISAF Announces Investigation', <www.isaf.nato.int/article/isaf-releases/isaf-announces-investigation.html> [Accessed 19 February 2015].

[4] Department of Defence, 'Media Release Review into Special Operations Task Group', 8 May 2013, <news.defence.gov.au/2013/05/08/review-into-special-operations-task-group-operation/> [Accessed 19 February 2015].

[5] Minister for Defence, 'Paper presented by the Minister for Defence Stephen Smith MP on Afghanistan—Detainee Management', 16 May 2013, <www.minister.defence.gov.au/2013/05/16/minister-for-defence-paper-presented-on-afghanistan-detainee-management/> [Accessed 19 February 2015].

[6] Michael Brissenden, 'Australian Special Forces Troops under Investigation for Cutting Off Hands of Dead Afghan Insurgent', Radio Australia, 30 August 2013, <www.radioaustralia.net.au/international/2013-08-30/australian-special-forces-troops-under-investigation-for-cutting-off-hands-of-dead-afghan-insurgent/1183684> [Accessed 19 February 2015].

[7] Department of Defence, 'Media Release Update—Review into Special Operations Task Group Operation', 30 August 2013, <news.defence.gov.au/2013/08/30/update-review-into-special-operations-task-group-operation/> [Accessed 19 February 2015].

[8] David Wroe and Bianca Hall, 'Soldiers Alleged To Have Cut Off Dead Insurgent's Hand', *Sydney Morning Herald*, 31 August 2013; Jeremy Kelly and Brendan Nicholson, 'Diggers face backlash over mutilation', *The Australian*, 31 August 2013.

occurred, we now have to try to work out what were the facts and circumstances associated with that."[9]

A survey of non-official information on the Zabul incident suggests that during this mission, and possibly others in 2013, Special Operations Task Group soldiers severed hands from dead insurgents for the purposes of biometric identification. This practice appears to have been institutionalised, recommended to soldiers by at least one member of the ADF Investigative Service (ADFIS) during pre-deployment training. But it was not conducted wantonly for revenge or souveniring. Instead it appears to have been driven by pragmatic tactical considerations: balancing the needs to identify targeted insurgents, allow burial within customary timelines, and reduce the exposure of Special Forces personnel in hostile territory.

Though a grisly practice, it would not appear to be a war crime under Australian law. The International Committee of the Red Cross's codification of international humanitarian law, based on Geneva Conventions and the customary practices of various legal bodies, prohibits the mutilation of dead bodies during a conflict.[10] Though Australian military doctrine acknowledges that this prohibition forms part of customary laws of armed conflict,[11] there is no specific crime for the mutilation of dead bodies within either defence legislation or the Commonwealth Criminal Code (which incorporates aspects of international humanitarian law into Australian domestic legislation).[12] At worst it seems the soldiers exercised questionable tactical judgement by risking the inflammation of the local population, and could be charged with prejudicial conduct under the *Defence Force Discipline Act 1982*. But this explanation has never been made to the public by the senior leadership of the ADF, the Minister of Defence, or indeed anyone within the ADO.

ADO Information Release Policy

Nearly two years have passed since the Zabul incident and the ADO has released little further information on what happened or how it is being investigated. There have been multiple and repeated requests to the ADO's media operations unit for updates on the incident and investigation. Information requests are met with laconic responses declining comment:

[9] Brissenden, 'Australian Special Forces Troops under Investigation for Cutting Off Hands of Dead Afghan Insurgent'.
[10] International Committee of the Red Cross, 'Rule 113. Treatment of the Dead', *Customary IHL*, <www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter35_rule113#Fn_3_10> [Accessed 19 February 2015].
[11] Commonwealth of Australia, *Australian Defence Doctrine Publication Executive Series ADDP 06.4 2006 Law of Armed Conflict* (Canberra: Defence Publishing Service, 2006), section 13.30 p. 13-11.
[12] The Commonwealth Criminal Code only lists as an offence the war crime of mutilation of a live person, see 'International Criminal Court (Consequential Amendments) Act 2002—Schedule 1', Section 268.47, <www.austlii.edu.au/au/legis/cth/consol_act/iccaa2002543/sch1.html> [Accessed 19 February 2015].

> Defence continues to investigate an incident of potential misconduct during a combined operation between Afghan National Security Forces and Australia's Special Operations Task Group in Zabul province, Afghanistan on 28 April 2013. Defence will not comment further on this matter while the investigation is underway.[13]

Similarly, information requests to other ADO departmental and ministerial staff have been unsuccessful. ADO staff cite that no aspects of the Zabul incident may be discussed whilst it is being investigated, including the procedural and administrative aspects of underway inquiries and investigations. This blanket ban on information release is justified by citing common law principles that apply when a matter is *sub judice*.[14] Yet at the time this justification was offered no charges had been laid over the Zabul incident, nor a service tribunal or court-martial convened. In any event *sub judice* considerations would only preclude a discussion that might prejudice the conduct of legal deliberations, not discussion of basic facts or administrative processes. FOI data shows that one information request (the author's) was circulated to more than thirty-two people within the Defence Department, Office of the Chief of the Defence Force, Headquarters Joint Operations Command, and two Minister's offices before the Director of Operations for Strategic Communications within the ADO's Military Strategic Commitments Branch determined that a deliberate policy of information refusal would apply.[15] An Australian Federal Police investigation into the ABC's investigative story on the Zabul incident was launched, and the journalist involved has been pressured to reveal his sources.

Parliamentary enquiries have been similarly unsuccessful in enforcing defence accountability on the Zabul incident. During the Department of Defence Budget Estimates hearing in June 2014 Senator Peter Whish-Wilson asked the then Chief of the Defence General David Hurley for an update on the status of the investigation, the date on which any Inquiry Officers report was originally completed, and whether the results would be publicly released. General Hurley declined to commit to publicly releasing the inquiry once completed, and in a question on notice answer provided to the Senate on 22 July 2014 the ADO provided the following additional information on the investigation:

> The Inquiry Officer's Inquiry Report was submitted to CJOPS on 26 July 2013. The related Australian Defence Force Investigative Service investigation continues.[16]

[13] Email from mediaops@defence.gov.au to author dated 24 April 2014.
[14] Email Minister of Defence office to author, 15 October 2014.
[15] Department of Defence, FOI 038/14/15, 'Media Ops inquiry dated 15 April 2014' Department of Defence FOI Disclosure Log, <www.defence.gov.au/FOI/Decisions/ DisclosureLog.asp> [Accessed 19 February 2015].
[16] Department of Defence, 2014, Budget Estimates Hearing—2 and 3 June 2014, Question on Notice No. 1—Special Operation Task Force, <www.aph.gov.au/~/media/Committees/fadt_ctte/ estimates/bud_1415/def/Defence_FINAL_Index.pdf> [Accessed 19 February 2015].

That question on notice response is the only additional information provided to the public record on the Zabul incident since Stephen Smith's comments of August 2013.

Of course some things in defence should remain secret—even if only temporarily to satisfy tactical or strategic military objectives. But confidence in public administration requires openness, and the public release of information is the currency by which government bureaucracies may be held accountable. For this reason Defence is legally required to be responsive to public requests for information, including requests on embarrassing and sensitive incidents like that in Zabul. The *Freedom of Information Act 1982* requires Defence to publish information it holds with the object of "increasing public participation in Government processes" and "increasing scrutiny, discussion, comment and review of the Government's activities".[17] Defence's own information publication policy in response to that Act urges that the policy "underpins a pro-disclosure culture across government, and transforms the freedom of information framework from one that is reactive to individual requests for documents, to one that also relies more heavily on agency driven publication of information".[18] The Australian Public Service Values, legislated in the *Public Service Act 1999*, require that "The APS is open and accountable to the Australian community under the law and within the framework of Ministerial responsibility." Despite being legislated to continuously and proactively disclose information to the public, and having a policy that requires uniformed and civilian ADO staff to meet this responsibility, the ADO is not practising this when it comes to the Zabul incident. Deliberately suppressing information is not the same as a cover-up: no false information has been presented by the ADO, nor has any apparent illegality occurred in responding to information requests from the parliament or public. But the impact on public confidence in defence accountability may well be much the same. It is worth considering why the ADO is not able to implement its own policies, nor comply with the law when it comes to transparency.

Defence Transparency Roadblocks

In this case defence transparency has been throttled by multiple factors: chiefly organisational capacity constraints, structural weaknesses, and cultural deficiencies. At the best of times, Defence is flooded with information and issues requiring attention. In 2008 Defence Ministers and Parliamentary Secretaries received 8944 pieces of correspondence, 3959 of which were briefs for action and 3041 were briefs for advice.[19] In 2013 then Defence Minister David Johnston alone received more than 130 briefs for action and

[17] *Freedom of Information Act 1982* (Cth), section 3, viewed at <www.comlaw.gov.au/Details/C2014C00673/Html/Text#_Toc400462391>.
[18] Defence Information Publication Scheme, viewed at <http://www.defence.gov.au/ips/>.
[19] John Faulkner, 'Governance and Defence, Some Early Impressions', speech to the Australia and New Zealand School of Government, Sydney, 13 August 2009, <www.defence.gov.au/minister/92tpl.cfm?CurrentId=9361> [Accessed 19 February 2015].

advice in his first ten days.[20] Whilst the Defence Abuse Reform Taskforce effort has also dwarfed recent incident investigations, in any event there are a large number of operational incidents and allegations to investigate. As an example, in the thirty-three months prior to the Zabul incident, 198 allegations of detainee mistreatment were made against Australian forces in Afghanistan of which 193 were found to be baseless.[21] Some of these have been high profile and flawed allegations made against Special Forces personnel by the media.[22] This information and investigatory overload has to date not been matched with the requisite departmental capacity—as a general rule scant resources and attention can be given to any one investigation. Some capacity constraints are fundamental: only one company is authorised to transcribe classified witness interviews during ADF inquiries for example, and of course funding for investigations and inquiries is limited.[23] There are also a limited number of ADFIS personnel able to investigate complex incidents like that in Zabul.

In fact, ADFIS itself remains a structural weakness in the process of publicly releasing investigation results. ADFIS has often struggled with complex investigations into operational incidents and military justice. A 2006 inquiry concluded, "that the ADF investigative capability is in serious decline and that remediation, even if approached with unremitting resolve and commitment, is likely to take no less than five years."[24] Sure enough, six years later the Inspector General of the ADF was tasked to investigate shortcomings in ADFIS operations in the Middle East.[25] The findings of that report have not been made public.[26] Complicating matters further, the Zabul incident involves alleged misconduct by an ADFIS officer. Other structural weaknesses further undermine defence transparency. Requests for information are highly bureaucratised—no single figure below the level of the Chief of the Defence Force appears to have authority and accountability for the release of official defence information. Most militaries resolve this problem by having an official spokesperson's office. The ADO does not and media responses are issued

[20] Department of Defence, FOI 008/14/15, 'Ministerial briefs prepared by the Department for Minister Johnston', <www.defence.gov.au/FOI/Decisions/DisclosureLog.asp> [Accessed 19 February 2015].
[21] Minister for Defence, 'Paper presented by the Minister for Defence Stephen Smith MP on Afghanistan—Detainee Management'.
[22] See for example Matthew Carney, Thom Cookes and Shoaib Sharifi, 'In Their Sights', Four Corners, ABC, 5 September 2011, <www.abc.net.au/4corners/stories/2011/09/01/3307694.htm> [Accessed 19 February 2015]; and SBS Dateline SBS, Dateline, 'Questions from Oruzgan', 7 March 2010. Both reports were awarded Walkley Awards despite inaccuracies.
[23] Sarah Elks, 'ADF Orders Cheap, Opaque Inquiry into Diggers' Deaths, Inquest Hears', *The Australian*, 14 October 2014.
[24] Department of Defence, *Report of an Audit of the Australian Defence Force Investigative Capability* (Canberra: Commonwealth of Australia, July 2006).
[25] Minister for Defence, 'Paper presented by the Minister for Defence Stephen Smith MP on Afghanistan—Detainee Management'.
[26] Despite being established with the object of providing an "an avenue by which failures and flaws in the military justice system can be exposed and examined", the IGADF publishes none of its reports.

from an anonymous defence email address, with no officer or employee listed as accountable for the answer or as a point of contact.[27]

The ADO has previously acknowledged serious structural problems in the way it resolves inquiries into operational fatalities, yet bureaucratic delays still hamper the resolution of inquiries and investigations and their release to the public. The below timeline highlights the passage to public release of an inquiry into an operational incident in which a civilian was shot by ADF soldiers.[28] A three star general cleared the report for public release within two months of completion, yet it remained blocked for another nine months within Russell HQ. A Defence spokesperson's office, conscious of the need to meet public expectations for accountability and transparency, might have worked to overcome this bureaucratic inertia.

Operational incident occurs	1 May 2012
Inquiry Terms of Reference issued	25 May 2012
Inquiry interviews commence	5 June 2012
Inquiry completed	May 2013
Cleared for release and operational security by Chief of Joint Operations	29 July 2013
Cleared by International Policy Division	11 Oct 2013
Cleared by Military Strategic Commitments Legal and Stratcom	28 March 2014
Cleared by Office of CDF and released to public	11 April 2014

The most critical structural factor blocking defence transparency though is Regulation 63 of the Defence (Inquiry) Regulations 1985, which makes it a criminal offence for any person (other than the Defence Minister and his delegates) to disclose defence inquiry information even after that inquiry has been completed.[29] When introduced in 2007, both the Commonwealth Ombudsman and Administrative Review Council of the Attorney General's Department (a body mandated to examine government administration) warned that these regulations were "overly restrictive in their treatment of disclosure of the contents of reports, findings or recommendations," and noted:

> the disclosure of information may be appropriate where it is important to maintain public and employee confidence in defence procedures. The objective would be to strike a balance between the need to withhold certain sorts of information to ensure the maintenance of effective government and disclosure in the public interest… We have had the opportunity to read a draft

[27] This is likely because of negative experiences when the ADF last had an official spokesperson in the late 1990s.
[28] The timelines are from talking points and reports contained within Department of Defence, FOI 038/14/15, 'Media Ops inquiry dated 15 April 2014'.
[29] Defence (Inquiry) Regulations 1985 viewed at <www.comlaw.gov.au/Details/F2013C00477 /Html/Text#_Toc362350440>.

> submission prepared by the Commonwealth Ombudsman for this review and agree that Regulation 63 may lead to a culture of secrecy.[30]

The culture of secrecy within the ADO is the single most important factor obstructing defence transparency in Australia, and was described by a senior journalist as "a closed, defensive officiousness, where all official information is assumed to be confidential except when someone in authority deigns to release it".[31] This observation is not limited to journalists.[32] Of course, defence and national security matters require an extensive culture of secrecy but this must be balanced with the requirement for public administration to be open and transparent in a democracy. ADO cultural instincts on information release are intertwined with another factor which Chief of Army Lieutenant General David Morrison warned of in a 2013 speech: "I have been struck at how legalistic our culture has become. This of course reflects a wider societal trend. But we have reached the point where it may be about to seriously impede the effectiveness, cohesion and discipline of the Armed Forces."[33] Inquiries into operational incidents sometimes pass through four separate levels of legal review before being finalised, each with the potential to delay and obstruct public release of information. This overly legalistic culture manifests in the colossally wide definition of sub-judice relied upon by ADO personnel in denying information requests on the Zabul incident. A toxic culture of secrecy, over-legalism, and a lack of individual adherence to democratic principles and public service values all combine to militate against defence transparency.

Fixing the Problem

Reducing these roadblocks to transparency is possible with the right leadership and organisational commitment to reform. Changes to the Freedom of Information process in defence, chiefly led by former Defence Minister John Faulkner show how. Prior to 2009, there was little commitment to the duty of transparency in Defence's FOI process: only 15 per cent of 2008 FOI requests were met within legislated deadlines and the FOI directorate itself was dysfunctional. Defence was embarrassed when it was taken to the Administrative Appeals Tribunal by the NSW Public Interest Advocacy after an FOI request that took four years to release less than 10 per cent of

[30] Commonwealth of Australia, 'Supplement to 2007-8 Administrative Review Council Annual Report', 2008, <www.arc.ag.gov.au/Publications/Reports/Pages/Annualreports/32ndAnnualReportandSupplement.aspx> [Accessed 19 February 2015].
[31] Tom Hyland, 'The Worst-reported and Least-understood Foreign Conflict in Australian History', *Inside Story*, 22 January 2014, <insidestory.org.au/the-worst-reported-and-least-understood-foreign-conflict-in-australian-history> [Accessed 19 February 2015].
[32] See for example Josh Bavas and Leonie Mellor, 'Afghanistan Soldier Deaths: Coroner Made to Jump through Hoops by ADF, Inquest Hears', ABC News, 14 October 2014, <www.abc.net.au/news/2014-10-14/soldiers-inquest-coroner-yet-to-obtain-all-relevant-adf-document/5812988> [Accessed 19 February 2015].
[33] Lieutenant General David Morrison, Speech to the Australian Army Legal Corps Conference, 3 October 2013, <www.army.gov.au/Our-work/Speeches-and-transcripts/Chief-of-Army-address-to-the-Australian-Army-Legal-Corps-Conference> [Accessed 19 February 2015].

identified relevant documents.[34] A new FOI branch was created to coordinate requests with visibility and accountability at senior levels, enhanced training was delivered to FOI decision makers, a dedicated FOI database was established, and cultural shifts were pressed to encourage FOI staff to work proactively with the rest of the department to requests. Most importantly, this transparency reform was led from the top: the then Defence Minister clearly signalling in a headline speech "I have always held the view that transparency is crucial to good governance. Transparency is essential to accountability." Today the FOI Directorate runs an excellent process, which is fully accountable and executed by well-trained and helpful staff. Such a reform effort is now needed for the ADO's process of investigating incidents and releasing information about them to the public. A useful first step would be for the Defence Minister to order that all inquiries under the Defence Inquiry Regulations should be published automatically within three months of their resolution. In the longer term, responsibility for complex defence investigations should be transferred to the Australian Federal Police who now deploy internationally alongside the ADF.

In the time taken to resolve the Zabul incident for the public record the Australian Government has changed, a new Chief of Defence Force has been appointed, and Australian troops have transitioned home from combat operations in Afghanistan. The ADF personnel at the heart of the Zabul incident have languished without being convicted or cleared. The widespread coverage alleging that ADF soldiers committed war crimes has not been corrected. Journalists enquiring into the incident have been ignored, or worse investigated. Defence should be concerned that practice has not followed policy on this issue. The public and parliament should be concerned that they do not have an accountable defence force in this instance.

James Brown directs the Alliance 21 Program at the US Studies Centre at the University of Sydney and is a former Australian Army officer. He can be contacted at brown.james@sydney.edu.au.

[34] NSW Public Interest Advocacy Centre, 2014, viewed at <military.piac.asn.au/about>.

The Australia–India Framework for Security Cooperation: Another Step Towards an Indo-Pacific Security Partnership

David Brewster

Narendra Modi's visit to Australia in November 2014 and his fanfare address to the Australian Parliament was accompanied by much discussion of a "natural partnership" between the two countries. The visit was a significant step forward in a relationship that could one day become an important part of Australia's overall strategic posture. One of the most substantive achievements of the visit was the conclusion of a Framework for Security Cooperation setting out an Action Plan for a more comprehensive security and defence relationship. The Framework signals an intention on both sides to intensify the Australia-India security engagement and take it into some important new areas.

This comment gives an overview of recent developments in the Australia-India security and defence relationship. It then examines the terms of the Framework, focusing on new areas of cooperation set out in the Framework. The comment then considers how the relationship will likely develop in coming years.

Recent Developments in the Strategic Relationship

The changing balance of power in the Indo-Pacific—and particularly the emergence of both China and India as major powers—is forcing India and Australia to engage on security and defence issues much more than ever before. The relationship has gone through many ups and downs since India's Independence in 1947, often reflecting quite different ideological orientations and strategic perspectives—for several reasons neither country saw the other as a key strategic partner.[1] Australia has pursued the relationship with some enthusiasm over the last decade or so, but it is only recently that India has been prepared to engage on a more substantive level. The Modi Government is now showing much greater enthusiasm for building a substantive security and defence partnership with Australia.

Developments in the Australia-India strategic relationship are part of a multi-decade evolution of India's relations with several Asia-Pacific powers. Since

[1] See David Brewster, *India as an Asia Pacific Power* (London: Routledge, 2012), pp. 119-33.

the 1990s, as part of its "Look East" policy (now re-badged its "Act East" policy), India has given considerable economic, political and strategic focus to East Asia. This has included developing improved security relationships with key partners such as Vietnam and Singapore.[2] India's relationship with the United States has also steadily improved over the last decade or so, particularly after Washington granted India *de facto* recognition as a nuclear weapons state, which opened the way for a significant expansion of military and security engagements. India's security relationship with Japan is also on the upswing, particularly since 2007, with the two countries increasingly seeing each other as poles in an emerging axis focused on balancing against China.

India's relationship with Australia has followed a similar trajectory. In 2009, India and Australia declared that they were "strategic partners", signalling an intention to develop a closer and more comprehensive relationship. There has been significant growth in trade over the last decade and in 2012-13, bilateral merchandise and services trade stood at A$16.6 billion—although the value of exports to India had dropped over the past couple of years due to the fall in commodity prices. A Comprehensive Economic Cooperation Agreement (CECA) has been under negotiation for some time that has the potential to yield huge gains to both the Australian and Indian economies.[3] It was agreed during Modi's visit in November 2014 to accelerate negotiations on the CECA, and in early 2015 there were ambitious claims that negotiations may be finalised this year.[4] However, based on India's other concluded free trade agreements (FTA) and its progress on negotiations of many others, it seems unlikely that India would be willing to open up key markets (say in agriculture) to Australian products although greater progress may be made in investment and services. The CECA is therefore unlikely to produce economic benefits to Australia in the nature or scale of those provided by its recent FTA with China. Overall, an Australia-India CECA, if and when concluded, may be an important step forward in the relationship, but it may have more political significance than immediate economic substance.

Australia has paid considerable attention to improving the defence and security relationship with India over the last decade, with a focus on creating opportunities for engagement among political leaders, and civil and military officials. Regular security or defence engagements now include annual meetings of Foreign Ministers, regular meetings of Defence Ministers, annual Defence Policy Talks, an Australia-India Maritime Security Operations Working Group, regular staff talks between senior officers of each of the

[2] See generally, Danielle Rajaratnam, 'India's new Asia-Pacific strategy: "Act East"', *Lowy Interpreter*, 18 December 2014, < http://www.lowyinterpreter.org/post/2014/12/18/Indias-new-Asia-Pacific-strategy-Act-East.aspx?COLLCC=3624601532&> [Accessed 25 February 2015].
[3] Australia-India Joint Free Trade Agreement (FTA) Feasibility Study, available at <http://www.dfat.gov.au/fta/aifta/Australia-India-Joint-FTA-Feasibility-Study.html>
[4] Nayanima Basu, 'India, Australia CECA Talks Hit Farm Hurdle', *Business Standard,* 17 January 2015.

armed services and several 1.5 track roundtables. Over the last decade or so there has also been a series of bilateral agreements on terrorism, defence cooperation, information sharing and extradition, and a 2009 Joint Declaration on Security Cooperation, which was a non-binding declaration intended to create a framework for the further security cooperation.[5] In recent years there has also been much greater cooperation in regional organisations such as the Indian Ocean Rim Association (IORA) and the Indian Ocean Naval Symposium (IONS), which are potentially important (if limited) forums for dialogue on security related issues in the Indian Ocean region.

Much of the impetus for bilateral engagement has so far come from Canberra. Although this has not been wholly unrequited, Delhi's response has been constrained by several factors. These include political irritations (attacks on Indian students; the uranium issue), ideological constraints (a continuing emotional attachment among some in Delhi to the ideal of nonalignment and associated suspicions of America and US allies) and bureaucratic inertia (Indian bureaucrats are world famous for their predilection for saying no).[6] As a result, the security and defence relationship has developed largely at the political or rhetorical level and practical or operational engagement between the respective armed forces and other government agencies has been limited. For example, although India's agreement to hold bilateral naval exercises with Australia from 2015 is a welcome development, it must be measured against the fact that the Indian Navy already conducts regular bilateral exercises (or similar operations) with at least eight other navies.

The 2014 Framework reflects a relatively recent sea change in Delhi's view of Australia as an important regional partner. The visit of Tony Abbott to Delhi in September 2014 effectively cleared away uranium as an issue that had considerable symbolic importance to India.[7] The election of the Modi Government in May 2014 has also reduced Delhi's residual attachment to non-alignment that inhibited India's ability to fully engage with countries such as Australia. Modi has demonstrated a much greater confidence than the previous Indian government in operationalising India's new defence and security relationships throughout the Indo-Pacific region.

[5] For a detailed discussion of the Australia-India Security Declaration, see David Brewster, 'The Australia–India Security Declaration: The Quadrilateral Redux?' *Security Challenges,* vol. 6, no.1 (Autumn 2010), pp. 1-9.

[6] These constraints are explored in detail in David Brewster, 'The India-Australia Security and Defence Relationship: Developments, Constraints and Prospects', *Security Challenges,* vol. 10, no.1 (2014), pp. 65-86.

[7] Although there are considerable hesitations among informed observers over the terms of the draft agreement. See John Carlson, 'Is the Abbott Government Abandoning Australia's Nuclear Safeguards Standards for India?' *Lowy Interpreter,* 1 October 2014.

A Look at the 2014 Australia-India Framework

The Framework consists of an Action Plan for cooperation in the following areas:

- annual summit and foreign policy exchanges and coordination;
- defence policy planning and coordination;
- counter-terrorism and other transnational crimes;
- border protection, coast guard and customs;
- disarmament, non-proliferation, civil nuclear energy and maritime security;
- disaster management and peacekeeping; and
- cooperation in regional and multilateral fora.

Consistent with previous agreements, the Action Plan lists existing bilateral engagements and mechanisms for cooperation. This now includes a commitment to annual meetings of Prime Ministers (although not necessarily annual visits). It also lists the multilateral forums where Australia and India can work together, including the East Asia Summit, ASEAN Regional Forum, ASEAN Defence Ministers' Meeting Plus (ADMM+), the Indian Ocean Rim Association (IORA), Indian Ocean Naval Symposium (IONS), the United Nations and the G20. Importantly, the Action Plan covers new areas of defence and security cooperation not covered in detail or at all in the 2007 Joint Declaration on Security Cooperation. These new or enhanced areas are discussed in greater detail below:

COUNTER-TERRORISM COOPERATION

The Action Plan gives considerable focus to cooperation in counter-terrorism, and identifies the following engagements or areas of cooperation:

- annual Joint Working Group on Counter Terrorism and other Transnational Crimes;
- cooperation in counter-terrorism training and exchanges between experts on countering improvised explosive devices, bomb incidents and technologies;
- exchanges on counter-radicalisation;
- cooperation between police on investigation of transnational crime;
- cooperation on extradition and mutual legal assistance requests;

- cooperation between AUSTRAC and Financial Intelligence Unit-India;
- exchanges on cyber policy and cooperation between CERT India and CERT Australia; and
- cooperation on combating illegal migration.

A greater public focus on counter-terrorism may in part reflect the rise of ISIS and concerns about Australian and Indian nationals participating in the Syria/Iraq civil wars. Ways of responding to Islamic radicalisation could well be an area that Australia could learn from India.[8] Both sides are also in the process of establishing cyber security organisations: the Australian Cyber Security Centre was opened in December 2014, while India is establishing a separate armed forces Cyber Command, probably led by the Indian Navy.

COOPERATION IN DEFENCE TECHNOLOGY

A completely new area addressed by the Action Plan is cooperation in defence research and development, including through visits by Australian and Indian defence material delegations and efforts to foster joint industry links. Although this has previously been given a low profile in the relationship, some see defence technology as a potential important area of cooperation. Defence technology certainly has been an important plank in India's relationships with the Soviet Union/Russia, France, Israel, and the United States and increasingly also other regional partners. Delhi is currently negotiating the US$1.65 billion acquisition of US-2 amphibious aircraft from Japan as part of an enhanced strategic partnership with Tokyo. Delhi has also recently requested that Japan consider offering its *Soryu* class submarines as part of India's new submarine project.[9] Access to defence technology is certainly something that gets Delhi's attention.

Australia has strengths in several areas that are of interest to India. These include radar technologies and technologies with undersea applications and naval shipbuilding. But there are reasons for caution in trying to use Australian defence exports to enhance the relationship. The most significant is the parlous state of India's defence procurement system, which despite some reforms under the Modi Government, remains Byzantine, dysfunctional and riddled with corruption. This creates significant risks for Australian defence suppliers hoping to do business in India. In theory, there is considerable scope for direct cooperation between the government defence research

[8] Despite India having a population of some 140 million Muslims, Indian security sources claim that perhaps 10-20 Indian nationals have joined ISIS and related groups, compared with some estimates of more than 100 Australian nationals.

[9] Rahul Bedi, 'India Asks Japan to Offer Soryu Subs for Project 75I requirement', *IHS Jane's Defence Weekly,* 29 January 2015. Some Indian commentators have raised the possibility of trilateral arrangements to build *Soryu* submarines, including Australia.

organisations, India's Defence Research and Development Organisation (DRDO) and Australia's Defence Science and Technology Organisation (DSTO), but again there are also some significant complications, not least being the DRDO's role as both an R&D organisation and a manufacturer. Given the high level of dysfunction and delays commonly associated with Indian defence research, development and production, Australia may be very cautious in developing this aspect of the relationship.

Some also may question the overall wisdom of using defence technology cooperation as a means of developing a closer security relationship. India has resisted attempts by defence technology partners such as the former Soviet Union and currently the United States to leverage defence sales into a broader defence relationship. The Indian military tends to see defence technology procurement as quite separate from a broader defence relationship and is resistant to allowing equipment acquisitions to be used as a reason for operational cooperation. A defence procurement relationship with India, even by major powers, can be a cause of considerable irritations in the bilateral relationship.

COOPERATION IN BORDER PROTECTION

The Action Plan also provides commitments to cooperation in border protection, coast guard, and customs. This is likely to be an increasingly important area of interaction. The need for greater cooperation in border protection issues was brought to the fore in July 2014, when two boatloads of ethnic Tamil asylum seekers were intercepted by Australian authorities in international waters. Unlike previous cases, these boats had departed India rather than Sri Lanka and it was not clear whether the passengers were of Sri Lankan or Indian nationality. Australian authorities forcibly returned the first boat to Sri Lanka. After prolonged negotiations with Delhi, Canberra grudgingly agreed to bring the second boatload of 157 asylum-seekers to mainland Australia to facilitate access by Indian consular officials. The Australian Government was then forced to back off attempts to return the second boatload of asylum seekers to India after Delhi indicated that it would not be a party to forced repatriations.

While both sides were able to avoid this incident creating irritations in the broader relationship, it clearly pointed to a need for enhanced cooperation between Australian and Indian authorities in responding to unregulated population movements. In coming years we are also likely to see much greater use of coast guard authorities to enforce maritime security and maritime claims throughout the Indo-Pacific region. China, for example, regularly uses coast guard or quasi-civilian vessels in demonstrations of its territorial claims in the South China Sea. The potential for practical cooperation between Australian and Indian border protection authorities was underlined by the visit of an Indian Coast Guard vessel to Darwin in December 2014, the first such visit of the Indian Coast Guard to Australian waters. Australia, with the support of Japan and India, is also seeking membership of

the Heads of Asian Coast Guards Agency (HACGA) meeting (the coast guard equivalent to the Indian Ocean Naval Symposium (IONS) and the Western Pacific Naval Symposium (WPNS)). The HACGA is likely to become a much more prominent forum for regional interaction on maritime security issues.

CO-OPERATION IN EXPORT CONTROL REGIMES

Another area of emphasis in the Framework Agreement is on disarmament and non-proliferation. The agreement includes commitments to hold an annual bilateral dialogue on Disarmament, Non-Proliferation and International Security and, importantly, includes a pledge by Australia to support Indian membership of various international export control regimes.

The most well known of these regimes is the Nuclear Suppliers Group (a grouping of some forty-seven states that supply nuclear materials and technology).[10] Other export control groupings include the Australia Group (a grouping of some forty-one states and international organisations that collaborate to prevent the abuse of dual-use technology and materials for chemical and biological weapons programs), the Missile Technology Control Regime (a grouping of thirty-four states to prevent the proliferation of missile technologies with a range above 400 kilometres) and the Wassenaar Arrangement (an arrangement among forty-one states aimed at non-proliferation of conventional arms and dual use goods). These regimes had their genesis in Cold War era attempts to restrict Soviet access to weapons-related technology. Although the former Cold War foes, Russia and China, are full members of several of these groupings,[11] India is a member of none of them. This reflects India's stance against the "unfairness" of the international nuclear non-proliferation treaty which prohibited any states other than Permanent 5 from owning nuclear weapons, and Delhi's traditional deep suspicions of international regimes that restrict the transfer of technology.

Although Delhi is now coming to understand the value of these regimes in maintaining international security it now finds itself on the outer. Australia, as an active participant in several of these groupings can play an important role in helping to negotiate India's membership, which would require a consensus among existing members. Australia is already lobbying members of the Nuclear Suppliers Group to grant India entry as a full member, even though it is outside the nuclear non-proliferation regime. As chair of the Australia Group, Australia can also play an important role in facilitating India's entry into that grouping. The Australia Group may be a logical place to begin India's formal entry into the global export control network, because it is not connected to any residual sensitivities about nuclear issues. Given India's massive

[10] Which was actually established in response to India's first nuclear weapons test in 1974.
[11] China is a member of the Nuclear Suppliers Group and voluntarily abides by the Missile Technology Control Regime. Russia is a member of the Nuclear Suppliers Group, the Wassenaar Arrangement and the Missile Technology Control Regime.

chemical industry and the growing biotechnology sector, the absence of India from the export control regime is unsustainable.[12]

SEARCH AND RESCUE

The Action Plan also commits to greater cooperation between Australian and Indian agencies with responsibilities for international search and rescue (SAR), including through information exchange and regional dialogue. The strategic significance of international search and rescue operations came to public attention in early 2014, when Australia took a leading role in the search for the missing Malaysia Airlines flight MH370 in the Indian Ocean. Australia's commitment of significant resources to the search effort was a powerful statement of its role in the region. Delhi (for apparently obscure bureaucratic reasons) chose not to participate in the multilateral search being conducted out of Perth, unlike China, which contributed considerable air and maritime assets. Indian commentators such as Raja Mohan saw this as a mistake.[13] A decade ago, Delhi recognised the geopolitical significance of Humanitarian and Disaster Relief (HADR) operations in the aftermath of the 2004 Indian Ocean tsunami. The inclusion of SAR in the Action Plan may indicate that Delhi now better understands the political significance of SAR.

COOPERATION IN HADR AND PEACEKEEPING

The Action Plan also includes commitments for greater cooperation in HADR, collaboration in the East Asia Summit on disaster management; and cooperation and exchanges on peacekeeping issues, including between peacekeeping institutions. Disaster management and peacekeeping are low-hanging fruit—while they sit at the "soft" end of the spectrum of security cooperation, they can be very useful ways to develop personal relationships and inter-operability and provide an opportunity to generate significant goodwill.[14]

India's work with Australia, the United States and Japan in the multilateral naval response to the 2004 Indian Ocean tsunami is often seen as a turning point in Delhi's understanding of the benefits of cooperation with other maritime democracies in the Asia Pacific. The response contributed directly to much improved relationships between the Indian Navy and the navies of Japan and Australia and the United States. The episode was an important lesson in the potentially broader strategic consequences of cooperation in HADR.

[12] Lisa Curtis, Walter Lohman, Rory Medcalf, Lydia Powell, Rajeswari Pillai Rajagopalan and Andrew Shearer, *Shared Goals, Converging Interests: A Plan for U.S.–Australia–India Cooperation in the Indo–Pacific*, The Heritage Foundation, Lowy Institute and Observer Research Foundation, 3 November 2011, <http://www.heritage.org/research/reports/2011/11/shared-goals-converging-interests-a-plan-for-u-s-australia-india-cooperation-in-the-indo-pacific> [Accessed 25 February 2015].
[13] C. Raja Mohan, 'Chinese Takeaway: PLA Goes Out', *Indian Express,* 26 March 2014.
[14] Brewster, 'The India-Australia Security and Defence Relationship'.

There is much room for India and Australia and other Indian Ocean states to work together in HADR. For example, India and Australia could work together to develop a system for responding to natural disasters in the Indian Ocean region similar to the FRANZ trilateral cooperation arrangement in the South Pacific which helps Australia, France, and New Zealand and others to coordinate their relief operations after cyclones and other natural disasters.[15] Australia is increasingly focussing on cooperation with Indian Ocean partners such as Indonesia in disaster relief and India could well become another partner in that cooperation. The acquisition by the Australian Navy of the two huge Landing Helicopter Dock (LHD) ships, HMAS *Canberra* and HMAS *Adelaide*, means that Australia's contributions to regional disaster relief are only likely to increase in coming years.

Peacekeeping operations can also provide a useful locus for cooperation, particularly between the respective armies. In addition to building institutional relationships, cooperation in peacekeeping training would demonstrate India's and Australia's shared commitment to the UN and international stability. Both countries have long been contributors to peacekeeping: since the end of World War II, India has contributed more than 100,000 personnel to some forty UN peacekeeping operations with more than 100,000 personnel, while Australia has contributed more than 30,000 personnel to some 100 peace operations. India operates the Centre for United Nations Peacekeeping in New Delhi, which also provides the Secretariat of the International Association of Peacekeeping Training Centres. Australia and India have previously exchanged students and instructors to their peacekeeping training centres on an *ad hoc* basis but more focused cooperation in peacekeeping training is possible and the potential for bilateral peacekeeping exercises can also be explored.

What is the Significance of the Framework?

The Framework for Security Cooperation is a significant development in several ways. It represents an intention to intensify the engagements that have been developing over the last decade or so. Importantly, it also signifies an intention to broaden the defence and security relationship to new areas and enhance cooperation in existing areas. It may also indicate a desire by the Modi Government to move past some of India's previous inhibitions in the defence relationship with Australia. How effectively that is communicated to the powerful Indian bureaucracy, particularly the Ministry of External Affairs and the Ministry of Defence, remains to be seen. The implications for Australia of the appointment of Manohar Parrikar as Indian Defence Minister in November 2014 are not yet clear, although at least India now has a full time Defence Minister who may be able to drive institutional change. The recent

[15] Future Directions International, 'Strategic Objectives of the United States in the Indian Ocean Region', Workshop Report, 29 September 2011, <www.futuredirections.org.au/publications/workshop-papers/248-strategic-objectives-of-the-united-states-in-the-indian-ocean-region.html> [Accessed 24 February 2015].

appointment of S. Jaishankar as Indian Foreign Secretary may also indicate a wish by the Modi Government to put a more realist stamp on foreign policy. In any event, there has definitely been a palpable change over the last couple of years in the tone of India-Australia defence relations. The Framework may therefore represent an important step in the difficult task of moving the Australia-India partnership past rhetoric to the operational level. If the engagement continues, the relationship could become an important pillar in Australia's strategic posture, and indeed potentially a pillar of regional security architecture in the Indo-Pacific.

The Framework should also be seen as another step in India's expanding network of security relationships in the region. The Modi Government does not appear to be averse to developing minilateral security arrangements with large and small powers. India is currently exploring maritime security arrangements with various smaller Indian Ocean states, including with Sri Lanka, the Maldives, Mauritius and Seychelles and has expressed a desire to develop multilateral arrangements in the Bay of Bengal.[16] The status of existing trilateral security dialogue among India, Japan and the United States, which is currently held at additional secretary level, may be upgraded. At the time of writing, a new trilateral security dialogue among India, Japan and Australia may also be on the cards, which would have considerable symbolic importance, but also perhaps practical consequences for cooperation in maritime security and defence technology. A renewed quadrilateral dialogue including the United States may not be out of the question.

Another interesting factor is the interplay between Australia's growing partnership with India and Australia's relationship with China. The India-Australia Framework was announced on 18 November 2014, the day after the announcement of the finalisation of the terms of a comprehensive trade agreement between China and Australia. The China trade agreement is the first such agreement between China and a major developed country, and is widely viewed to be on favourable terms to Australia. Chinese President Xi Jingping addressed the Australian Parliament the day before Mr Modi made an address, urging Australia to embrace a 'harmonious' partnership with Beijing. China's response to the growing Australia-India defence partnership seems to be an even closer economic embrace of Australia, an approach that contrasts sharply with the hostile rhetoric that emanated from Beijing in 2007 after the announcement of the Quadrilateral Security Dialogue among Australia, India, Japan and the United States. Perhaps Beijing has decided that economic interests of its Indo-Pacific partners will ultimately trump security alignments.

David Brewster is a Visiting Fellow at the Strategic and Defence Studies Centre, Australian National University. dhbrewster@bigpond.com.

[16] Sandeep Dikshit, 'Seychelles, Mauritius Join Indian Ocean Maritime Security Group', *The Hindu*, 7 March 2014.

Divining the Fluid Element: From Cooperation to Conflict in Japan-China Maritime Relations

Euan Graham

This article analyses Japan-China maritime relations with reference to economic, geopolitical and identity-politics factors, seeking to account for the shift from the high-point of cooperation in the East China Sea, around 2008, to the current, tense competitive bilateral dynamic centred there. A bitterly contested sovereignty dispute manifested in regular maritime confrontations around the Senkaku/Diaoyu islands is the most obvious indicator of deteriorating relations between Japan and China. Yet in spite of claims made about their economic and strategic significance, the islands are small, unpopulated and of limited material value. To account for why they have assumed such prominence as symbols of conflict between China and Japan, since September 2012, this article highlights the influence of wider geopolitical and ideational forces. It also considers the potential of Sino-Japanese maritime cooperation on such shared issues as shipping protection as a source of stability and normalcy in the bilateral relationship, and in a wider context, to what extent maritime commerce can continue to provide ballast against strategic rivalry and historical rancour between East Asia's two largest economies.

The most important factors within Japan-China relations: geostrategic, economic, political and cultural converge and play out at sea. While geography is more or less a historical constant, the maritime domain is by nature inherently dynamic and fluid. As noted by the historian Geoffrey Till, the sea can be said to have a dual potential, benign or malign.[1] Used positively, it can be a mutually enriching medium for knowledge exchange, trade and a fillip for international cooperation to safeguard common marine interests. The idealistic language used to frame the preamble of the United Nations Convention on the Law of the Sea (UNCLOS) reflects this.[2] In more strategic terms, as a buffer, the sea has also given island states certain defensive advantages down the ages. Japan, during its two centuries of voluntary exclusion from the Asian continent exemplifies this. However, technological change and globalised development have effectively ended economic autarchy as a viable option for advanced countries: not only Japan, but China too.

[1] Geoffrey Till, *Seapower: A Guide for the 21st Century*, 3rd edition (London: Routledge, Cass Series Naval Policy and History, 2014).

[2] The Preamble calls for a "legal order for the seas and oceans which will facilitate international communication … promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment". Text of UNCLOS Preamble: <www.un.org/depts/los/convention_agreements/texts/unclos/closindx.htm> [Accessed 10 January 2015].

The maritime element has a corresponding, divisive potential, to serve as a medium for the projection of hostile military power, for disputes about sovereignty over islands, and the control of vast new areas of marine jurisdiction opened up by UNCLOS. The seas are not only a medium for trade but retain critical importance for naval manoeuvre and force projection into the twenty-first century. The seas within the First Island Chain of the Western Pacific are particularly 'strategic' in this regard, owing to their insular geography and the presence of the blue water navies of China, Japan and the United States. Increasingly, as land-based resources are depleted and extractive technologies continue to advance, the economic imperative to harvest living resources from the sea and the mineral resources below the seabed has encouraged coastal states to engage in 'creeping jurisdiction' and the 'territorialisation' of the 200 nautical mile (nm) Exclusive Economic Zone (EEZ).[3] With 40 per cent of the world's sea space subject to some form of jurisdictional claim under the UNCLOS framework, the marine element is increasingly a medium for direct resource exploitation, and a growing source of national wealth.

The maritime domain has received substantial attention from national leaders in both China and Japan in recent years. Presidents Hu Jintao and Xi Jinping have successively emphasised the importance of China's maritime development in policy speeches and initiatives.[4] Under Hu, China's transformation into a 'maritime power' was underlined as an explicit policy objective of the Chinese Communist Party at its 18th Party Congress in November 2012, a trend that has accelerated under his successor.[5] Maritime security has likewise emerged as a recurrent foreign and defence policy theme of Prime Minister Shinzo Abe's first and second periods in office.[6] Japan passed its Basic Law on Ocean Policy in 2007 and the following year, the Japan Maritime Self Defense Force (JMSDF) drafted 'JMSDF in the New Maritime Era', underscoring the importance attached to maritime security and strategy.[7]

---

[3] Sam Bateman, 'Solving the "Wicked Problems" of Maritime Security: Are Regional Forums up to the Task?', *Contemporary Southeast Asia*, vol. 33, no. 1 (2011), pp. 1-28.

[4] National Institute for Defense Studies, *China Security Report 2011* (Tokyo: Aiwa Enterprise, 2012), pp. 12-14.

[5] Michael Swaine, 'The 18th Party Congress and Foreign Policy: The Dog that Did Not Bark?', *China Leadership Monitor*, No. 40, Hoover Institution, 14 January 2013, <www.hoover.org/research/18th-party-congress-and-foreign-policy-dog-did-not-bark> [Accessed 10 September 2014].

[6] For example, Keynote Address to the Shangri-La Dialogue, International Institute of Strategic Studies, 30 May 2014, <www.iiss.org/en/events/shangri%20la%20dialogue/archive/2014-c20c/opening-remarks-and-keynote-address-b0b2/keynote-address-shinzo-abe-a787> [Accessed 14 September 2014].

[7] Masahiro Akiyama, 'Japan's Maritime Strategy', *China International Strategy Review*, vol. 1, no. 1 (2012), pp. 360-75; Tetsuo Kotani, 'Japan's Changing Maritime Strategy in East Asia', in Graham and Tsjeng (eds), *Navigating the Indo-Pacific Arc*, RSIS Monograph Number 32 (Singapore: Rajaratnam School of International Studies, November 2014), p. 93.

Sino-Japanese relations are currently defined by a high level of mutual suspicion and acrimony, most obviously symbolised by the dispute over the Senkaku/Diaoyu islands.[8] However, this article aims to situate the territorial dispute and maritime tensions in the East China Sea in the broader context of Japan-China maritime relations. It argues that the deterioration owes to the negative influence of geopolitical factors, at the strategic level, but also the importance of ideational factors at play, especially in terms of mutually exclusive narratives and symbolism attached to the islands in the identity politics of both countries. The article first sets out the economic context in Sino-Japanese maritime relations.

Maritime Economic Linkages: The Liberal Promise Hollows Out?

Japan and China share many overlapping interests with an economic dimension in the maritime domain, such as the security of sea lines of communication (SLOC) against piracy and terrorism threats, freedom and safety of navigation for seaborne commerce, preservation of the marine environment and the sustainable exploitation of marine natural resources, including joint management and development of fisheries and hydrocarbons in areas where jurisdiction is contested in the East China Sea. By the same token, both countries have a general stake in good order at sea.

Since diplomatic relations were normalised in the 1970s, over four decades of accelerating economic integration between Japan and China, reflected in spiralling trade volumes and fuelled by Japanese foreign direct investment (FDI) and aid, has spawned high levels of maritime connectivity. The relocation of Japanese 'sunset' industries relies on trans-shipment networks to connect across an East Asia-wide multinational production and distribution chain, with China at its crux. China received the lion's share of Japan's regional FDI for the decade following its entry into the World Trade Organisation in 2001. However, as noted by Malcolm Cook a new wave of Japanese FDI has seen a significant re-direction towards Southeast Asia, which received 2.5 times as much investment from Japan as went to China in 2013.[9] This re-weighting of Japanese FDI to Southeast Asia, reminiscent of an earlier phase of Japanese investment in the late 1980s and early 1990s, has been to a large extent bottom-line driven, reacting to rising labour and

[8] Japan's official position is that there is no dispute over the Senkaku/Diaoyu islands since sovereignty belongs exclusively to Japan. For the purposes of this article, I have referred to the practical reality that China (and Taiwan) dispute Japan's sovereignty claims, irrespective of Japan's legal-diplomatic position. The maritime boundary between Japan and China in the East China Sea is also disputed, although it should be noted that jurisdiction over Exclusive Economic Zones and Continental Shelves relates to sovereign rights over natural resources, not sovereignty, which applies only to land features and the territorial sea, limited to 12 nautical miles.

[9] Malcolm Cook, 'The Second Wave: Japanese FDI to Southeast Asia', ISEAS Perspective No. 33, 2014, Institute of Southeast Asian Studies, 29 May 2014, <www.iseas.edu.sg/documents/publication/ISEAS_Perspective_2014_33_final.pdf> [Accessed 10 September 2014].

other factor costs in China. Yet the eruption of violent street protests and damage to Japanese-owned property, on a far bigger scale than previous anti-Japanese rallies and triggered by the decision of the Noda Cabinet to 'nationalise' the Senkaku/Diaoyu islands in September 2012, has sharply raised the sensitivity of Japanese firms operating in China to political risk. The 'second wave' of FDI to Southeast Asia can therefore be viewed as about more than diversification or the pursuit of lower factor costs, but also as a collective hedge by corporate Japan against over-reliance on an uncertain and potentially hostile Chinese market. Evidence for the slowing pace of Sino-Japanese economic integration can been seen from a marked 6.5 per cent year-on-year fall in bilateral trade in 2013.[10] With two-way trade still worth US$345 billion annually, the inter-dependence between the Japanese and Chinese economies remains such that any outbreak of armed conflict or wholesale capital flight would impose punitive costs on both countries. Hence, according to a Chinese scholar specialising in China's border disputes, writing in 2008, "both Beijing and Tokyo realise a full-scale clash or even protracted enmity would not only seriously damage their economies but also weaken their positions in the world community".[11] Taking investment into account, however, a rupture would hurt Japan disproportionately given its cumulative stock of FDI in China of US$83 billion, from 1996 to 2011, compared with a total of just US$560 million in FDI received from China.[12] The relative balance of economic risk can therefore be read very differently in Beijing and Tokyo. The downward trajectory of political relations, manifested at street level in the targeting of Japanese investments and the boycott of some Japanese-made goods, has challenged the long-held belief of Japanese policy-makers and business elites that growing economic inter-dependence inculcates norms of cooperation, in the 'economically hot, politically cold' Sino-Japanese relationship, while deterring conflict by raising the economic costs to China of foreign policy adventurism. Japan's latest version of its National Defense Program Outline, released in 2014, accordingly identifies threats from "gray zone" situations that blur the line between military and non-military contingencies as posing a potential threat to Japan's "maritime economic interests".[13]

[10] Japan External Trade Organisation, 'JETRO Survey: Analysis of Japan-China Trade in 2013 and Outlook for 2014', 28 February 2014, <https://www.jetro.go.jp/en/news/releases/20140228009-news> [Accessed 8 January 2015].

[11] Pan Junwu, 'Way Out: The Possibility of a Third Party Settlement for the Sino-Japanese Maritime Boundary Dispute in the East China Sea', *China*, vol. 6, no. 2 (September 2008), p. 207.

[12] Alex Frangos, 'What's at Stake in China-Japan Spat: $345 Billion to Start', *Wall Street Journal*, China Realtime Blog, 17 September 2012, <blogs.wsj.com/chinarealtime/2012/09/17/whats-at-stake-in-china-japan-spat-345-billion-to-start/> [Accessed 10 January 2015].

[13] Japanese Ministry of Defense, National Defense Programme Outline for [Financial Year] 2014 and Beyond (Provisional Translation), (Tokyo: Japanese Ministry of Defence, 13 December 2013), <www.mod.go.jp/j/approach/agenda/guideline/2014/pdf/20131217_e2.pdf> [Accessed 14 September 2014], p. 1.

The fact that Japan and China import comparable volumes of oil (China's 5.5 million barrels per day [bpd], compared to Japan's 4.5 million bpd) along overlapping SLOC to the Gulf is a striking commonality and a potential focus for cooperation in maritime security. The proportion of China's oil demand met from imports is expected to climb from around 60 per cent currently to as high as 75 per cent by 2035.[14] Most of this will come by sea from the Middle East and Africa: China already imports around 10 per cent of global seaborne crude.[15] Safe navigation for merchant shipping is an obvious common maritime interest for Japan and China, extending to the Gulf oil terminals from which both countries draw their primary energy in similar volumes. However, structural differences in China's natural resource allocation limit comparisons with Japan's level of import dependence and strategic vulnerability to external supply disruptions. China's access to continental resources, including the world's largest reserves of coal and domestic oil production that exceeds the total volume of petroleum that Japan has to import by sea, give it a significant cushion against external supply shocks, without taking stockpiling into account.[16] Japan's natural resource endowment is far poorer, being essentially wholly reliant on overseas sources for the supply of hydrocarbons as well as many key raw materials and foodstuffs. China was, until comparatively recently, an oil exporter to Japan. Japan, by contrast, has only its emergency strategic petroleum stocks—second to those of the United States—to fall back upon in case of a supply disruption. Japan's energy import dependence has grown more acute since the Fukushima disaster of March 2011 triggered the shutdown of Japan's nuclear power sector, which previously accounted for one-quarter of the country's primary energy supply.[17] This unfavourable endowment renders Japan highly vulnerable to interruptions to seaborne transportation among advanced industrial countries. That said, Japan's energy demand is unlikely to grow significantly in future and could decline further as the country's industrial base hollows out and the population shrinks.

China's status as the largest overall user of the Straits of Malacca and Singapore, through which passes 85 per cent of its imported petroleum, has underscored a newly perceived vulnerability for its leadership, evidenced when former president Hu Jintao referred, in 2003, to his country's 'Malacca

[14] US Energy Information Administration, China Country Profile, <www.eia.gov/countries/cab.cfm?fips=CH> [Accessed 10 January 2015].

[15] Although investments in new pipelines across Myanmar and from Russia and Central Asia can reduce China's dependence on the Straits of Malacca as a supply route, oil and gas tankers remain far more cost-effective.

[16] Erica Downs, 'The Chinese Energy Security Debate', *China Quarterly*, vol. 7 (March 2004), pp. 21-44.

[17] US Energy Information Agency, Japan Overview, 31 July 2014, <www.eia.gov/countries/cab.cfm?fips=ja> [Accessed 10 September 2014].

Dilemma'.[18] From its new-found position at the epicentre of globalised production and trade, China has overtaken Japan as the largest overall commercial user of the Malacca Straits, and continues to become steadily more dependent on seaborne imported raw materials and trans-shipment networks. As a reflection of China's increased exposure to safe navigation through the Straits, the Chinese Government has made *ad hoc* contributions to the Cooperative Mechanism, a body set up in 2007 under the International Maritime Organization for the purpose of institutionalising user-state financial assistance to maintain safe navigation in the Malacca and Singapore Straits.[19] Maritime safety, sometimes relegated to the status of a technical or 'low politics' issue, is important to all trading nations in East Asia for the flow of raw materials, energy and manufactured goods in both directions across the long Indo-Pacific littoral. As the pioneer of the region's post-1945 export-led growth model, Japan has historically taken the user-state lead role on maritime safety in the Malacca Straits by providing capacity, financial and diplomatic support to the littoral states.[20] China's continuing preference is to offer capacity building assistance bilaterally, as well as multilaterally via the 3 billion yuan (A$605 million) China-ASEAN Maritime Cooperation Fund.[21] This partly reflects Beijing's discomfort with the Cooperative Mechanism as a Japanese-brokered initiative.

As another instance of limited maritime security cooperation between Japan and China in Southeast Asia, China has joined the Regional Agreement Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), which is the main inter-governmental counter-piracy organisation in the region. ReCAAP came into being, in 2006, as a result of Japan's diplomatic and capacity-building efforts, and the Director of its Singapore-based Information Sharing Centre (ISC) is seconded from Japan's Ministry of Foreign Affairs. In 2000, Beijing had expressed strong opposition against a direct operational role for Japan's coast guard in combating piracy in Southeast Asia, when Tokyo hosted the Regional Conference on Combating Piracy and Armed Robbery Against Ships.[22]

[18] Christian Lemierre, 'China's Unarmed Arms Race: Beijing's Maritime Buildup Isn't What it Appears', Foreign Affairs Snapshots, 29 July 2013, <www.foreignaffairs.com/articles/139609/christian-le-miere/chinas-unarmed-arms-race> [Accessed 10 September 2014].

[19] 'Cooperative Mechanism Between the Littoral States and User States on Safety of Navigation and Environmental Protection in the Straits of Malacca and Singapore', Maritime and Port Authority of Singapore, 16 August 2007, <www.mpa.gov.sg/sites/pdf/spore-mtg-co-op-mechan-070904.pdf> [Accessed 10 September 2014].

[20] Euan Graham, *Japan's Sea Lane Security, 1940-2004: A Matter of Life and Death?* (London: Routledge, 2006), pp. 150-72.

[21] Rocky Intan, 'Maritime Engagement Strategies of Japan and China Towards Southeast Asia', Eurasia Review, 28 December 2014, <www.eurasiareview.com/28122014-maritime-engagement-strategies-japan-china-towards-southeast-asia-indonesian-perspective-analysis/> [Accessed 08 January 2015].

[22] Agence Press France, 'China Goes it Alone at Asian Anti-Piracy Conference', 28 April 2000; Mark Valencia, 'Piracy and International Politics', in A. Hamzah and A. Ogawa (eds), *Combating Piracy* (Kuala Lumpur: Okazaki Institute, 2001), p. 81.

However, the Chinese authorities subsequently overcame their suspicions that ReCAAP was a vehicle for furthering Japanese maritime ambitions in Southeast Asia and have sent a coast-guard liaison officer to the Singapore ISC. Beijing's participation may be low-key in comparison with its enthusiastic embrace of anti-piracy cooperation in the Gulf of Aden since 2007.[23] But Chinese support for ReCAAP's counter-piracy activities has not been seriously affected by the downtown in Japan-China relations.

It has proved more difficult for Japan and China to gain traction in maritime cooperation with an economic dimension closer to home. Apart from the contested territorial sovereignty of the Senkaku/Diaoyu islands, Japan and China have a disputed maritime boundary in the East China Sea, which China claims based on an extended continental shelf as far as the Okinawa Trough whereas Japan insists on a median line.[24] In 2008, Chinese and Japanese negotiators agreed a 'Principled Consensus on the East China Sea Issue', holding out the potential for joint development of energy resources within a portion of the disputed seabed zone, where natural gas deposits are located, along with smaller concentrations of oil.[25] The Principled Consensus was supposed to act as a framework for both sides to cooperate on energy exploration in the 'transition period' towards a negotiated boundary delimitation in the East China Sea.[26] However, little progress has been made since 2008, and Tokyo has protested against what it claims is unilateral exploitation in the Chunxiao/Shirakaba gas field from the Chinese side of the median line.[27] China's state-owned energy majors are increasingly capable of unilateral exploration and to the extent that they continue to rely on joint ventures in the East China Sea, the onus is on partnership with non-Japanese firms.[28]

---

[23] You Ji, 'The PLA Navy's Gulf of Aden Mission as Capability against NTS Threats', in Lyle J. Goldstein (ed.), *Not Congruent but Quite Complementary: U.S. and Chinese Approaches to Nontraditional Security*, Naval War College China Maritime Study 9 (July 2012), pp. 27-40.

[24] Pan Junwu, 'Way Out: The Possibility of a Third Party Settlement for the Sino-Japanese Maritime Boundary Dispute in the East China Sea', *China*, vol. 6, no. 2 (September 2008), p. 193.

[25] The US Energy Information Agency estimates that the East China Sea seabed in total contains 1-2 trillion cubic feet in proven and probable natural gas reserves: US Energy Information Administration, 'East China Sea', Analysis Brief, <www.eia.gov/countries/regions-topics.cfm?fips=ecs> [Accessed 10 January 2015].

[26] Text of the 2008 China-Japan Principled Consensus on the East China Sea Issue, Centre for International Law, National University of Singapore: <cil.nus.edu.sg/2008/2008-china-japan-principled-consensus-on-the-east-china-sea-issue/> [Accessed 10 January 2015].

[27] James Manicom, 'China's Energy Development in the China Sea', Center for International Governance and Innovation, 12 September 2013, <https://www.cigionline.org/articles/2013/09/china's-energy-development-east-china-sea> [Accessed 08 January 2015].

[28] 'CNOOC Issues Exploration Tender, Includes South China Sea Blocks', *Reuters*, 11 September 2014, <af.reuters.com/article/energyOilNews/idAFL3N0RC1U520140911> [Accessed 10 January 2015].

Notwithstanding the failure to progress beyond the 2008 Principled Consensus the competitive dynamic for resource extraction in the East China Sea can be overstated as a driver of strategic rivalry between China and Japan, given smaller concentrations of oil and gas that are estimated to exist there in comparison with the South China Sea. Nonetheless, the failure to advance the Principled Consensus to co-production suggests that the drift away from joint development may be permanent, despite initial optimism placed in the agreement by academic observers.[29]

China has notably protested against Japan's maritime claims around its southernmost territory, Okinotorishima, an isolated and diminutive rocky outcrop located close to the Twentieth Parallel. Beijing does not dispute Japan's sovereignty over Okinotorishima but has officially objected to Tokyo's declaration of a full 200 nm EEZ as excessive, under the criteria allowed for under UNCLOS. From an objective point of view, Japan's maritime jurisdictional claims around Okinotorishima appear questionable, since it is doubtful that the outcrop could qualify as an 'island' under UNCLOS, and would therefore be entitled to a 12 nm territorial sea at most.[30] However, the twist in Beijing's legal protest is that it naturally invites the counter accusation of whether China is applying a double standard by claiming sovereignty over wholly submerged or features exposed only at low tide in the South China Sea, for which there is no legal basis under the Convention. Recent speculation has also centred on the possibility that Japan could use the artificial structures being developed at Okinitorishima for naval surveillance purposes.[31] While much commentary has been directed at the question of China's maritime assertiveness and resource acquisition within its 'near seas', Japan's concerted efforts to maximise its marine resource claims beyond the East China Sea have gone relatively unnoticed, including the announcement of a 130,000 square-kilometre expansion of its EEZ in the Pacific, in 2014.[32]

If energy can be overstated as a driver of maritime resource competition between Japan and China, fisheries are a different matter. China operates the world's largest fishing fleet, which in recent years has brought it into conflict with most of its maritime neighbours including South Korea, as well as Japan.[33] The fisheries around the Senkaku/Diaoyu are highly productive; one

[29] James Manicom, 'The Sino-Japanese Energy Dispute in the East China Sea: Strategic Policy, Economic Opportunities, and Cooperation', *The Economics of Peace and Security Journal*, vol. 4, no. 2 (2009), pp. 38-44.

[30] Julia Lisztwan, 'Stability of Maritime Boundary Agreements', *Yale Journal of International Law*, vol. 37, no. 1 (2012), p. 166.

[31] 'Japan's Pacific Claims Fuelled by Search for Resources, Chinese Expansionism', *South China Morning Post*, 12 September 2014, <www.scmp.com/article/1590823/japan-pacific-claims-fuelled-natural-resources-hunt-and-china-navy-expansion> [Accessed 10 January 2015].

[32] Ibid.

[33] Zhang Hongzhou, 'China's Evolving Fishing Industry: Implications for Regional and Global Maritime Security', RSIS Working Paper No. 146, 16 August 2012, <www.rsis.edu.sg/rsis-publication/idss/246-wp246-chinas-evolving-fis/#.VBVFaksxFFI> [Accessed 10 January 2015].

reason why Chinese and Taiwanese fishing craft are motivated to venture close to the islands quite apart from their political symbolism. In April 2013, Japan brokered a non-governmental fisheries agreement with Taiwan, granting access to waters near the islands, over which Taipei also claims sovereignty.[34] This agreement, although questionable from a sustainability perspective, has helped to reduce tensions and incidents between Japanese and Taiwanese vessels around the islands, without compromising either side's claims.[35] That said, Taiwan's peculiar international status makes it easier for Japanese officials to maintain that the 'private' agreement does nothing to diminish Japanese sovereignty over the islands or jurisdictional claims to surrounding waters. China and Japan concluded a fisheries agreement in the East China Sea in 1997, which entered into force in 2000.[36] Nonetheless, fisheries incidents have in recent years contributed to strategic tensions. The collision, in September 2010, between a Chinese fishing boat and a Japan Coast Guard (JCG) vessel in the East China Sea escalated into a full-blown diplomatic crisis after the arrest of the boat captain by the Japanese authorities prompted Chinese retaliatory measures, allegedly including moves to restrict the export of rare earth metals and the arrest of four Japanese employees in China.[37] The episode wrought a perceptual sea-change within Japan, prompting widespread public distrust and heightened concern within Tokyo's security establishment as to Beijing's strategic intentions, arousing suspicions that the Chinese fishing fleet operates under state direction with license to act coercively in support of Beijing's 'historical' maritime rights.[38] Furthermore, China's purported effort to restrict the supply of rare earth metals, although subsequently queried in academic circles,[39]

[34] 'China Angered as Japan, Taiwan Sign Fishing Agreement', *Reuters*, 10 April 2013, <www.reuters.com/article/2013/04/10/us-china-japan-taiwan-idUSBRE93909520130410> [Accessed 10 January 2015].

[35] L. Jacobson, 'Implications of Taiwan-Japan Landmark Fishing Agreement', in Linda Jacobson (ed.), *Tensions in the East China Sea*, Lowy Institute East Asia Programme, December 2013, <lowyinstitute.org/publications/tensions-east-china-sea> [Accessed 10 January 2015], pp. 37-49.

[36] David Rosenberg, 'Managing the Resources of the China Seas: China's Bilateral Fisheries Agreements with Japan, South Korea, and Vietnam', *The Asia Pacific Journal: Japan Focus*, June 2005, <www.japanfocus.org/site/make_pdf/1789> [Accessed 10 January 2015].

[37] Tetsuo Kotani, 'Japan's Changing Maritime Strategy in East Asia', p. 91; 'Arrest in Disputed Seas Riles China and Japan', *New York Times*, 19 September 2010, <www.nytimes.com/2010/09/20/world/asia/20chinajapan.html?_r=0> [Accessed 10 January 2015].

[38] For an example of this argument, see Wendell Mennick, 'Fishing Vessels in China Serve as Proxy Enforcers', *Defense News*, 17 August 2014, <archive.defensenews.com/article/20140817/DEFREG03/308170013/Fishing-Vessels-China-Serve-Proxy-Enforcers> [Accessed 20 December 2014].

[39] See for example Amy King and Shigo Armstrong, 'Did China Really Ban Rare Earth Metals Exports to Japan?', *East Asia Forum*, 18 August 2013, <www.eastasiaforum.org/2013/08/18/did-china-really-ban-rare-earth-metals-exports-to-japan/> [Accessed 08 January 2015].

severely dented liberal assumptions that the economic relationship could be insulated from political ructions.[40]

A recent case involving the seizure of a merchant ship in China demonstrates that Japanese merchant shipping interests have been directly impacted by the downturn in bilateral political relations. In April 2014, Chinese authorities seized a cargo carrier owned by Mitsui OSK Lines, the *Baosteel Emotion*, at a port in Zhejiang Province. This action was taken in support of a Chinese court judgment claiming compensation for the appropriation and subsequent wartime loss of two Chinese ships, dating back to 1936. Japanese officials argued that the seizure was illegitimate, on grounds that the Chinese Government had waived all preparations from the pre-1945 period with the restoration of diplomatic relations in 1972. However, the vessel was released after the company agreed to pay approximately US$28 million to settle the judgment and cover court costs.[41] While the *Baosteel Emotion* incident has not been repeated since, and should not therefore be over-interpreted, it demonstrates nonetheless the potential for political frictions in the Japan-China relationship to spill into the maritime domain, including the shipping industry itself.

Maritime Strategic Relations: Geopolitical Factors

At a geopolitical level, Japan and China's mutual economic dependence on seaborne trade and good order at sea has become progressively more difficult to disentangle from strategic factors in the Western Pacific. Japan's anchoring position in the north of the First Island Chain commands the attention of China's military planners as a factor complicating the ability of the People's Liberation Army-Navy (PLA-N) to sortie freely into the northern and central Pacific.[42] This is partially analogous to the late Cold War when the Japanese archipelago acted as a natural cordon around the Soviet Far Eastern fleet, playing a passive but important role within US naval strategy in terms of 'bottling up' Soviet naval forces within 'bastion' seas inside the First Island Chain, as well as acting, in Prime Minister Nakasone's memorable epithet, as an "unsinkable aircraft carrier" for the United States.[43] Japan geographically impinges upon China's maritime strategic freedom of manoeuvre less completely than was the case for the Soviet/Russian Pacific Fleet, but north of Taiwan the PLA-N's Northern and Eastern fleets must negotiate a path

[40] Laura Schwartz, 'Competition and Confrontation in the East China Sea: Implications for US Policy', National Bureau of Asian Research Roundtable Report, February 2014, <www.nbr.org/downloads/pdfs/psa/EastChinaSea_Roundtable_report.pdf> [Accessed 14 September 2014], pp. 2-4.

[41] 'China Court Frees Japanese Ship After Unprecedented Seizure', *Bloomberg News*, 14 April 2014, <www.bloomberg.com/news/2014-04-24/china-court-releases-japanese-ship-after-unprecedented-seizure.html> [Accessed 14 September 2014].

[42] Vijay Sakhuja, *Asian Maritime Power in the 21st Century: Strategic Transactions, China, India and Southeast Asia* (Singapore: Institute for Southeast Asian Studies, 2011), pp. 70-88.

[43] Graham, *Japan's Sea Lane Security, 1940-2004*, pp. 122-49.

through the Japanese island chain, which extends via the Ryukyu chain down to the east of Taiwan, in order to access deep water in the Pacific.[44] The strategic disadvantages for China posed by Japan's archipelagic geography are compounded by Tokyo's continuing role as host to the most important US bases in the Western Pacific for forward-deployed intelligence, surveillance and reconnaissance (ISR) and strike assets. In addition to responding to a direct armed attack on Japan, according to the Guidelines for Japan-US Defence Cooperation, US military assets may also be used in situations "in areas surrounding Japan", an ambiguous frame of reference which includes the Korean Peninsula and, by inference though not explicitly, Taiwan and other contingencies impinging on China's self-defined "core interests" and "near seas".[45] Moreover, in peacetime the US military regularly conducts surveillance missions within China's EEZ. Washington asserts that military activities within the EEZ are lawful high-seas freedoms supported under UNCLOS, whereas China argues a far more restrictive interpretation.[46] US military surveillance missions, many of which are mounted and supported from bases in Japan, have been the trigger for confrontations and near-collisions with vessels and aircraft from China's military and paramilitary agencies, for example in 2001, 2009 and 2013.[47] Since Japan itself maintains an active maritime surveillance posture in the East China Sea this is another point of division with China, especially since the Chinese defence authorities declared an Air Defence Identification Zone (ADIZ) incorporating the airspace above the Senkaku/Diaoyu islands in November 2013.

From a defence planner's perspective, the East China Sea affords Japan defensive advantages compared with countries that share a land border with China, such as Russia, India or Vietnam.[48] As an island state, Japan does not have to allocate the same resources against invasion or incursion. In this sense its defence *problematique* is simpler than that faced by China, which must contend with potential land and seaborne threats.[49] However, with less than 400 miles separating China's eastern seaboard and the western coast of

---

[44] Eric Sayers, 'The "Consequent Interest" of Japan's Southwestern Islands: A Mahanian Appraisal of the Ryukyu Archipelago', *Naval War College Review*, vol. 66, no. 2 (Spring 2013), pp. 45-61.

[45] 'Guidelines for Japan-US Defence Cooperation', Ministry of Foreign Affairs of Japan, <www.mofa.go.jp/region/n-america/us/security/guideline2.html> [Accessed 14 September 2014]. The original 1978 Guidelines were last formally revised in 1997 and are currently under review.

[46] National Institute for Defense Studies, *China Security Report 2012* (Tokyo: Aiwa Enterprise, 2013), p. 29.

[47] Mark J. Valencia, 'Foreign Military Activities in Asian EEZs: Conflict Ahead?', National Bureau of Asian Research, Special Report 27, May 2011. The most recent surface incident was a reported near-collision between the USS *Cowpens*, a guided missile cruiser, and a People's Liberation Army-Navy landing ship off Hainan in early December 2013.

[48] James R. Holmes and Toshi Yoshihara, 'Ryukyu Chain in China's Island Strategy', *Jamestown China Brief*, vol. 10, no. 18 (10 September 2010), pp. 11-14.

[49] Barry Buzan, 'Japan's Defence Problematique', *Pacific Review*, vol. 8, no. 1 (1995), pp. 25-43.

Kyushu, the value of sea space as a strategic buffer separating Japan from Continental Asia is steadily declining, as China's ability to project military power over the horizon grows apace with defence modernisation, supported by a four-fold increase in military spending since 1990, while Japan's defence budget has stagnated over the same period.[50] Japanese defence analysts have charted the continuous growth of China's naval and air presence in and around Japan's southern approaches, connecting this to the PLA-N's need to secure open ocean access for its submarines, ships and aircraft, whose bases face on to the relatively confined, shallow waters of the East China Sea, Yellow Sea and Bo Hai Gulf.[51]

Recent editions of Japan's defence white paper catalogue a pattern of intensifying intrusions by Chinese vessels and aircraft into Japan's territorial waters and airspace. While Chinese warships are entitled, under UNCLOS, to transit through Japan's EEZ and high-seas corridors that separate the main Japanese islands without prior notification or authorisation, such exercises in force projection have increased in frequency and intensity, including vessels from all three PLA-N regional fleets. For several years, Japanese defence analysts have privately speculated that China's contingency plans for a high-intensity naval conflict could include the seizure of strategically located southern Japanese islands, such as Miyako or Ishigaki, in order to safeguard passage to and from the deep waters of the open Pacific.[52] This concern has been augmented by the stepped-up presence of Chinese civilian patrol ships and aircraft operating close to the Senkaku/Diaoyu islands.[53] Since 2010, Japan's defence posture has emphasised a "dynamic defence concept" aimed at re-focusing resources on protecting Japan's south-western approaches, including the defence of small islands.[54] Since then Japan has moved quickly to stand up brigade-sized amphibious unit with 'marine corps functions' under the Japanese Ground Self Defence Force specifically designed to address this perceived vulnerability.[55] China's thickening maritime presence and

[50] Japan Ministry of Defence, *Defense of Japan*, Annual White Paper, Tokyo, 2014, <www.mod.go.jp/e/publ/w_paper/pdf/2014/DOJ2014_1-1-3_1st_0730.pdf> [Accessed 10 January 2015].

[51] Alessio Patalano, 'Japan as a Seapower: Strategy, Doctrine and Capabilities under Three Defence Reviews, 1995-2010'*, Journal of Strategic Studies*, vol. 37, no. 3 (2014), p. 415.

[52] Holmes and Yoshihara, *Jamestown China Brief*, p. 13.

[53] National Institute for Defense Studies, *China Security Report 2013* (Tokyo: Aiwa Enterprise, February 2013), p. 170.

[54] National Institute for Defense Studies, *East Asian Strategic Review* (Tokyo: Japan Times, 2013), pp. 103-20; National Institute for Defense Studies, 'Japan: Towards the Establishment of a Dynamic Defence Force', *East Asian Strategic Review* (Tokyo: The Japan Times, 2012), pp. 253-6.

[55] Benjamin Schreer, 'Japan's Emerging Amphibious Capability', *The Strategist*, Australian Strategic Policy Institute blog, 3 June 2013, <www.aspistrategist.org.au/japans-emerging-amphibious-capability/> [Accessed 10 January 2015]; Euan Graham, 'Japan: the Salamander Stirs', *The Strategist*, Australian Strategic Policy Institute blog, 8 July 2013, <www.aspistrategist.org.au/japan-the-salamander-stirs/> [Accessed 10 January 2015].

assertive behaviour in the East China Sea has provided the backdrop to these changes.

Aside from the scenario of a limited military invasion or incursion into Japan's remote islands, Okinawa already falls within the range of China's intermediate-range conventional missile forces, amassed in the coastal provinces facing Taiwan. It is widely assumed that US military bases in Okinawa would assume a key role in any scenario for conflict across the Taiwan Strait, in which the United States elected to intervene. This would make them obvious targets for Chinese missile attacks, as part of an assumed 'Anti-Access and Area Denial' (A2/AD) strategy. The East China Sea is therefore an important theatre in Japan's evolving concepts for ballistic missile defence, including a prominent role for the Japan Maritime Self Defense Force's Aegis-radar equipped missile destroyers. With the flight-time of incoming ballistic and supersonic cruise missiles measured in minutes, the buffer value of the sea space separating Japan and China has been greatly telescoped. Alessio Patalano has charted the recent development of Japanese naval strategy, doctrine and capabilities, highlighting the importance of the so-called Tokyo-Guam-Taiwan triangle as a key geographical focus for Japan at the operational level.[56] The East China Sea and home waters are emphasised as the main areas where the JMSDF expects to deploy the full range of its capabilities, which have been extensively modernised to maintain Japan's edge in anti-submarine warfare and C4ISR (command, control, communication, computers, intelligence, surveillance and reconnaissance), as well as newer demands such as ballistic missile defence and island defence. According to Patalano, the evolution of Japan's contemporary naval strategy preserves continuity with its longstanding interest in defending SLOCs that overlap the country's southern maritime approaches. However, Japan has consciously stopped short of developing a naval containment strategy against China, or a true power projection capability beyond what is required for the defence of outlying islands in the Japanese archipelago. According to the maritime analyst Tetsuo Kotani, "Japanese defence planners recognise both challenges and opportunities in the rise of Chinese maritime power". The purpose of modernising the JMSDF's capabilities in other words is to "discourage Chinese assertiveness in the Asian littoral while encouraging Beijing to play more responsible and constructive roles".[57]

The symmetry in Japan's and China's reliance on extended Indian Ocean SLOC for supplies of energy and raw materials, while providing a basis for limited counter-piracy cooperation, has also been perceived as a mutual area of vulnerability. China's 'Malacca Dilemma' was one manifestation of such

[56]Patalano, 'Japan as a Seapower: Strategy, Doctrine and Capabilities under Three Defence Reviews, 1995-2010', pp. 403-41. See also Kotani, 'Japan's Changing Maritime Strategy in East Asia', p. 95.

[57] Kotani, 'Japan's Changing Maritime Strategy in East Asia', pp. 101-2.

fears.[58] Because Japan's potential vulnerability to SLOC interdiction is more acute, Tokyo's security establishment is sensitive to suggestions that China's strengthening naval capability could in future be used to interdict Japan's maritime supply routes through the South China Sea.[59] The prospect of a sustained naval campaign to interdict seaborne imports may appear questionable in the early twenty-first century, given the prohibitive costs that would be involved in undertaking a distant blockade for any meaningful duration. However, the fear of deliberate SLOC disruption at a distance or even indirect pressure on maritime communications through the use of proxy forces percolates through Japanese and Chinese thinking about their respective strategic vulnerabilities and the other's intentions. There may be a mirror-imaging, action-reaction dynamic in evidence, illustrated by calls for Japan to develop its own version of China's A2/AD strategy.[60]

Beyond the stand-alone capabilities of Japan's Self Defence Forces, China's strategic calculations must also take into account the US-Japan alliance. Japan, as noted, hosts major US power projection and surveillance assets, such that it should be considered the fulcrum of the US force posture in the Western Pacific. Since the US-Japan security partnership is essentially a maritime alliance, navy-to-navy ties have always constituted its strongest inter-service link, characterised by close integration of platforms, weapons systems, operational concepts and data-sharing between the US Navy and the JMSDF. The Guidelines for US-Japan Defence Cooperation are currently being revised, with the potential for closer coordination on functional areas, such as anti-submarine warfare, missile defence and intelligence-sharing. These are at least implicitly benchmarked against China's expanding maritime capabilities (with North Korea an important but secondary concern). In strategic terms, therefore, the maritime balance between Japan and China is in reality triangular.

This triangular factor is most evident in relation to the question of whether the United States would defend the Senkaku/Diaoyu islands against armed aggression from China. Senior US officials over recent years have sought to reassure Japan by clarifying that the US treaty defence guarantee applies to all islands under Japanese 'administration', although Washington continues to distance itself from taking a position on the sovereignty dispute *per se*. This effort at reassuring sceptics in Japan culminated in the first-ever statement by a sitting US president, in April 2014, that "Article 5 (of the treaty) covers all territories under Japan's administration, including the Senkaku Islands".[61]

---

[58] Sakhuja, *Asian Maritime Power in the 21st Century*, p. 84.

[59] Graham, *Japan's Sea Lane Security, 1940-2004*, pp. 202-27.

[60] Toshimichi Nagaiwa, 'A Technical Aspect of ADIZ', AJISS Commentary, No. 190, Japan Institute for International Affairs, 17 January 2014.

[61] Mizuho Aoki, 'Obama Assures Abe on Senkakus', *Japan Times*, 24 April 2014, <www.japantimes.co.jp/news/2014/04/24/national/obama-tells-abe-security-treaty-covers-senkakus/#.U50HNkDNx3A> [Accessed 10 January 2015].

From the viewpoint of deterrence theory, the existence of the US security guarantee to Japan is the factor most likely to dissuade a rising and potentially revisionist China from using military force in the East China Sea. Nevertheless, according to Patalano, by 2010, "In emergency situations, the JMSDF considered its responses to be coordinated with US Navy, but it assumed that it had to be self-sufficient in those scenarios (like small-scale incursions against remote islands) that would not necessarily prompt an American intervention".[62] In addition to interoperability with the United States, the JMSDF has modernised its capabilities to maintain a qualitative edge.[63] However, the scale and speed of China's naval modernisation, and the parallel expansion of its civilian maritime law enforcement capabilities, has eroded Japan's technological lead. An intangible, but potentially significant 'unknown' in the Japan-China strategic maritime equation is the lack of combat experience on both sides, a factor which may introduce a level of behavioural unpredictability when it comes to managing incidents and encounters at sea, as suggested when Chinese warships employed fire-control radar on a Japanese destroyer and helicopter in separate incidents in the East China Sea in January 2013.[64]

In terms of hard security, Japan has ultimately relied on the US Navy since 1945 to secure its commercial SLOCs and energy supplies through the Indian Ocean and the South China Sea. China, by contrast, has no collective security arrangements in place to serve its extensive SLOC security requirements. Despite its rapid expansion in recent years, the PLA-N does not have the means, now or for the foreseeable future, independently to secure its seaborne energy supplies across the Indian Ocean in terms of national defence capability. Since yielding its status as the world's number one oil importer to China, the United States has continued to reduce its dependence on Gulf energy suppliers while simultaneously paring back defence budgets, raising questions about the long-term willingness of the US Navy to act as the guarantor for energy supply routes used not only by Washington's closest Asian ally, Japan, but its most likely 'peer competitor', China. In this uncertain context, it has been mooted that Japan and China, as East Asia's two largest importers of oil from the Middle East, could in future

[62] Patalano, 'Japan as a Seapower: Strategy, Doctrine and Capabilities under Three Defence Reviews, 1995-2010', p. 420.

[63] Kotani, 'Japan's Changing Maritime Strategy in East Asia', p. 96.

[64] 'Illumination' may be a more accurate way to describe what occurred than a 'lock-on' (as widely reported at the time), given that the radar contact was fleeting. Regardless of the duration, the use of fire-control radar is certain to have alarmed the Japanese authorities because the frequencies involved are distinct from search radars, and imply the imminent engagement of a warship's weapons systems, hence signaling hostile intent. For a recent consideration of the escalation risks involved in a Japan-China armed conflict scenario, see Robert Ayson and Desmond Ball, 'Can a Sino-Japanese War be Controlled', *Survival*, vol. 56, no. 6 (2014), pp. 135-66.

actively cooperate to secure their common Indian Ocean and Southeast Asian SLOC.[65]

The navies of China and Japan have for several years operated alongside each other as independent contributors to the international naval coalition assembled to counter piracy in the Gulf of Aden and Indian Ocean. In fact, on the same day in September 2010 when a Chinese fishing boat rammed a Japan Coast Guard (JCG) vessel in the East China Sea precipitating a downturn in bilateral relations, a Chinese warship in the Gulf of Aden was cordially hosting a contingent of JMSDF personnel, demonstrating the contrasting potential for bilateral maritime cooperation at a geographical distance.[66] In early 2012, China, Japan and India agreed to coordinate their naval anti-piracy patrols. In reality, this may have been little more than a basic de-confliction arrangement with limited operational content, but nonetheless illustrates a shared interest in maintaining the security of merchant shipping against the common threat posed by piracy and maritime crime[67].

Maritime Disputes in the East China Sea: Stranded by identity Politics

The third major influence on the Japan-China maritime dynamic is the hardest to quantify, being rooted in the domestic politics of both countries and the perceptions of decision-makers and ordinary people. But owing to the destabilising influence of the Senkaku/Diaoyu issue, it may be the most pivotal.

The territorial and boundary disputes in the East China Sea are frequently portrayed as 'resource-driven', particularly in relation to energy. Some Japanese commentators have attributed China's prioritisation of the Senkaku/Diaoyu dispute to a function of PLA military strategy, based on the islands' assumed strategic value as stepping stones on the First Island Chain, astride important naval and economic SLOC.[68] In China, recovery of the Diaoyu islands is linked politically to re-unification with Taiwan, since the historical basis for China's claim runs through the latter. Statements via Chinese official media, including a 2013 editorial in the People's Daily questioning Japan's sovereignty throughout the Ryukyu island chain

[65] The suggestion that China and Japan should cooperate to secure their common sea lines of communication (SLOC) security interests is not new. For example, Ji Guoxing, 'SLOC Security in the Asia Pacific', Asia Pacific Center for Security Studies, Occasional Paper, Honolulu, February 2000, <www.apcss.org/Publications/Ocasional%20Papers/OPSloc.htm> [Accessed 10 September 2014].

[66] Interview with Japan Ministry of Defence official, Tokyo, 18 December 2010.

[67] Nitin Gokhale, 'Indian, China and the Pirates', The Diplomat, 06 March 2012, <thediplomat.com/2012/03/india-china-and-the-pirates/1/> [Accessed 10 September 2014].

[68] For example, Akimoto Kazumine, 'The Strategic Value of Territorial Islands from the Perspective of National Security', Ocean Peace Research Foundation, Tokyo, 9 October 2013, <islandstudies.oprf-info.org/research/a00008/> [Accessed 10 January 2015].

(including Okinawa) have fanned apprehensions in Japan that China's claim to the Senkaku/Diaoyu islands will turn out to be the thin end of a long territorial wedge.[69] Daqing Yang has noted how diametrically opposite views of history underlie official narratives in Japan and China regarding 'ownership' of the Senkaku/Diaoyu islands. According to the Chinese viewpoint, the islands were 'stolen' at the start of a prolonged period of "unrelenting Japanese expansion at (China's) expense", thus giving them value as symbols of China's victimisation during its "century of humiliation". Conversely, the Japanese viewpoint asserts that the islands, as *terra nullius*, were acquired by Japan as part of a "lawful territorial consolidation unrelated to its overseas military ventures or colonial expansion." [70] These inter-woven narratives have augmented and distorted the role of the Senkaku/Diaoyu islands within nationalist discourses in Japan and China, imbuing the islands with symbolic value far in excess of their limited material worth.

As argued above, the importance of energy resource competition as a driver of maritime disorder and conflict in the East China Sea is easily overstated. Equally, the strategic value of the Senkaku/Diaoyu islands, as real estate, appears questionable except as surveillance outposts, given their small size and lack of defensive depth. The fact that the islands are uninhabited also removes an important political dimension to the dispute in comparison with Taiwan or the Southern Kuriles/Northern Territories, for example. The explanation as to why the islands have become the focus for serious and sustained tensions between Japan and China therefore lies in more non-tangible factors. As Gilbert Rozman has argued convincingly:

> The Senkaku/Diaoyu dispute is not driven, as some argue, by natural resources, and is much more than a clash over control of critical maritime routes, as many realists conclude. It is a test of two national identities in the process of being reshaped by leaders with far-reaching ambitions.[71]

It is the importance the islands command as symbols in a zero-sum contest over sovereignty, and by extension political legitimacy, that has elevated the dispute to a level that, since mid-2012, has effectively held the bilateral relationship hostage to a single issue. This has had the unfortunate effect of rendering the maritime domain as an arena for almost daily confrontations

---

[69] 'Okinawa Piques Chinese Papers', *New York Times*, 8 May 2013, <www.nytimes.com/2013/05/09/world/asia/okinawa-piques-chinese-papers.html?_r=0> [Accessed 10 January 2015].

[70] Daqing Yang, 'History: from Dispute to Dialogue', in T. Arai. S. Goto, Z. Wang (eds), *Clash of National Identities: China, Japan and the East China Sea Territorial Dispute,* Woodrow Wilson Center, 2013, <www.wilsoncenter.org/sites/default/files/asia_china_seas_web.pdf> [Accessed 10 January 2015], p. 23.

[71] Gilbert Rozman, 'The Sino-Japanese Clash: What is behind it?', Foreign Policy Research Institute E-Notes, May 2013, <www.fpri.org/articles/2013/05/sino-japanese-clash-what-behind-it> [Accessed 10 January 2015], p. 1.

between the JCG and Chinese government vessels and military aircraft around the islands.[72]

It is beyond the scope of this article to chart in detail the background to the Japanese central government's decision to nationalise the Senkaku islands, through the purchase of three of its five constituent features, but domestic politics in both countries was instrumental to the escalation of the dispute into a full-blown diplomatic crisis.[73] Tension between Tokyo and Beijing over the islands is not, of itself, new. The dispute has periodically triggered frictions in Japan-China relations that have erupted at least once per decade since the normalisation of diplomatic relations (for example, in 1978, 1987 and 1996, 2005 and 2010). Bouts of earlier diplomatic tension have been occasioned by tit-for-tat landings on the uninhabited islands by nationalists from Japan, China, Hong Kong or Taiwan. However, such episodes have in the past subsided relatively quickly, without poisoning the political relationship. By contrast, the flare-up occasioned by the Japanese government's 'nationalisation' not only prompted unprecedented anti-Japanese protests in Chinese cities and belligerent rhetoric in the short term, but has continuously dominated the political relationship for more than two years, effectively freezing Japan-China ties at a low ebb of official activity and mutual recrimination.

At the political level, the inability, or unwillingness, of leaders on both sides to break out of the current action-reaction cycle owes in part to the thinning out of links between Japanese and Chinese politicians. What helps to sustain the current conflictual dynamic is the absence of senior figures with the credibility, experience and motivation not simply to act as government envoys but to conduct informal diplomacy that in previous decades helped to insulate bilateral relations against ideological or personality factors on the part of either leadership.[74] China's official anger has hinged on the argument that the Democratic Party of Japan (DPJ) Noda administration's decision to purchase three of the islands from a private landowner was a provocative revision of the status quo tacitly agreed upon at the time of diplomatic normalisation. Japan's central government has in turn rationalised the nationalisation decision as a damage-limitation measure to pre-empt the expressly nationalistic purchase campaign led by the conservative former Governor of Tokyo Ishihara Shintaro.[75] Gavan McCormack has charted in detail how the

[72] 'China Says Japan Fighter Jets Shadowed its Planes over Disputed Waters', *Reuters*, 7 August 2014, <www.reuters.com/article/2014/08/07/us-china-japan-idUSKBN0G70B 220140807> [Accessed 10 September 2014].

[73] For a full and detailed accounting, see: International Crisis Group, *China-Japan Relations On the Rocks*, Asia Report No. 245, 8 April 2013, <www.crisisgroup.org/~/media/Files/asia/north-east-asia/245-dangerous-waters-china-japan-relations-on-the-rocks.pdf> [Accessed 10 January 2015].

[74] Ibid, p. 32.

[75] Euan Graham, 'China-Japan Tensions: Heading for the Rocks?', RSIS Commentary 173/2012, 13 September 2012.

Senkaku islands became deeply embroiled as an identity symbol in Japan's domestic politics during 2012. Initially, as the relatively moderate Noda administration sought to respond to the popular campaign led by Ishihara, it adopted increasingly intransigent language in relation to the islands. Following the nationalisation of the islands in September, Prime Minister Noda quickly re-branded the Senkaku islands as "intrinsic territory" (*koyu no ryodo*), implying that there could be no dispute or negotiation over their status. During the subsequent Lower House election campaign, Shinzo Abe ratcheted up the political rhetoric further, featuring the Senkaku islands within his overall campaign slogan of "taking back the country", in spite of the fact that Japan remained in effective control of the islands.[76]

Impending political transition was a common factor that contributed to the hardening of positions on both sides, as the diplomatic fallout escalated after September 2012. This was most obviously the case in Beijing, straddling the succession from fourth to fifth generation Communist Party leaders under Xi Jinping. Japan too was at a political watershed, with the centre-left DPJ administration, its popularity waning, facing elections in the Lower House of the Diet. In December 2012, the conservative Liberal Democratic Party was returned to power with an unexpectedly strong electoral victory under Abe, who campaigned on an avowedly nationalist platform.

While the Abe administration refuses to recognise, in legal terms, that it has a territorial dispute with China, it has notably refrained from measures certain to elicit an escalatory counter-response from Beijing, including the economic development, settlement or fortification of the islands. Nevertheless, the Chinese Government's response, sustained well beyond the immediate leadership transition to Xi Jinping, has raised the ante from diplomatic protest and counter-protest to a concerted campaign aimed at *physically* challenging Japan's claim to exercise administration over the islands, including regular surface and air incursions within the surrounding territorial sea. According to Japanese claims, between 11 September 2012 and 19 June 2013, China sent government vessels into territorial waters around the islands a total of forty-seven times. The short-term diplomatic objective of such tactics has been to pressure Japan to admit officially that there is a dispute over sovereignty, longer term at testing Japan's resolve.

In November 2014, following a period of more than two years in which the political leaders of Japan and China had no substantive contact, President Xi and Prime Minister Abe met finally on the sidelines of the Asia Pacific Economic Cooperation (APEC) summit in Beijing. A carefully worded joint statement was released acknowledging that both parties hold differing views on the status of the Senkaku/Diaoyu, without implying any concession on the

[76] Gavan McCormack, 'Much Ado over Small Islands: The Sino-Japanese Confrontation over Senkaku/Diaoyu', *The Asia Pacific Journal: Japan Focus*, vol. 11, Issue 21, no. 3 (27 May 2013), <japanfocus.org/site/make_pdf/3947> [Accessed 10 January 2015].

question of sovereignty.[77] 'Defending Japanese sovereignty' and 'recovering Chinese sovereignty' in the Senkaku/Diaoyu islands have become mutually exclusive *idées fixes*, anchored in identity politics, and closely associated with the political legitimacy and fortunes of incumbent leaders in both countries. The Westphalian concept of sovereignty as an irreducible and non-divisible commodity is, in many ways, the enemy of compromise between China and Japan. One Chinese scholar has suggested that China and Japan should "consider moving away from the Westphalian model of exclusive territorial sovereignty" in order to escape a zero-sum mentality trap.[78] However, there is little indication that political elites in either country are prepared to moderate their claims.

Risky as the prevailing situation in the East China Sea remains, that this deliberate pattern of intrusion has not resulted in any serious collisions, loss of life or exchange of fire suggests a degree of tactical forbearance by both sides, given that their overlapping patrols are aimed at asserting, and in Japan's case enforcing, rival sovereignty claims. It should further be noted that the navies of both countries have been assigned a mainly rearguard role around the Senkaku/Diaoyu islands, as a 'fire-break' against military escalation. The fire-control radar 'illumination' incident of January 2013, as most serious directly involving naval vessels since the current round of tensions began, in fact took place some distance from the islands.

Chinese law enforcement vessels have more recently restricted their counter-sovereignty operations to elliptical transits within the 12 nm limit around the Senkaku/Diaoyu islands.[79] When their presence has been prolonged this has usually followed 'provocations', such as Japanese cabinet ministers visiting the Yasukuni shrine, underlining the explicit linkage to wider ideational irritants in the bilateral relationship. JCG patrol ships for their part have routinely demanded that Chinese government vessels entering territorial waters around the islands vacate the area, but stopped short of boarding or other 'kinetic' tactics risking injury or loss of life. While the patrols and counter-patrols around the Senkaku/Diaoyu islands have become almost scripted encounters, close encounters in the air have more potential for escalation and miscalculation given the limited reaction times involved. Japan has protested against a number of close aerial encounters over the East China Sea,

[77] Aurelia George Mulgan, 'Abe's Humiliation in Beijing', *The Diplomat*, 17 November 2014: <thediplomat.com/2014/11/abes-humiliation-in-beijing> [Accessed 10 January 2015].

[78] Quansheng Zhao, 'No War in the East China Sea', in T. Arai, S. Goto and Z. Wang (eds), *Clash of National Identities: China, Japan and the East China Sea Territorial Dispute*, Woodrow Wilson Center, 2013, <www.wilsoncenter.org/sites/default/files/asia_china_seas_web.pdf> [Accessed 10 January 2015], p. 53.

[79] Japan has not delimited an Exclusive Economic Zone around the Senkaku/Diaoyu islands.

involving civilian and military aircraft.[80] The long-term implications of China's overlapping ADIZ in the East China Sea remain unclear.

Prior to 2012, awareness of the risks of escalation in the East China Sea prompted official efforts, on both sides, to improve crisis management and communications procedures. From 2008, substantive contacts took place, chiefly between the two defence ministries, with the aim of putting in place maritime confidence-building measures and 'hotline' communications mechanisms. Among these were the Japan-China Maritime Communications Mechanism, the Maritime Search and Rescue Cooperation Agreement and the High-Level Consultation on Maritime Affairs.[81] By June 2012, these initiatives to improve maritime links between navies and government agencies from Japan and China had yielded agreement in three areas: first, to hold annual working level discussions; second, to set up a maritime crisis hotline; and third, to establish agreed communications protocols in the case of unplanned encounters between PLA-N and JMSDF vessels.

While the level of interaction between the two defence ministries was relatively advanced, Japan experienced less success extending the arrangements to the various Chinese civil law enforcement agencies. A parallel dialogue track between the JCG and China's Maritime Safety Administration, originating from a March 2009 meeting in Beijing, made further progress towards a bilateral Search and Rescue agreement. In a sign of growing confidence, in December 2011 this progressed to an agreement in principle between Premier Wen Jiabao and Prime Minister Noda Yoshihiko at a meeting that further saw the establishment of a High-Level Consultation on Maritime Affairs—in mutual recognition of the need to extend to growing Japan-China maritime exchanges an appropriate level of political cover. However, the political oxygen necessary to sustain these bilateral maritime confidence-building and crisis management links quickly dissipated following the Noda administration's decision to purchase the islands. Despite Japan's attempts to re-kindle working-level contacts and resuscitate the Maritime Communications Mechanism following the APEC summit meeting, inertia rooted in identity politics continues to stand in the way of realising crisis management mechanisms already agreed to in principle by defence officials on both sides.

Conclusion

At a geopolitical level, Japan and China's embrace of a national maritime strategic imperative within the spatially limited confines of the East China Sea appears threatening to the other, fanning a security dilemma to which the US-

[80] Martin Fackler, 'Japan Protests Chinese Flybys Over East China Sea', *New York Times*, 11 June 2014, <www.nytimes.com/2014/06/12/world/asia/japan-protests-chinese-flybys-over-east-china-sea.html?_r=0> [Accessed 10 January 2015].

[81] James Przystup, John Bradford and James Manicom, 'Japan-China Maritime Confidence Building Communications Mechanisms', Pacnet number 67, 20 August 2013, <csis.org/files/publication/Pac1367.pdf> [Accessed 10 January 2015].

Japan alliance framework lends a triangular dimension. Compounding these strategic frictions are ideational factors, in the form of unresolved historical and mutually exclusive narratives that project nationalist symbolic value on 'recovering' and 'defending' sovereignty over the Senkaku/Diaoyu islands. This ideational trend became reactively amplified during parallel domestic political transitions in both countries, in 2012. The currently choppy waters in the East China Sea therefore echo the broader Sino-Japanese dynamic.

Until 2008, joint development of seabed energy resources in the East China Sea appeared to be progressing under the Principled Consensus. However, since 2010 strategic distrust and nationalist tension has prevailed over the liberal paradigm. Considerable scope nonetheless exists for China and Japan to leverage the benign qualities of the sea through maritime cooperation at a geographical remove, based on their substantial shared interests in the smooth functioning of the global maritime transportation system, including SLOC security and counter-piracy.

Coinciding with increased maritime tensions, economic integration between Japan and China has begun to plateau. A causal relationship between these trends does not automatically follow and the depth of economic ties between the two countries, including an active seaborne commercial component, has to be factored in as significant 'ballast' within the overall relationship. However, if the political animus towards Japan currently evident in China percolates further into the commercial relationship, as potentially foreshadowed by the *Baosteel Emotion* case, the liberal promise of maritime economic cooperation could be fundamentally challenged.

That China naturally aims to exert greater control over its maritime periphery, while acquiring the means to project its forces further out, from the 'green' waters around its continental shelf to the 'blue' waters beyond the First Island Chain does not necessarily signal aggressive intent, though it may easily appear menacing to Japan. That China should perceive Japan as a constraint on its maritime ambitions is also understandable, since Japan's island arc is both a natural screen blocking China's access to the Pacific north of Taiwan and serves a platform for US forward military deployment. These mutually reinforcing threat perceptions are likely to sustain the security dilemma, manifested in a tense and sometimes openly hostile relationship between China and Japan, for as long as Beijing views the US-Japan maritime axis as aimed at containing the growth of Chinese power, and Tokyo perceives itself as targeted in China's pursuit of 'maritime power'.

Geostrategic factors may explain 'structural' frictions in the Japan-China relationship, and an action-reaction dynamic in the maritime security and defence postures being pursued by Beijing and Tokyo. However, to account for the dramatic deterioration in Japan-China relations since 2012, we must additionally factor in the ideational value attached to the Senkaku/Diaoyu islands as the symbolic embodiment of a bitterly contested sovereignty that

became politicised during parallel leadership transitions in both countries, with both Xi Jinping and Shinzo Abe investing their political capital heavily in pursuit of policy positions that still appear difficult to reconcile, despite a lowering of tensions in recent months.

The sea, itself, retains its dualistic nature, as a neutral element in the ebb and flow of conflict and cooperation between China and Japan: part buffer, part enabler as well as the abode of natural resources subject to competing claims. Unlike in Japan's pre-modern history, when the East China Sea could serve as a moat behind which Japan could maintain a deliberate distance from the Asian continent, a maritime buffer alone is no longer sufficient to contain a confrontational dynamic that currently defines Japan-China maritime relations across the economic, political and strategic spectrum.

Euan Graham is Director of the International Security Program at the Lowy Institute. Prior to joining the Lowy Institute he was a Senior Fellow at the Rajaratnam School of International Studies in Singapore, specialising in maritime issues. He is a long-time observer of East Asia, having worked for a private sector consultancy and the British Government before joining the think tank world. Graham remains an Associate Fellow at the UK Royal United Services Institute. He can be contacted at egraham@lowyinstitute.org.

Understanding the Logic: An Analysis of Jihadist Targeting and Tactics in Western Countries from 2000 to mid-2012[1]

Shandon Harris-Hogan

This article presents an overview of the evolution of the Jihadist threat to the United States, the United Kingdom and Australia between 2000 and mid-2012. It also conducts a detailed analysis of the targeting and tactical preferences of Jihadists operating in these countries, revealing clear correlations between the origin of the threat and the target and attack methodology chosen. Overall, it was found that while the origin of the threat has evolved throughout the period studied, the targets chosen and tactics employed have remained relatively consistent over time.

This article aims to generate a more detailed understanding of the threat posed to the United States, the United Kingdom and Australia by Jihadists. The first section will explore the origins of plots which targeted each of these countries domestically, and how this threat evolved from 2000 through until mid-2012. The main analysis will then focus on what was specifically targeted in each plot, and the means by which each target was to be attacked. The purpose of this is to ascertain how target selection and operational requirements altered throughout the period studied. By analysing trends over time, this paper aims to increase the understanding of the specific type of threat posed by Jihadists to these countries domestically. Such findings will hopefully inform decisions in relation to risk management and the prioritising of defensive counter-terrorism practices and policies in Western countries.

Jihadism is here defined as violent manifestations of Islamism, while Islamism refers to "activism justified with primary reference to Islam".[2] The United States, the United Kingdom and Australia (collectively referred to in this paper as the West) were specifically chosen for analysis as they all currently recognise Jihadism as the predominant terrorism threat to the country, and each share broadly comparable historical traits. The United States, United Kingdom and Australia are multicultural liberal democratic nations with a

[1] Australian Research Council support for the project "Radicalisation, Counter- Radicalisation, and De-Radicalisation: Developing a New Understanding of Terrorism in the Australian Context" (LP.0990577) is greatly appreciated.
A version of this paper was first presented at the 'Terrorism and Counter-terrorism in Australia and Indonesia: 10 years after Bali' Conference in Melbourne, 26-28 September 2012.
[2] Thomas Hegghammer, 'Should I Stay or Should I Go? Explaining Variation in Western Jihadists' Choice between Domestic and Foreign Fighting', *American Political Science Review*, vol. 107 (2013), p. 1.

strong and transparent rule of law, non-authoritarian policing and a range of social services available to citizens. These countries also use a mixture of hard and soft power to combat the threat of Jihadism, utilising broadly similar legal frameworks and policies.

Although Jihadism is a transnational phenomenon, this article seeks to analyse only Jihadist plots that have targeted American, Australian or British soil. Whilst the small sample of such terrorism plots makes traditional statistical examination difficult, paradoxically the low number of incidents makes detailed analysis of the specifics of individual events more possible. Indeed, when studying low incidence but high impact phenomenon such as terrorism, "it would be misleading to believe that quantitative research with large datasets, which—from a strictly methodological point of view—may be cleaner and more rigorous, is necessarily also the kind of research that will produce the most relevant insights about the phenomenon".[3] Hence, while an analysis of 71 individual incidents may ordinarily be considered a 'small n' in statistical terms, this study actually builds a comprehensive and detailed dataset from which conclusions regarding Jihadist plots targeting the West can be drawn.

A Jihadist plot targeting the West was included for analysis if it had progressed beyond condoning the use of violence, into actively preparing for an act of violence.[4] Foiled and failed plots were added to the sample as they provide "valuable information about the dynamics of terrorism".[5] Indeed, Alex Schmid notes that data which is in the public domain largely overlooks many failed or foiled terrorist attacks, and is frequently unable to clarify seemingly basic questions such as who was responsible for a particular attack.[6] Hence, the inclusion of failed and foiled plots provides a resource in itself, and boosts the sample to a size (71) where more detailed conclusions can be drawn with regards to target selection and attack style. Including foiled and failed plots also allows for the comparison of successful and failed operations in order to uncover if there are broad correlations between particular choices and outcomes.

The research design of this study is longitudinal in nature, whereby the transformation of various dimensions of Jihadist plots have been analysed over time. It aims to identify tentative trends and correlations by discerning, disaggregating and analysing empirical data relevant to each trend. Details

[3] Peter Neumann and Scott Kleinmann, 'How Rigorous Is Radicalization Research?', *Democracy and Security*, vol. 9 (2013), p. 378.

[4] The inclusion of a specific plot should have no bearing on the guilt or innocence of those involved, nor was a guilty conviction a requirement for addition. Many cases remain before the courts.

[5] Manni Crone and Martin Harrow, 'Homegrown Terrorism in the West', *Terrorism and Political Violence*, vol. 23 (2011), p. 529.

[6] Alex P. Schmid, 'The Literature on Terrorism', in Alex P. Schmid (ed.), *The Routledge Handbook of Terrorism Research* (London: Routledge, 2011), p. 461.

regarding each plot's origins, the individuals involved, their preparation activities and planned target and attack methodology were extracted from available sources, catalogued and coded. A requirement for the inclusion of a plot was that there was sufficient publicly available material to be able to establish the necessary information required for analysis. Material was predominantly drawn from court documents and academic studies which utilised primary sources. These materials provided the most authoritative information and were the source of greatest detail regarding individual incidents. Information on individual cases was supplemented where necessary with news reporting, the reliability of which was considered inferior. Hence, any conclusions drawn from this work should be made with these limitations regarding data in mind.

Categories of Attack

The origins of each of the 71 attempted acts of Jihadist terrorism have been broadly divided into three categories. These include attacks directed by al Qaeda core, incidents connected to an external affiliate or likeminded international Jihadist group, and self-starting plots conceived of and (potentially) executed in isolation from known international Jihadist organisations. It should be noted that such generic groupings cannot possibly encompass all the nuances involved in each plot. However, these categories do provide an initial mechanism to differentiate between the origins of each of the 71 plots. The following provides a breakdown of the origin of each planned attack.

Al Qaeda was originally founded in a three-day meeting held in Osama bin Laden's house in Peshawar during the Soviet invasion of Afghanistan.[7] Even though the al Qaeda network has become increasingly decentralised since that time, a core central organisation still continues to provide a degree of direction to its members, affiliates and followers from Pakistan (although this group has been severely depleted in recent times by international counter-terrorism operations).[8] During the thirteen and a half year period studied, a total of 10 plots targeting US, UK or Australian soil were conceptualised and directed by members of al Qaeda core. Broadly, these cases involved individuals travelling to Afghanistan or Pakistan and receiving instruction to carry out a specific mission. Individuals also received some level of guidance from al Qaeda central upon their return to their Western destination. Notably, 8 of these planned attacks targeted the United States, showing America to be the clear point of focus for al Qaeda core (with only one plot aimed at either Australia or the United Kingdom). This is reflected in a statement made by a

[7] Peter Bergen and Paul Cruickshank, 'Revisiting the Early Al Qaeda: An Updated Account of its Formative Years', *Studies in Conflict and Terrorism*, vol. 35 (2012), pp. 3-4.

[8] Katherine Zimmerman, 'The Al Qaeda Network: A New Framework for Defining the Enemy', *American Enterprise Institute*, September 2013, <http://www.criticalthreats.org/sites/default/files/pdf_upload/analysis/Zimmerman_the_al_Qaeda_Network_September_2013.pdf> [Accessed 5 February 2015].

senior operational commander close to bin Laden who instructed al Qaeda members "that U.S. citizens are the main target of the organization".[9]

The second category of plot includes individuals or groups affiliated with, or assisted by, a wide range of international terrorist organisations who broadly share al Qaeda's ideological worldview. Al Qaeda's modus operandi has long relied on co-opting existing Jihadist organisations,[10] and reorienting locally focused groups towards conducting attacks against Western targets.[11] In the period studied, 19 externally assisted or affiliated plans to attack domestic Western targets occurred; divided almost equally between the United States (10) and the United Kingdom (8), with one also occurring in Australia. The degree of contact and assistance given by the international organisation varies in each case, and some may even have had an element of previous contact with al Qaeda core. However, what remains consistent is that plots included in this category have not developed in isolation, and have been assisted to some degree by an international Jihadist organisation.

The final category involves plots inspired by Jihadist ideology which were self-starting. Such plots include individuals or groups which have radicalised in isolation from known international Jihadist organisations. Planning and preparation may have occurred in a number of forums and locations, or the plot may have been entirely 'home-grown'. Indeed, small social networks of Jihadists have emerged among Muslim diaspora communities in each of the United States, United Kingdom and Australia. Such individuals feel an intense connectivity to a global community, here conceptualised as a complex global microstructure,[12] and may have interacted virtually with other like-minded individuals. However, these factors have ultimately only inspired rather than directly assisted the plot.

In the period sampled there were 42 self-starting plots, of which almost 80 per cent targeted the United States. This anomaly regarding the high number of self-starting plots in the United States may have some relationship to the specific nature of the home-grown Jihadist networks within each of the countries. UK militants form an integrated and cohesive network, with London the centre of a dense Jihadi community.[13] It also has a long-established

[9] Cited in Martin C. Libicki, Peter Chalk and Melanie Sisson, *Exploring Terrorist Targeting Preferences* (Santa Monica CA: RAND Corporation, 2007), p. 8.

[10] Scott Helfstein and Dominick Wright, 'Success, Lethality, and Cell Structure Across the Dimensions of Al Qaeda', *Studies in Conflict and Terrorism*, vol. 34 (2011), p. 379.

[11] Bill Braniff and Assaf Moghadam, 'Towards Global Jihadism: Al-Qaeda's Strategic, Ideological and Structural Adaptations since 9/11', *Perspectives on Terrorism*, vol. 5 (2011), p. 43.

[12] For a description of complex global microstructures and how this relates to Jihadism see Karin Knorr Cetina, 'Complex Global Microstructures: The New Terrorist Societies', *Theory, Culture and Society*, vol. 22 (2005).

[13] Eliane Tschaen Barbieri and Jytte Klausen, 'Al Qaeda's London Branch: Patterns of Domestic and Transnational Network Integration', *Studies in Conflict and Terrorism*, vol. 35 (2012), p. 421.

facilitation network connecting individuals to international Jihadist organisations. Australia has a small interconnected network of Jihadists which transcends time and specific operations.[14] Each operational cell which emerged in Australia also contained at least one member who had trained overseas.[15] By contrast the US network appears more dispersed and is better described as a diffuse collection of autonomous actors.[16] The geographically sparse nature of US Jihadism meant that during the period studied the United States did not appear to have any consistent established network able to connect individuals internationally. Hence, US Jihadists may have been more likely to become involved in self-starting plots as it was more difficult for those inspired by the ideology to connect with international Jihadist organisations, including al Qaeda core. This discrepancy may also reflect differences in the way counter-terrorism operations are run in the United States, with plots often brought to fruition earlier by undercover operations.[17]

Evolution over Time

Although categorising the origins of the Jihadist threat to the West is broadly instructive, it is clear that over the period studied the threat evolved in response to a range of events. Figure 1 visualises the number of each category of plot from 2000 through until mid-2012. What becomes immediately apparent is that between 2000 and 2008 the Jihadist threat remained relatively consistent. In each of these years there were between 3 and 5 plots (barring 2006 with 7). Hence, the number of incidents could be considered to be relatively stable. However, in more recent times the number of plots perpetrated annually has escalated. The period between 2007 and 2012 contained 71 per cent of all Jihadist plots in this sample, and in the final three and a half years studied a total of 32 plots were uncovered. The following will attempt to unpack some possible explanations for this escalation in the frequency of planned attacks.

In the period between 2000 and 2003, 60 per cent of plots were al Qaeda directed. This period also accounted for 80 per cent of the total number of al Qaeda directed plots (8 of 10). Consequently, plots originating from and directed by al Qaeda core should be viewed as the dominant threat between 2000 and 2003. However, from 2004 onward, al Qaeda core's ability to attack the West on their own soil was degraded significantly, with international counter-terrorism efforts rendering the threat virtually non-existent for the

[14] Shandon Harris-Hogan, 'Australian Neojihadist Terrorism: Mapping the Network and Cell Analysis using Wiretap Evidence', *Studies in Conflict and Terrorism* 35 (2012).

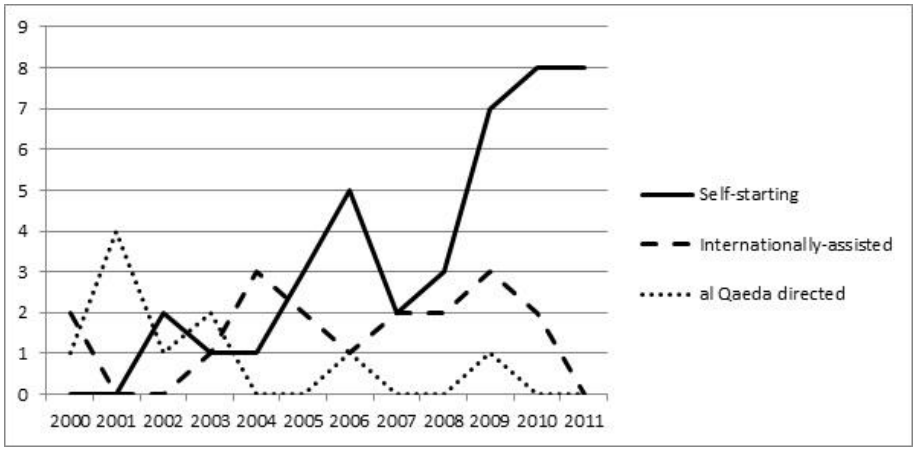
[15] Shandon Harris-Hogan, 'The Australian Neojihadist Network: Origins, Evolution and Structure', *Dynamics of Asymmetric Conflict*, vol. 5 (2012).

[16] Barbieri and Klausen, 'Al Qaeda's London Branch', p. 423.

[17] Beau D. Barnes, 'Confronting the One-Man Wolf Pack: Adapting Law Enforcement and Prosecution Responses to the Threat of Lone Wolf Terrorism', *Boston University Law Review*, vol. 92 (2012).

following decade.[18] By contrast, the number of attacks planned by individuals or groups somewhat affiliated with international terrorist organisations remained consistent, with 19 plots relatively evenly spread across the period.

Figure 1: Origin of Plot over Time



While the annual number of internationally directed or connected plots has remained relatively stable, the nature of the threat at the end of the sample period is vastly different to what it was in the early 2000s. In the period between 2000 and 2005 only 30 per cent of plots were self-starting. However, post 2006 this category accounts for 60 per cent of the threat. Moreover, from 2010 onwards self-starting plots accounted for 85 per cent of planned attacks. Hence, self-starting plots clearly escalated in frequency over the sample period, and their increase largely accounts for the more recent overall increase in attempted attacks. It has been argued that following the collapse of the US economy in September 2008, the Jihadist phenomenon entered a new period, termed its "strategy of a thousand cuts" phase, which focused on smaller but more frequent attacks.[19] This shift in strategy appears to be almost exclusively executed by those inspired by the al Qaeda narrative.

Notably, this shift towards self-starting Jihadist plots could be said to roughly equate with the surge in popularity of figures such as Anwar al-Awlaki. For instance, Roshonara Choudry (who stabbed British MP Steven Timms in 2010) noted that her radicalisation really accelerated when she started to

[18] For a full description of the factors impacting the evolution of al Qaeda over this period see: Jason Burke, *The 9/11 Wars* (England: Penguin Group, 2011).

[19] Daveed Gartenstein-Ross, 'Bin Laden's "War of a Thousand Cuts" Will Live On', *The Atlantic*, 3 May 2011.

listen to Anwar al-Awlaki lectures.[20] Along with a prominent YouTube presence, Awlaki also assisted Samir Khan to produce *Inspire* magazine which first emerged in mid-2010. *Inspire* is a glossy English language jihadist magazine created by AQAP, which provided a sanction to commit violence in Western countries by publishing the writings and rulings of revered international Jihadist figures such as Abu Mus'ab al Suri and Awlaki himself.[21] In 2011 Australian Security Intelligence Organisation Director General David Irvine noted that the targeting of young, English-speaking Muslims in Western countries through *Inspire* was of "particular concern".[22] The first two editions of the magazine advised 'brothers in the West' to "acquire weapons and learn methods of war … they can cause great harm to the enemy".[23] The second edition strongly encouraged "our brothers to fight jihad on US soil. In fact even if travelling to join the fronts of jihad was accessible, we would still encourage them to perform operations in the West".[24] The extent to which the acceleration in the number of self-starting plots is potentially related to the rise in the popularity of figures such as Awlaki and propaganda publications in the mould of *Inspire* is an issue which requires detailed analysis moving forward.

Success Rate

It is important to note that the 71 Jihadist plots did not all advance to the same stage. Approximately 70 per cent of plots were intercepted by authorities during the planning phase. Though there are multiple countries and numerous law enforcement authorities involved in this sample, this figure of 70 per cent intercepted falls short of other benchmark rates. Benchmark interdiction rates include the "80% achieved by British counter-terrorism forces during the IRA campaign in England" and the "90% achieved by Israeli counter-terrorism forces during the second Palestinian Intifada".[25]

This 70 per cent interception figure leaves behind 17 plots which were not identified by authorities. These undetected plots are spread throughout the period studied, and are relatively evenly dispersed between al Qaeda directed, internationally affiliated and self-starting. Of these 17 undetected plots, 6 were ultimately successful (with success being defined as the death

[20] Vikram Dodd, 'Roshonara Choudry: Police Interview Extracts', *The Guardian,* 4 November 2010.

[21] Shandon Harris-Hogan, 'Inspire Magazine: Inciting Terrorism in Australia?', *The Conversation,* 10 December 2012.

[22] David Irvine, 'Director-General Speech: Address to the Security in Government Conference 2011 – Australia's Security Outlook', Canberra, 26 July 2011, <http://www.asio.gov.au/Publications/Speeches-and-Statements/Speeches-and-Statements/26-July-2011-Security-in-Government-Conference.html> [Accessed 5 February 2015].

[23] 'Interview with Shaykh Abu Basir: The Head of al Qa'idah in the Arabian Penninsula', *Inspire Magazine,* vol. 1 (Summer 2010), p. 17.

[24] Yaya Ibrahim, 'Tips for Our Brothers in the United States of America', *Inspire Magazine,* vol. 2 (Fall 2010), p. 55.

[25] Gordon Woo, 'Interdiction of Plots with Multiple Operatives', in Uffe Kock Wiil (ed.), *Counterterrorism and Open Source Intelligence* (New York: Springer, 2011), p. 50.

of at least one individual targeted not including the perpetrator). These successful plots include the al Qaeda directed September 11, 2001 attacks in the United States,[26] the July 2002 shootings at Los Angeles airport,[27] the internationally assisted July 2005 London Public Transit suicide bombings,[28] the July 2006 shooting at the office of the Jewish Federation of Greater Seattle,[29] the June 2009 shooting at a US Army-Navy Career Centre in Little Rock, Arkansas,[30] and the November 2009 shooting of soldiers at Fort Hood in Texas.[31] The three most successful (when measured by body-count) contain one of each category of origin, showing no one type to be clearly more effective.

While 85 per cent of planned attacks post 2010 fall into the self-starting category, many self-starting plots broadly appear less well prepared and executed than those connected internationally. Hence, while they may be more frequent in number, the less sophisticated nature of self-starting plots means they are more limited in their ability to inflict mass casualties. However, this shift in strategy towards smaller and more frequent, but less sophisticated attacks, was not a change endorsed by Osama bin Laden.[32] Bin Laden did not approve of publications such as *Inspire* and warned of the magazine's "dangerous consequences … due to its tasteless content and no doubt to the poor planning of the operations it promotes".[33] Bin Laden instead "urged methodical planning of suicide operations" and "not to send a single brother on a suicide fida'iyya operation".[34] Moreover, while a number of self-starting plots claimed to be carrying out actions called for in al Suri's 1,600-page manifesto (The Call for Global Islamic Resistance), Pantucci notes that it is unclear whether al Suri would "necessarily approve" of publications such as

[26] For a description of the plot see: *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: W. W. Norton & Company, 2004).

[27] For a description of the plot see: Jeffrey Thomas, 'Jihadist Terrorism: Targeting America', *Center for the Study of the Presidency and Congress,* 17 May 2012, p. 3.

[28] For a description of the plot see: Mitchell D. Silber, *The Al Qaeda Factor: Plots Against the West.* (Philadelphia: University of Pennsylvania Press, 2011), p. 121.

[29] For a description of the plot see: Lorenzo Vidino, 'Homegrown Jihadist Terrorism in the United States: A New and Occasional Phenomenon?', *Studies in Conflict and Terrorism*, vol. 32 (2009), p. 10.

[30] For a description of the plot see: Jerome P. Bjelopera and Mark A. Randol, 'American Jihadist Terrorism: Combating a Complex Threat', *Congressional Research Service,* 7 December 2010. pp. 91-3.

[31] For a description of the plot see: J. M. Berger, 'Why U.S. Terrorists Reject the Al Qaeda Playbook', *The Atlantic*, 19 July 2011.

[32] Don Rassler, Gabriel Koehler-Derrick, Liam Collins, Muhammad al-Obaidi and Nelly Lahoud, *Letters From Abbottabad: Bin Laden Sidelined?* (West Point: Combating Terrorism Centre, 3 May 2012).

[33] Ibid.

[34] Ibid.

Inspire, and would not be "impressed by the religious and ideological knowledge displayed by the army of young people who are taking up arms".[35]

However, shortly after the death of Bin Laden, al Qaeda's media production arm released a video urging sympathisers to attack Western targets with firearms, and a document found on an alleged Austrian al Qaeda operative (believed to be written by a senior al Qaeda figure) recommended that foreign fighters should be trained quickly and sent home to enhance the group's ability to target the west regularly.[36] Therefore it appears that despite bin Laden's reluctance to adopt a strategy of smaller but more frequent attacks, this methodology has become the preferred modus operandi of al Qaeda and those inspired by the group's ideology following his death.

Regardless of the perceived ideological legitimacy of the different approaches, the actual likelihood of a plot remaining undetected prior to an attempted attack remains (in percentage terms) almost identical for each category. Hence, no one manifestation should be considered more likely to succeed. Given that designing defensive counter-terrorism measures and prioritising Countering Violent Extremism (CVE) efforts have largely become an exercise in risk management,[37] it is necessary to look beyond the origins of a plot to understand the domestic threat to the West posed by Jihadist violence. To further this endeavour the focus of this article will now turn to understanding what specifically has been targeted and how these targets were to be attacked.

Target Selection

Though studies of targeting have been somewhat neglected in terrorism literature,[38] it is widely accepted that acts of terrorism do not simply involve random killing. Rather, killing is a strategy used to achieve a political and/or ideological goal. Indeed, terrorists are rarely mindless or indiscriminate in their attacks. Nemeth notes that "extant narratives from terrorists of all stripes, as well as contributions from previous scholars has established that the targeting and execution of terrorist acts are dictated by more substantial logics than the need to merely cause destruction".[39] At the most basic level target selection is limited by an individual or group's overall capacity and resources, as well as the feasibility of attacking a particular target. However, capability says

[35] Rafaello Pantucci, 'Whither al Suri?', 26 January 2012, <raffaellopantucci.com/tag/abu-musab-al-suri/> [Accessed 5 February 2015].

[36] Virginie Andre and Shandon Harris-Hogan, 'Mohamed Merah: From Petty Criminal to Neojihadist', *Politics, Religion & Ideology*, vol. 14 (2013), p. 315.

[37] Woo, 'Interdiction of Plots with Multiple Operatives', p. 50.

[38] Peter Toft, Arash Duero and Arunas Bieliauskas, 'Terrorist Targeting and Energy Security', *Energy Policy*, vol. 38 (2010), p. 4411.

[39] Stephen Nemeth, 'Adaptive Tactics: Terrorist Targeting and Regime Type', Paper prepared for presentation at the Midwest Political Science Association Annual Meeting, Chicago, 20-23 April 2006, p. 21.

nothing about what a group wants to achieve. Drake notes that given a choice of targets, terrorists acting rationally "will choose to attack those which confer the greatest benefits upon their cause".[40] What these potential benefits may be is framed by the group's ideology, which provides the prism through which individuals view the world, defines a group's enemies, identifies a range of 'legitimate' targets, and offers the associated explanation for their targeting.[41] Therefore, the probability that a group or individual will select any given target, and the associated attack modality, can be described as a function of two variables; capability and motive.

As violence is being used in support of a specific cause, attacking a certain target will also be designed to convey a specific message. This message must be carefully designed to simultaneously influence decision-makers,[42] cause fear among the country or people targeted and create sympathy and admiration among supporters of the cause.[43] In order to convey this message to all relevant audiences, the target attacked must be prominent and hold enough symbolic relevance to gain significant media attention. Attacking a small or obscure target will have comparably less impact, somewhat explaining al Qaeda's focus on cities and targets well known in the Islamic world.[44] Thus capability and strategic objectives combine together into an attack designed to deliver a specific message to the largest possible audience.

In order to convey the correct message to a particular audience, target selection must be modified depending on the specific location. For example, a study of bombings carried out by Chechen rebels found that, "civilian targets were more likely to be bombed in Russia and that non-civilian targets were more likely to be bombed in Chechnya".[45] In this way the targets chosen were seen to be 'legitimate' to the group's supporters. Silke notes that targets can be selected only "provided that the support base for the movement supports such decisions".[46] Support for a group perpetrating an attack and its cause could be jeopardised if there is a large loss of lives perceived as innocent, or if the action is considered excessive or unjustified. For instance, the Algerian

[40] C. J. M. Drake, 'The Role of Ideology in Terrorists' Target Selection', *Terrorism and Political Violence*, vol. 10 (1998), p. 54.

[41] See Adam Dolnik, *Understanding Terrorist Innovation: Technology, Tactics and Global Trends* (New York: Routledge, 2007), p. 14.

[42] Libicki, Chalk and Sisson, *Exploring Terrorist Targeting Preferences*, p. 10.

[43] Martha Crenshaw Hutchinson, 'The Concept of Revolutionary Terrorism', *The Journal of Conflict Resolution*, vol. 16 (1972), pp. 383-96.

[44] Peter Bergen, Bruce Hoffman and Katherine Tiedamann, 'Assessing the Jihadist Threat to America and American Interests', *Studies in Conflict and Terrorism*, vol. 34 (2011), p. 88.

[45] Lisa M. McCartan, Andrea Masselli, Michael Rey and Danielle Rusnak, 'The Logic of Terrorist Target Choice: An Examination of the Chechen Rebel Bombings from 1997-2003', *Studies in Conflict and Terrorism*, vol. 31 (2008), p. 63.

[46] Andrew Silke, 'Understanding Terrorist Target Selection', in Anthony Richards, Pete Fussey and Andrew Silke (eds), *Terrorism and the Olympics: Major Event Security and Lessons for the Future* (New York: Routledge, 2011), p. 55.

Armed Islamic Group (GIA) was dealt a major blow when diaspora support declined following widespread objections to its indiscriminate violence.[47] More recently, AQAP issued a public apology and offered to pay blood money after 'rogue' militants killed fifty-six people (including doctors, nurses and patients) at a hospital in Sanaa.[48] In this way the supporters and sympathisers of a group impose the guidelines and limits on what should be targeted, and ensure the logic driving the attack remains, gaining the most benefit for the cause.

Jihadist Targeting in Western Countries

A specific target had been explicitly identified (or at least discussed in enough detail that conclusions about intentions could be made) in 67 of the 71 cases of Jihadist terrorism documented. Within these 67 cases distinct patterns can be seen in the choice of target. What became immediately apparent was that over two-thirds of plots (45 of 67) targeted civilians or 'non-combatants'. Conversely, only 22 cases planned to attack 'combatants' (a term encompassing both government and military targets).

There are also distinct correlations between the origin of the threat and the type of target chosen. For example, 18 of the 22 cases which targeted combatants were initiated by self-starters. That the threat to military and government targets in Western countries has overwhelmingly come from self-starting plots supports research by Berger, who notes that "self-starters show a strong tendency to choose military targets".[49] Indeed, prior to 2009 only 12 per cent of plots targeted combatants. Yet in the last four years of the sample, 55 per cent of plots selected combatants. Hence, the threat to government or military targets and those perceived as 'combatants' dramatically escalated towards the end of the period studied, in direct relation to an increase in self-starting plots. However, the finding that self-starting plots are more likely to target combatants is surprising considering that self-starters tend to be poorly prepared and less sophisticated in their attack methodology. Such a finding suggests that although many self-starters may be inspired to attack hardened targets, they may overestimate their own capabilities to do so.

Yet, the fact remains that plots targeting non-combatants outnumber those that target combatants more than two to one. From an operational standpoint, civilians are undoubtedly easier targets to attack, making them the more realistic target choice. Notably, 90 per cent (9 of 10) of all al Qaeda core directed plots targeted non-combatants and 83 per cent (15 of 18) of all

[47] Alison Pargeter, *The New Frontiers of Jihad: Radical Islam in Europe* (Philadelphia: University of Pennsylvania Press, 2008), pp. 83-93.

[48] James Bone, 'Al-Qa'ida Apologises for Attack on Yemen Hospital that Killed 56', *The Australian,* 23 December 2013.

[49] Berger, 'Why U.S. Terrorists Reject the Al Qaeda Playbook'.

internationally affiliated plots targeted civilians. The overwhelming priority of internationally connected plots has therefore been to target civilians.

There is also a distinct pattern to the type of civilian target selected. Of the 45 plots which targeted non-combatants in this sample, 44 per cent planned to target mass transport. Mass transport is an attractive target as it provides high concentrations of people, causes significant economic and physical destruction and has a profound psychological impact on the society targeted.[50] Mass transport is also particularly vulnerable as it "operates on an advertised schedule and has less physical security than … hard-target infrastructure, making it easier for terrorists to both plan and carry out attacks".[51] Notably, 85 per cent of plots targeting some form of mass transport were either al Qaeda directed (6) or assisted by an internationally affiliated organisation (11). Indeed, mass transport accounts for the majority of all targets chosen by both al Qaeda directed and affiliated plots in the West. Moreover, 10 of the 20 plots aimed at mass transport specifically targeted airports or aircraft. Despite airports and aeroplanes having had an enormous amount of money invested in their protection since the 9/11 attacks (becoming probably the most heavily guarded civilian sites when it comes to preventing terrorist attacks),[52] air travel has remained a consistent target choice. The threat to mass transport has also remained consistent over time, with at least one plot against this type of target in all but two of the years analysed.

While transport appears to be the priority target of internationally connected attacks, when self-starting plots target civilians, they target transport only 8 per cent of the time. One potential explanation for this discrepancy may be that many successful and spectacular attacks on mass transport have often involved the synchronisation of multiple attacks. Synchronisation of attacks can lead "to a large number of casualties, especially in the case of employment of secondary and tertiary devices, where the whole premise is to attract a large crowd as close to the location of a large explosive device as possible".[53] Yet in the West, synchronisation and multiplication of attacks has largely only been attempted by internationally directed or affiliated plots. Perhaps as a result of their more restricted capabilities self-starters have come to have a different set of priorities when it comes to targeting civilians.

---

[50] Steve Swain, 'Securing the Transport System', in Anthony Richards, Pete Fussey and Andrew Silke (eds), *Terrorism and the Olympics: Major Event Security and Lessons for the Future* (New York: Routledge, 2011), p. 76.

[51] Transportation Security Administration: Office of Intelligence, 'Mass Transit System Threat Assessment', United States Department of Homeland Security, 29 February 2008, <info.publicintelligence.net/masstransitthreat.pdf> [Accessed 5 February 2015], p. 3.

[52] Victor Asal, R. Karl Rethemeyer, Rose Bellandi, Richard Legault and Robert Tynes, 'Making the Wrong Connection: The Determinants of Terrorist Targeting of Airplanes and Airports', Paper presented at the International Studies Association Annual Convention, New Orleans, 17-20 February 2008. p. 11.

[53] Dolnik, *Understanding Terrorist Innovation*, p. 53.

Indeed when targeting civilian populations, self-starting groups and individuals tended to be far less discriminating in their target choice. Of the 15 plots in this sample which could be said to indiscriminately target crowds (in places such as shopping centres or sporting events), 11 were self-starting. Indeed, 28 per cent of all self-starting attacks specifically aimed to simply kill civilians, with very little symbolic significance to the target. In this instance the message appears primarily about instilling fear in the target population or delivering some form of retribution. Additionally, only self-starting plots have planned to target religious institutions. It can therefore be argued, that plots connected in some manner to international Jihadist organisations appear to give more thought as to whether the broad support base for the movement will approve of their actions, and are far more likely to accept that there are limits to what they can do. Conversely, self-starters seem much less likely to acknowledge such restrictions and appear to place a higher priority on killing or retribution as the primary message.

Attack Method

In terms of the method of attack, 65 per cent of all planned attacks involved the use of explosives, with bombs more likely to be used overall at a rate of 2 to 1 when compared to conventional weapons. This reliance on explosives is relatively unsurprising. Dolnik notes that explosives have been the preferred weapon in the arsenals of terrorist groups and that "the vast majority of high fatality terrorist incidents have all been bombings".[54] Over the period studied, internationally affiliated or al Qaeda directed plots demonstrated a distinct preference towards using explosives, doing so 76 per cent of the time. Conversely, self-starters were almost equally as likely to use explosives as they were to use weapons against targets in the West.

Over the period studied there are distinct correlations between the origin of the threat, and the target and weapon type selected. Eighty-three per cent (35 of 42) of all plots which planned to use explosives targeted civilians, demonstrating bombs to be the overwhelmingly preferable method of targeting non-combatants. Seventy per cent of all internationally connected plots (including both al Qaeda directed plots and those connected to an international affiliate organisation) planned to use explosives against civilians. Seventy-five per cent of all plots to kill civilians by self-starters also planned to use bombs. These numbers demonstrate a clear preference by Jihadists to use bombs in order to attack civilian targets.

There is also similar consistency in the targeting of those considered combatants. Of the 22 plots which targeted combatants, 18 were conceived of by self-starting Jihadists. Moreover, 15 of these planned to use conventional weaponry. There is therefore a very strong relationship between self-starters and a desire to use conventional weapons against military and

[54] Ibid., p. 36.

government targets. A significantly large proportion of the planned attacks against military and government targets have also occurred post 2009, demonstrating this to be an emerging trend in the West. Therefore, when prioritising counter-terrorism initiatives to combat a recent increase in the number of plots, particular emphasis should be placed on protecting military and law-enforcement personnel against *fida'iyya* style attacks by self-starting Jihadists.

The above analysis of Jihadist plots targeting Western countries has demonstrated that the origin of the plot has a significant influence on both the target selected, and the attack method chosen. Indeed, the type of targets chosen and type of tactics employed remained relatively consistent over the period studied. Only 5 planned attacks (7 per cent) identified an alternative method to carry out the plot. These included the 9/11 attacks, the December 2001 arrest of an al Qaeda operative researching poisons and conducting reconnaissance on dams and waterways in the United States,[55] the January 2003 plot to spread ricin throughout the London Underground,[56] the plot to collapse the Brooklyn Bridge using gas cutters[57] and the March 2006 attempt by a naturalised US citizen to drive a sports utility vehicle into a crowd at the University of North Carolina campus at Chapel Hill.[58] Notably, 4 of these 5 plots were al Qaeda directed, demonstrating al Qaeda core directed plots to be the only real source of innovation in attack methodology among Jihadists operating in Western countries. For the most part, Jihadists appear particularly conservative and display remarkable consistency in their tactical and targeting deliberations. Indeed, there has been very little in the way of innovation in the tactics and targets chosen post 9/11, and any such innovation appears only incremental adaptation of existing methods. This preliminary insight (albeit in a very limited context) support previous research by Hoffman,[59] Clarke and Newman,[60] Omand[61] and Dolnik[62] who all note that despite changing circumstances over time, with the exception of a few prominent examples terrorists are not particularly innovative in their tactical or targeting choices.

---

[55] For a description of the plot see: Thomas, 'Jihadist Terrorism', p. 3.

[56] For a description of the plot see: Robin Simcox, Hannah Stuart and Houriya Ahmed, *Islamist Terrorism: The British Connections* (London: The Centre for Social Cohesion, July 2010), p. 16.

[57] For a description of the plot see: Bjelopera and Randol, 'American Jihadist Terrorism', pp. 111-2.

[58] For a description of the plot see: Vidino, 'Homegrown Jihadist Terrorism in the United States', p. 11.

[59] Bruce Hoffman, 'Terrorist Targeting: Tactics, Trends and Potentialities', *Terrorism and Political Violence*, vol. 5 (1993), p. 12.

[60] Ronald V. Clarke and Graeme R. Newman, *Outsmarting the Terrorists* (Westport, CT: Praeger Security International, 2006), p. 93.

[61] David Omand, 'The Terrorist Threat to the UK in the Post–9/11 Decade', *Journal of Terrorism Research*, vol. 3 (2012), pp. 6-12.

[62] Dolnik, *Understanding Terrorist Innovation*, p. 56.

Conclusion

This study has revealed that the annual number of plots aimed at domestic targets in Western countries, either directed by al Qaeda core or connected to an international Jihadist group, remained relatively stable over the years analysed. However, there was an escalation in the number of plots seen towards the end of the sample period, and this increase can largely be attributed to a significant growth in the number of self-starting plots targeting the United States, United Kingdom and Australia. In the period between 2000 and 2005 only 30 per cent of plots were self-starting. However, since 2006 this category accounted for 60 per cent of the threat. Moreover, looking only from 2010 onwards, self-starting plots accounted for 85 per cent of planned attacks. Yet, it is important to note that while the frequency of planned attacks increased, the likelihood of a plot remaining undetected prior to an attempted attack remained (in percentage terms) almost identical for each category.

There were also clear links identified between the origin of the threat, and the target and attack methodology chosen. For instance, there was a very strong relationship between self-starters and a desire to use conventional weapons against non-civilian targets. A significantly large proportion of these planned attacks by self-starters against military and government targets have also occurred post 2009, demonstrating this to be an emerging trend in the West. Conversely, 70 per cent of all internationally connected plots (including both al Qaeda directed plots and those connected to an international Jihadist organisation) planned to use bombs against civilian targets, with a particular focus on mass transport. This threat remained relatively consistent over the period studied. Thus the origin of the threat has a distinct bearing on the target and attack methodology chosen, a phenomenon likely caused by the ideological differences between al Qaeda core and more recent influential Jihadist figures such as al Suri and al Awlaki.

This paper contributes towards understanding how the Jihadist threat to the West has evolved historically. The challenge now presented is how best to formulate future counter-terrorism and countering violent extremism (CVE) policy to combat the threat. Looking forward, Thomas Hegghammer tentatively predicts a 'second wave' of large-scale attacks in the West in four to six years.[63] The emergence of the Islamic State in Syria and Iraq, and attempts by a number of foreign fighters to conduct attacks on their return from fighting in this conflict,[64] demonstrates early potential for this prediction to be

[63] Thomas Hegghammer, 'The Future of Anti-Western Jihadism', Prepared Testimony for the Hearing on "Global al-Qaeda: Affiliates, Objectives, and Future Challenges", House Foreign Affairs Committee: Subcommittee on Terrorism, Non-proliferation, and Trade, 18 July 2013, <fsi.stanford.edu/sites/default/files/Hegghammer_Testimony_alqaeda_terrorism_July2013.pdf> [Accessed 5 February 2015].

[64] Lisa Lundquist, 'Analysis: Blowback from the Syrian Jihad has begun', *The Long War Journal*, 4 June 2014, <www.longwarjournal.org/archives/2014/06/syrian_jihad_the_blo.php> [Accessed 5 February 2015].

fulfilled. Indeed, this study has identified an already emerging increase in the number of Jihadist attacks conducted on Western soil, largely due to an increase in self-starting plots targeting military, government and law enforcement personnel. However, this analysis indicates that such future acts would likely involve less sophisticated, small-scale operations, conducted by individuals or groups using conventional weapons such as firearms and knives. This increase in the number of individuals with no connection to international Jihadist organisations attempting to commit violence places pressure on Western law-enforcement and intelligence agencies to accurately identify radicalising individuals, and for governments and communities to conduct early interventions ahead of a potential attack. Achieving success in this area will require the development of specialised evidence-based assessment tools, the training of law enforcement and intelligence personnel, the growth of niche capacities within existing community and social services to address radicalisation, the expansion of CVE programs focused on intervention (as well as prevention) and the independent evaluation of such programs.

Shandon Harris-Hogan is an Australian CVE consultant with experience working for both university and government organisations. He is a Research Fellow at the Global Terrorism Research Centre (Monash University), a member of the Criminal Networks Research Group (University of New South Wales) and a graduate of Monash University's Master of International Relations program. Shandon's work focuses on understanding radicalisation and analysing the structure of terrorist networks. Such work can be found in a number of leading academic journals including Studies in Conflict and Terrorism, Terrorism and Political Violence and Behavioural Sciences of Terrorism and Political Aggression. Shandon has been involved in a number of counter-terrorism and countering violent extremism projects with partner agencies including the Australian Federal Police, Victoria Police, the Federal Attorney-General's Department, the Australia New Zealand Counter-Terrorism Committee and the US Department of Defence. Shandon has also delivered presentations at a range of international and domestic academic conferences, lectured in post-graduate university courses and briefed high level government and police officials on issues relating to terrorism, security, international relations and religion. shandon.hogan@gmail.com.

Notes for Contributors

Security Challenges contributes to innovative and practical thinking about security challenges of major importance for Australia as well as the Asia-Pacific and Indian Ocean regions. The journal's website can be found at www.securitychallenges.org.au.

Possible topics of interest include but are not limited to: emerging security threats and challenges in the Asia-Pacific and Indian Ocean; the security role of the major powers; the management of Australia's security relationship with the United States and other allies; strategies for Australia's relationships with its neighbours; Australia's and the region's resource and economic security, the challenge of defence transformation in Australia and other countries;; and strategies for managing and combating international terrorism.

Security Challenges welcomes submissions from any source. Early career scholars and new strategic thinkers are particularly encouraged to submit. Authors are strongly encouraged to submit manuscripts via email to editor@ifrs.org.au preferably in MS Word format. The receipt of manuscripts will be acknowledged within 7 days.

Security Challenges contains comments as well as regular articles. Recommended length for comments and opinions is 2000-4000 words, for articles 5000-7000 words. Articles exceeding 8000 words are unlikely to be published. An abstract of no more than 100 words and an 'about the author' note of no more than 50 words should accompany the submission.

Each manuscript must be accompanied by a statement that it has not been published elsewhere and that it has not been submitted simultaneously for publication elsewhere. Authors are responsible for obtaining permission to reproduce copyrighted material from other sources.

The refereeing policy for articles requires that the anonymity of the author of the article is preserved. The anonymity of referees, whose comments may be forwarded to the authors, is likewise preserved. The review process normally takes about 4-8 weeks. The editor is responsible for the selection and acceptance of articles; the opinions expressed in articles published and the accuracy of statements made therein are solely the responsibility of the individual authors. The editors disclaim responsibility for statements, either of fact or opinion, made by the contributors. The editors retain the right to condense articles.

Authors receive three free copies of the issue in which their article/comment/opinion appears as well as an electronic version of the issue in PDF-format.

All parts of the manuscript should be type-written and double-spaced. The manuscript pages should be numbered consecutively throughout the paper. Authors should follow the style used in this issue. A detailed style guide can be found on the journal's website at http://www.securitychallenges.org.au/SCStyleGuide.pdf. It is the author's responsibility to ensure that the submitted manuscript complies with the style guide. The editors reserve the right to reject manuscripts which do not accurately follow form and style requirements.

About the Institute For Regional Security

The Institute for Regional Security has two equally important objectives.

The first is to explore ideas and policy options that enable Australia and our regional partners to exploit the opportunities that will arise in the future security environment and to respond to the challenges that will surely accompany the changes we will see. This is done through our research activities and publications.

The second is to promote the development of the next generation of strategic thinkers. Better strategic policy requires greater incisive strategic thinking, and insightful guidance into strategic decision making. The activities of the Institute encourage this incisiveness and insight in our future leaders.

The Future Strategic Leaders' Program assists the next generation of strategic thinkers to gain a deeper understanding and knowledge of the broader security environment, and to help them develop the skills and expertise necessary to contribute to policy and planning. A very important feature of the program is to create a community of young people interested and concerned about national security who will carry this network of relationships through their careers.

www.regionalsecurity.org.au

Support Us

As a non-for-profit, registered charity, the Institute for Regional Security relies on support of individuals and companies to sustain and expand our activities. There are many ways you can get involved and work with us to make a difference.

Please visit www.regionalsecurity.org.au for further information.