

## Australian policy on the PRC: is it independent of the US'?

### 澳大利亚的对华政策是独立于美国之外吗？

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Australian policy on the People's Republic of China (PRC) in recent years has been characterised by increasing numbers of officials, state media and other analysts and observers in the PRC as displaying a lack of independence and being in lockstep with the US.

近年来，在越来越多中国官员、官方媒体以及其他分析师、观察家看来，澳大利亚对于中华人民共和国（PRC）的政策表现出缺乏独立性，并同美国亦步亦趋。

Hawkish PRC state media outlets such as the *Global Times* offer the coarsest assessments. Its reporting and commentary pages have alleged that Australia 'blindly follow[s] the US',<sup>1</sup> that 'Australia's policy lacks independence, and its current choice is to closely follow the US lead',<sup>2</sup> and that it has 'taken the leading role in cooperating with US' anti-China actions'. It also recently favourably cited a netizen who on Weibo provocatively described Australia as a 'giant kangaroo that acts as the dog of the US'<sup>3</sup> and an Australian studies research fellow at Beijing Foreign Studies University who characterised Australia as 'quite an obedient ally' that 'dares not say "no" and "cannot express its displeasure" with the US'.<sup>4</sup> This perspective has been mainstream since at least 2018, with a *China Daily* editorial that year charging Australia with 'jumping on the US bandwagon to contain China'.<sup>5</sup> The question 'why does Australia follow the US' also became a mainstay during formal exchanges with PRC interlocutors.

一些鹰派的中国官方媒体机构，如《环球时报》给出了最粗浅的分析。在其报道和评论中，它声称澳大利亚“盲目地追随美国”，“澳大利亚的对华政策缺乏独立性，目前选择紧跟美国的领导”，并且“在美国领导的反华行动中充当了先锋的角色”。该报最近还援引了一位网民挑衅地将澳大利亚形容成“充当美国走狗的巨大袋鼠”的微博，以及北京外国语大学澳大利亚研究员的评论，在其中他称澳大利亚为“不敢对美国说不或表达其不满”的“非常听话的盟友”。至少从2018年以来，这种观点就已经成为中国社会的主流。当年《中国日报》社论就指控澳大利亚跳上了美国遏制中国的风口浪尖”。澳大利亚为什么跟随美国”这一问题也成为澳中谈判人员在正式会谈的焦点。

PRC Foreign Affairs Ministry representatives have raised similar complaints, albeit using rhetoric that is more restrained. On April 20 a Foreign Ministry spokesperson branded Australia as 'dancing to the tune of a

1 Yu Ning, 'Pompeo promotes US interests at Australia's cost', *Global Times*, May 21 2020 <<https://www.globaltimes.cn/content/1189097.shtml>>.

2 'Australia unwisely boards US leaky boat to meddle in South China Sea', *Global Times*, July 25 2020 <<https://www.globaltimes.cn/content/1195596.shtml>>.

3 Chen Qingqing, Liu Xin, 'Australia gets 'slap to the face' as global community welcomes China-sponsored resolution on COVID-19', *Global Times*, May 19 2020 <<https://www.globaltimes.cn/content/1188817.shtml>>.

4 *Global Times*, 'Australia seeking gains by escalating regional tensions', August 6 2020 <<https://www.globaltimes.cn/content/1196973.shtml>>.

5 *China Daily*, 'Australia and Japan should not let ally lead them astray: China Daily editorial', October 11 2018 <<http://www.chinadaily.com.cn/a/201810/11/WS5bbf41e8a310eff303281e0d.html>>.

certain country' in its call for an inquiry into the origin and spread of COVID-19.<sup>6</sup> Remarks from PRC diplomatic representatives in Australia have made similar remarks that have only ratcheted up in tone since last year. In November 2019 the deputy head of mission at the PRC embassy in Australia wrote in *The Australian* newspaper, 'Chinese netizens now look at this continent and wonder where has the...independent Australia gone'.<sup>7</sup> In April this year, a PRC embassy spokesperson alleged Home Affairs Minister Peter Dutton had been taking 'some instructions from Washington'<sup>8</sup> and further that 'certain Australian politicians are keen to parrot what those Americans have asserted and simply follow them in staging political attacks on China'.<sup>9</sup> The PRC Ambassador to Australia, Cheng Jingye, designated Australia's proposal for a COVID-19 inquiry as a 'proposition...obviously teaming up with those forces in Washington to launch a political campaign against China'.<sup>10</sup>

中国外交部官员也提出过类似的抗议，尽管他们使用的措辞更加克制。今年4月20日，一名外交部发言人在回应澳大利亚发起的针对新冠病毒（COVID-19）起源和传播情况的调查时，将澳大利亚描述为“随某些国家起舞”。一些中国驻澳外交代表的谈话中也提到了这种从去年开始逐渐升温的论调。2019年11月，中国驻澳大使馆使团副团长在《澳大利亚人报》撰文称“中国网民现在将目光投向这片大陆，好奇独立的澳大利亚去哪了”。今年4月，一名中国大使馆发言人称内政部长彼得达顿（Peter Dutton）“从华府接受了一些指示”，并进一步表示“某些澳大利亚政客热衷于对美国鹦鹉学舌，一味跟随美国对中国发起政治上的攻击”。中国驻澳大利亚大使成竞业将澳大利亚发起的新冠病毒调查定义为“明显是与华盛顿的那些势力联手发起的反华政治运动”。

But these claims do not engage with the broader picture, missing the sum total of Australian PRC policy. It is also a convenient narrative device for Beijing, allowing it to sidestep engagement on criticisms levelled at it by Australia.

然而这些言论忽略了更广义上的澳中关系背景，并缺失了澳大利亚对华政策的主旨。这对北京也是一种更方便的宣传手段，使之避免正面对澳大利亚对其提出的质疑。

This briefing lays out Australian and US positions on substantive aspects of their PRC policies, including on:

本简报介绍了澳大利亚和美国在对华政策实质性方面的分别立场，包括：

- the PRC as a strategic competitor 中国作为战略性对手
- the PRC as an ideological threat 中国作为意识形态的威胁
- trade barriers on imports of PRC goods 进口中国商品的贸易壁垒
- the PRC and the World Trade Organization 中国与世界贸易组织
- economic arrangements with Hong Kong 与香港的经贸关系
- the South China Sea 南海问题
- TikTok; WeChat ban TikTok和微信的禁令
- sanctions on Hong Kong/PRC officials over national security legislation 就港版国安法对香港/中国大陆官员的制裁
- sanctions on PRC companies and officials over Xinjiang 就新疆问题对中国公司和官员的制裁
- shutdowns of PRC diplomatic missions 关闭中国外交使领馆
- restrictions on scientific and research collaboration; and 限制科研合作
- controls on PRC media outlets. 管控中国驻外媒体机构。

6 Embassy of the People's Republic of China in the Commonwealth of Australia, 'Foreign Ministry spokesperson Geng Shuang's regular press conference', transcript, April 20 2020 <<http://au.china-embassy.org/eng/fyrth/t1771576.htm>>.

7 Wang Xining, 'Learning Mandarin would help Australians know the Chinese better', *The Australian*, November 20 2019 <<https://www.theaustralian.com.au/commentary/learning-mandarin-would-help-australians-know-the-chinese-better/news-story/8cd0db787fad94e1ee8b807f23773324>>.

8 Embassy of the People's Republic of China in the Commonwealth of Australia, 'Chinese Embassy's spokesperson responding to a question by Global Times on Mr. Dutton's recent remarks', April 21 2020 <[http://au.china-embassy.org/eng/sghdxwfb\\_1/t1771892.htm](http://au.china-embassy.org/eng/sghdxwfb_1/t1771892.htm)>.

9 Ibid.

10 Embassy of the People's Republic of China in the Commonwealth of Australia, 'Transcript of Chinese Ambassador Cheng Jingye's interview with Australian Financial Review political correspondent Andrew Tillett', April 27 2020 <[http://au.china-embassy.org/eng/sghdxwfb\\_1/t1773741.htm](http://au.china-embassy.org/eng/sghdxwfb_1/t1773741.htm)>

## The PRC as a strategic competitor 中国作为战略性对手

### *The US position 美国的立场*

In December 2017 the US described the PRC as a ‘challenge [to] American power, influence and interests, attempting to erode American security and prosperity’ in its National Security Strategy,<sup>11</sup> re-emphasising the assessment of the PRC as ‘strategic competitor’ in its 2018 National Defense Strategy.<sup>12</sup> This conceptual framework was further strengthened in the White House’s May 2020 report laying out the US strategic approach to the PRC:<sup>13</sup>

2017年12月，美国在其《国家安全战略》白皮书中将中国描述成为“对美国权力、影响力和利益的挑战，试图侵蚀美国的安全与繁荣”，在其2018年《国家防卫战略》白皮书中再次强调将中国评估为“战略对手”。白宫在其2020年5月的报告中进一步强化了这一概念框架，阐述了美国的对华战略方针：

To respond to Beijing’s challenge, the Administration has adopted a competitive approach to the PRC, based on a clear-eyed assessment of the CCP’s [Chinese Communist Party] intentions and actions, a reappraisal of the United States’ many strategic advantages and shortfalls, and a tolerance of greater bilateral friction.

为了应对北京的挑战，美国政府基于对中国共产党（CCP）意图和行动的清晰评估、对美国的战略优势与劣势、以及对更激烈双边摩擦的容忍度，对中国采取了一种竞争性的方针。

### *The Australian position 澳大利亚的立场*

Through roiling political tensions over the last few years, Australia has remained committed to its characterisation of the PRC as a comprehensive strategic partner. Since assuming the prime ministership, Scott Morrison has made it a point to continuously use this descriptor, agreed upon between Australia and the PRC in 2014, in remarks that touch on Australia’s PRC policy in both domestic and international fora. While there has notably been no elucidation on precisely what this phrase means – University of Sydney Professor James Curran has described it as ‘something of a strategic gibbet swaying in the breeze’<sup>14</sup> – its frequent use by the Prime Minister is indicative of a reluctance on Australia’s part to plunge headlong into competition and rivalry.

尽管在过去几年中政治局势持续紧张，但澳大利亚仍致力于将中国视为全面战略伙伴。自担任总理之后，莫里森（Scott Morrison）在国内外各种讨论澳大利亚对华政策的论坛上都坚持使用这一澳中两国在2014年达成共识的论述。虽然目前对这一论述的涵义还没有精确的解释（悉尼大学教授詹姆斯柯伦（James Curran）称其为“像是微风中摇曳着的战略绞刑台”），但总理的频繁使用表明了澳大利亚并不愿意鲁莽地一头扎入竞争和敌对的泥潭中。

For example, the Prime Minister on October 4 2018, a month after assuming office, told an Australian-Chinese community lunch:<sup>15</sup>

例如，在上任一个月后的2018年10月4日，总理在一次澳中社团午餐会中说到：

Our government is strongly committed to working closely with China’s leaders to advance our Comprehensive Strategic Partnership. This is very important to us, because it’s the unique partnership that provides an invaluable framework for progressing our mutual and complementary interests.

我们的政府正切实致力于与中国的领导层密切合作推进我们的全面战略伙伴关系。这对我们相当重要，是因为正是这种独特的合作伙伴关系为促进澳中之间共同利益与互补利益提供了宝贵的合作框架。

11 The White House, *National Security Strategy of the United States of America*, December 2017 <<https://www.whitehouse.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf>>.

12 United States Government Department of Defense, *Summary of the 2018 National Defense Strategy of the United States of America*, January 2018 <<https://dod.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf>>.

13 The White House, *United States Strategic Approach to the People’s Republic of China*, May 2020 <<https://www.whitehouse.gov/wp-content/uploads/2020/05/U.S.-Strategic-Approach-to-The-Peoples-Republic-of-China-Report-5.20.20.pdf>>.

14 James Curran, ‘On China, Morrison should look to Hawke and Howard’, *The Australian Financial Review*, November 22 2019 <<https://www.afr.com/policy/foreign-affairs/on-china-morrison-should-look-to-hawke-and-howard-20191120-p53c8y>>.

15 Scott Morrison, ‘Remarks, Hurstville community lunch’, transcript, October 4 2018 <<https://www.pm.gov.au/media/remarks-hurstville-community-lunch>>.

He repeated these sentiments during his first major foreign policy speech on November 1 2018<sup>16</sup> and in a subsequent meeting with PRC Premier Li Keqiang on November 14 2018.<sup>17</sup>

他在2018年11月1日的首次重大外交政策演讲中以及其后在2018年11月14日同中国总理李克强的会谈中重申了这些观点。

Prime Minister Morrison has continually made these points with Washington. One Australian Associated Press reporter observed that during the Prime Minister's September 2019 visit to the US,<sup>18</sup> 'On six different occasions...Morrison explained China was a 'comprehensive strategic partner' of Australia. That included while sitting alongside Donald Trump in the Oval Office, after the President told the world: 'Scott has very strong opinions on China'.<sup>19</sup> The Prime Minister also told the Chicago Council on Global Affairs on September 23 2019:<sup>20</sup>

同时，莫里森总理也一直向华府阐明这些观点。一位澳大利亚联合通讯社（Australian Associated Press）的记者观察到，在2019年9月总理的访美行程中，“在6次不同的场合内……莫里森阐明了中国是澳大利亚的‘全面战略伙伴’。这些场合包括了他与特朗普总统在白宫椭圆办公室会面，当时美国总统向全世界说道：‘莫里森对中国有着强硬的态度’”。总理还在2019年9月23日的芝加哥全球事务理事会会议上重申了这些观点：

From Australia's point of view, the engagement with China has been enormously beneficial to our country and that's what led us to develop the Comprehensive Strategic Partnership we have with China, the China-Australia Free Trade Agreement which was quite revolutionary and we want to see that continue.

从澳大利亚的角度来看，与中国的互动对我们的国家带来了重大的利益，这也是促成我们于中国发展全面战略伙伴关系并签订革命性的中澳自由贸易协定的动力，我们希望看到这种合作继续下去。

And as recently as August 5 2020 he said:<sup>21</sup>

就在最近的2020年8月5日，他说道：

The point I make about the United States and Australia is we have a different lens on the issue because our economic relationships with China, are different... And it does go broader into a strategic partnership... to assume Australia and the United States has an identical outlook on China would be false because the circumstances are completely different.

我对于美国和澳大利亚的观点是，我们在这个问题上有着不同的看法，这是因为我们两国与中国之间的经贸关系是不同的……我们同中国的关系的确在广度上发展成为战略伙伴……这种认为澳大利亚与美国对中国带着完全相同展望的假设是错误的，是因为我们两国的情况完全不同。

## The PRC as an ideological threat 中国作为意识形态的威胁

### *The US position 美国的立场*

On July 23 2020 US Secretary of State Mike Pompeo delivered a speech that contrasted 'Communist China' and the 'Free World', stating, 'If the free world doesn't change, Communist China will surely change us'. In a Q&A following his speech he said that 'this language of 'pick a side' does make sense to me...I think the sides, the division...is between freedom and tyranny. I think that's the decision that we're asking each of these nations to make'.<sup>22</sup>

2020年7月23日，美国国务卿迈克蓬佩奥（Mike Pompeo）发表演讲，将“共产主义中国”与“自由世界”对立起来，他说道，“如果自由世界不改变自己，那么共产主义中国必将改变我们”。在演讲后的问答环节，他说：“这

16 Scott Morrison, 'The beliefs that guide us', speech, November 1 2018 <<https://www.pm.gov.au/media/keynote-address-asia-briefing-live-beliefs-guide-us>>.

17 Scott Morrison, 'Annual leaders' meeting with Chinese premier Li Keqiang', media release, November 14 2018 <<https://www.pm.gov.au/media/annual-leaders-meeting-chinese-premier-li-keqiang>>.

18 Scott Morrison, 'Media statement - visit to the United States of America', media release, September 16 2019 <<https://www.pm.gov.au/media/media-statement-visit-united-states-america>>.

19 Katina Curtis, 'Scott Morrison walks tricky line on China', *The Canberra Times*, October 3 2019 <<https://www.canberratimes.com.au/story/6419758/scott-morrison-walks-tricky-line-on-china/>>.

20 Scott Morrison, 'Chicago Council on Global Affairs', speech, September 23 2019 <<https://www.pm.gov.au/media/chicago-council-global-affairs>>.

21 Scott Morrison, 'Q&A, Aspen Security Forum', transcript, August 5 2020 <<https://www.pm.gov.au/media/qa-aspen-security-forum>>.

22 Michael Pompeo, 'Communist China and the free world's future', speech, July 23 2020 <<https://www.state.gov/communist-china-and-the-free-worlds-future/>>.



种‘选边站’的说法对我而言是有道理的……我认为两边，或者说这种区分……是自由与专制之间的分别。我认为这是我们要求每一个国家去做的决定”。

Secretary Pompeo’s address rounded out a series of mid-year speeches delivered by senior Trump administration officials enunciating the same messages. National Security Advisor Robert O’Brien spoke of ‘the Chinese Communist Party’s actions and the threat they pose to our very way of life’;<sup>23</sup> FBI Director Christopher Wray of the PRC’s ‘whole-of-state effort to become the world’s only superpower by any means necessary’;<sup>24</sup> Attorney General William Barr of the inhospitality of ‘a world marching to the beat of Communist China’s drums’;<sup>25</sup> and Defense Secretary Mark Esper of ‘the need to prepare for the alternative [if the Chinese Communist Party doesn’t change its ways]’.<sup>26</sup>

国务卿蓬佩奥的讲话总结了特朗普政府高级官员所做的一系列年中谈话，传达了相同的讯息。国家安全顾问罗伯特奥布莱恩（Robert O’Brien）提到“中国共产党的行动以及他们对我们生活方式产生的威胁”；联邦调查局（FBI）局长克里斯托弗雷（Christopher Wray）表示中国“倾全国之力不择手段想要成为世界上唯一的超级大国”；总检察长威廉巴尔（William Barr）颇有些冷漠地提到“整个世界都踏着共产主义中国的鼓点节奏”；国防部长马克艾斯彭（Mark Esper）表示“（如果中国共产党不改变其道路）我们需要准备替代方案”。

### *The Australian position 澳大利亚的立场*

Senior Australian ministers have made a concerted effort to refrain from endorsing this particular kind of commentary on the PRC by Trump administration officials.

澳大利亚政府的高级部长们则共同努力避免为特朗普政府官员对中国作出的特殊评论背书。

On July 29 2020 at the Australia-United States Ministerial Consultations (AUSMIN) in Washington, Foreign Minister Marise Payne responded to a journalist’s question about Secretary Pompeo’s speech, stating:<sup>27</sup>

在2020年7月29日于华盛顿举行的澳美部长级磋商（AUSMIN）中，澳外交部长玛莉丝佩恩（Marise Payne）在回应记者关于美国国务卿蓬佩奥演讲的提问时，表示：

[T]he Secretary’s speeches are his own – Australia’s positions are our own...most importantly from our perspective, we make our own decisions, our own judgments in the Australian national interest and about upholding our security, our prosperity, and our values. So, we deal with China in the same way. We have a strong economic engagement, other engagement, and it works in the interests of both countries.

国务卿的讲话是他个人的观点，澳大利亚有我们自己的观点……更重要的是，我们认为我们应出于澳大利亚的国家利益做出我们自己的决定和判断，同时维护我们的国家安全、繁荣和价值。因而，我们对中国的态度没有改变。我们两国之间有着强劲的经济合作和其他领域的合作，并且这符合两国的利益。

Defence Minister Linda Reynolds was asked in an interview on the same day: ‘[D]o you feel in alignment with that kind of rhetoric from Mike Pompeo and the US?’ She said in response:<sup>28</sup>

澳国防部长琳达雷诺兹（Linda Reynolds）也在同一天的采访中被问道：“您是否认同蓬佩奥和美国的这种言论？”她在回答中说道：

[W]e have our own policy on China. But on our strategic issues, and our strategic values and objectives, we are still very closely aligned with the United States but not completely aligned. And that’s as it should be.

23 Robert O’Brien, ‘The Chinese Communist Party’s ideology and global ambitions’, speech, June 26 2020 <<https://www.whitehouse.gov/briefings-statements/chinese-communist-partys-ideology-global-ambitions/>>.

24 Christopher Wray, ‘The threat posed by the Chinese government and the Chinese Communist Party to the economic and national security of the United States’, speech, United States Federal Bureau of Investigation, July 7 2020 <<https://www.fbi.gov/news/speeches/the-threat-posed-by-the-chinese-government-and-the-chinese-communist-party-to-the-economic-and-national-security-of-the-united-states>>.

25 William Barr, ‘Remarks on China policy’, speech, United States Government Department of Justice, July 16 2020 <<https://www.justice.gov/opa/speech/attorney-general-william-p-barr-delivers-remarks-china-policy-gerald-r-ford-presidential>>.

26 Mark Esper, ‘Remarks by Secretary Esper at an International Institute for Strategic Studies webinar on the US vision for security in the Indo-Pacific region’, speech, July 21 2020 <<https://china.usembassy-china.org.cn/remarks-by-secretary-esper-at-an-international-institute-for-strategic-studies-webinar/>>.

27 Marise Payne, Linda Reynolds, ‘Australia-United States Ministerial Consultations (AUSMIN)’, transcript, July 29 2020 <<https://www.foreignminister.gov.au/minister/marise-payne/transcript/australia-united-states-ministerial-consultations-ausmin>>.

28 Linda Reynolds, ‘Interview with Fran Kelly, RM Breakfast ABC’, transcript, July 29 2020 <<https://www.minister.defence.gov.au/minister/lreynolds/transcripts/interview-fran-kelly-rm-breakfast-abc>>.

我们对中国有自己的政策。但在我们的战略问题、战略价值和目标上，我们同美国非常接近但又不完全一致。这也本该如此。

Prime Minister Morrison has also differentiated Australia's approach to that of the US in various speeches. On June 26 2019 he said:<sup>29</sup>

莫里森总理也在各种演讲中将澳大利亚的对华方针同美国的区分开。在2019年6月26日，他说道：

While we will be clear-eyed that our political differences will affect aspects of our engagement, we are determined that our relationship not be dominated by areas of disagreement. The decisions we make in relation to China are based solely on our national interests, just as theirs are towards Australia, and these are sometimes hard calls to make. But they are designed always to leave large scope for cooperation on common interests and recognise the importance of China's economic success. This success is good for China, it is good for Australia.

尽管我们清楚认识到我们两国在政治方面的分歧将影响我们交流的一些方面，但我们坚决认为我们的关系不应受到分歧领域的支配。我们对华的决策完全基于我们自己的国家利益，正如中国对澳的政策也是基于他们的国家利益，有时做决策会很难。但我们旨在始终为两国共同利益留出广阔的合作空间，并认可中国经济成就的重要性。这种成就有益于中国，也能惠及澳大利亚。

He has also rejected viewing dealings with the PRC through an ideological lens stating on October 3 2019:<sup>30</sup>

在2019年10月3日，他也驳斥了从意识形态的角度处理与中国的关系：

[I]f you look at this [the rise of China] as some great ideological struggle between two world-views, well that can take you to a very dangerous end, and I don't subscribe to that analysis. I don't think it's in Australia's interests.

如果你将这（中国的崛起）看作是两种世界观的重大意识形态之争，那么这将把你带入一种危险的境地，我不认同这种分析，我也不认为这符合澳大利亚的利益。

## Trade barriers on imports of PRC goods 进口中国商品的贸易壁垒

### *The US position 美国的立场*

In 2018 the US began levying tariffs on PRC imports, with the aim of forcing the PRC to address alleged unfair trade practices, inviting retaliatory moves from the PRC and escalating into a full-blown trade war. By March 2020, the average tariff rate the US placed on imports from the PRC stood at 19.3 percent, up from 3.1 percent in January 2018.<sup>31</sup>

2018年，美国开始对中国商品的进口课征关税，旨在迫使中国解决所谓的不公平贸易行为，并刺激中国采取反制措施，从而升级成为全面的贸易战。到2020年3月为止，美国对中国进口商品征收的平均关税从2018年1月的3.1%上升至19.3%。

### *The Australian position 澳大利亚的立场*

Following commitments made in the China-Australia Free Trade Agreement (ChAFTA), since January 1 2019 Australia has eliminated all tariffs on PRC imports.<sup>32</sup> While Prime Minister Morrison and some of his ministers have expressed sympathy for some aspects of US economic charges against the PRC, such as industrial subsidies, developing economy status and intellectual property protection, the Australian government has cleaved to its own economic approach towards the PRC, electing to remain a neutral party and urging de-escalation between the US and the PRC. For example, in September 2018 Trade Minister Birmingham urged

29 Scott Morrison, "Where we live" Asialink Bloomberg Address, speech, June 26 2019 <<https://www.pm.gov.au/media/where-we-live-asialink-bloomberg-address>>.

30 Scott Morrison, "2019 Lowy Lecture - Q&A", Lowy Institute, October 8 2019 <<https://www.youtube.com/watch?v=k5FChxG8b1E>>.

31 Chad Brown, "US-China trade war tariffs: an up-to-date chart", Peterson Institute for International Economics, February 14 2020 <<https://www.piie.com/research/piie-charts/us-china-trade-war-tariffs-date-chart>>.

32 Australian Government Department of Foreign Affairs and Trade, "China-Australia Free Trade Agreement - Guide to using ChAFTA to export and import goods", May 26 2020 <<https://www.dfat.gov.au/trade/agreements/in-force/chafta/doing-business-with-china/Pages/guide-to-using-chafta-to-export-or-import>>.

both countries to avoid 'digging an ever-deeper hole'. The Trade Minister emphasised that Australia was not taking any sides in the dispute, saying, 'Neither major player comes to this dispute with purity'.<sup>33</sup>

遵循中澳自由贸易协定 (ChAFTA) 中所做的承诺, 自2019年1月1日起, 澳大利亚取消了中国进口商品的所有关税。莫里森总理和一些政府部长对美国向中国采取的经济指控的某些方面表达了同情, 例如工业补贴、发展中国家经济地位和知识产权保护, 同时澳大利亚正坚持走自己的对华经贸路线, 选择维持中立的立场, 并敦促美中激化关系的降温。例如, 2018年9月贸易部长伯明翰 (Birmingham) 敦促两国避免“将洞越挖越深”。贸易部长强调澳大利亚在此次纠纷中不会选边站, 他说道, “双方在这场纷争中都夹带私货”。

On November 6 2018, when asked about the US' tariffs, Minister Birmingham said:<sup>34</sup>

2018年11月6日, 当被问到美国关税时, 伯明翰部长说:

[W]e've been very clear in our position all along that we do not approve or support the US actions of increasing tariffs in a unilateral way on Chinese goods.

我们一直清晰地表明我们的立场, 那就是我们不赞成或支持美国对中国商品提高关税的单边行动。

On August 4 2019, Minister Birmingham added, 'The application of those sorts of unilateral tariff actions is not something we have welcomed and it may well be [a breach of WTO rules]'.<sup>35</sup>

2019年8月4日, 伯明翰部长补充道, “这些单边发起的关税战不是我们所欢迎的, 并且可能 (违反世贸组织的规则) ”。

## The PRC and the World Trade Organization (WTO) 中国与世界贸易组织 (WTO)

### *The US position 美国的立场*

On December 10 2019 the WTO's Appellate Body, which offers members independent adjudication on trade disputes, ceased to function due to the fact that the US had been blocking new appointments as the terms of existing judges expired. On the day of its shuttering, *Reuters* reported that '[m]uch of the US displeasure stems from how the WTO has tied its hands in dealing with China'.<sup>36</sup>

2019年12月10日, 由于现任法官任期届满, 而美国阻挠新的职位任命, 世贸组织就贸易纠纷向成员国提供独立裁决的上诉机构停止运作。在其关闭当日, 路透社 (Reuters) 报道“美国大部分的不满源自于在同中国交锋的过程中世贸组织一直对美国进行掣肘”。

### *The Australian position 澳大利亚的立场*

The Australian government sees upholding and updating the international rules around trade, enforced by the WTO, as an opportunity for Australia-PRC cooperation. On August 2 2019 in Beijing, Trade Minister Birmingham said, 'We want to work with China...to improve the Appellate Body's functionality and responsiveness'.<sup>37</sup>

澳大利亚政府将坚持和更新由世贸组织实施的围绕贸易的国际规则看作是澳中合作的契机。2019年8月2日, 贸易部长伯明翰在北京表示, “我们希望与中国合作……提高世贸组织上诉机构的职能和响应能力”。

Following continued US obstruction, on December 17 2019, Minister Birmingham said:<sup>38</sup>

在美国不断阻挠进程后, 伯明翰部长于2019年12月17日表示:

33 Eryk Bagshaw, Matthew Knott, 'Does Donald Trump have a point on China's trade practices?', *The Sydney Morning Herald*, September 22 2018 <<https://www.smh.com.au/politics/federal/does-donald-trump-have-a-point-on-china-s-trade-practices-20180921-p50563.html>>.

34 Simon Birmingham, 'Interview on RN Breakfast with Fran Kelly', transcript, November 6 2018 <<https://www.trademinister.gov.au/minister/simon-birmingham/transcript/interview-rn-breakfast-fran-kelly-1->>.

35 Simon Birmingham, 'Interview on Sky News Live with Speers on Sunday', transcript, August 4 2019 <<https://www.senatorbirmingham.com.au/interview-on-sky-news-live-with-speers-on-sunday/>>.

36 Stephanie Nebehay, 'US seals demise of WTO appeals bench: trade officials', *Reuters*, December 10 2019 <<https://www.reuters.com/article/us-trade-wto-idUSKBN1YD1SO>>.

37 Simon Birmingham, 'Australia and China: mutual benefits through trade liberalisation and multilateral trade reform', speech, August 2 2019 <<https://www.trademinister.gov.au/minister/simon-birmingham/speech/australia-and-china-mutual-benefits-through-trade-liberalisation-and-multilateral-trade-reform>>.

38 Eryk Bagshaw, Matthew Knott, 'Australia hits out at dismantling of WTO appeals', *The Sydney Morning Herald*, December 17 2019 <<https://www.smh.com.au/politics/federal/australia-hits-out-at-dismantling-of-wto-appeals-20191217-p53krz.html>>.

Australia is disappointed that the Appellate Body is now unable to function. The eroding of the dispute-settlement function of the WTO undermines the effectiveness of the trading rules that we and many other nations rely upon and takes us closer to a 'might is right' system without agreed enforceable rules.

澳大利亚对上诉机构当前无法行使职能感到失望。世贸组织争端解决功能的削弱影响了我们和许多其他国家所依赖的贸易规则的有效性，并使我们陷入了一个“权力即正义”的体系而缺乏共同认可的可执行规则。

The next month the Trade Minister stated that Australia was already actively working with other WTO members to establish a stopgap system.<sup>39</sup> On March 30 2019, he formally announced that Australia had partnered with mainland China, Hong Kong and 13 other WTO members 'to establish an interim arrangement to bring appeals and solve trade disputes'.<sup>40</sup>

之后的一个月，贸易部长表示澳大利亚已经与其他世贸组织成员国积极合作，建立了一个过渡性的系统。在2019年3月30日，他正式宣布澳大利亚已于中国大陆、香港和其他13个世贸组织成员国合作“建立了一个临时机构以提起上诉并解决贸易争端”。

## Economic arrangements with Hong Kong 与香港的经贸关系

### *The US position 美国的立场*

On July 16 2020 President Donald Trump signed an executive order that effectively ended Hong Kong's separate customs treatment by the US, following the enactment of restrictive national security legislation by Beijing on June 30. This means that imports from Hong Kong will now be treated as being part of the PRC for purposes of levying duties.<sup>41</sup>

在北京于2020年6月30日通过的限制性国家安全法颁布后的7月16日，特朗普总统签署了一份行政命令，立即终止了美国此前赋予香港的特别海关待遇。这意味着从香港进口的商品将被视为中国商品的一部分而被征收关税。

### *The Australian position 澳大利亚的立场*

On January 17 2020 the Australia-Hong Kong Free Trade Agreement (A-HKFTA) entered into effect.<sup>42</sup> While Australia moved to suspend its extradition treaty with Hong Kong following the national security laws' enactment, it elected to preserve its bilateral economic arrangement. Trade Minister Simon Birmingham said the Australian government had 'no plans' to review A-HKFTA, adding that 'This FTA provides certainty and transparency for Australian businesses trading and investing in Hong Kong'.<sup>43</sup>

2020年1月17日澳港自由贸易协定（A-HKFTA）实施生效。尽管在港版国安法颁布后澳大利亚暂停了与香港间的引渡条约，但澳大利亚选择保持双边的经贸关系。贸易部长伯明翰表示澳大利亚政府“没有计划”去审查澳港自贸协定，并补充道“该自贸协定为澳大利亚企业在香港进行贸易和投资提供了确定性和透明度”。

## South China Sea 南海问题

### *The US position 美国的立场*

In October 2015 the US began freedom of navigation operations (FONOPs) within the 12 nautical mile zone of features claimed by Beijing. Washington, under both Obama and Trump administrations, has repeatedly suggested that it would be optimal for Australia to conduct the same type of FONOPs.<sup>44</sup>

39 Andrew Tillett, 'Australia moves to end logjam over trade disputes', *The Australian Financial Review*, January 24 2020 <<https://www.afr.com/politics/federal/australia-moves-to-end-logjam-over-trade-disputes-20200124-p53uem>>.  
40 Simon Birmingham, 'Establishment of interim appeal arrangement for trade disputes', media release, March 30 2020 <<https://www.trademinister.gov.au/minister/simon-birmingham/media-release/establishment-interim-appeal-arrangement-trade-disputes>>.  
41 David Lawder, 'Hong Kong reverts to China tariffs under Trump order, impact limited: trade lawyers', *Reuters*, July 17 2020 <<https://www.reuters.com/article/us-hongkong-security-usa-trade/hong-kong-reverts-to-china-tariffs-under-trump-order-impact-limited-trade-lawyers-idUSKCN24H36I>>.  
42 Simon Birmingham, Mark Coulton, 'Australia's free trade deal with Hong Kong commences', media release, January 17 2020 <<https://www.trademinister.gov.au/minister/simon-birmingham/media-release/australias-free-trade-deal-hong-kong-commences>>.  
43 Stephen Dziedzic, 'Calls for Australia to axe free trade deal with Hong Kong amid China crackdown', *ABC News*, July 14 2020 <<https://www.abc.net.au/news/2020-07-14/calls-axe-free-trade-agreement-hong-kong-china-crackdown/12451002>>.  
44 See, e.g., Brendan Nicholson, 'Send in the ships: US chief urges challenge to Beijing', *The Australian*, February 22 2016 <<https://www.theaustralian.com.au/national-affairs/defence/send-in-the-ships-us-chief-urges-challenge-to-beijing/news-story/8e71f880f3b1fd9e79ccf6e88db146cb>>; Gavin Fernando, 'Balancing act: experts warn we can't stay out of China's conflicts', *news.com.au*, October 4 2016 <<https://www.news.com.au/finance/economy/world-economy/experts-warn-australia-cant-stay-out-of-chinas-conflicts/news-story/4cff9d168304576bb2ca712053f2655>>; Stephen Dziedzic, Andrew Greene, 'US official urges Australia to participate in South China Sea freedom of navigation operations', *ABC News*, July 27 2020 <<https://www.abc.net.au/news/2020-07-27/australia-pressured-to-participate-in-south-china-sea-operation/12496326>>.



自2015年10月，美国开始在北京宣称主权的南海岛礁12海里以内的区域开展自由航行行动（FONOPs）。奥巴马和特朗普政府均一再建议澳大利亚加入该行动将取得更好的效果。

### *The Australian position 澳大利亚的立场*

Australia this year hardened its messaging on the South China Sea. About one week before AUSMIN Australia sent a note verbale to the United Nations laying out in starker fashion the legal position which the country believed applied in the South China Sea.<sup>45</sup> While Australia has long articulated support for the application of the UN Convention for the Law of the Sea (UNCLOS), specifically which provisions it relied upon and which it believed the PRC had contravened has not been particularly clear, up until now. Deliberate diplomatic messaging was also evident in the filing of the note one week before AUSMIN.

今年，澳大利亚强化了在南海问题上释放的讯息。在澳美部长级磋商举行约一周前，澳方向联合国发出了一个普通照会，以更加明确的方式陈述了该国认为应在南海区域适用的法律立场。尽管澳大利亚长期以来一直明确支持《联合国海洋法公约（UNCLOS）》的适用，但到目前为止，澳大利亚所依据的条款以及它认为中国违反了哪些条款尚不清楚。在澳美部长级磋商前一周提交该照会，其中的外交意涵也是不言自明。

But while rhetoric has intensified, Australia emerged from AUSMIN continuing to abstain from engaging in US-style FONOPs.

尽管言辞激化，但澳大利亚却试图摆脱澳美部长级磋商的框架，持续地回避加入美国式的自由航行行动。

Prime Minister Scott Morrison had on July 16 2020 noted that while Australia ‘will continue to adopt a very supportive position of freedom of navigation in the South China Sea’, the country would ‘say it the Australian way’ and ‘in the way that’s in our interest to make those statements and will continue to adopt a very consistent position’.<sup>46</sup>

莫里森总理在2020年7月16日表示，尽管澳大利亚“将继续对南海区域的自由航行权采取相当支持的态度”，但国会“以澳大利亚的方式表达”，以及“出于我们自己的利益而发声，并且持续采取一种始终如一的立场”。

### **TikTok; WeChat ban TikTok和微信的禁令**

#### *The US position 美国的立场*

On August 6 2020 President Trump issued two executive orders designating TikTok and WeChat a threat to national security and prohibiting those within US jurisdictions from carrying out ‘transactions’ with the apps’ parent companies.<sup>47</sup> The President’s trade adviser, Peter Navarro, said, ‘Mobile apps like TikTok and WeChat... put you and your family in the cross hairs of an Orwellian regime’.<sup>48</sup> Secretary Pompeo on August 12 2020 alluded to the possibility of action against other PRC companies, stating, ‘[W]hen President Trump made his announcement about not only TikTok, but about WeChat – and if you read it, it’s broader even still than that – is that we’re going to make sure that American data not end up in the hands of an adversary like the Chinese Communist Party’.<sup>49</sup>

2020年8月6日，特朗普总统发布了两道行政命令，指明TikTok和微信对美国国家安全构成威胁，禁止在美国司法管辖权内的公司与这两个应用程序的母公司进行“交易”。总统的贸易顾问彼得纳瓦罗（Peter Navarro）表示，“像TikTok和微信这样的移动应用程序……将你和你家人时刻置于奥威尔式威权的瞄准线上”。国务卿蓬佩奥在2020年8月12日暗示有可能对其他中国公司采取行动，他说道，“当特朗普总统宣布制裁不仅针对TikTok，同样包括微信，（如果你仔细读，你会知道范围甚至还要再广一些）是因为我们要确保美国的数据不会落在像中国共产党这样的对手手中”。

45 Permanent Mission of the Commonwealth of Australia to the United Nations, ‘Communication dated 23 July 2020’, Commission on the limits of the continental shelf (CLCS) – outer limits of the continental shelf beyond 200 nautical miles from the baselines: submissions to the Commission: partial submission by Malaysia in the South China Sea, United Nations Division for Ocean Affairs and the Law of the Sea, July 23 2020 <[https://www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_mys\\_12\\_12\\_2019.html](https://www.un.org/Depts/los/clcs_new/submissions_files/submission_mys_12_12_2019.html)>.

46 Scott Morrison, ‘Press conference – Australian Parliament House’, transcript, July 16 2020 <<https://www.pm.gov.au/media/press-conference-australian-parliament-house-act-23>>.

47 The White House, ‘Executive Order on addressing the threat posed by TikTok’, August 6 2020 <<https://www.whitehouse.gov/presidential-actions/executive-order-addressing-threat-posed-tiktok/>>; The White House, ‘Executive Order on addressing the threat posed by WeChat’, August 6 2020 <<https://www.whitehouse.gov/presidential-actions/executive-order-addressing-threat-posed-wechat/>>.

48 Ana Swanson, ‘Trump’s orders on WeChat and TikTok are uncertain. That may be the point’, *The New York Times*, August 7 2020 <<https://www.nytimes.com/2020/08/07/business/economy/trump-executive-order-tiktok-wechat.html>>.

49 Mike Pompeo, ‘Securing freedom in the heart of Europe’, speech, August 12 2020 <<https://www.state.gov/securing-freedom-in-the-heart-of-europe/>>.

## *The Australian position 澳大利亚的立场*

Prime Minister Morrison during the Aspen Security Forum on August 5 2020, while acknowledging the potential risk attached to TikTok given '[user] information can be accessed at a sovereign state level', said 'we have had a look, a good look at this, and there is no evidence for us to suggest, having done that, that there is any misuse of any people's data that has occurred, at least from an Australian perspective'. He added.<sup>50</sup>

在2020年8月5日举行的阿斯彭（Aspen）安全论坛上，莫里森总理表示，考虑到“用户信息可能在主权国家层面被获取”，他承认TikTok可能存在风险，但他也说道道，“我们经过仔细调查，至少从澳大利亚的角度，没有发现证据显示发生过任何个人数据被滥用的情况”。他补充说：

There's nothing at this point that would suggest to us that security interests are being compromised or Australian citizens are being compromised...There's no reason for us to restrict those applications at this point. We'll obviously keep watching them. But there's no evidence to suggest to us today that that is a step that is necessary.

目前没有任何证据显示我们的安全利益受到损害或澳大利亚公民受到侵害……因而目前我们没有理由限制这些应用程序。当然我们会继续监督它们。但目前没有证据让我们认为需要走到这一步。

## **Sanctions on Hong Kong/PRC officials over national security legislation 就港版国安法对香港/中国大陆官员的制裁**

### *The US position 美国的立场*

On August 7 2020, in response to the PRC's enactment of restrictive national security legislation in Hong Kong, the Trump administration imposed sanctions on Hong Kong Chief Executive Carrie Lam and 10 senior officials from Hong Kong and mainland China, banning them from travelling to the US, blocking any US-based assets they might have and prohibiting them from doing business in the country.<sup>51</sup>

2020年8月7日，为了应对中国在香港颁布限制性的国家安全法，特朗普政府对香港特区行政长官林郑月娥及另外10名香港和中国大陆的官员实施制裁，禁止他们访问美国，阻止他们在美国可能拥有的资产，并禁止他们在美国开展商业活动。

### *The Australian position 澳大利亚的立场*

Prime Minister Morrison on May 29 2020 had said sanctions against officials over the national security laws were 'not something under consideration' for Australia, noting, 'We have expressed our view. We have expressed it I think in a very diplomatic and...courteous way'.<sup>52</sup> The prospect of sanctions, at this stage, does not appear to have been revisited.

莫里森总理于2020年5月29日说，就港版国安法对官员实施制裁“不在澳大利亚的考虑范围内”，他表示，“我们已经表明了我们的观点。我认为我们以一种外交式的、非常礼貌的方式表达了”。目前似乎制裁这一行动并未被重新审视。

## **Sanctions on PRC companies and officials over Xinjiang 就新疆问题对中国公司和官员的制裁**

### *The US position 美国的立场*

The US Commerce Department has placed export restrictions on a number of PRC companies since last year,<sup>53</sup> with the US State Department imposing sanctions and visa restrictions on PRC officials in parallel.<sup>54</sup> These

50 Scott Morrison, 'Q&A, Aspen Security Forum', transcript, August 5 2020 <<https://www.pm.gov.au/media/qa-aspen-security-forum-0>>.

51 United States Government Department of the Treasury, 'Treasury sanctions individuals for undermining Hong Kong's autonomy', press release, August 7 2020 <<https://home.treasury.gov/news/press-releases/sm1088>>.

52 Scott Morrison, 'Press conference - Australian Parliament House, ACT', transcript, May 29 2020 <<https://www.pm.gov.au/media/press-conference-australian-parliament-house-act-29may20>>.

53 United States Government Department of Commerce, 'Commerce Department adds eleven Chinese entities implicated in human rights abuses in Xinjiang to the Entity List', press release, July 20 2020 <<https://www.commerce.gov/news/press-releases/2020/07/commerce-department-adds-eleven-chinese-entities-implicated-human>>; United States Government Department of Commerce, 'US Department of Commerce adds 28 Chinese organisations to its Entity List', press release, October 7 2019 <<https://www.commerce.gov/news/press-releases/2019/10/us-department-commerce-adds-28-chinese-organizations-its-entity-list>>.

54 Michael Pompeo, 'The United States imposes sanctions and visa restrictions in response to the ongoing human rights violations and abuses in Xinjiang', press statement, July 9 2020 <<https://www.state.gov/the-united-states-imposes-sanctions-and-visa-restrictions-in-response-to-the-ongoing-human-rights-violations-and-abuses-in-xinjiang/>>; Michael Pompeo, 'US Department of State imposes visa restrictions on Chinese officials for repression in Xinjiang', press statement, October 8 2019 <<https://www.state.gov/u-s-department-of-state-imposes-visa-restrictions-on-chinese-officials-for-repression-in-xinjiang/>>.

actions have been accompanied, too, by forceful language from Secretary of State Pompeo, who has referred to the situation in Xinjiang as ‘one of the worst human rights crises of our time, it is truly the stain of the century’.<sup>55</sup>

自去年以来，美国商务部对许多中国公司实施了出口限制，同时美国国务院对中国官员实施了制裁和签证限制。这些行动呼应了国务卿蓬佩奥的严厉措辞，他将新疆局势称为“我们这个时代最严重的人权危机之一，确实是本世纪的污点”。

### *The Australian position 澳大利亚的立场*

The Australian government has robustly and consistently criticised the PRC’s actions against its Turkic Muslim minority in Xinjiang insofar as diplomatic parlance will allow. However, the government has not indicated any material shift away from a position Foreign Minister Payne articulated on July 24 2019. Asked by an Australian Greens Senator in Parliament when the government would ‘impose targeted sanctions, like visa bans and asset freezes, against those linked to abuses in Xinjiang’, the Foreign Minister responded:<sup>56</sup>

澳大利亚政府一直在外交辞令允许的范围内强烈批评中国对新疆的突厥穆斯林少数民族采取的行动。然而，在外交部长佩恩于2019年7月24日发表的明确表态基础上，政府并未表示将有任何实质性的改变。当被澳大利亚绿党参议员在国会问到政府何时“对那些牵涉到新疆问题的个人实施针对性制裁措施，例如签证禁令和资产冻结”时，外交部长回应道：

I don’t agree with the approach that the Australian Greens suggest in this regard. I think it is very important for the government to work in the way that we are, and we will continue to do so.

我不认同绿党在这个问题上建议的方法。我认为政府应坚持现有的方式并持续下去。

The Foreign Minister during her first detailed interview on Xinjiang on July 15 2019 was pressed on Australia’s response to Xinjiang, and whether it could be more ‘muscular’. She reiterated throughout the interview that ‘engagement through bodies such as the Human Rights Council is an appropriate place and way in which to raise human rights concerns’, in addition to taking up matters ‘directly with Chinese counterparts’.<sup>57</sup>

在2019年7月15日关于新疆问题的首次详细访谈中，外交部长被问及澳大利亚对新疆问题的态度，以及日后是否会更加“强硬”。她在整个采访过程中重申，除了“直接同中国相关人员”讨论该问题，“通过人权理事会等机构进行联络是提出人权问题关切的合适途径”。

That said, the Foreign Minister on December 3 2019 asked the Human Rights Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade to ‘inquire into the use of targeted sanctions to address human rights abuses’.<sup>58</sup> The results of the inquiry, still ongoing, may compel a revisitation of the Australian government’s approach towards Xinjiang.

话虽如此，2019年12月3日外交部长要求外交、国防与贸易联合常设委员会下属人权委员会“研究使用针对性制裁应对侵犯人权行为”。仍在进行中的调查的最终结果可能会迫使人们重新审视澳大利亚政府对新疆问题的态度。

## **Shutdowns of PRC diplomatic missions 关闭中国外交使领馆**

### *The US position 美国的立场*

On July 22 2020 the US State Department ordered the closure of the PRC Consulate General in Houston by July 25 2020, citing as grounds for its decision a ‘lack of reciprocity’ in diplomatic engagement<sup>59</sup> and the need

55 David Brunnstrom, Lesley Wroughton, ‘Pompeo calls China’s treatment of Uighurs ‘stain of the century’’, *Reuters*, July 18 2019 <<https://www.reuters.com/article/us-usa-religion-china/pompeo-calls-chinas-treatment-of-uighurs-stain-of-the-century-idUSKCN1UD20P>>.

56 Marise Payne, ‘Questions without notice - China: human rights’, Parliament of Australia, July 24 2019 <[https://www.aph.gov.au/Parliamentary\\_Business/Hansard/Hansard\\_Display?bid=chamber/hansards/f1e272cd-753f-4b97-bfb4-516fc5f0f19d/&sid=0110](https://www.aph.gov.au/Parliamentary_Business/Hansard/Hansard_Display?bid=chamber/hansards/f1e272cd-753f-4b97-bfb4-516fc5f0f19d/&sid=0110)>.

57 Marise Payne, ‘Interview with Fran Kelly, ABC Radio National Breakfast’, transcript, July 15 2019 <<https://www.foreignminister.gov.au/minister/marise-payne/transcript/interview-fran-kelly-abc-rn-breakfast>>.

58 Parliament of Australia, ‘Inquiry into whether Australia should examine the use of targeted sanctions to address human rights abuses’, December 3 2019 <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Foreign\\_Affairs\\_Defence\\_and\\_Trade/MagnitskyAct](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Foreign_Affairs_Defence_and_Trade/MagnitskyAct)>.

59 United States Government Department of State, ‘Briefing with senior US government officials on the closure of the Chinese consulate in Houston, Texas’, July 24 2020 <<https://www.state.gov/briefing-with-senior-u-s-government-officials-on-the-closure-of-the-chinese-consulate-in-houston-texas/>>.

to 'protect American intellectual property and private information'.<sup>60</sup> A State Department spokesperson said, 'The United States will not tolerate the PRC's violations of our sovereignty and intimidation of our people'.<sup>61</sup> President Trump in a news briefing indicated that it is 'always possible' that more PRC diplomatic missions in the US could be shut.<sup>62</sup>

2020年7月22日，美国国务院下令在2020年7月25日前关闭中国驻美国休斯顿总领事馆，声称该决定的理由是在外交联络中“缺乏互惠性”以及需要“保护美国的知识产权和私人信息”。一位国务院发言人说，“美国不会容忍中国侵犯我们的主权，恐吓我们的人民”。特朗普总统在新闻发布会上表示“有可能”关闭更多中国驻美国的外交使领馆。

### *The Australian position 澳大利亚的立场*

One crossbench senator, Rex Patrick, in July 2020 called on the Australian government to 'radically reduce' the PRC's diplomatic footprint in Australia, seeking the expulsion of 'at least two-thirds' of PRC diplomatic representatives, alleging a significant expansion in PRC intelligence gathering activities in Australia 'much of it under the cover of diplomatic and consular activity'.<sup>63</sup> There are, however, presently no indications that the Australian government is actively considering the expulsion of PRC diplomatic representatives, nor the shutdown of PRC diplomatic missions in Australia.

一位无党籍参议员雷克斯帕特里克（Rex Patrick）于2020年7月呼吁澳大利亚政府“大幅度减少”中国在澳大利亚的外交足迹，寻求驱逐“至少三分之二”的中国外交代表，声称中国情报部门显著扩大在澳大利亚的情报收集活动，“其中大部分是在外交和领事活动的掩护下进行的”。但是，目前没有迹象表明澳大利亚政府正在积极考虑驱逐中国外交代表，也没有考虑关闭中国驻澳大利亚的外交使领馆。

## **Restrictions on scientific and research collaboration 限制科研合作**

### *The US position 美国的立场*

The US has implemented numerous measures that impact scientific and research collaboration between American and PRC researchers.<sup>64</sup> For example, on May 29 2020 President Donald Trump issued an executive order suspending or limiting entry of 'students or researchers from the PRC studying or researching beyond the undergraduate level who are or have been associated with the PLA', designating them as 'high risk of being exploited or co-opted by the PRC authorities', thus 'provid[ing] particular cause for concern'.<sup>65</sup> Last year, a bill before US Congress on visa bans for 'individuals who are employed, funded, or otherwise sponsored by the Chinese People's Liberation Army' noted that 'Australia, Canada, New Zealand, and the United Kingdom should take measures similar to the measures outlined in [the bill]'.<sup>66</sup>

美国已采取许多影响中美研究人员之间科研合作的措施。例如，2020年5月29日，特朗普总统发布了一项行政命令，中止或限制“现与或曾与中国解放军有联系、从事本科以上的学习或研究的中国学生或研究人员”入境，将他们认定为“存在被中国当局利用或指派的高风险”，从而“引起特别关切”。去年，美国国会一项对“由中国人民解放军雇用、资助或赞助的个人”签证禁令的法案指出，“澳大利亚、加拿大、新西兰和英国应采取与该法案类似的措施”。

### *The Australian position 澳大利亚的立场*

The Australian government has concerns around the prospect of foreign interference in universities and other research organisations. However, rather than adopting the heavy-handed US approach, following a consultative process between Australia's security agencies and tertiary education sector, last November it

60 Quint Forgey, Gavin Bade, 'State Department orders China to close its consulate in Houston', *Politico*, July 22 2020 <<https://www.politico.com/news/2020/07/22/state-department-china-houston-consulate-closing-377715>>.

61 Ibid.

62 Jeff Mason, Steve Holland, 'Trump says closing more Chinese consulates in US 'always possible'', *Reuters*, July 23 2020 <<https://www.reuters.com/article/us-usa-china-consulate-trump/trump-says-closing-more-chinese-consulates-in-us-always-possible-idUSKCN24N312>>.

63 SBS News, 'Crossbench senator Rex Patrick urges government to 'radically reduce' Chinese diplomats in Australia', July 15 2020 <<https://www.sbs.com.au/news/crossbench-senator-rex-patrick-urges-government-to-radically-reduce-chinese-diplomats-in-australia>>.

64 Jane Golley, Paul Harris, James Laurenceson, 'Campus conundrums: clashes and collaborations', in Jane Golley, Linda Jaivin, Ben Hillman and Sharon Strange, *China Story Yearbook: China Dreams*, ANU Press, Canberra, 2020 <[http://press-files.anu.edu.au/downloads/press/n6614/pdf/09\\_chapter.pdf](http://press-files.anu.edu.au/downloads/press/n6614/pdf/09_chapter.pdf)>.

65 The White House, 'Proclamation on the suspension of entry as nonimmigrants of certain students and researchers from the People's Republic of China', May 29 2020 <<https://www.whitehouse.gov/presidential-actions/proclamation-suspension-entry-nonimmigrants-certain-students-researchers-peoples-republic-china/>>.

66 Phillip Coorey, 'US seeks to pressure Australian universities over China research', *The Australian Financial Review*, August 21 2019 <<https://www.afr.com/politics/federal/us-seeks-to-pressure-australian-universities-over-china-research-20190821-p52j6b>>.



established guidelines aimed at risk mitigation to better ensure universities ‘have the necessary protections for students, research data, and academic integrity’.<sup>67</sup>

澳大利亚政府对外国干预大学和其他研究组织的前景感到担忧。然而，澳大利亚并未采取美国严厉的方法，而是在澳大利亚安全机构同高等教育机构之间进行磋商之后，于去年11月制定了相关指导意见，旨在降低风险，更好地确保大学“对学生、研究数据和学术诚信提供必要的保护”。

## Controls on PRC media outlets 管控中国驻外媒体机构

### *The US position 美国的立场*

2020 saw a flurry of US government activity targeting in-country journalists for PRC media outlets, with the PRC responding in kind.

2020年见证了美国政府一系列针对中国媒体机构驻美记者的行动，中国也对此作出了回应。

On February 18 2020, the State Department designated five PRC state media entities – Xinhua, CGTN, CRI, China Daily Distribution Corporation, and the distributor for the *People’s Daily* – as foreign missions of the PRC.<sup>68</sup> The next month, on March 2 2020 the US enacted a personnel cap of 100 across these five entities, necessitating the departure of 60 PRC nationals from these five entities in the US.<sup>69</sup> The US cited the need to ‘clearly communicate the severity of our concerns about the abusive, unfair, and non-reciprocal treatment of international press in China’.<sup>70</sup> On June 22 2020, the State Department designated a further four outlets as foreign missions – China Central Television, China News Service, the *People’s Daily* and the *Global Times*.<sup>71</sup> While announcing the measure a State Department spokesperson said:<sup>72</sup>

2020年2月18日，美国国务院将五个中国官方媒体机构新华社、中国环球电视网、中国国际广播电台、中国日报发行公司和《人民日报》发行商视为中国驻外使团。之后一个月，即2020年3月2日，美国对这五个机构实施了100人的人员上限，迫使60名中国国民离开了美国的这五个机构。美国认为有必要“清楚地表达我们对中国对国际新闻媒体的不合理、不公平、不互惠待遇的严重担忧”。2020年6月22日，美国国务院又将另外四个机构视为外交使团：中国中央电视台、中国新闻社、《人民日报》和《环球时报》。国务院发言人在宣布这项措施时说：

Over the past decade and particularly under General Secretary Xi Jinping’s tenure, the CCP has reorganised China’s state propaganda outlets disguised as news agencies and asserted even more direct control over them... [W]hile Western media are beholden to the truth, PRC media are beholden to the Chinese Communist Party.

在过去的十年中，特别是在习近平总书记的任期内，中共重组了伪装成新闻机构的中国国家宣传机构，并对它们采取了更加直接的控制……当西方媒体报道事实，中国的媒体却受制于中国共产党。

On May 9 2020, the US instituted a 90-day limit on visas for PRC journalists, where before such visas were valid indefinitely, provided the visa-holder was employed by the same entity.<sup>73</sup>

2020年5月9日，美国对中国记者规定了90天的签证期限，此前同一机构雇佣的签证持有者的签证是无限期有效的。

67 Fergus Hunter, ‘Stronger protections for uni students and research under new foreign interference strategy’, *The Sydney Morning Herald*, November 14 2019 <<https://www.smh.com.au/politics/federal/stronger-protections-for-uni-students-and-research-under-new-foreign-interference-strategy-20191113-p53aa9.html>>.

68 United States Government Department of State, ‘Senior State Department officials on the Office of Foreign Mission’s designation of Chinese media entities as foreign missions’, February 18 2020 <<https://www.state.gov/senior-state-department-officials-on-the-office-of-foreign-missions-designation-of-chinese-media-entities-as-foreign-missions/>>.

69 Michael Pompeo, ‘Institution of a personnel cap on designated PRC state media entities’, press statement, March 2 2020 <<https://www.state.gov/institution-of-a-personnel-cap-on-designated-prc-state-media-entities/>>.

70 United States Government Department of State, ‘Briefing with senior State Department officials on the institution of a personnel cap on designated PRC state media entities’, March 2 2020 <<https://www.state.gov/briefing-with-senior-state-department-officials-on-the-institution-of-a-personnel-cap-on-designated-prc-state-media-entities/>>.

71 Morgan Ortogus, ‘Designation of additional Chinese media entities as foreign missions’, United States Government Department of State, June 22 2020 <<https://www.state.gov/designation-of-additional-chinese-media-entities-as-foreign-missions/>>.

72 Ibid.

73 Ted Hesson, ‘US tightens visa rules for Chinese journalists amid coronavirus tensions’, *Reuters*, May 9 2020 <<https://www.reuters.com/article/us-health-coronavirus-usa-china/u-s-tightens-visa-rules-for-chinese-journalists-amid-coronavirus-tensions-idUSKBN22L03A>>.

## *The Australian position 澳大利亚的立场*

Two Australian reporters employed by international media outlets have been expelled this year by the PRC during its tit-for-tat sparring with the US.<sup>74</sup> A spokesperson for Foreign Minister Payne issued in response the following statement: 'Australia believes firmly in the fundamental rights of freedom of expression and a free press. It is our view that journalists should be able to carry out their work without unreasonable impediments'.<sup>75</sup> Beyond these statements, Australia has continued to allow PRC state media to operate in the country, with reciprocal arrangements for Australian journalists (albeit with distinctly stricter conditions) continuing to stand in the PRC.

今年，在与美国针锋相对的争端中，中国将国际媒体雇佣的两名澳大利亚记者驱逐出境。外交部长佩恩的发言人在回应此事时发表了以下声明：“澳大利亚坚信言论自由和新闻自由的基本权利。我们认为，记者应该能够不受任何不合理障碍影响的情况下开展工作”。除上述声明外，澳大利亚继续允许中国官方媒体在本国开展业务，通过互惠待遇（尽管条件更为严格）澳大利亚记者仍继续立足于中国。

## **Conclusion**

There is alignment in Australian and US policy on the PRC on specific issues, such as the exclusion of PRC companies from participation in their 5G networks and a hesitation to participate in the PRC's Belt and Road Initiative. But this is not proof-positive of Australia blindly following the US. Just as Australia aligns with China on issues like trade because the two countries' interests coincide, the same is true on other issues with the US. Areas of mutual alignment do not demonstrate that Australia is 'pro-China' or 'pro-US'. They are best described as 'pro-Australia'. If, as is oft-repeated by PRC officials, the PRC is committed to 'enhancing mutual trust and cooperation' with Australia, one constructive step in this direction would be to tackle Australian concerns on their own merits instead of dismissing them as being articulated at the behest of the US.

澳大利亚和美国在特定问题上对中国的政策保持一致，例如将排除中国公司参与其5G网络建设，以及不愿参加中国的“一带一路”倡议。但这并不证明澳大利亚盲目跟随美国。正如澳大利亚因为两国利益相符而在贸易等问题上与中国保持一致一样，它与美国的其他问题上也是如此。相互一致的这些领域并不表明澳大利亚是“亲中”或“亲美”。最佳的描述其实是“亲澳大利亚”。如果像中国官员经常重申的那样，中国致力于与澳大利亚“加强互信与合作”，那么朝着这个方向迈出的建设性一步应是根据澳大利亚独有的特点来看待澳大利亚关注的问题，而不是将其解读为唯美国马首是瞻而忽略这些问题。

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74 Bill Birtles, 'In the midst of the coronavirus pandemic, China forces out foreign reporters', *ABC News*, May 8 2020 <<https://www.abc.net.au/news/2020-05-09/china-kicks-out-foreign-journalists-during-coronavirus-crisis/12227782>>.

75 Will Glasgow, 'Journalist Phillip Wen first to be ousted since Mao era', *The Australian*, February 21 2020 <<https://www.theaustralian.com.au/world/journalist-phillip-wen-first-to-be-ousted-since-mao-era/news-story/9722fec0b5bc46c5ba370fad62db420c>>.