

From: [Stevens, Edwina](#)
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii) s 22(1)(a) : [Wood, Lynette](#); s 22(1)(a)(ii)
Subject: Fwd: FOR REVIEW: Draft MR- UNSAFE AND UNPROFESSIONAL INTERACTION WITH PLA-N [SEC=OFFICIAL:Sensitive]
Date: Saturday, 18 November 2023 9:48:20 AM

Morning s 22(1)(a)(ii)

s 47C

Edwina

Begin forwarded message:

From: s 22(1)(a)(ii)
 <s 22(1)(a)(ii)@defence.gov.au>
Date: 18 November 2023 at 8:36:44 am AEDT
To: "Philip, Bernard Mr" <bernard.philip@defence.gov.au>
Cc: "Menadue, Tom MR" <tom.menadue@defence.gov.au>, "Lewis, David MR 17" <david.lewis17@defence.gov.au>, s 22(1)(a)(ii) s 22(1)(a)(ii)@defence.gov.au, "s 22(1)(a)(ii)", s 22(1)(a)(ii) <s 22(1)(a)(ii)@defence.gov.au>, s 22(1)(a)(ii) "s 22(1)(a)(ii)@defence.gov.au", s 22(1)(a)(ii) s 22(1)(a)(ii)@defence.gov.au, "s 22(1)(a)(ii) s 22(1)(a)(ii)@defence.gov.au", s 22(1)(a)(ii) s 22(1)(a)(ii)@defence.gov.au
Subject: FOR REVIEW: Draft MR- UNSAFE AND UNPROFESSIONAL INTERACTION WITH PLA-N [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Good morning Bernard

s 47C

s 22(1)(a)(ii) (MSC – copied here) is progressing this version to HMSC and DGMSC, while MAJ s 22(1)(a)(ii) (HQJOC – copied here) will share with CJOPS and J3.

ODPM plan to publish at 1000 CBR time. If you have any feedback,

please let me know – ^{s 22(1)(a)(i)} and I will consolidate a return to ODPM.

Many thanks,

^{s 22(1)(a)(ii)}

s 22(1)(a)(ii)

A/Director Communication
Strategy, Policy and Industry Group and Defence Intelligence Group
Department of Defence

M: ^{s 22(1)(a)(ii)} | E ^{s 22(1)(a)(ii)} @defence.gov.au

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From: ^{s 22(1)(a)(ii)} ^{s 22(1)(a)(ii)} @defence.gov.au>

Sent: Saturday, 18 November 2023 8:16 AM

To: ^{s 22(1)(a)(ii)} ^{s 22(1)(a)(ii)} @defence.gov.au>;
^{s 22(1)(a)(ii)} ^{s 22(1)(a)(ii)} @defence.gov.au>

Cc: ^{s 22(1)(a)(ii)} ^{s 22(1)(a)(ii)} @defence.gov.au>; ^{s 22(1)(a)(ii)},
^{s 22(1)(a)(ii)} ^{s 22(1)(a)(ii)} @defence.gov.au>

Subject: Draft MR- UNSAFE AND UNPROFESSIONAL
INTERACTION WITH PLA-N[SEC=OFFICIAL:Sensitive]

Good morning,

Please see below draft MR pending edits from PMO-

UNSAFE AND UNPROFESSIONAL INTERACTION WITH PLA-N

The Australian Government has expressed its serious concerns to the Chinese Government following an unsafe and unprofessional interaction with a People's Liberation Army-Navy (PLA-N) destroyer.

On Tuesday 14 November 2023, HMAS Toowoomba was in international waters inside of Japan's Exclusive Economic Zone enroute to commence a scheduled port visit.

HMAS Toowoomba had been in the region conducting operations in support of United Nations sanctions enforcement. It had stopped to conduct diving operations in order to clear fishing nets that had become entangled around its propellers.

At all times, HMAS Toowoomba communicated its intention to conduct diving operations on normal maritime channels, and using internationally recognised signals.

While diving operations were underway a PLA-N destroyer (DDG-139) operating in the vicinity closed towards HMAS Toowoomba. Toowoomba again advised the PLA-N destroyer that diving operations were being conducted and requested the ship keep clear.

Despite acknowledging Toowoomba's communications, the Chinese vessel approached at a closer range. Soon after, it was detected operating its hull-mounted sonar in a manner that posed a risk to the safety of the Australian divers who were forced to exit the water.

This is unsafe and unprofessional conduct.

Medical assessments conducted after the divers exited the water identified they had sustained minor injuries likely due to being subjected to the sonar pulses from the Chinese destroyer.

The safety and wellbeing of our ADF personnel continues to be of our utmost priority.

Australia expects all countries, including China, to operate their militaries in a professional and safe manner. s 47C

s 47C

Defence has for decades undertaken maritime surveillance activities in the region and does so in accordance with international law, exercising the right to freedom of navigation and overflight in international waters and airspace.

s 47C

SATURDAY, 18 NOVEMBER 2023

****unless stated otherwise, information shared in this email is not for public attribution.*

Thanks,

s 22(1)(a)(ii)

From: [Stevens, Edwina](#)
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii); [Wood, Lynette](#); [Chittick, Craig](#); s 22(1)(a)(ii); [Collingburn, Ash](#); [Titheridge, Dave](#); [Colquhoun, Lachlan](#); s 22(1)(a)(ii); s 22(1)(a)(ii)
Subject: Re: Incident ECS, for noting [SEC=PROTECTED]
Date: Thursday, 16 November 2023 6:55:04 PM

Thanks s 22(1)(a)(ii)

s 47C

s 33(a)(iii)

We'll share draft statement should it eventuate.

Edwina

On 16 Nov 2023, at 6:07 pm, s 22(1)(a)(ii)
 <s 22(1)(a)(ii)@pm.gov.au> wrote:

Thanks. I have also spoken to DPMO earlier today. s 33(a)(iii)
 s 33(a)(iii)

Sent from my iPhone

On 16 Nov 2023, at 5:41 pm, s 22(1)(a)(ii)
 <s 22(1)(a)(ii)@pmc.gov.au> wrote:

PROTECTED

s 22(1)(a)(ii) s 22(1)(a)(ii)

We have drafted the below defensive points for the Prime Minister on the incident with HMAS *Toowoomba* in the East China Sea. Defence's contingency points are attached which provide comprehensive background. Condensed background also below.

s 33(a)(iii)

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<!--[if !supportLists]--> <!--[endif]--> Aware of an interaction between the ADF and the PLA Navy in the East China Sea assessed by the ADF as unsafe and unprofessional <!--[if !supportLists]-->o <!--[endif]--> and note that Australian personnel involved have received the appropriate medical care.

<!--[if !supportLists]--> <!--[endif]--> Deeply concerned at any unsafe activity that increases the risk of accidents or miscalculations.

<!--[if !supportLists]--> <!--[endif]--> Australia ensures our operations are safe and professional and we expect others, including China, to do the same.

<!--[if !supportLists]--> <!--[endif]--> We will raise our concerns with China's Government over this incident.

Background

On Tuesday 14 November 2023, HMAS *Toowoomba* experienced an unsafe and unprofessional interaction with a People's Liberation Army-Navy (PLA-N) destroyer. *Toowoomba* stopped in international waters in the East China Sea, for divers to clear fishing nets that had become entangled around its propellers. HMAS *Toowoomba* was operating in support of Operation ARGOS, the ADF commitment to enforce UNSC sanctions on North Korea.

Toowoomba advised the PLA-N destroyer via all normal maritime communications channels that diving operations were being conducted and requested the vessel remain outside a range of 3 nautical miles (5.5kms). Despite acknowledging *Toowoomba's* communications, the destroyer closed to a range of 1.3 nautical miles (2.4kms). *Toowoomba* again requested the destroyer remain no closer than 2 nautical miles. After acknowledging *Toowoomba's* request, the destroyer closed to a range of 1580 yards (1.4kms). While diving operations were under way when the PLA-N destroyer was at a range of 2400 yards (2.2km), *Toowoomba* detected acoustic transmissions linked to the PLA-N destroyer's hull-mounted sonar.

Following the incident, divers reported mild headaches and eardrum irritation and received appropriate medical care and treatment. § 47F

§ 47F

Current medical advice indicates no long-term health impacts are expected.

//

Best

From: Stevens, Edwina <Edwina.Stevens@pmc.gov.au>
Sent: Wednesday, 15 November 2023 9:22 PM
To: s 22(1)(a)(ii) @pm.gov.au>
Cc: Wood, Lynette <Lynette.Wood@pmc.gov.au>; Chittick, Craig <Craig.Chittick@pmc.gov.au>; s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @pm.gov.au>; Collingburn, Ash <Ash.Collingburn@pmc.gov.au>; Titheridge, Dave <Dave.Titheridge@pmc.gov.au>; Colquhoun, Lachlan <Lachlan.Colquhoun@pmc.gov.au>
Subject: Re: Incident ECS, for noting [SEC=PROTECTED]

No worries - the latest is that Defence are still clearing the points up their line - I've asked for them asap tomorrow.

On 15 Nov 2023, at 7:56 pm, s 22(1)(a)(ii) <s 22(1)(a)(ii)@pm.gov.au> wrote:

Many thanks Edwina.
Keep us posted.

s 22(1)(a)(ii)

Sent from my iPhone

On 15 Nov 2023, at 6:49 pm, Stevens, Edwina <Edwina.Stevens@pmc.gov.au> wrote:

PROTECTED

s 22(1)(a)(ii)

Steve Chappell, Air Vice-Marshal and Head of Military Strategic Commitments contacted me just now to provide information about the following incident involving the HMAS Toowoomba in the East China Sea just over 24 hours ago (mid-afternoon 14 November AEST).

The HMAS Toowoomba was en route to Japan (Sasebo), having completed Operation ARGOS and to commence its next activity. It was trailed by a PLA

warship. HMAS Toowoomba's underside became tangled in some fishing nets and debris so it had to stop to clear. To do so, it gave all appropriate signals, by radio and flag (ie, to signal the ship would come to a halt to address the debris and further, have divers in the water for that task). The PLA craft acknowledged but did not stop at an appropriate distance and, when the divers were in the water, activated a (water) sonar, at least twice – it did not stop when HMAS Toowoomba requested it to. The divers have received medical treatment,

s 47F

The JOC has made an initial assessment that the incident was unsafe and unprofessional. It will finalise its assessment tomorrow

s 33(a)(iii)

s 33(a)(iii)

s 33(a)(iii) Defence will provide holding/if raised talking points tonight and then points tomorrow when further details are settled. The DPMO is aware, as is DFAT EAD (FAS Daniel Sloper).

I'll forward the points when possible.
Edwina

Edwina Stevens, Assistant Secretary
Asia Branch | International Division
Department of the Prime Minister and Cabinet
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EA: s 22(1)(a)(ii) |
s 22(1)(a)(ii) [@pmc.gov.au](mailto:s 22(1)(a)(ii)@pmc.gov.au)

From: s 22(1)(a)(ii)
To: [Stevens, Edwina](#); s 22(1)(a)(ii)
Cc: [Wood, Lynette](#); [Chittick, Craig](#); s 22(1)(a)(ii); [Collingburn, Ash](#); [Titheridge, Dave](#); [Colquhoun, Lachlan](#); s 22(1)(a)(ii); s 22(1)(a)(ii)
Subject: RE: Incident ECS, for noting [SEC=PROTECTED]
Date: Thursday, 16 November 2023 6:02:34 PM

PROTECTED

s 22(1)(a)(iii) s 22(1)(a)(ii)

DFAT have advised that FMO and DPMO have discussed the incident below and DPMO wishes to make a statement, that FMO would like to clear. s 33(a)(iii)

s 33(a)(iii)

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s 22(1)(a)(ii)



Talking Points

PEOPLE'S LIBERATION ARMY-NAVY INCIDENT IN EAST CHINA SEA

REACTIVE ONLY – CORRECT AS AT 16 NOVEMBER 2023

Background (NOT FOR PUBLIC RELEASE)

- On Tuesday 14 November 2023, HMAS *Toowoomba* experienced an unsafe and unprofessional interaction with a People's Liberation Army-Navy (PLA-N) destroyer. *Toowoomba* was stopped in the water to conduct diving operations in the East China Sea, in order to clear fishing nets that had become entangled around its propellers.
- HMAS *Toowoomba* was in international waters inside Japan's Exclusive Economic Zone and this activity is routine for an Australian ship operating in the region.
- HMAS *Toowoomba* was operating in support of Operation ARGOS, the Australian Defence Force (ADF) commitment to the international effort to enforce United Nations Security Council sanctions on North Korea.
- *Toowoomba* advised the PLA-N destroyer via all normal maritime communications channels that diving operations were being conducted and requested the vessel remain outside a range of 3 nautical miles (5.5kms).
- Despite acknowledging *Toowoomba*'s communications, the destroyer closed to a range of 1.3 nautical miles (2.4kms).
- *Toowoomba* again requested the destroyer remain no closer than 2 nautical miles. After acknowledging *Toowoomba*'s request, the destroyer closed to a range of 1580 yards (1.4kms).
- While diving operations were under way when the PLA-N destroyer was at a range of 2400 yards (2.2km), *Toowoomba* detected acoustic transmissions, correlated to the PLA-N destroyer's hull-mounted sonar.
- Following the incident, divers reported mild headaches and eardrum irritation and received appropriate medical care and treatment. ^{s 47F} [REDACTED]
^{s 47F} [REDACTED] Current medical advice indicates no long-term health impacts are expected.
- The interaction is assessed as unsafe and unprofessional conduct for mariners due to the Chinese warship repeatedly closing inside the requested range, and operating sonar with clear knowledge that there were divers in the water with disregard for their safety.



Talking Points

Contingency Talking Points

- I can confirm on 14 November 2023, HMAS *Toowoomba* and crew experienced unsafe and unprofessional conduct by a Chinese warship in an encounter in the East China Sea.
- HMAS *Toowoomba* had been conducting operations in support of United Nations sanctions enforcement in international waters. It had stopped in the water to conduct diving operations in order to clear fishing nets that had become entangled around its propellers.
- During this routine operation, a People's Liberation Army-Navy warship approached HMAS *Toowoomba*.
- The Australian vessel was in international waters outside of China's Exclusive Economic Zone and communicated its intention to conduct diving operations on normal maritime channels, and using internationally recognised signals.
- Despite acknowledging the Australian ship's communications, the Chinese vessel approached at closer range than requested, and operated its hull-mounted sonar in a manner that posed a risk to the safety of the Australian divers in the water.
- The Australian divers exited the water and the Chinese warship's conduct ceased a short time later.
- Australian divers have received appropriate medical assessment and care, and no long-term health effects are expected.
- The Australian Defence Force assesses this conduct as unsafe and unprofessional, and falls short of standards expected of professional mariners.
- The Australian Government will take appropriate action to raise its concerns regarding this incident with the Government of China.
- I will not be commenting any further at this stage.

If Asked [OFFICIAL on release]

Was the Chinese vessel's interaction with HMAS *Toowoomba* professional?

- Defence has assessed the interaction as unsafe and unprofessional.



Talking Points

- The PLA-N ship acknowledged a request by the Australian ship to remain at a safe distance but later moved to a closer distance.
- The use of the PLA-N ship's Sound Navigation and Ranging (SONAR) device in close proximity to divers resulted in temporary health effects to our personnel. Defence is supporting our personnel as they recover.

Why was a PLA-N ship near HMAS *Toowoomba*?

- HMAS *Toowoomba* was operating in the East China Sea within the Exclusive Economic Zone of Japan as part of an enduring commitment to Operation ARGOS, Australia's commitment to enforcing United Nations Security Council Sanctions against North Korea.
- The PLA-N ship was shadowing HMAS *Toowoomba*.
- It is routine for PLA-Navy vessels to shadow movements of Royal Australian Navy vessels in the South China and East China Seas.

What is an acoustic transmission?

- In this situation, acoustic transmission refers to the use of SONAR devices, which are used to identify objects under the water.

Why is a SONAR a danger to divers?

- The medical effects from sonar relate to the effect of noise and associated pressure waves and their impact. The effects can include dizziness or vertigo during the dive, hearing damage, blurred vision, light headedness, vibrations in hands impairing motor tasks, tremors, abdominal pain related to the vibration of gas bubbles. There is a theoretical risk of bubble growth contributing to Decompression Illness if they were to destabilise.

Is it normal for ships to stop to untangle fishing nets?

- As part of routine propeller and hull maintenance, the divers were clearing fishing nets from the hull of the warship.

What type of Chinese warship was it?

- It was a PLA-N Sovremenny-class destroyer (DDG 139).

Contact officer: s 22(1)(a)(ii)

Contact officer phone: s 22(1)(a)(ii) or s 22(1)(a)(ii)



Talking Points

Clearance	Name	Appointment	Date and time
Drafted by:	s 22(1)(a)(ii)	Military Public Affairs Officer N09 MAROPS / J09 JTF635	0830L 16 Nov 23
Reviewed by SME:	s 22(1)(a)(ii)	Deputy Director Current Operations, MAROPS/ JTF635	0844L 16 Nov 23
Cleared by MAROPS / JTF635	s 22(1)(a)(ii)	Director Maritime Operations	0911L 16 Nov 23 1234L 16 Nov 23
Updated by	s 22(1)(a)(ii) s 22(1)(a)(ii)	Snr Strategic Comms Adviser, MSC A/Director SP&I Comms	1040L 16 Nov 23
Cleared IP Div	Tom Menadue	AS NSA, IP Div	1115L 16 Nov 23
Cleared MSC	CDRE Don Dezentje	DGMSC	1157L 16 Nov 23
Cleared HQJOC	s 22(1)(a)(ii)	J3	1215L 16 Nov 23
Original Cleared 2* by: (Group/Service)	Bernard Philip AVM Stephen Chappell	FASIP HMSC	1255L 16 Nov 23 1245L 16 Nov 23
MECC Embed cleared	s 22(1)(a)(ii)	Senior Strategic Communications Adviser	1245L 16 Nov 23
Original Cleared 3* by:	LtGen G Bilton	CJOPS	1307 16 Nov 23
Cleared OSEC/OCDF	s 22(1)(a) s 22(1)(a)(ii)	OCDF OSEC	16 Nov 23 16 Nov 23