



# Countering Foreign Interference Case Studies

The following Countering Foreign Interference Case Studies seek to support the university sector to appropriately respond to potential and identified risks of foreign interference. They encourage universities to adopt a whole-of-organisation approach and provide escalating consideration points to guide risk mitigation and response at various stages within each case study.

As outlined in the [Guidelines to Counter Foreign Interference in the Australian University Sector \(the Guidelines\)](#), all universities are subject to foreign interference risks but their risk profiles will vary depending on the nature of the activities they undertake. It is the responsibility of all levels in universities to understand their obligations and be equipped to identify and mitigate risks of foreign interference.

The Department of Education has developed a suite of resources including the [National Security Architecture Placemat](#), [Transnational Education Guidance Note on Due Diligence](#) and [Foreign Interference Impacts on Campus Culture Guidance Note](#) to continue supporting universities to mitigate foreign interference risk and uplift countering foreign interference capability. The following case studies are intended to be read in conjunction with these products, as well as the [Guidelines](#).

## Example One – Staff and Student Communication

An academic at an Australian university writes a peer-reviewed paper critically analysing the policies of a foreign government which have received both strong support and opposition in the foreign country. The academic also provides students enrolled in their course with relevant literature including academic papers, journal articles and media reports, expressing various positions on the issue.

The academic receives complaints from a group of students claiming the paper paints the government of their home country in a negative light, and that some of the journal articles and media reports provided to students were offensive. The students pressure the academic to publish more favourable views of the foreign government and remove the critical literature from the course reading list.

### **University Response – Consideration Point One:**

#### **Awareness Raising**

- The university should consider how to appropriately inform the university cohort that foreign interference activities are unacceptable on campus, and ensure they are aware of the consequences. Following the incident, the university may consider:
  - Discussing behavioural expectations and consequences of misconduct with students and student associations.
  - Providing guidance to staff on facilitating these discussions at the start of the course, and how to reinforce these expectations throughout.
  - Ensuring messaging is inclusive for culturally and linguistically diverse populations.

#### **Threat: Possible risk of foreign interference**

The university soon receives large volumes of complaints and social media messages, and university administrators begin receiving pressure from officials from the relevant foreign mission to retract the paper and reflect their government more favourably in future publication.

### **University Response – Consideration Point Two:**

#### **Pressure on academic**

- The university should firmly resist pressure from the officials representing a foreign government to retract the paper.



- As the paper has undergone peer review, retraction would impinge on academic freedom and freedom of speech.
- The university should consider reiterating its commitment to academic freedom through communications to staff and students, and on its website.
- The university should commit to increasing broader understanding of freedom of expression and academic freedom through accessible information on its website, ongoing training, and induction and orientation programs.
- Where the university, students or staff have concerns about behaviour or contact from foreign officials, or those officials' engagement with the broader Australian Community, a report should be made to the Australian Government.
  - Reports can be made to the Australian Security Intelligence Organisation (ASIO) Notifiable Incidents, Threats and Reportable Observations portal at [Home | NITRO \(asio.gov.au\)](https://www.asio.gov.au).
  - Concerns regarding inappropriate conduct by foreign government officials can be directed to the Department of Foreign Affairs and Trade's Protocol Branch via email to [protocol.branch@dfat.gov.au](mailto:protocol.branch@dfat.gov.au).

**Threat: Identified risk of foreign interference**

Following a class discussion on the issues raised in the academic's paper, some students receive harassment and intimidation from fellow students, threatening to report them to the foreign country's embassy and share their personal details online. Some of the affected students fear reprisals on their family overseas from a foreign government.

The students confide in the academic that they do not feel comfortable reporting this incident online due to concerns that they could be identified. The academic reports these concerns to the University Security team.

**University Response – Consideration Point Three:**

**Reporting Mechanisms**

- The university should consider reviewing its complaints procedures and developing mechanisms to receive complaints or reports, including:
  - Secure contact mechanisms (e.g. encrypted email) for reporting.
  - Reporting systems which accept anonymous reports.
  - Allowing staff to report issues on behalf of students.
- The university could consider adopting a 'no wrong door' approach, enabling students to report to a trusted figure in the university.

- It could also engage with tutors, academics, and other professional staff to provide guidance on how to appropriately respond to and escalate a foreign interference complaint from a student.

### **Incident Response**

- Following the report made by the academic, the university should conduct a thorough investigation of the incident. While investigating, the university should consider taking measures to protect the anonymity of those who reported the incident.
- If the university deems conduct was likely a case of foreign interference, it should consider informing the students involved that the conduct is inappropriate, and issue them with formal warnings.
  - The university should also consider including clauses relating to foreign interference and threatening behaviour in the university's code of conduct.
  - The university should report the incident to the ASIO Notifiable Incidents, Threats and Reportable Observations portal at [Home | NITRO \(asio.gov.au\)](#).
- Senior officials from the university should consider publicly acknowledging the incident and articulating expectations relating to on-campus behaviour.
- Officials should reiterate the university's guidance for those who encounter foreign interference, including reporting mechanisms and appropriate contact points. The university should provide ongoing support for the affected students including information about appropriate counselling and health services.
- The university should be ready to respond to ongoing harassment or intimidation.
  - The university should support the safety of affected students by connecting them with relevant staff members and campus security.
  - The university should continue to liaise with appropriate Government contact points and provide updates on the ongoing interference.
- Where misconduct continues to occur, the university should manage the behaviour in line with its code of conduct.

### **Threat: Identified risk of foreign interference**

**For more information on appropriate Government contact points and reporting mechanisms for foreign interference concerns, universities can refer to the [National Security Architecture Placemat](#)**

## Example Two – Due Diligence, Risk Assessments and Management

A PhD student at an Australian university is undertaking a research project in the field of chemical engineering. The topic of their research has a sensitive dual-use application relating to chemical toxic agents and is linked to technologies that could have potential to impact Australia's national interests.

The PhD student is supervised by a senior academic at the Australian university who is project leader, but they also work closely with postdoctoral fellows in their department and researchers at foreign universities. The PhD student has formed a friendly working relationship with a foreign researcher at an overseas university who is working on a different project with no sensitive dual-use application, and is collaborating with other researchers in the PhD student's Department.

### University Response – Consideration Point One:

#### Awareness Raising – Sensitive Research

- The university should ensure staff and students are appropriately educated about the threat of foreign interference to research, especially in areas which are associated with critical or dual-use technology, military capability, politically sensitive subjects, or where the research is an attractive target for foreign powers, such as where Australia is a world-leader.
  - For more information, the university may wish to direct staff and students to the [List of Critical Technologies in the National Interest | Department of Industry Science and Resources](#)
  - The university should also ensure that staff and students are aware of their obligations, including possible exemptions or permits, if their research is regulated under the *Defence Strategic Goods List*.

#### Threat: Possible risk of foreign interference

Recently the foreign researcher has been regularly inquiring with the PhD student about their findings, asking whether they can read the project materials, and offering to collaborate on some components of the project. When asked by the PhD student why they had such an interest in this separate area of work, the foreign researcher is reluctant to provide further information. However, conscious of the opportunity to work with a more senior colleague and solidify their reputation, the PhD student responds that they may be interested in collaborating with the foreign researcher in the future.

The foreign researcher continues requesting the PhD student share the findings of their research, and offers significant financial rewards for collaboration including expenses-paid research trips in the future.



## **University Response – Consideration Point Two:**

### **Awareness Raising – Suspicious Approaches**

- The university should ensure staff and students have the ability to recognise a suspicious approach from a foreign power or its proxy. A suspicious approach may include:
  - Unsolicited or persistent approaches to form a research collaboration or partnership, or gain access research and data, especially in areas associated with critical and dual-use technology.
  - Overly generous terms of any proposed partnership or collaboration, including financial or career incentives.
  - Excessive urgency to agree to a partnership or collaboration quickly, or pressure to circumvent usual processes.
    - For more information the university may wish to direct staff and students to the [Protect your research | ASIO](#)
- The university should also ensure staff and students are aware of how and where to raise concerns and report suspicious approaches – e.g. to the university security team or equivalent.

### **Threat: Possible risk of foreign interference**

The PHD student begins to feel uncomfortable with the amount of pressure the foreign researcher is putting on them, especially with regard to the financial rewards, and discusses the issue with their project leader who was not previously informed about the collaboration approaches. The project leader is concerned by these approaches and reports the issue to the Deputy Vice-Chancellor, Research and the University Security team.

## **University Response – Consideration Point Three:**

### **University Response**

- Due to persistent approaches, reluctance to provide further information, and offers of financial reward, the conduct of the foreign researcher should be deemed suspicious.
- Accordingly, university should conduct a due diligence assessment considering:

- The information provided to the university by the foreign researcher when entering the separate research collaboration.
- The potential motivation of the foreign researcher to collaborate with the PhD student, as well as the nature of their approach to the PhD student.
- The nature of the research subject to the proposed collaboration.
- Although the project that the foreign researcher is working on does not have sensitive, dual-use applications, the nature of their approach to the PhD student as well as the sensitive topic of the PhD student's research gives the due diligence assessors cause for concern.
- The university should also undertake due diligence through open source research and intelligence from other institutions and researchers, considering:
  - Whether the foreign researcher has any undeclared affiliations with other researchers or institutions, including universities without institutional autonomy, and universities with links to foreign militaries and governments.
  - Previous experience of the foreign researcher in employment and study, particularly where that experience is relevant to the research conducted by the PhD student
  - Whether the foreign researcher has previously collaborated with researchers, institutions, or organisations with a potential interest in the PhD student's research.
  - Whether the foreign researcher has current or previous involvement with talent recruitment programs.
- The following resources provide further information, and may further assist universities in undertaking due diligence assessments:

[Due Diligence Checklist | Universities Foreign Interference Taskforce](#)

[Due Diligence Assistance Framework | Department of Education](#)

The ASIO Due Diligence Integrity Tool – please contact the ASIO Outreach Team at [outreach@asio.gov.au](mailto:outreach@asio.gov.au) for a copy.
- If the university's due diligence assessment raises concerns relating to any of the factors outlined above, the university should:
  - Make a report to the **ASIO Notifiable Incidents, Threats and Reportable Observations portal** at [Home | NITRO \(asio.gov.au\)](#).

- Consider taking steps to cease the research partnership, and escalating the concerns to a higher authority within the organisation for decision.

**Threat: Identified risk of foreign interference**

**For more information on appropriate Government contact points and reporting mechanisms for foreign interference concerns, universities can refer to the [National Security Architecture Placemat](#)**

