

Defend Democracy the Australian Way

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With mounting evidence that Russia regularly interferes in British democracy while the U.K. government “actively avoids” investigating, the country needs a proven playbook for responding to the threat. Britain should adopt Australia’s three-step approach of explaining the challenge, outlawing malign activities, and getting serious about enforcement.

The Russia report released on Tuesday by the British parliament’s intelligence and security committee criticizes the U.K. government for declining to have “seen or sought evidence of successful interference in UK democratic processes,” possibly including the 2014 Scottish independence referendum, 2016 Brexit referendum, and 2017 general election. Downing Street suppressed the public release of the report until after the 2019 general election, a vote that also suffered interference by Russian actors according to a statement by Foreign Secretary Dominic Raab last Thursday, a day when three governments separately announced that Russian intelligence hackers are trying to steal vaccine research.

In addition to online threats, the British report identifies the financial attack vector of “Russian expatriates” who live in London but remain tied to Moscow as “members of the Russian elite who are closely linked to Putin” while donating to U.K. charities and politics to “assist Russian influence operations.” At the German Marshall Fund’s Alliance for Securing Democracy, we have spent the past year cataloguing over 100 instances of authoritarian regimes surreptitiously spending money to interfere in democracies, including 20 cases in Britain. In our own forthcoming report, we will map out how to close the seven most exploited legal loopholes enabling covert foreign money. One of those vulnerabilities involves donors supported by foreign powers, which is most problematic in London.

The gold standard for confronting this threat is Australia’s response to political donations with strings attached from operatives of the Chinese Communist Party. First, then-Prime Minister Malcolm Turnbull publicly explained the urgency. Then, Australia reviewed its national security laws for gaps, worked across parties to design a sweeping counter-intelligence overhaul, and took on board public feedback before finalizing the bill. Third, the government invoked national security and law enforcement powers to expel the most troublesome donor back to China and freeze his assets over unpaid taxes.

In 2018, the British government took a brief step in this direction after Russian military spies deployed a nerve agent in Salisbury. Then-Prime Minister Theresa May called Moscow’s aggression an “unlawful use of force,”

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expelled 23 Russian diplomats, said the National Crime Agency would bring all its capabilities to bear against corrupt Russians, and started drawing up counter-espionage legislation.

But as May's political clout faded, her focus narrowed to getting Brexit done and she was unwilling to order an investigation of Russian interference in the 2016 referendum. A year ago, when Boris Johnson took over as prime minister, he brought a reputation for befriending and partying with elite Russian expatriates. At the time, a National Crime Agency officer reportedly lamented that investigating dirty Russian money was no longer a priority, and instead of kicking the Russian oligarchs out, Britain would once again lay down the red carpet, a prediction born by Johnson's suppression of the Russia report.

What would it look like for Britain to get serious about protecting its democracy? The first step of the Australian model is to explain the threat to the public, which investigative journalists and now Parliament have done proficiently, but the message must come from the head of state.

The second step—analyzing national security laws to support espionage legislation—could be natural for Johnson because the review process was initiated by May and officially prioritized by the new government in the Queen's Speech. In that agenda, the U.K. government said it was considering laws like in Australia and the United States, likely referring to two anticipated reforms: The U.K. government is planning to borrow from Australia the idea of creating new criminal offenses against aiding and abetting foreign interference, while Britain is also considering replicating the U.S. Foreign Agents Registration Act.

That espionage bill is mission-critical and should be accelerated in light of the Russia report. Moreover, the report rightly recommends expanding this initiative to also cover "the illicit financial dealings of the Russian elite and the 'enablers' who support this activity." That should include giving the Electoral Commission more duties and resources to follow the money while introducing real-time donation reporting and other public disclosures.

However, the British government has not acknowledged the third and most important thing it could do, the strongest page to pull from the Australian and U.S. playbooks: Start enforcing the law far more aggressively.

Whereas Australian enforcement has been swift, it has been a mixed bag in the United States, where President Donald Trump and his proxies have gotten away with soliciting electoral assistance from foreign governments on five separate known occasions. However, the Mueller investigation did produce charges against 34 conspirators and a factual record for the American people, while the Justice Department separately indicted foreign agents and straw donors tied to the U.A.E. for funneling \$3.5 million to the 2016 campaign of Hillary Clinton.

By contrast, lacking unequivocal direction from Number 10, British law enforcement agencies have repeatedly stalled, declined to investigate, defined their remits narrowly, and passed around investigations like hot potatoes. No elite Russian expatriate in London has faced a Mueller-style probe, which in less than two years included over 2,800 subpoenas, 500 warrants, 280 email and phone records, 13 collaborations with foreign governments, and interviews of some 500 witnesses (many of whom were pressured into cooperation).

The biggest political reason the pro-Brexit government had to avoid looking for Russian interference—fear of what investigators might find—has arguably diminished somewhat now that Brexit has passed and the Russia

report has been publicly released. Right now, Boris Johnson and the Tories face a political problem, while their country faces a national security threat. Their interests are aligned to follow the Australian model by publicly explaining the challenge, overhauling the law, and enforcing it vigorously.

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