

Questions on notice - from Senator Hutchins

I. Is it the case that DFAT Travel Advices have consistently warned against travel to Bali since the October 2002 bombing?

i. According to the ABS, 186,000 Australians headed for Indonesia in 2003. According to the Bali Tourism Authority, in 2003, 139,000 visitors to Bali stated their country of origin was Australia.

i. Do those numbers sound right to you?

ii. Do they perplex you in the light of the security situation?

ii. The most recent Bali Tourism Authority figures say 20,750 visitors to Bali in March 2004 were Australians.

i. What was your Travel Advice for Bali in March this year?

ii. Have you reflected on this in the light of your dissemination of Travel Advices?

II. **DFAT:** Mr Kemish, in the context of feedback about the Smart Traveller campaign, you said: *We have received some constructive suggestions about providing more information about relativities in risk, and we are looking at that.*

i. Can you elaborate on this, and in particular the issue of how to communicate 'relativities in risk' in travel advisories.

III. **DFAT:** I refer to the 19 June 2002 meeting in Mr Downer's office with ONA and a DFAT note-taker present. When Minister Downer is told, in response to a question he asks of ONA, that Bali would be an attractive, symbolic target, it prompts the minister to ask the question of whether the consular advice should be changed.

i. Did the Minister ask that question immediately upon hearing those remarks about Bali as a 'symbolic target', or later in the conversation?

IV. **DFAT:** Was Mr Paterson's reporting of that June 2002 ministerial office conversation back to DFAT the first time that Consular Branch heard of Bali being considered an 'attractive target' or an 'important symbolic target'?

V. **DFAT:** Mr Paterson reported back to DFAT about the meeting with Mr Downer and on the morning after seemed to go to some trouble to ensure that he fed that discussion back to the appropriate DFAT officers. About a week later, on 28 June, DFAT emails Mr Richard Gordon at ONA. Can I first observe to DFAT that Mr Paterson seemed very anxious to report back and have the matter followed up. Someone sending an email to Mr Richard Gordon at ONA more than a week later doesn't seem commensurate with Mr Paterson's sense of urgency.

i. Can DFAT comment?

VI. **DFAT:** Mr Kemish, you said (Evidence 28 November) that the Department: "took several steps in June 2002 to clarify ONA's assessments to do with terrorist groups ... in SE Asia and in particular the reference that Mr Paterson has just read for you"

i. What were the steps taken, other than the email of 28 June from DFAT to ONA, to 'clarify ONA's assessment.'

VII. **DFAT:** Mr Kemish, you say regarding the emailed question to ONA about any evidence / theory behind Bali being a target that:

"We never received a response to this or any other of our questions. We were not particularly expecting a direct response. As I said, the idea was to provide some guidance on the issues of interest to us as a client."

i. That you "were not particularly expecting a direct response" doesn't seem to square with the apparent significance attached to the question – which was also quite explicit, asking for evidence / theory. We have also noted Mr Paterson's fairly assiduous follow-up to the matter after its being raised by Mr Downer, which suggests that there was more at stake here than simply providing to ONA "some guidance on the issue of interest to us as a client." You yourself also said that DFAT "took several steps in June 2002 to clarify ONA's assessments to do with terrorist groups ... S E Asia and in particular the reference that Mr Paterson [had noted] ..."

i. So which is a more accurate account: (A) "We at DFAT explicitly sought an answer to the question about Bali because we thought it merited attention" OR (B) "We at DFAT asked the question about Bali as a way of giving ONA some guidance about issues of interest to us as a client."

VIII. **DFAT:** Mr Kemish you say (Evidence 28 November) that there was no mention of Bali in the next 17 watch reports from ONA, and that this "*led DFAT to conclude that ONA had no evidence to support its idea about Bali and that this idea was speculative rather than an assessment of hard evidence*". Can I remind us all again of Mr Farmer's evidence on this: Mr Farmer says: "**[I]t was a considered analysis of all the information available. That is not speculation.**" I am struck by the different perspectives that you (Mr Kemish) and Mr Farmer have on this business, especially because witnesses have stressed that there was 'ongoing dialogue' between ONA and DFAT, that 'officials of the two organisations talk all the time.' It seems to me that DFAT and ONA had some different perspectives on how to regard and interpret intelligence.

i. Can you respond to this please?

IX. **DFAT:** You said in your submission that ASIO clears the "safety and security" sections of travel advisories for countries which it has judged there to be a high threat of politically-motivated violence against Australian Interests.

i. I understand that that was instituted after Bali?

ii. How did it work pre-Bali? Did Consular Branch just routinely receive the intelligence product without further to-and-froing between DFAT and ASIO or ONA?

X. Was DFAT consulted about the terms of reference for the Blick inquiry?

i. If so, was the issue of the commensurability of threat assessments and travel advices ever discussed?

ii. Do you know if it got discussed at National Security Committee meetings?

XI. **DFAT:** You stated in your submission that DFAT will not advise against travel to a country on the basis of an ASIO Threat Assessment of HIGH alone (Submission 4, p5). There must be a "clear, specific and credible threat" to Australians before advice to defer travel is given (Submission 4, p5).

i. Is this still the case?

ii. It is extremely rare for there to be "clear, specific and credible" threat assessment. That corresponds to ASIO's very highest level of threat it seems. Shouldn't advice to defer travel be given somewhat BEFORE that level of threat is reached?

XII. **DFAT:** DFAT officials are on the record as saying that one of your main sources for advice on what you put in your travel advisories is Australia's embassies. The embassies "supply DFAT with information on security conditions in their countries of responsibility. They know the environment well, monitor security every day, and are in the best position to provide DFAT with accurate and current information about what the situation is on the ground" (DFAT, 'Transcript of Briefing conducted by Assistant Secretary, Consular Branch' (12 June 2003) http://www.dfat.gov.au/media/transcripts/2003/030613_travel.html at 24 October 2003)

i. Is that the case?

ii. In the August 15 (2001) Jakarta Embassy Bulletin, we know that the embassy advised, among other things: *Bali is calm and tourist services are operating normally. Australian tourists on Bali should observe the same prudence as tourists in other parts of the country.* (I'm adding the emphasis.) In DFAT's Travel Advice 10-15 days later, DFAT says, among other things, *Tourist services are operating normally on Bali and Lombok – full stop.* Given, as you said, that you rely strongly on the embassy advice

i. Why did DFAT omit that bit of the embassy advice when it came to preparing the formal DFAT Travel Advice?

XIII. **DFAT:** We have heard from DIO that from well before 2001 they reported "*extensively on the growth of radical and extremist Islam in the region consistently*" ... [DIO] *indicated that Indonesia provided fertile ground for extremist groups with diverse motivations and international connections. ... there was clear agreement across the community about extremism and the capacity for terrorist attacks within South-East Asia. ...[and DIO] reported explicitly on al-Qaeda's reach into the region.*

. We have also heard from ONA that from late 2001 to early 2002 they undertook '*a major effort*' to get a handle on the links between domestic, regional and international terrorist networks and that the '*evolution in ONA's understanding was reflected in its reporting over this period.*' And ONA felt it sufficient important for them to seek a personal briefing with the Minister to talk about ONA's conclusions about regional extremists and al Qaeda links, and the threat '*from JI in particular.*'

- . ASIO too, had been active in the assessment of terrorism, raising threat levels in Indonesia to high, talking about Australia as a 'soft target alternative to the US', about the particular and increased threat to Australia contained in the 'crusader forces' speech of bin Laden, and reporting increasing concern about JI. In its 9 August 2002 ASIO talked about possible "*coordinated 'actions' across Indonesia ... in the August/September period ... likely to range from demonstrations to terrorist attacks. ASIO assessed the threat of terrorist attack against Australian interests in Indonesia remained HIGH.*"
- . Now the strong sense I have from DFAT's evidence is that, over this same period, DFAT was not really all that attuned to terrorist threats directed at Australian interests of the kind that DIO and ONA and ASIO were focussed on, but rather on threats to Australians incidentally arising from civil disturbance, or as collateral damage from domestic political violence, or harassment from sweeping exercises.
 - i. Is that a fair assessment of DFAT's focus at the time?
 - ii. Do you agree that DFAT's evidence thus far has tended to stress low-level PMV against Westerners, and the risk of incidental/collateral effects on Australians in Indonesia, rather than Australians being themselves 'soft targets' for terrorists?
 - iii. In that pre-Bali period, did DFAT, either internally, or in association with other agencies, discuss at any length the issue of regional terrorist threats with this international dimension, with the intent and capability to mount attacks on Westerners, soft targets and so on. I'm trying to distinguish this from discussions about the other types of threats which were more of an incidental / collateral kind linked to domestic as opposed to international terrorist PMV.

XIV. **DFAT:** From what witnesses have said to us, including tourists and travel agents, it has been a commonly held judgement for decades that Bali was SAFE, indeed SAFER than the rest of Indonesia. In order to convey an appropriate travel advisory, commensurate with a HIGH threat assessment for Bali, it seems one would need to take adequately into account this special 'safe' status of Bali in the Australian psyche – Australian's familiarity with it, the conviction that Bali was SAFE regardless. In short, the travel advisory would have to overcome quite an entrenched view that Bali was somehow uniquely SAFE, and it seems to me that this would likely require quite explicitly language to try and *persuade* people that Bali was as risky as anywhere else in Indonesia – despite what people would prefer to think.

- i. Were these sorts of considerations taken into account in the formulation of travel advisories?
- ii. Can DFAT point to examples of actions they took or advice they gave where a special effort was made to overcome the entrenched attitude of "Bali is different, safe, OK etc."

XV. **DFAT:** When people rang up DFAT, having heard about trouble in Indonesia, and asked specifically about Bali and tourist operations, did you simply say "Tourism services in Bali are operating normally." OR did you tend to go the extra step of

saying, for example, "but please don't make the common mistake of thinking Bali is safer than anywhere else; there's a high security risk everywhere."

- i. Do you think it reasonable to expect that this extra caution might have been given to callers under the circumstances?
- ii. Would it have been wrong to tell callers "a tourist hotel in Bali would be an important symbolic target."

XVI. **DFAT:** On the ABC's 7:30 Report on 17 October there was discussion about the DFAT Travel Advisory for Indonesia that was extant. The reporter quoted the line about tourism services operating normally, including Bali." And the line about given "ongoing risk of terrorist activity, Australians should maintain a high level of personal awareness." The reporter goes on to say that "Former [ASIS] intelligence officer Warren Reed says the warning, coming during a period of turmoil in Indonesia, was clearly not enough." Warren Reed is then shown saying: The fact that in the midst of all this Foreign Affairs could still say that whilst Australians need to be particularly careful in Indonesia, Bali is operating normally – I mean, that is unthinkable."

- i. How do you respond to that sort of strong judgement?

XVII. **DFAT:** Your submission states (p10) that DFAT reviewed their travel advisory following the bin Laden 'crusader forces' speech, and "*determined that the advisories did not need further strengthening.*" I want to explore whether that decision was commensurate with the threat assessments coming through at the time:

- . ASIO, in its submission stated that ASIO considered bin Laden's statement to be of particular significance and issued a Threat Assessment on 9 November 2001 which noted that: ... "UBL statements since 1996, ... consistently have laid down general markers for subsequent terrorist action. ... UBL's specific reference to "crusader Australian Forces" thus represents a significant upgrading of Australia's profile. ... this statement will have force, and significance, for at least the next 18 months. Certainly the statement will be seen as particular encouragement for individuals or groups in Indonesia who are followers of UBL, and who may have the capability to commit violent acts. More importantly however, UBL's al-Qa'ida network does have the capability and means to carry out an act of terrorism in Indonesia ... since at least 1998, UBL has been explicit in stating there is no distinction between military personnel and civilians; both Australian Official representation in Jakarta and other identifiable Australian interests certainly would be seen as extensions of the Australian "crusader" forces. " (Submission 2, (ASIO) p4)

- i. Can you say why, in light of this ASIO account, you "*determined that the advisories did not need further strengthening.*"

XVIII. We have been advised by ASIO (Answers to QON 25 August 2003) that there was 'no specific one-on-one meeting between ASIO and DFAT to discuss the threat assessment issued on 9 November 2001. The statement made by bin Laden, ... which was the subject of the 9 November Threat Assessment, however, was discussed at the meetings of the Special Incident Task Force which were held daily at that time. Both

ASIO and DFAT were represented at the Task Force meetings at which ASIO provided briefings on the bin Laden statement."

- i. Who were the DFAT representatives at these meetings
- ii. How were the outcomes and decisions reported back into DFAT
- iii. Did they get fed back to the people preparing travel advice?
- iv. Did the people preparing travel advice specifically get the feedback about ASIO's briefings to the task force on bin Laden.
- v. Was there a reason why DFAT didn't seek a meeting with ASIO to explicitly discuss the import of the UBL statement?

XIX. DFAT: On 12 July 2002, DFAT issued a travel advice saying that the advice "had been reviewed and reissued with no substantive change to the information or advice" – the previous advisory had been on 28 March 2002. We know that, from March to July, ONA and ASIO had provided reports such as:

- . In a report of 29 April 2002 ONA said Al Qaida has a presence in Indonesia which gives it the capability to conduct terrorist acts in and from Indonesia. But the extent and nature of Al Qaida's presence are unclear and hard evidence remains elusive.
 - . In a report of 27 June 2002 ONA said that information from captured Al Qaida members ... confirms that Al Qaida has a longstanding presence in Indonesia. ... Al Qaida is actively supporting extremists who are prepared to conduct terrorist acts in support of global jihad while advancing their own agendas; in particular, Al Qaida has been active in fostering a relationship with Jemaah Islamiyah (JI).
 - . ASIO's report of 3 July 2002 said that "Australia's profile as a potential target of terrorist attack by Islamic extremists has been raised by our involvement in the War on Terrorism"; "Islamic extremists in the region have shown the capability and intent to conduct terrorist attacks"; "neither Jakarta or Bali could be considered exempt from attack".
- i. On the face of it, it would seem that such reports might have warranted a 'substantive change' in the travel advisory – especially given that DFAT has said its travel advisories were commensurate with ASIO's threat assessments – and yet there was no change made to the reissued advice of 12 July 2002. Can you explain why DFAT didn't think any "substantive change to the ... advice" was necessary?

XX. DFAT: On 13 August DFAT put out another travel advice which contained "new information and advice but the overall level of advice has not been changed" (i.e. not changed from the 12 July level of advice). It seems on my reading that the "new information and advice" related to avoiding bus travel in Poso and Central Sulawesi. Everything else seems to have stayed the same.

- . Between DFAT's 12 July and 13 August advisories, ONA, DIO and ASIO continued to put out reports that included, among other things, that Al Qaida's strength in SE Asia was likely to grow, and would try and work with organisations such as JI; suicide attacks hadn't been used but this might be changing; reports that extremists intended to launch attacks in August/September can't be dismissed; that raids on brothels and nightclubs, bomb attacks or terrorist attacks are all possible; that reports during July indicate an increased threat of terrorist attack, possibly in August; that JI continues to possess the capability and intent to undertake future attacks; and on 9 August ASIO reported that extremists may be planning actions "*likely to range from demonstrations to terrorist attacks*" and that "*principally US but also British and Australian, were among the intended targets*". The ASIO report concludes by saying "*The number and nature of the reports, however, taken in the context of the raised threat in Indonesia, collectively warranted updated threat advice.*"
 - i. Can DFAT explain how its 13 August travel advisory (in which "the overall level of advice has not changed") is commensurate with what was in the ONA, DIO and ASIO reports I've referred to – especially ASIO's assessment that the 'number and nature of the reports ... collectively warranted updated threat advice'?
 - ii. Did DFAT seek additional advice from any of these agencies when these reports came through?
 - iii. Did these reports prompt any specific discussions within DFAT as to whether a change in travel advice was warranted?

XXI. You will be aware that the UK's Intelligence and Security Committee conducted an *Inquiry into Intelligence, Assessments and Advice prior to the Bali Bombings*. At paragraph 18 of its report the Committee mentions various developments that had been reported by intelligence agencies between May and September 2002, including that "attacks on US and UK interests, including tourists in nightclubs, were being discussed by terrorists."

The report continues:

(19) These developments need to be considered together with both the public reluctance of the Indonesian authorities to deal with terrorism and (-and here I emphasise-) the fact that the terrorist may be likely to attack a less well protected target in order to ensure success (target displacement effect) ... It continues a sentence later ... A Threat existed to western tourists in Indonesia; the largest concentration of western tourists there is on Bali; and they gather in large numbers in a limited number of nightclubs. These facts should have been recognised by the Security Service as pointing to a potential target.

The UK report went on to call this "a serious misjudgement", although the UK Committee repeated that "on the available intelligence, we do not believe that the attack could have been prevented."

On Travel Advice particularly, the UK Committee concluded: *the FCO Travel Advice did not accurately reflect the threat or recent developments, although it was proportional to the then current Security Service Assessment.*

i. Can DFAT articulate the reasons why this Committee shouldn't write in similar terms with respect to the significance of the concentration of Australians in Bali and its import for the way Travel Advices should have been developed so as to have taken this concentration of tourists in Bali into account.

XXII. **DFAT:** We were told by Mr Lewincamp "from the start of 2001 to the end of 2002, there were a number of occasions on which the intelligence indicated that Indonesian groups may be seeking to undertake opportunistic attacks against Westerners in nightclub areas, including in Jakarta and some other Indonesian cities." (Committee Hansard 20 June 2003, p61 Lewincamp, DIO) I couldn't find any explicit reference to attacks in bars and nightclubs in any DFAT advices – although they were specifically referred to in the Canadian and UK advices.

i. Why wouldn't that sort of intelligence find its way explicitly into a Travel Advice, given that most tourists, especially in Bali, would frequent bars and nightclubs? (I note that some very specific advice and details were given in DFAT Travel Advices warning about tyres getting punctured to rob drivers, and that people had been threatened and assaulted in taxis – that's fairly specific, but would address far fewer tourists than the thousands gathering in Bali clubs and cars.)

ii. Mr Lewincamp went on to say: "On occasions when that material came in, that was reported by DIO, by ONA, by ASIO, and I can well understand that there may have been warnings provided by embassy officials in Jakarta to their staff accordingly". (Committee Hansard 20 June 2003, p61 Lewincamp, DIO) Can you confirm that such advice was **not** given by embassy officials to their staff?

XXIII. Hugh White, from ASPI, made the following remarks in his evidence to the Committee:

. I think there were, if you like, deficiencies in the way in which the information about the risk to Australians in Indonesia was assessed. I make the point that I do not think that was a failure that related solely, or even primarily, to intelligence assessment agencies. The fact is that in the weeks leading up to the Bali bombings it was know to everyone who took a professional interest, or even a passing interest, in these issues that there was a significant threat that JI or similar groups were active in Indonesia. There was a significant threat that they would be targeting Australians specifically; there was a specific likelihood they would have been looking for soft targets, and Bali was the biggest soft target around if you were after Australians. I do not think it was only the intelligence community that failed to run through that syllogism.

i. How do you respond to those remarks?

ANSWERS:

I. We have encouraged the deferral of non-essential travel to Bali since 13 October 2002.

i.i. Yes.

i.ii. No. This represents just over 50% of the total number of Australians who travelled to Bali in 2001.

ii.i. The travel advice for Indonesia in March 2004 recommended, inter alia, that Australians defer non-essential travel to Indonesia, including Bali.

ii.ii. Yes. Other governments have the same experience. In the end the Government's role is to provide clear advice on risks. It is up to Australians to make a decision on whether to travel or not. Our sense, including from dealings with the travel industry and our market research, is that this principle is well understood, but we are considering enhancements to the language we use to make this even clearer.

II. Feedback received after the Bali tragedy suggested that the relativity between phrases commonly used by Australia and its consular partners (United States, United Kingdom, Canada and New Zealand) was not clearly understood. DFAT initiated a system of standardising the language used in our travel advice according to a seven-tiered scale. This information can be found on a 'frequently asked questions' page on our website under the heading "Is there a scale in travel advisories?"

Beyond this initiative we have also initiated an extensive feedback process with travel agents, members of the public and other industry groups. While we cannot be influenced by interest groups or industry representatives, a constructive and useful dialogue has been developed with most key stake-holders with the single aim of ensuring the travel advice is understood by the customer. We are actively considering other improvements to our travel advice, to ensure it remains at the forefront of best practice globally. These will be announced when they have been approved.

III. Mr Downer was not told that Bali would be an attractive symbolic target in his briefing on 19 June 2002. This phrase distorts a line to do with tourist hotels in Bali from an ONA report of 27 September 2001, relating to Laskar Jihad, who did not commit the Bali outrage.

i. From contemporaneous notes made by Mr Bill Paterson, FAS ISD at the time, tabled before this Inquiry, ONA responded to questions by identifying possible Indonesian official targets first. To quote from Mr Paterson's testimony,

The conversation went on, with the ONA analyst pointing out that Western targets such as in Singapore were also possible. Expanding on that, the ONA analyst said that the possibility of attacks on US or Australian aircraft in Indonesia could not be ruled out, or Bali or Singapore. And, as I have said to you, I think Riau was probably in there, but it does not appear in my notes. At that point, Mr Downer, in a general way to those present, in effect said, 'Well, I wonder whether that means we should be changing the consular advice,' to

which the ONA analyst replied that there was no specific intelligence to warrant that.

It is clear from this that the DFAT note-taker in the meeting – the only contemporaneous note-taker – took ONA's comments about Singapore, Bali and Riau to be in the context of threats to aviation.

IV. Consular Branch was not involved in the sequence of discussions. Such discussion and follow up was properly managed by the relevant geographic division of the Department as a key source of input to the travel advice. In this case, as the Committee is aware, the geographic division took a series of steps to seek further information on the subject before incorporating it in geographic division feedback on travel advice.

V. Mr Paterson was not 'very anxious' to report back. Mr Paterson followed normal professional practice in relaying information promptly to the relevant geographic area.

i. It is standard practice for DFAT observers to ONA briefings with Mr Downer to report to relevant areas of the Department at an early opportunity following such a discussion. It is directly commensurate with the degree of urgency conveyed in ONA's speculation that follow-up to this single reference was managed in the routine course of business, rather than a matter of overriding priority.

VI. The quotation from the testimony of Mr Kemish says in full:

It is important to remember that the South and South-East Asia division is an important source of input into the travel advisory process and is one of the points within the department we always go to for input. They were taking very conscientiously their obligations to provide input into the travel advisory service and other briefings that the South and South-East Asia division provided. The department, and particularly the South and South-East Asia division, took several steps in June 2002 *to clarify ONA's assessments to do with terrorist groups and their presence in South-East Asia and, in particular, the reference that Mr Paterson has just read to you.* (Emphasis added)

Mr Kemish was referring to follow-up by DFAT in relation to ONA's assessments to do with the broad theme of *terrorist groups and their presence in South-East Asia*, which was the subject of ongoing discussion between DFAT and ASIO. As the Committee is aware, DFAT also followed up the specific Bali references with an email to ONA.

VII. This question does not take into account the testimony of Mr Paterson which indicated that ONA's reference to aviation in Bali during the 18-19 June meeting had been illustrative and not based on specific evidence. Mr Paterson's discussion with the geographic division reflected normal practice in DFAT. The geographic division's e-mail indicated their practice of conscientiously following up every reference.

i. Both. They are not mutually exclusive. See Mr Kemish's previous testimony on this issue.

VIII. The record, including ONA's decision not to commit this idea to writing in any relevant watch report, supported our interpretation that it was not based on any evidence. ONA testimony also supports this: as the Director General of ONA has testified,

“Clearly no-one, not DFAT, not ONA, not anybody else is suggesting that there was at any time, in any discussion, either with the Minister or with DFAT, any suggestion that there was any information, any specific information, any actionable information that related to the possibility of a bomb in Bali.”

IX.

i. Yes. ASIO is consulted on the safety and security section of travel advice where the assessed threat is high. This arrangement was formalised after Bali.

ii. ONA is not now, nor has it ever been part of the travel advice process. DFAT and ASIO have a formal role in travel advice preparation. ASIO prepare threat assessments that identify credible threats overseas and DFAT uses these as one of the inputs to its travel advice. Other inputs are our overseas missions, our geographic divisions and our consular partners' travel advice.

As we and ASIO have testified, with the encouragement of the Minister for Foreign Affairs, we instituted new arrangements post-Bali on the basis that we judged the earlier processes to be too compartmentalised.

X. No.

XI.

i. Yes.

ii. Clear, specific and credible threat information, when received, is passed to the public via the travel advice. There are numerous examples of this taking place, including in Indonesia, Saudi Arabia, Kenya, Philippines, Thailand and Iraq. Where information is not specific and a general threat of terrorism exists, the travel advice warns of that risk. It clearly did so for Indonesia at the time of the Bali bombing. To warn against travel prior to a high threat level being reached would mean that we would be advising Australians against travel to all South East Asian countries and many others at this stage, in the absence of any specific information.

We further note that international opinion appears to be trending in the opposite direction to that suggested in the question: we refer the Committee to the recent British review of travel advice, announced by Foreign Secretary Jack Straw, which has judged that travel advice should not be prescriptive in the absence of imminent and specific threat information.

XII.

i. Yes. In fact the Committee should regard embassies as joint authors of the advisories.

ii. DFAT Consular Branch did not omit the text. Draft travel advice is prepared with the Embassy and cleared with the Embassy. The role of Consular Branch is to manage a process involving direct input from the embassy and geographic division. The Embassy did not recommend that this particular reference should be included in this case.

XIII.

i., ii., & iii. No. DIO and ONA have no responsibility for reporting on dangers faced by Australians overseas. ASIO's responsibility in assessing threats to Australians and Australian interests overseas is limited to politically motivated violence. Only DFAT has a responsibility for advising Australians overseas of *all* dangers and issues affecting their safety and security. It is wrong to suggest that DFAT was "not really all that attuned to terrorist threats directed at Australian interests". Again, we remind that at the time of the Bali bombing, the travel advice for Indonesia said: "In view of the ongoing risk of terrorist activity, Australians should maintain a high level of security awareness at all times", and that this was matched by a regional and worldwide bulletin. As the Committee is aware, this attracted considerable media coverage at the time.

XIV.

i. Yes. Bali was often judged in the public mind to be safer in terms of the risk of overt threats such as civil unrest, but our practices did not differentiate it from the rest of Indonesia.

ii. The second paragraph of the travel advice current at the time of the Bali bombing said "Bombs have been exploded periodically in Jakarta and elsewhere in the past, including areas frequented by tourists. Further explosions may be attempted. In view of the ongoing risk of terrorist activity, Australians should maintain a high level of personal security awareness at all times."

XV. DFAT consular staff are trained to read out all of the travel advice, and to draw attention to the level of the advice. This is impressed on staff through training. Staff are trained to not expand on the travel advice with their own interpretations or explanations.

It would have been quite wrong to have told callers that a tourist hotel in Bali would have been an important symbolic target. This advice would have been speculative, and not based on intelligence or proper assessment. It might have created a false impression that other locations in Bali – such as bars and nightclubs - were safer than tourist hotels.

XVI. To our knowledge Mr Reed has no expertise in travel advice and threat assessment. He is a former member of an intelligence collection agency, not a threat assessment agency. DFAT further notes that Mr Reed has not quoted the travel advice for Indonesia accurately. He seems an unqualified commentator.

XVII. See DFAT's response to questions 1.1-1.2 from Senator Kirk. In addition, we note that this question quotes the DFAT testimony out of context, and creates a misleading impression.

The full quotation from the testimony is:

"Commencement of Coalition Military Action in Afghanistan: 7 October 2001

The commencement of military action against Afghanistan on 7 October 2001 led to renewed concerns about the risk of civil unrest and other activity directed at western countries. In this context, the travel advisory for Indonesia again received special and immediate attention. The overall warning level was upgraded on 8 October to "defer all holiday and normal business travel to Indonesia, excluding Bali" (this exclusionary clause was later widened to include Bintan and Batam). The advisory drew a clear link with the commencement of military action in Afghanistan, and contained a range of advice about the need for caution in the heightened security environment.

The Government continued to advise Australians to defer holiday and normal business travel to Indonesia until 23 October 2001.

Australia's travel advisory for the Philippines, having already been strengthened on 20 September, 4 October and 5 October, was reissued again on 9 October 2001 to remind Australians that "in view of the international coalition's response to the terrorist attacks in the United States, Australians are advised to be particularly attentive to their personal security. There may be a heightened risk for foreigners throughout the country, including in the capital Manila". The US did not reissue its travel warning for the Philippines; the UK reissued its travel advice on 15 October but with no substantive change to the advice; and Canada reissued its travel advice for the Philippines on 8 October to note the possibility of significantly increased dangers for Canadians abroad.

As a precaution, Australia reviewed and reissued its travel advisories for other South-East Asian nations - such as Burma, Cambodia, East Timor, Laos, Thailand and Vietnam - between 15-18 October. In the case of these countries - consistent with the continuing absence of specific threat information against Australians - our travel advice was refreshed to remind Australians to be especially alert to their own security at this time. Malaysia had been updated with the same language on 4 October.

DFAT reviewed these advisories in light of the Usama Bin Laden broadcast of 3 November 2001, referring inter alia to Australia, and determined they did not need further strengthening."

That is, DFAT upgraded significantly travel advice for South East Asian countries following the coalition military action in Afghanistan in October. The travel advice for Indonesia, revised again on 23 October 2001, continued to contain clear warnings about the risk of bombings in Indonesia.

XVIII.

- i. These meetings were chaired by FAS, International Security Division (Paterson). Consular Branch was represented at these meetings as required.
- ii. Representatives reported back as required by operational circumstances.
- iii. Travel advice was the subject of direct consultations with ASIO as required. The focus of the task force meetings was not travel advice.
- iv. No, but in any case see our responses to Senator Kirk's questions 1.1-1.2.
- v. See above.

XIX.

In fact the 12 July Advisory added the following advice for the first time.

Australians in Indonesia should monitor carefully developments that might affect their safety and should maintain a high level of personal security awareness. Bombs have been exploded periodically in Jakarta and elsewhere in the past, including areas frequented by tourists. Further explosions may be attempted.

This reflected the concerns expressed by ASIO and others about an emerging regional threat.

As we have said to the Committee, the 3 July Threat Assessment was prepared for Qantas, and therefore focussed on Bali and Jakarta because that is where the international airports are. Nowhere can be considered "exempt" from attack.

XX.

Re-issuing the advisory was in itself an active step, designed to emphasize existing advice. This re-issued advice followed only one relevant threat assessment issued by ASIO, contrary to the implication in the question. That Threat Assessment did not refer to Bali; nor did it change the threat level.

XXI. These quotations from the UK inquiry report do not relate to travel advice. They refer to threat assessments from the UK Security Service. Questions on threat assessments should be directed to ASIO. We note that the question also misquotes the *UK Inquiry*. At paragraph 18, the report actually states that "The intelligence from *September 2002* [not "between May and September"] reported that attacks on US and UK interests, including tourists in nightclubs, were being discussed by terrorists". As noted elsewhere, intelligence received in September 2002 was given prominent public attention by the Government.

- i. UK travel advice and UK threat assessments for Indonesia are matters for the UK Government. The UK Inquiry did not recommend that travel advice should have been developed so as to have taken concentrations of tourists in Bali into account; it recommended that Security Service threat assessments take this into account.

XXII.

i. The question misrepresents the UK and Canadian advice, and perpetuates a dangerous falsehood. The reference to bars and nightclubs in the Canadian and UK travel advice is explained below in some detail to debunk this issue. It needs to be emphasized that all like-minded embassies worked in tandem to warn of the possibility of harassment in bars and nightclubs every year, in the lead-up to Ramadan. This is why all governments – including Australia – issued warnings in September 2001 and 2002 about the possibility of harassment and assault in such venues.

In keeping with established practice, the Australian and United States embassies in Jakarta both issued notices to registered citizens in the lead-up to Ramadan in 2002 which, inter alia, warned of these seasonal risks associated with bars/nightclubs/restaurants. These have been provided to the Committee.

The Australian notice, issued on 3 October 2002 said

“As in the past around religious holidays, groups may conduct intimidatory activity against night clubs, bars and other places where expatriates are known to gather.”

As to United States warnings, we note that the Committee received a reply from an officer of the US Consulate General in Sydney in response to its question to the US Embassy in Jakarta about the basis of the equivalent US Embassy notice. This reply does not appear to address the question put by the Committee Secretariat. It also confuses the US Travel Warning – which did not refer to bars and clubs, contrary to the letter – and the US Embassy notice.

The Australian Consul-General in Jakarta and his staff worked closely with the US Embassy in Jakarta on these issues in September-October 2002, as they had in previous years. There was a clear understanding between them about the basis for these respective notices. To update and confirm our understandings, however, we again approached the US Embassy in Jakarta – which issued the notice – about this on 27 May 2004. The US Embassy “confirmed that their advice was in line with previous advice on sweeping activities”, and noted that there was no known reason to “issue what they did concerning bars and nightclubs, other than a pre-emptive warning of the history of sweeping activities during Ramadam”. (Quotes from email forwarded to Canberra by the Australian Embassy, Jakarta.)

The reference to bars and nightclubs in the UK travel advice from before 11 September 2001, reads:

“There is no strong anti-foreign sentiment at present and none directed at Europeans. But there have been attacks by extremists on nightclubs in Jakarta, with expatriates sometimes being the target. British nationals visiting bars and clubs should remain alert and be ready to leave at the first sign of trouble.”

On 12 Oct 2001, this was changed to:

“In the past there have been attacks by extremists on night-clubs in Jakarta, with expatriates sometimes the target. There have been no reports of similar attacks recently. But with Ramadan approaching and the heightened level of tension in the wake of the terrorist attacks against the US, they are quite likely to recur. British

nationals visiting bars and clubs should remain alert and be ready to leave at the first sign of trouble."

On 9 Jan 2002 – this reference was removed. The reference was not present at the time of the Bali bombing, nor in the ten months prior to it.

The Canadian travel advice reference to nightclubs from prior to 16 August 2001 reads:

"There have been a number of violent protests targeting nightclubs in the Jakarta area. In at least one instance, foreigners were physically assaulted. Canadians should remain alert when frequenting such establishments. Sensible precautions should be observed regarding personal safety."

It is clear from ONA's 26 July 2002 report which refers to "*raids* on brothels and nightclubs" as a separate threat to "*bomb attacks or terrorist attacks* on US or other Western targets" (emphasis added) and from UK and Canadian travel advice, shown above, that the references to bars and nightclubs are references to 'raids' by extremists – where the worst danger contemplated is physical assault. This should not be confused with information about a terrorist bombing of a nightclub.

ii. DFAT can provide a categorical assurance that it does not provide its staff with separate or different advice to the advice provided to the public. This is a fundamental principle. We note the spouse of an Australian DFAT employee was killed in these bombings.

XXIII. Australia's clear warnings were widely reported in the media and doubtless formed one of the premises on which Mr White's syllogism was based; that " it was known to everyone who took a professional interest, or even a passing interest, in these issues that there was a significant threat that JI or similar groups were active in Indonesia". Mr White's conclusion *after the event* that Bali was an obvious target for terrorists needs to be set against the simple fact that no government, intelligence agency or travel advisory reached that conclusion *prior to the event*.