

## Chapter Three

### Intelligence reports, threat assessments and travel advice

My son, Scott, was killed in that tragedy. I would like you to know that neither I nor any member of my family consider that the Government's travel warnings were in any way inadequate. We do not feel there was any lack of advice that contributed to Scott's death. Furthermore, Scott was employed by international SOS Pty Ltd in Jakarta, a company involved in, amongst other things, international security. Through his company, he was acutely aware of security risks and had commented prior to his trip that Bali was considered one of the safe havens in Indonesia.

*(Extract from letter to DFAT tabled during the inquiry.)*

3.1 The Committee has discussed elsewhere in this Report the inherent problems that arise when reinterpreting intelligence after the fact—the hindsight phenomenon labelled ‘connecting the dots’.<sup>1</sup> If one looks back at the intelligence applying to Indonesia, with the knowledge of the Bali bombing as the vantage point, the events of 12 October may look probable or even inevitable.<sup>2</sup>

3.2 In hindsight, one can home in on and extract the *relevant* pieces of intelligence, while ignoring the background ‘noise’ of the time that was created by *irrelevant* intelligence (i.e. intelligence relating to threats that were either false, or did not come to fruition).<sup>3</sup> With the luxury of hindsight all uncertainty is swept away, the pieces of the puzzle fit perfectly together, and a clear picture of threat surfaces.<sup>4</sup>

3.3 Similar cautions must be observed in the analysis and description of links between threat assessments and the development and formulation of Travel Advices. ASIO's Dennis Richardson alerted the Committee to the difficulties associated with looking back at travel advisories in the light of what is now known about Bali.

I can only repeat that I think it is very difficult to make that retrospective judgement. It would be very easy for a person in my job to say, ‘Yes, it [the travel advisory] should have been this or it should have been that,’ but I cannot say that, and I think it would be an unreasonable and unfair thing to do. What I can say, as I have said previously—and I have sought to be as

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1 For a detailed discussion of this issue, see Malcolm Gladwell, ‘Connecting the Dots—The paradoxes of intelligence reform’, *The New Yorker*, 10 March 2003, pp. 84–88.

2 See, e.g. *Transcript of Evidence*, 19 June 2003, p. 2 (Dennis Richardson, Director-General, ASIO).

3 See, e.g. Malcolm Gladwell, ‘Connecting the Dots—The paradoxes of intelligence reform’, *The New Yorker*, 10 March 2003, p. 86.

4 *Transcript of Evidence*, 20 June 2003, p. 66, (Kim Jones, Director-General, ONA).

frank as I can with the committee—is that I believe the threat assessment process and the travel advisory process were too compartmented prior to Bali. While there was close interaction, and while it was effective in one sense, the mere fact that we have reviewed it and the mere fact that we have changed it highlights the fact that we did not have those two processes interacting to the best effect.<sup>5</sup>

3.4 The Committee is nevertheless obliged to consider what lay behind the Travel Advices prepared by DFAT, and there is an inevitable juxtaposition of those advices with the threat assessments that informed them.

3.5 DFAT addressed the issue of the relationship between travel advisories and threat assessments on several occasions before the Committee.

In drafting advisories for Indonesia or any other country, the only proper source of advice under the arrangements established at this stage regarding terrorism is ASIO, as the organisation charged with, and equipped to assess threats. No proper advisory process can be based on untested raw intelligence. No proper advisory process can be based on speculative comment from individual analysts. There are many hundreds and hundreds of intelligence reports each month suggestive of some threat or another in some location around the world, each of which is subject to proper testing by ASIO...If we broadcast every untested thought through the advisory process, the process would be unmanageable....We can only respond to considered analysis or intelligence that has been tested. No considered analysis, no intelligence, was ever made available to DFAT by any agency suggesting a terrorist attack in Bali...We wish, as individuals who have had daily contact with the victims' families, that we had prior warning of the Bali attack. We did not.<sup>6</sup>

3.6 It is worth noting here also the remarks made by British Foreign Secretary Jack Straw in his statement to the House of Commons concerning the UK parliamentary report on intelligence and travel advisories prior to Bali.

The purpose of Travel Advice is to provide reliable information to British travellers and residents overseas. It is vital that our advice is based on the assessments made by the Security Service. The intelligence agencies are best placed to evaluate the terrorist threat to British nationals both at home and overseas. That often involves difficult judgements, where we have to ensure that travellers are warned of threats which we assess to be credible, whilst not causing panic by over-reacting to unsubstantiated pieces of information.

It is worth underlining that this often requires very difficult judgements. The safety and wellbeing of our nationals abroad is our prime concern. But as my RHF the Prime Minister said last month, we must aim 'to take preventive measures without destroying normal life'. If rather than properly

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5 *Transcript of Evidence*, 28 May 2004, pp. 461–462 (Richardson, ASIO).

6 *Transcript of Evidence*, 24 September 2003, p. 180 (Kemish, DFAT).

seeking to separate truth from fiction the Government treated every terrorist threat as accurate, then on many occasions in recent months we would have had to shut down roads, shopping centres, airports, factories and military installations. This would serve only to cause panic—precisely the circumstances which the terrorists are striving to create.<sup>7</sup>

3.7 The intelligence gathered and reports produced by the Australian intelligence community are one of the important sources upon which DFAT draws when preparing its Travel Advice, along with 'on the ground' advice from its overseas posts and input from its Consular Branch.

DFAT gives particular weight to the threat assessments issued by ASIO in considering the implications of intelligence for our advisories.<sup>8</sup>

3.8 This weighting of advice in favour of ASIO was confirmed by ONA, who told the Committee that:

DFAT do not seek our views on their travel advisories and we do not, as a normal practice, seek to monitor them. They make their judgements on the bases they make them on. The interaction is much closer between ASIO and DFAT on travel advisories, because ASIO does the threat assessments and the threat assessments feed into the travel advisories. So they have the discussion about those issues; it is more remote from our activities.<sup>9</sup>

3.9 ASIO's Director-General (Mr Richardson) described to the Committee how he saw the relationship, pre-Bali, between ASIO threat assessments and DFAT travel advisories:

I said in our submission to the committee and...in my opening comments to the committee on 19 June...that before Bali the threat assessment process and travel advisories were more compartmentalised. We prepared the former and DFAT the latter. While we discussed and explained our threat assessments to DFAT, we were not involved in the preparation of the travel advisories. We did not seek input into the travel advisories and DFAT did not seek comment from us. I think this was a weakness in the system that operated before Bali and it has now been rectified.<sup>10</sup>

3.10 DFAT initially expressed to the Committee a somewhat different assessment of DFAT's arrangements with ASIO pre-Bali.

We do not believe these arrangements were inadequate prior to Bali; and we certainly do not think that improved arrangements would have made a

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7 Rt Hon Jack Straw MP, Secretary of State for Foreign Affairs  
<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029391629&a=KArticle&aid=1039607481110>

8 *Submission 4*, pp. 3–4 (DFAT).

9 *Transcript of Evidence*, 24 September 2003, p. 143 (Jones, ONA).

10 *Transcript of Evidence*, 24 September 2003, p. 151 (Richardson, ASIO).

difference to the overall approach taken in our travel advice. Having looked closely at our processes following the Bali attacks, however, we have taken a range of steps to strengthen them further to ensure we stay at the leading edge of international practice and to provide additional assurance to Government and the public about these important processes.<sup>11</sup>

3.11 Improvements in the arrangements for ensuring that threat assessments and travel advice are in harmony are welcomed by the Committee, which notes also the following remarks by DFAT's Ian Kemish towards the end of the Committee's inquiry.

[I]t is now almost two years since, in the context of an emerging threat, we were making difficult judgements about travel advice for Indonesia and other countries in South-East Asia and we were moving to highlight the risks to Australians in our public statements and travel advisories. When we look back at that period and discuss in constructive spirit the management of these complex issues by the government...I would like to join [ASIO's] Mr Richardson in calling for greater rigour in the examination of these issues, particularly in public statements and media coverage, and greater honesty and accuracy and higher standards of research in supportive work relating to public statements. The committee itself, I know, has a serious responsibility in this regard as well.<sup>12</sup>

3.12 DFAT's submission to the Committee stated that its Travel Advice was at all times commensurate with the threat assessments and related product delivered by Australia's intelligence community:

We can see no point where the settings in our South-East Asian advisories were inconsistent with those threat assessments. We have also undertaken comprehensive searches of the assessments and reports provided during the period under review by other agencies, including particularly ONA. While this material was helpful to us in ensuring appropriate references to the regional risk of terrorism in the travel advisories, we can see no analysis among these many reports indicating signs of a potential attack in Bali.<sup>13</sup>

3.13 In oral evidence, DFAT officials repeated their insistence about the appropriateness and commensurability of their travel advisories:

Our comprehensive examination of ASIO threat assessments and other analytical reports provided by assessment agencies, including particularly the Office of National Assessments, given the level of public attention in recent days, has led to the firm conclusion that at no point did the government miss any information or considered analysis pointing to signs of a potential attack in Bali. We did not fail to put such information or analysis into the public domain because there was no such information or

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11 *Transcript of Evidence*, 20 June 2003, p. 93 (Kemish, DFAT).

12 *Transcript of Evidence*, 28 May 2004, p. 472 (Kemish, DFAT).

13 *Submission 4*, pp. 3–4 (DFAT).

analysis available to us. What we did have was advice, information and assessment from intelligence agencies and our mission in Jakarta about two issues. Firstly, there was—and I need to emphasise this—the risk of civil unrest, demonstrations and harassment directed at Westerners and Western interests in Indonesia. Secondly, there was a non-specific risk of terrorism in the region. Our record in putting information into the public domain about both issues is clear and consistent.<sup>14</sup>

3.14 The Bali tragedy, however, galvanised a new approach to regional security advice, and with it came changes to the procedures and relationships that shaped DFAT's Travel Advice activity. It was desirable that, in view of such a calamitous event, the procedures concerning the preparation of Travel Advice would be reviewed and tightened. One would be concerned had they not been.

We [DFAT] have...concluded that in the security environment following the Bali tragedy, there was scope to strengthen further the consultative arrangements between DFAT and ASIO on these issues. This has been reflected in new rules of procedure governing the...and in the institution of a fortnightly meeting between the two agencies to review how these arrangements are working.<sup>15</sup>

3.15 The Committee has earlier set out in some detail the pattern of pre-Bali intelligence about the nature and extent of regional security threats, as well as a comprehensive and comparative account of travel advisories—Australia's and those of its consular partners. The task now is to bring these together and, with special regard for the risks of a hindsight perspective, assess their commensurability.

3.16 The Committee went to considerable lengths during hearings and via questions on notice, to explore with DFAT officials the relationship between threat assessment inputs and travel advice outputs. The following analysis and review of that relationship seeks to reflect faithfully all the relevant considerations.

3.17 The Committee has already opined that at least from 1999 and possibly earlier, the Australian intelligence community had on its radar screen the threat of transnational, bin Laden-inspired terrorism and its implications for South-East Asia.

3.18 There was not a lot of detail available, links between regional and international groups were not clear, and the domestic Indonesian political environment was not receptive to foreign pleas and criticisms about the transplantation of international terrorism onto Indonesian soil—especially when its Islamic dimensions were emphasised.

3.19 Tension between Indonesia and Australia—especially over East Timor—was also not conducive to the collection, by Australian agencies, of information about the various extremist groups that had been identified. This was a particular problem given

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14 *Transcript of Evidence*, 20 June 2003, p. 90 (Kemish, DFAT).

15 *Submission 4*, p. 4 (DFAT).

the fragmented, cell-based structure of many of these groups, made worse by the porous regional borders through which individuals could transit either undetected or ignored by local authorities.

3.20 By 2000 the Australian intelligence community seemed to be in no doubt that there was a rise, essentially unchecked, of militant Islamic groups in Indonesia, that the influence of al-Qaeda on these groups was becoming apparent, and that the prospect of these groups conducting terrorist attacks could not be denied. By early 2001, for example, ONA had convened a meeting of collection agencies to seek a more concentrated intelligence effort on Indonesian militants and their international terrorist links.

3.21 The position around this time was summarised by the head of one intelligence agency as 'clear agreement across the [intelligence] community about extremism and the capacity for terrorist attacks within South East Asia'.<sup>16</sup>

3.22 DFAT's Travel Advice by mid-2001 was employing the language of a level 3 Advice. (There are 7 levels or categories of advice, each of which tends to use certain key phrases and terminology.) Level 3 advices often have some reference to the risk of terrorism. For example, the 'headline' summary of DFAT's 27 August 2001 Advice used fairly standard level 3 phraseology. The *Safety and Security* section drew attention to US and UK warnings about heightened terrorist threats, referred to explosions in Jakarta, and warned Australians to take bomb threats seriously. The *General* section gave the standard advice about tourist services 'operating normally in Bali'.

3.23 Because of the inclusion in all DFAT's Travel Advices of a statement about the 'normal' operation of tourist services in Bali (and elsewhere), and because it was mentioned frequently during the course of the inquiry, the Committee has paid particular attention to all such references.

3.24 DFAT told the Committee that the constant inclusion of advice that Bali tourist services were 'normal' was a response to the numerous phone calls that DFAT was receiving from the public about the tourist situation in Bali. DFAT told the Committee it was a 'statement of fact'.<sup>17</sup>

3.25 The Committee remains concerned, however, that the regular and prominent assurance that tourist services were operating normally in Bali may have inadvertently conveyed to those inquirers, including those who had heard about violence in Indonesia, a sense that Bali was somehow insulated from the high level of threat that existed across the entire country. Bald facts, while being true, may nevertheless mislead through being inadequately contextualised or caveated. This is discussed further by the Committee later in this report.

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16 *Transcript of Evidence*, 28 November 2003, p. 342 (Lewincamp, DIO).

17 *Transcript of Evidence*, 20 June 2003, p. 91 (Kemish, DFAT).

3.26 The Australian Jakarta Embassy Bulletin of 15 August and dates thereafter, with respect to advice specifically about Bali added to the basic information that Bali was calm and normal:

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.

3.27 The terrorist attacks in America on 11 September 2001 were clearly a watershed event in reframing Western countries' approaches to both international and regional security issues. From what was to prove to be about a year before the Bali bombings of 12 October 2002, there seems to have been a distinctive shift in the intensity of the security intelligence and threat assessments emanating from Australia agencies.

3.28 As noted earlier, the first DFAT Travel Advice after the terrorist attacks on the World Trade Centre was issued on 20 September 2001. It stated that the Advice 'contains new information or advice but the overall warning level has not changed.' The headline advice remained identical to that of 27 August, and the body of the advice was almost so—including the reference to 'explosive devices...detonated recently in Jakarta... [so] take seriously any bomb threats'. To the body of the advice was added the sentence:

In view of the heightened tension associated with the recent terrorist attacks in the United States of America, Australian travellers are advised to be especially alert to their own security at this time

3.29 The general advice about Bali was repeated:

Tourist services are operating normally on Bali and Lombok.

Travellers to other regions...are advised to...maintain a high level of personal security awareness

3.30 DFAT issued a Travel Advice on 26 September 2001:

...in light of protest activity in Indonesia, to note existing US advice to its citizens to defer non-essential travel, and to convey a warning of a heightened threat to US interests in Indonesia. The key concern at this time was the threat of demonstrations and civil unrest directed at US and other western interests. ASIO also responded to a similar set of concerns...<sup>18</sup>

3.31 The 26 September Travel Advice had the leader: 'This advice has been reviewed. It contains new information or advice but the overall warning level has not changed'. It seems, however, that DFAT nevertheless *did* change the warning level from previous advices. The warning was upgraded, because the boxed, 'headline' summary introduced the additional phrase 'and exercise great caution at this time'. This is typical of level 4 terminology. Level 4 terminology in a Travel Advice is

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18 Submission 4, pp. 9–10 (DFAT).

DFAT's standard setting if ASIO's threat assessment for politically motivated violence against Australians is HIGH.

3.32 The *Safety and Security* section advised about explosive devices being detonated in Jakarta, and told Australians to take any bomb threats seriously. This advice, or warnings very similar, appeared in the body of all later Travel Advices. The only explicit mention of Bali in the 26 September Advice was in the *General* section—the standard remark about tourist services operating normally on Bali.

3.33 An important reference point is the decision by ASIO, on 28 September 2001, to raise the assessed threat level for Australian interests in Indonesia to HIGH. This was a significant move, predicated on publicity in Indonesia about arson attacks on mosques in Australia, reports that extremist groups were taking a unified approach against US-led actions directed at al-Qaeda, and that these groups regarded Australia as anti-Islamic and a 'soft target' alternative to the US.

We did not just put it up to high on 28 September 2001 and then leave it at that. A lot of information was put out following that, and we regularly updated the threat assessments to the best of our ability...<sup>19</sup>

Because that was raising it to high, we [ASIO] certainly would have drawn DFAT's attention to the threat assessment in addition to sending it to them.<sup>20</sup>

3.34 At the same time, ONA issued a report warning that extremists' threats 'against the citizens and assets of the US and its close allies must be taken seriously'. DFAT told the Committee that the department 'would have been in receipt of an ONA assessment. There is certainly no doubt about that'.<sup>21</sup>

3.35 This 27 September 2001 ONA report also contained the subsequently much remarked upon reference to tourist hotels in Bali. The ONA report said that while there were no signs of plans by Laskar Jihad 'to target tourist hotels on Lombok or Bali...extremists see them as havens of Western decadence' and that 'a tourist hotel in Bali would be an important symbolic target, damaging Indonesia's standing and its debilitated economy'.

3.36 This report was discussed on several occasions during the Committee's hearings. The intelligence agencies stressed that Laskar Jihad had a domestic, rather than an overtly anti-Western, focus, and that at that time JI was yet to be recognised as a terrorist organisation. For example, DIO had stated in a 19 September 2001 report that 'Laskar Jihad will take an active role in any anti-US protests, but we have no indications that it is planning any coordinated violence against Western interests'.

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19 *Transcript of Evidence*, 19 June 2003, p. 12 (Richardson, ASIO).

20 *Transcript of Evidence*, 19 June 2003, p. 15 (Richardson, ASIO).

21 *Transcript of Evidence*, 28 May 2004, p. 481 (Kemish, DFAT).



3.37 A subsequent DIO report did, however, include the alert that 'Any form of anti-US demonstrations involving large crowds has the potential for violence to be directed at Westerners...The possibility of Australian nationals being targeted cannot be discounted'.

3.38 The Committee heard no evidence that, and is not in a position to conclude that there were links between Laskar Jihad and JI at that time. Certainly Australian intelligence agencies appear to have had no contemporaneous knowledge of the existence of any such links.

3.39 With regard to this particular report (ONA 27 September 2001), DFAT supported the views of the intelligence agencies in the following terms:

First of all, you are referring to a report that had to do with Laskar Jihad and, as we all know, Laskar Jihad did not perpetrate the Bali bombings. Second, I have today reviewed again what that report said and I have found the reference towards the bottom of the last page of the document in question. It is about a range of other issues. The operative point is this: ONA had seen 'no sign that Laskar Jihad plans to target tourist hotels in Lombok or Bali'. There is a subsidiary dash point below that and it says, 'even so, a tourist hotel in Bali would be an important symbolic target, damaging Indonesia's standing and its debilitated economy'.<sup>22</sup>

...I rang, in the lead-up to this appearance, the individual who was in my position at the time of this statement coming out... He has absolutely no recollection of seeing this reference in the report and, frankly, I am not surprised, given the thousands of reports and the fact that the reference is very deep in the document and is preceded by 'no sign that Laskar Jihad plans to target tourist hotels in Lombok or Bali'. He says, when asked about it, that it would not occur to him that that was sufficient to change the basis of the travel advice. He said: 'What's this about? Our reference point for these issues is the threat assessments produced by ASIO anyway'.<sup>23</sup>

3.40 This response is consistent with DFAT's earlier insistence that it relies primarily on ASIO's threat assessments for its Travel Advice, and to a far lesser extent the general reporting of other agencies.

3.41 The Committee considers that ONA's warning that extremists' threats 'against the citizens and assets of the US and its close allies must be taken seriously' would have been taken into account by ASIO in the preparation of its own threat assessment advice. It is consistent with the dramatically heightened awareness of the seriousness of security threats to the US and its allies ushered in by the September 11 attacks.

3.42 It is worth reiterating at this point that DFAT always regarded ASIO as the prime source of advice on security issues and threat assessments when it comes to the

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22 *Transcript of Evidence*, 28 May 2003, pp. 481-482 (Mr Kemish)

23 *Transcript of Evidence*, 28 May 2003, p. 485 (Mr Kemish)

preparation of DFAT Travel Advice. Reports distributed from other agencies fulfilled a subsidiary purpose.

The main reference point for DFAT is the body which assesses threat [ASIO]. We do not go looking for raw intelligence or raw comment ourselves....ONA might be a useful, very much secondary reference point but the process can only make sense if we rely and focus on the body in the Australian system [ASIO] that is responsible for formal threat assessment.<sup>24</sup>

When we say that our key reference point for these issues is the ASIO threat assessment it means something quite significant. There is an organisation in the Australian government system which is responsible for assessing threat. There is a great deal of information—literally thousands and thousands of reports, some of it utterly bogus—which is available in the broad to the Australian government. There needs to be an organisation which considers all that material and does its best professional job in assessing that information to assist us. We do not have the expertise to judge what is real and what is not. ASIO does that, and it does it exceptionally well. I hope that helps you understand the way we would have treated the ONA reports.<sup>25</sup>

3.43 Notwithstanding these remarks, which tended to relegate ONA's advice to a fairly low order of significance, the Committee notes that in other evidence much was made of how DFAT and ONA were working very closely as each strove to come to grips with the terrorist threat in SE Asia.

There was an extraordinary range of contacts with them [DFAT] during this whole period. We [ONA] were in fact particularly keen, especially as our own thinking evolved, to keep DFAT abreast of it and not to rely on the impression that our written word only would have conveyed. We were quite active throughout this whole period in seeking to ensure that DFAT understood our perspectives.<sup>26</sup>

I think he [Mr Paterson] was concerned in this case over some time that we were on the same wavelength—that they [DFAT] fully understood the basis on which we were shifting our analysis of the nature of the threat. That was a process, as you would recall from our initial statement that went over a period of three to four months even. I think it was in about April [2002] that we became more definitive, as my recollection goes...<sup>27</sup>

3.44 The next event of significance was the commencement of US-led military activity in Afghanistan on 8 October, prompting new DFAT Travel Advice headlined:

Australians should consider deferring all holiday and normal business travel to Indonesia, excluding Bali. Australians in Indonesia are advised to

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24 *Transcript of Evidence*, 28 May 2004, p. 479 (Kemish, DFAT).

25 *Transcript of Evidence*, 28 May 2004, pp. 482–483 (Kemish, DFAT).

26 *Transcript of Evidence*, 23 June 2004, p. 509 (Gordon, ONA).

27 *Transcript of Evidence*, 23 June 2004, p. 514 (Gordon, ONA).

monitor carefully developments that might affect their security and exercise great caution at this time.

3.45 The 8 October DFAT Advice also said 'It is highly likely that there will be further demonstrations in a number of cities in Indonesia which could have anti-Western overtones' and that Australians were advised to take 'special care' and 'exercise sensible precautions'.

3.46 Given DFAT's insistence that its travel advisories were always commensurate with ASIO's threat assessments, and that the Committee had been advised repeatedly that Bali could not be separated from the overall 'high' threat applying to Indonesia as a whole, the Committee sought an explanation as to why the 8 October advice to 'defer travel' *excluded* Bali.

As to the upgrade, it is sometimes hard to convey this: yes, these travel advisories reflect the threat assessments but they also draw on what is actually happening on the ground. In particular they rely on input from the relevant embassy and our knowledge of the experience that Australians are having in these countries through consular work. The key focus in the period you are talking about—and actually it is the key focus for the ASIO threat assessment as well—was the possibility of protest action, civil disorder and in particular protests outside our embassy in Jakarta in the context of the coalition attacks in Afghanistan. That is what the advice was about. The situation in Bali was calm. That was the fact of the matter...<sup>28</sup>

3.47 The focus of DFAT on protest-related violence is consistent with DIO and ONA reports at that time which highlighted the threats of opportunistic street attacks on foreign nationals and 'sweeping' activities by militant groups.

3.48 DFAT also issued a global Travellers Bulletin on 11 October 2001. This was explained by Minister Downer in the following terms:

...[On] 10 October the Americans issued a worldwide caution which was focused on a specific threat made against American interests as contained within the then most recent Osama bin Laden tape—which members will recall, I am sure, because it was substantially in the media. The bin Laden threat was reflected in the US caution of 10 October and a US FBI alert of 9 October, and these were then reflected in a DFAT travel bulletin [global Travellers Bulletin], which is the equivalent of the US worldwide caution, issued on 11 October Australian time. It was entitled, 'Terrorist threat to United States interests in United States and overseas'. That bulletin was, as these bulletins are, posted on the DFAT web site. It said: In light of the warnings by the United States Government, Australian travellers and residents overseas are advised to remain alert to their own security.<sup>29</sup>

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28 *Transcript of Evidence*, 28 May 2004, p. 496 (Kemish, DFAT).

29 Minister for Foreign Affairs, 17 October 2001, Answer to Question without Notice, House of Representatives, *Hansard*, p. 7961.

3.49 The announcement of the deployment of Australian forces to Afghanistan on 17 October 2001 was deemed by ASIO to have raised Australia's profile as a terrorist target, but in the absence of specific information indicating a threat, the announcement itself did not, in ASIO's view, change the threat of terrorist attack in Australia or against Australian interests abroad.<sup>30</sup>

3.50 DFAT's subsequent Travel Advice (23 October 2001) did not explicitly mention the proposed deployment of Australian troops, and continued to focus on the risks to Australians arising from protest activity—which it saw as diminishing—to the extent that 'the Government no longer judge[d] it necessary to advise Australians to consider deferring normal business or holiday travel to most parts of Indonesia, although continued vigilance is recommended'. The body of the advice continued to refer to explosive devices and the need to take bomb threats seriously.

3.51 The logic pursuant to an ASIO report advising that Australia's profile as a terrorist target had been raised might make it seem strange that the Travel Advice should have been somewhat softened. The Committee notes, however, that ASIO expressly advised that the situation had not changed the threat of terrorist attacks against Australian interests abroad.<sup>31</sup>

3.52 The Committee is less comfortable with the Travel Advice that was issued after Osama Bin Laden's 3 November broadcast referring to 'crusader' forces and mentioning Australia by name.

3.53 ASIO considered the statement to be of 'particular significance' and issued a Threat Assessment on 9 November 2001 which noted that:

- the statement must be seen within the context of UBL statements since 1996, which consistently have laid down general markers for subsequent terrorist action.
- ...apart from sporadic references to the United Kingdom, previous statements have referred to the US and its allies. UBL's specific reference to "crusader Australian Forces" thus represents a significant upgrading of Australia's profile. Looked at against UBL's track record, ASIO considers this statement will have force, and significance, for at least the next 18 months.
- ...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-Qaeda network does have the capability and means to carry out an act of terrorism in Indonesia. The only question in respect of Australian

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30 *Submission 2*, p. 4 (ASIO).

31 *Submission 2*, p. 4 (ASIO).

interests there, is one of intent. In this context, 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.<sup>32</sup>

3.54 The Committee was advised by ASIO 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 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'.<sup>33</sup>

3.55 ASIO told the Committee that they 'certainly drew [DFAT's] attention to [the bin Laden statement] and spoke to it'. In ASIO's view:

The word ‘crusader’ is very deliberately used. It is a very definite throwback to earlier times...It was the first occasion on which Australia was specifically mentioned by Osama bin Laden and he was signalling us out and clearly making a play in terms of individuals, groups et cetera in South-East Asia...He is using a code word which paints us as a definite enemy.<sup>34</sup>

3.56 In its written submission, DFAT stated that it had reviewed the travel advisory following the bin Laden 'crusader forces' speech, and 'determined that the advisories did not need further strengthening'.<sup>35</sup> The Department did not, in that submission, elaborate upon its reasons for not strengthening the advisory. The Committee therefore sought further information from DFAT about that decision.

Our [DFAT's] travel advice of 7 December 2001 for Indonesia urged heightened vigilance and personal security awareness, relating this advice to the possibility of further protest activity against the War on Terror and civil unrest, and a range of serious threats across Indonesia. The 9 November ASIO threat assessment did not raise the threat level for Indonesia, nor did it identify any specific threat in that country.

UBL's 3 November statement was widely reported and common public knowledge. Travel advisories do not perform the function of a running media commentary on developments that, in the view of the threat

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32 *Submission 2*, p. 4 (ASIO).

33 Answers from ASIO to *Questions on Notice* 25 August 2003.

34 *Transcript of Evidence*, 19 June 2003, pp. 16–17 (Richardson, ASIO).

35 *Submission 4*, p. 10 (DFAT).

assessment agency (ASIO), do not change the threat level for a particular country.<sup>36</sup>

3.57 After 7 December 2001, DFAT Travel Advice remained the same until 28 March 2002. Intelligence agencies, meanwhile, continued to report on developments.

3.58 For example, ONA stated that United States agencies had become quite rapidly convinced that there were significant links between al-Qaeda and regional and domestic radical Islamic groups in Southeast Asian countries. Amongst the factors that led them to such a conclusion was evidence given in a trial in Spain of al-Qa'ida operatives to the effect that there was an al-Qaeda training camp in Poso on Sulawesi—something that ONA was unable to substantiate.<sup>37</sup>

3.59 The activity of Australian intelligence agencies was stimulated significantly by the receipt by Australian agencies in mid-December 2001 of information emerging from investigations into the Singapore bombings and what they revealed about Jemaah Islamiyah.

[F]rom December 2001 we [ASIO] and others worked very hard to get on top of JI and a lot of progress was made.<sup>38</sup>

3.60 ONA finalised a substantial report reviewing what was known of 146 different organisations. It included such judgements as external influences having increasingly inspired and shaped Indonesian radicals' behaviour; and that many younger Indonesian Muslims have been attracted to the ideas of Osama bin Laden about the legitimacy of engaging in jihad or violent struggle for international causes, including within Indonesia's borders.<sup>39</sup>

3.61 A 6 January 2002 report by DIO declared that SE Asia offered 'a range of soft and symbolic targets for anti-Western Islamic terrorists' and that the most 'vulnerable and numerous of Western interests in the region are tourists and expatriate business people'.<sup>40</sup>

3.62 On 16 January 2002, ONA and ASIO published a joint report based on information flowing from the Singapore arrests. This report revealed that it was not known when before 1999 the JI first made contact with outside terrorists, but this contact appears to have marked the group's transition from militant organisation into terrorist group.<sup>41</sup>

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36 DFAT *Answers to Questions on Notice* 28 May 2004

37 *Submission 3*, p. 5 (ONA).

38 *Transcript of Evidence*, 19 June 2003, p. 3 (Richardson, ASIO).

39 *Submission 3*, p. 4 (ONA).

40 DIO *Answers to Questions on Notice*, p. 6.

41 *Submission 3*, p. 6 (ONA).

3.63 Notwithstanding the al-Qaeda connection identified from the Singapore investigation, DIO doubted in February 2002 that al-Qaeda had active operation cells beyond the Singapore-Malaysia-Philippines footprint.<sup>42</sup>

3.64 What was clear to the intelligence agencies by the time the next DFAT Travel Advice was issued in March was that the terrorist threat in SE Asia had been rather starkly confirmed by the outcomes of the interrogations of operatives in Singapore, especially the evidence revealing JI as an active terrorist group.

3.65 Indeed it was this December 2001 discovery in relation to JI—namely that it had transitioned from extremist to terrorist group some years earlier—that ASIO's Mr Richardson identified as a most significant one.

The intelligence failure in Bali was the failure to identify the transition of Jemaah Islamiah into a terrorist organisation some time after 1996. It was not on our radar screen as a terrorist organisation before December 2001. And, combined with the differences within Indonesia about JI, there was insufficient time before Bali to do what might have been able to have been done if JI had been identified as a terrorist threat a year or two earlier. We will never know if earlier identification would have made a difference.<sup>43</sup>

3.66 The first DFAT Travel Advice of 2002, issued on 8 March, was virtually identical to the December 2001 Advice, which had been issued a week before the receipt by Australia of the information about JI. In the 8 March Advice there was no reference to the new information and intelligence reporting about increased security risks arising from the Singapore investigations and the discovery of JI's terrorist credentials.

3.67 ASIO, as well as reporting jointly with ONA in January 2002 a 'good deal of information on the nature of the regional operations of Jemaah Islamiyah and its historical evolution'<sup>44</sup>, issued 'a number of threat assessments which covered Indonesia' between December 2001 and December 2002. None had 'any specific information relating to Bali.'<sup>45</sup>

3.68 DFAT's written submission to the Committee included a section discussing the Travel Advisory settings for SE Asia between 11 September 2001 and 12 October 2002. That discussion, however, did not convey any description or explanation by DFAT of the travel advisories it issued during the nine months from December 2001 to the end of August 2002.

3.69 The Travel Advice of 28 March 2002 was a substantially re-written advisory, and drew attention to the fact that the advice had been 'reviewed ..[and]..contains new

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42 DIO Answers to Questions on Notice, p. 3.

43 *Transcript of Evidence*, 19 June 2003, p. 3 (Richardson, ASIO).

44 *Submission 3*, p. 6 (ONA).

45 *Transcript of Evidence*, 19 June 2003, p. 34 (Richardson, ASIO).

information or advice'. Its headline opened with advice to Australian's travelling to, or resident in, Indonesia to register with the Jakarta Embassy or Bali Consulate, and concluded with advice against travel to certain regions, and a caution about travel in Irian Jaya and North Sulawesi.

3.70 The body of the advice elaborated on the hot spots of ethnic and separatist violence, and discussed the risks to foreigners in the light of kidnappings conducted by the Abu Sayyaf terrorist group in locations near Indonesia. No other terrorist or extremist group was specified.

3.71 This particular advice did not refer to explosions and bomb threats, although it repeated the warning to 'maintain a high level of personal security awareness'. This advice remained extant until 12 July 2002.

3.72 Between March and July 2002, intelligence agencies' activities and reports dealing with terrorist threats in Indonesia and the region took various forms.

3.73 The agencies became more confident that al-Qaeda had links into Indonesia, with ONA saying that al-Qaeda had:

...a presence in Indonesia which gives it the capability to conduct terrorist acts in and from Indonesia. But the extent and nature of al-Qaeda's presence are unclear and hard evidence remains elusive.<sup>46</sup>

3.74 By June 2002, ONA had reached a point where the agency 'felt it desirable to draw to the Government's attention by means other than written reports its conclusions on the existence of a regional extremist network with connections to al-Qaeda'.<sup>47</sup>

3.75 To that end, ONA officials sought a meeting with Foreign Minister Downer to 'set out the intelligence on...radical Islamic movements and...conclusions on their interconnections and the potential for terrorist activity. The discussions focussed broadly on the terrorist threat in the region and that from JI in particular'.<sup>48</sup>

We were trying to make the impact on the minister of our knowledge up until then and explain the danger of the organisations and explain our developing concepts of the way in which these organisations were planning and were capable of carrying out operations...Much, but not all, of the briefing was confined to Indonesia...We said that basically they had the intention, they had the capability, and getting access to the kinds of equipment they needed would be no problem.<sup>49</sup>

This meeting and its consequences are addressed in some detail elsewhere in this Report.

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46 *Submission 3*, p. 6 (ONA).

47 *Submission 3*, p. 7 (ONA).

48 *Submission 3*, p. 7 (ONA).

49 *Transcript of Evidence*, 28 May 2004, p. 435 (O'Malley, ONA).



3.76 By the end of June 2002, information progressively available from detainees confirmed for ONA that 'al-Qaeda has a longstanding presence in Indonesia'.<sup>50</sup> It reported that 'al-Qaeda is actively supporting extremists who are prepared to conduct terrorist acts in support of global jihad while advancing their own agendas; in particular, al-Qaeda has been active in fostering a relationship with Jemaah Islamiyah (JI)'.<sup>51</sup>

3.77 A week later, on July 3, ASIO issued a statement in relation to QANTAS operations in Jakarta and Denpasar. It stated the following:

The general threat to Qantas interests in Indonesia cannot sensibly be differentiated from the general threat to Australian interests in Indonesia; currently assessed as HIGH.

- 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 a capability and intent to conduct terrorist attacks, including against aviation interests
- They have also shown great flexibility in regard to location, method of attack and type of target.

ASIO is unable to specifically comment on the areas around Denpasar and Jakarta airports other than to note that Islamic extremists associated with Jemaah Islamiyah (JI) and/or al-Qaeda are known to have transited both airports in the past.

Senior Indonesian JI figure, Riduan bin Isamuddin, also known as Hambali, was involved in Oplan Bojinka. He is still at large in Indonesia. Another senior JI member, Mas Selamat bin Kestari, who threatened to hijack an aircraft and crash it into Changi airport fled Singapore after escaping arrest and is likely to be in Indonesia with other JI members. Given the JI presence in Indonesia, neither Jakarta nor Bali could be considered exempt from attack.<sup>52</sup>

3.78 The DFAT Travel Advice of 12 July 2002 (updated last on 28 March 2002) was, according to its introductory line, 'reviewed and reissued with no substantive change to the information or advice provided'—that is, apparently no substantive change to the advice disseminated three months previously.

3.79 On the face of it, it would seem that the intelligence agencies' actions and reports during the intervening three months outlined in the paragraphs above would have warranted a 'substantive change' in the travel advisory—especially given that DFAT stressed the commensurability of its travel advisories with ASIO's threat assessments, and ASIO told the Committee that its assessments during this period

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50 *Submission 3*, pp. 6–7 (ONA).

51 *Submission 3*, p. 7 (ONA).

52 *Submission 2*, p. 6 (ASIO).

were 'well founded'.<sup>53</sup> Yet, according to the advisory's introductory line, there was no 'substantive change' made to the reissued advice of 12 July 2002.

3.80 The introductory line, however, was misleading, and did not indicate that there had actually been a change in the Travel Advice. The Travel Advice was in fact noticeably strengthened, opening its headline summary with the warning that:

Australians in Indonesia should monitor carefully developments that might affect their safety and should maintain a high level of personal security awareness.

3.81 This message was repeated in the first paragraph of the main body of the advice. Bali was mentioned in the context of tourist services operating normally. There was no warning equivalent to ASIO's 3 July statement that 'Given the JI presence in Indonesia, neither Jakarta nor Bali could be considered exempt from attack'. There was, however, an extra warning that expanded on the standard reference to bombs having exploded in areas frequented by tourists: 'Further explosions may be attempted'.

3.82 From mid-July, the intelligence agencies continued to assess and report on the terrorist threat in Indonesia and elsewhere, paying particular attention to JI and the extent to which al-Qaeda may have established links with local extremists.

3.83 ONA advised, among other things, that:

- (a) reports of planned terrorist violence in Southeast Asia are coming more frequently;
- (b) that no good estimate yet exists of al-Qaeda's strength in Southeast Asia, but that it was likely to grow; and
- (c) that suicide attacks have not been part of militants' modus operandi in Southeast Asia, but that may be changing.<sup>54</sup>

3.84 In a second report, ONA said that 'we have no collateral for but cannot dismiss reports that Indonesian Islamic extremists intend to launch attacks in Indonesia in August and in Southeast Asia in September' and included warnings that 'raids on brothels and nightclubs, bomb attacks, or terrorist attacks on US or other Western targets are all possible'.<sup>55</sup>

3.85 These increasingly frequent reports of planned terrorist violence, and outcomes from interrogation of al-Qaeda operative Umar Faruq, triggered DIO also to publish a number of products warning of increasing evidence of capability and intent to mount terrorist attacks against Western interests in Indonesia.

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53 *Transcript of Evidence*, 19 June 2003, p. 3 (Richardson, ASIO).

54 *Submission 3*, p. 8 (ONA).

55 *Submission 3*, p. 8 (ONA).

3.86 DIO's report on 5 August 2002 drew attention to JI, advising, for example, that:

- (a) there was increased threat of a terrorist attack against Western targets;
- (b) that despite unreliable or contradictory information, the remnants of JI continued to possess the capability and intent to undertake future attacks; and
- (c) that groups like JI posed a greater threat to foreigners in Indonesia than domestic extremist groups.<sup>56</sup>

3.87 Similar advice was also issued four days later by ASIO, warning that Indonesian-based Islamic extremists may be planning a series of coordinated 'actions' across Indonesia in the August/September period.

The nature of the action was not well defined but appeared likely to range from demonstrations to terrorist attacks. ASIO assessed the threat of terrorist attack against Australian interests in Indonesia remained HIGH and noted the following:

- the reports suggested Western interests, principally US, but also British and Australian, were among the intended targets.
- the information was fragmentary, uncorroborated and of unknown credibility. Some aspects possibly reflected circular reporting of earlier discredited threats.
- the number and nature of the reports, however, taken in the context of the raised threat in Indonesia, collectively warranted updated threat advice.<sup>57</sup>

3.88 DFAT issued a further Travel Advice on 13 August which was prefaced by the statement that, while there was new information added, the 'overall level of advice has not been changed'.

3.89 The bolded and boxed summary or 'headline' section opened with the warning that Australians in Indonesia should 'monitor carefully developments that might affect their safety' and that they should 'maintain a high level of personal security awareness'. It concluded with the statement: 'Tourist services elsewhere in Indonesia are operating normally, including Bali.' This statement was repeated in the *Safety and Security* section of the Travel Advice.

3.90 The *Safety and Security* section retained the July warning that bombs had exploded, including in areas frequented by tourists, and that further explosions may be attempted.

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56 DIO Answers to Questions on Notice, p. 4.

57 *Submission 2*, p. 5 (ASIO).

3.91 Apart from an additional warning against bus travel in Central Sulawesi, the 13 August advice remained essentially unchanged from its 12 July predecessor—its 'overall level of advice [had] not been changed'. Given that DFAT stressed the commensurability of its Travel Advice with the threat assessments of ASIO, the 13 August advisory does not seem to square with ASIO's advice four days previously that 'the number and nature of the reports...collectively warranted updated threat advice'.<sup>58</sup>

3.92 DFAT, pressing its belief that at all times its travel advisories were commensurable with the corresponding threat assessments, told the Committee that:

The focus of the advisories on terrorism sharpened further...—in particular, from the middle of 2002 as intelligence agencies came to understand this phenomenon better. In particular, ASIO threat assessments and our advisories gave a much stronger focus to terrorist threats generally from mid-2002 onwards. That is a matter of public record, and it was at the time a matter of very considerable media coverage.<sup>59</sup>

3.93 The next Travel Advice, issued on 10 September 2002, was noticeably strengthened, even though it was still prefaced by the statement that 'the overall level of advice has not been changed' and to that extent was again misleading. The headline boxed summary now opened with the statement: 'In view of the ongoing risk of terrorist activity in the region, Australians in Indonesia should maintain a high level of personal security awareness.'

3.94 The advisories of 13 and 20 September were essentially the same as the 10 September Travel Advice, also retaining, in the *Safety and Security* section, the reference to bombs exploding 'periodically in Jakarta and elsewhere in the past, including areas frequented by tourists. Further explosions may be attempted'.

3.95 The Travel Advice of 20 September was the advisory extant at the time of the Bali attacks. That Advice, as discussed above, opened its headline summary statement with the sentence 'In view of the ongoing risk of terrorist activity in the region, Australians in Indonesia should maintain a high level of personal security awareness' and concluded with the sentence 'Tourist services elsewhere in Indonesia are operating normally, including Bali'.

3.96 The *Safety and Security* section in the body of the advisory also contained the paragraph:

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.

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58 *Submission 2*, p. 5 (ASIO).

59 *Transcript of Evidence*, 20 June 2003, pp. 90–91 (Kemish, DFAT).

3.97 While the 20 September 2002 Travel Advice was the one extant at the time of the Bali bombings, the Australian Embassy in Jakarta had, on 3 October 2002, issued a *Bulletin to Australian Citizens Living in Indonesia*. It contained much of the advice and warnings that it had issued in previous *Bulletins*, but in the second paragraph of the 3 October 2002 issue there was a warning that made reference to clubs and bars:

As in the past around religious holidays, militant groups may conduct intimidatory activity against night clubs, bars and other places where expatriates are known to gather. Australians are advised to take particular care in this period prior to religious holidays, and during Ramadan.

3.98 As discussed earlier, the de-briefing of al-Qaeda operative Umar Faruq reinforced that al-Qaeda had access to the extensive JI network criss-crossing Southeast Asia and that al-Qa'ida had a longstanding presence in Indonesia and close relations with local extremists.<sup>60</sup>

3.99 DIO still had doubts about JI's organisational robustness and capability to execute anti-Western attacks without external help, but in what subsequently proved to be a prescient assessment of unconfirmed reports of the possibility of a JI attack against Westerners, DIO reported on 26 September 2002 that:

We assess that local JI capability will restrict any attack to small arms or improvised explosive devices. Although this might obviate mass-casualties, if timing and location come together a large number of casualties could result.<sup>61</sup>

3.100 The final reports to emerge before the Bali bombing were issued by ONA and ASIO on 10 October 2002—barely two days before the event itself.

3.101 ONA reported that despite some recent arrests, substantial numbers of terrorists remain free in Southeast Asia, capable of and intent on further attacks. The report went on to say that further similar attacks are on the cards including against US targets in Indonesia. It noted that weapons and explosives are still easily available in Southeast Asia, and that many potential attackers with the requisite skills remain active. The report also said key JI leaders, who have even bigger plans, including those who plotted the Singapore operation, are still free.<sup>62</sup>

3.102 On 10 October 2002 ASIO issued a Threat Assessment against the background of statements by Osama bin Laden on 6 October 2002 and by Ayman al-Zawahiri on 8 October 2002. The assessment advised that the statements suggested that somewhere 'another large scale attack or attacks by al-Qaeda are being prepared'

3.103 The ASIO assessment noted that:

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60 *Submission 3*, pp. 8–9 (ONA).

61 DIO Answers to Questions on Notice, p. 5.

62 *Submission 3*, p. 9 (ONA).

- the attacks may be imminent
- both bin Laden and al-Zawahiri talked of targeting key sectors of the US economy but attacks may not be limited to traditional financial or economic interests
- the planned attacks may not necessarily be in the US and could be against US interests abroad, including against US allies
- no information on the timing, location or method of the attacks was available
- no information specifically related to Australian interests but Australia's profile as a potential terrorist target had increased since 11 September 2001.<sup>63</sup>

3.104 In a speech to the Australian Homeland Security Conference on 31 October 2002, ASIO's Dennis Richardson included the statement that: al Qaeda's intent was unambiguous in bin Laden's statement of 6 October and in al-Zawahiri's interview of 8 October'. He also stated to the conference, and in ASIO's subsequent submission to the Committee: 'We do not know whether the statements by bin Laden and al-Zawahiri foreshadowed the Bali attacks'.

3.105 The Committee notes that on the day before the Bali attacks, DFAT issued a worldwide Travel Bulletin in which it set out the details of an FBI release warning of potential terrorist attacks against US economic interests. This was a universal alert, and not specific to Indonesia. The release said that 'US authorities are unable to provide further information on specific targets, timing or method of attack'. The DFAT Travel Bulletin closed with the lines:

In light of the warnings by the United States Government, Australian travellers and residents overseas are advised to remain alert to their own security. They should monitor local developments and news broadcasts carefully and follow the advice of local authorities.

### **Concluding remarks**

3.106 The Committee agrees with DFAT that travel advisories are not solely about security risks and terrorism, although it is imperative that Travel Advice is commensurate with threat assessments. Travel advisories must deliver an account which is faithful to the known conditions in, and risks associated with, a particular travel destination in language which is clear and accessible.

3.107 It will necessarily be a summary account, but must be rendered in a way that highlights the important considerations, and has as its sole focus and intent the well-being and safety of the Australian traveller.

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63 *Submission 2*, pp. 5–6 (ASIO).

3.108 It is not simply a list of unadorned facts. Those facts are expertly appraised, interpreted and meaningfully conveyed. Advice is, in the Committee's view, best described as a series of statements that have been judiciously assembled, supported by the assessments and judgements of those who are best placed to make them, and expressed in a manner which conveys those judgements as unambiguously as possible. The authors of such advice must also be mindful of the characteristics of the audience to whom the advice is directed.

3.109 DFAT travel advisories, particularly from July 2002 advised people to 'maintain a high level of personal security awareness' and included references to the risks to tourists arising from protests and civil disturbance, from bombs, and from violent clashes between ethnic and religious antagonists. From that period, too, the body of the advisories always warned about bombs exploding periodically, including in areas frequented by tourists, and warned that further explosions may be attempted. By September 2002, the advisories consistently opened their headline summary with reference to the ongoing risk of terrorist activity. This advice concerned a generic terrorist threat, and did not specifically advise that Australians themselves were, for JI, alternative soft targets to Americans.

3.110 The Committee agrees that, in its travel advisories DFAT employed the relevant level of warning and language that corresponded to the threat being conveyed by the intelligence agencies. Whether particular phrases that were used were optimal in conveying to the average reader what they sought to convey is not a matter to which the Committee has turned its mind. It is obvious that Travel Advice must be written in plain, comprehensible English and must not be too long, particularly given the objective of conveying an appropriate caution to members of the public who are unlikely to be affected by nuanced language. It is, however, an important consideration, and one which the Committee urges DFAT to examine thoroughly.

### **Recommendation 3**

**3.111 The Committee recommends that DFAT subject a representative selection of its Travel Advice to examination by an independent assessor with qualifications and experience in linguistics, literacy and communication. The assessor shall report to the minister on the intelligibility and accessibility of the language in which information is conveyed in travel advisories.**

3.112 In the Committee's view, the information and warnings contained in the travel advisories for Indonesia during the month or so before the Bali attacks, while warning of an increased generic terrorist risk, nonetheless did not adequately reflect the content of the threat assessments that were available by that time that specifically warned that Australians in their own right were now seen as terrorist targets in Indonesia. ASIO's threat assessments had made plain that Australians were potential terrorist targets not just because they were 'westerners', but because Australia itself had become a focus of al-Qa'ida / Jemaah Islamiah terrorist attention.

3.113 In the Committee's view it would have been better for this additional piece of information to have been provided through DFAT's travel advisories so that potential

Australian travellers would have been aware that Australians in their own right were now the objects of specific terrorist interest in Indonesia.

3.114 Furthermore, while DFAT's travel advisories warned of a generic terrorist threat 'in the region', the ASIO threat assessments had referred to Australians becoming potential terrorist targets specifically within Indonesia (as well as elsewhere in the region). Again, it is the Committee's view that it would have been better to tell the Australian travelling public that Australians in Indonesia (rather than simply westerners within the region) were of potential interest to al-Qa'ida / JI terrorist organisations.

3.115 It would be reasonable to assume that anyone reading the Indonesian Travel Advice – even just the headline summary and *Safety and Security* section - would understand that there was a generic terrorist risk, that bombs had exploded in the past, including where tourists gathered, and that further explosions may be attempted.

3.116 However, the Committee is of the view is that there was one significant fact that did not find its way into the Travel Advice which it would have been very important for tourists to know. This fact was insisted upon by almost all the government officials who appeared before the Committee, and apparently a fact understood by all the relevant agencies in the period leading up to the Bali attacks. This fact was that Bali was no less vulnerable to terrorism, at no less at risk of attack, than anywhere else in Indonesia.

3.117 The Travel Advices made no attempt to counter the widespread belief of Australian tourists to Indonesia that Bali was somehow a safe haven, a 'place apart' from Indonesia in terms of the risk that pervaded the rest of the country. And this when ASIO was not only holding its threat assessment at HIGH for all of Indonesia, but was becoming increasingly alarmed by JI; had specifically reported in July 2002 that Jakarta and Bali could not be considered exempt from terrorist attack; had warned that extremists planned coordinated actions, that targets could include Australians, and that the number and nature of the reports warranted updated threat advice.

3.118 The Committee has already expressed its views on the vulnerability of Bali elsewhere in this Report. Given the special place that Bali held in the Australian psyche—that of a safe haven somehow set apart from the rest of Indonesia, advice about its being 'calm' and with tourism 'normal', while being literally correct, reinforced the benign (and erroneous) view at precisely the time when the security threats to Westerners from terrorists were unprecedentedly high. What tourists really needed was to have their pervasively inappropriate views challenged—which does not mean being alarmist.

3.119 In the Committee's view, the explicit reference to Bali's normality, coming as it invariably did, hard on the heels of a list of places to be avoided, gave comforting signals about Bali precisely when efforts were needed to jolt Australians out of their 'Bali comfort zone'.



3.120 The failure to make explicit to unwitting—some would say naïve and ignorant—Australian travellers that Bali was no less at risk than the rest of Indonesia, combined with unadorned facts about 'normal' tourist services, reinforced the prejudice of the entrenched view that 'Australians, as a whole, thought of Bali as the safest place on earth to be'.<sup>64</sup>

They went to Bali, which was a safe haven,<sup>65</sup>

But for this [Senate] inquiry, I would never have known the following: the airline upon which my son flew to Bali, Qantas, had, prior to taking my son to Bali, asked a specific question of ASIO: 'How safe are our fleets and our equipment in Bali?' Nor would I have ever known the answer: 'No safer in Bali than in any other part of Indonesia.' I would never have known that.<sup>66</sup>

3.121 A suitable piece of advice during 2002 could have taken the form: "Bali has long been considered a safe haven, but the risks of terrorism are as high there as elsewhere in Indonesia". This is not necessarily the wisdom of hindsight. It is a properly contextualised, relevant and measured piece of factual advice, entirely consistent with ASIO's perspective and its uniformly high threat assessments, and with the general intelligence picture. Importantly, it takes into account the mindset of those travellers to whom it is directed.

3.122 In making these remarks, the Committee is not saying that if DFAT had written differently during this period then the tens of thousands of Australians going to Bali would have cancelled their trips. But the Committee's task is to examine the performance of agencies during this period, not to assess the responsiveness of Australian tourists to government warnings.

3.123 In short, in the months immediately preceding the Bali attacks, DFAT's Travel Advice for Indonesia was not adequately commensurate with the level of threat that existed there. In its specific references to Bali, moreover, the advice reinforced rather than challenged erroneous beliefs about Bali's security status.

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64 *Transcript of Evidence*, 25 September 2003, p. 199 (Mr David Marshall).

65 *Transcript of Evidence*, 25 September 2003, p. 237 (Mr Brian Deegan).

66 *Transcript of Evidence*, 25 September 2003, p. 243 (Mr Brian Deegan).

