

The extremist threat in Australia

Sally Neighbour

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The nature and extent of the extremist threat in Australia is illustrated most clearly by the recent conviction of seven men in Melbourne, who were found guilty in the country's largest terrorism trial of belonging to a terrorist organisation which was plotting violent attacks in Australia.

Twelve men including the group's Algerian-born leader, Abdul Nacer Benbrika (also known as Abu Bakr), were tried. Seven were convicted, four acquitted, one is to face a re-trial. Evidence was heard that the cell sought to obtain explosives and weapons, undertook paramilitary style training, and discussed attacks on a range of targets which were said to include Melbourne's West Gate Bridge, Crown Casino and Australia's most iconic sports stadium, the Melbourne Cricket Ground.

The Benbrika case - described as Australia's 'most successful' terrorism prosecution - illustrates a number of important points:

- there *is* a very real threat in Australia – a fact which many people had begun to doubt after a series of failed terrorism prosecutions;
- how the threat has changed and evolved;
- how closely Australia mirrors rest of the world;
- the threat in/to Australia has diminished in recent years

The trial of Benbrika and his cohorts was the first of two trials to result from the investigation known as Operation Pendennis, in which a total of 22 men were arrested in Melbourne and Sydney in late 2005 and early 2006. A second trial is currently underway in Sydney, in which another five men are facing charges of conspiring to perform acts in preparation for a terrorist act. (Originally nine were charged. Three have pleaded guilty and a fourth is to be tried separately, having earlier been deemed mentally unfit to stand trial. A suppression order issued by the Supreme Court of New South Wales prohibits any link being made between the Melbourne and Sydney groups in public reporting of the two cases.)

Pendennis was Australia's largest terrorism investigation. It ran for more than 16 months, during which police and intelligence agents conducted more than 16,000 hours of electronic surveillance, and intercepted 98,000 phone calls.

The evidence shows the Benbrika group was a classic post 9/11 'home-grown' cell. Of the twelve men tried in Melbourne, only two were born overseas: Benbrika, who is from Algeria; and his so-called 'co-ordinator', Fadl Sayadi, who was born in Lebanon. The rest were all Australian born.

Only one of the group had undertaken military training overseas. Australian born Caucasian Muslim convert, Shane Kent, a 31-year-old father of three known among the group by his Muslim name Yasin, trained in Camp Faruq in Afghanistan in mid 2001, where he spent two months studying weapons, explosives and topography. It was alleged by the prosecution that as a result of his training Kent became a 'valuable adviser' to Benbrika's group. However the evidence suggests he was *not* a key member of the cell. He did not contribute to its *sanduk* (central fund); did not have an allocated role in the group or join in military-style training sessions in Australia; did not swear an oath of allegiance; and did not take part in discussions about killing people. In fact in one intercepted conversation in which other group members were discussing jihad in Australia, Kent was heard to say: 'It's too hard doing anything in this country, they're watching us.' A jury was unable to decide whether Kent was guilty of being a member of a terrorist group and he will face a re-trial.

Beyond this, there was no evidence presented that the Benbrika cell had any direct links to either al Qaeda central or other terrorist groups or individuals abroad. They had acquired the usual array of jihadist videos, books and literature, mostly obtained over the internet, and relied on Benbrika for spiritual and doctrinal advice.

As with other post 9/11 'home-grown' cells, the Benbrika group's modus operandi marks a clear departure from that of earlier terrorist cells. By way of comparison, Australia's first jihadist plot - the plan by British-born Australian Muslim convert Jack Roche to bomb the Israeli embassy in Canberra back in 2000 - was a result of discussions in Afghanistan with the al Qaeda leadership. This was back in the days - only eight years ago - when al Qaeda central provided training, funding and approval for such attacks. In contrast the Benbrika cell and its plans were entirely conceived in Australia.

In many ways the cell mirrors the characteristics of other home-grown groups. These were not individuals who were unemployed, impoverished or oppressed. With the exception of Kent, who was employed as a website designer, they worked mostly in the technical trades; a plumber, an apprentice electrician, a panel beater. Again with the exception of Kent they were all from immigrant families, removed from the culture of their forebears, and alienated to some extent from the broader Australian society by virtue of their strong identification with Islam. They were all between fifteen and twenty-five years younger than their leader, Benbrika, on whom they relied for inspiration and religious guidance. One of the youngest, a 23-year-old named Abdullah Merhi, saw Benbrika as a father figure after the death of his own father in 2003. An apprentice

electrician and junior football champion, it was alleged that Merhi offered himself up for martyrdom, although he was acquitted on this charge.

They were motivated, according to the evidence, by Australia's foreign policy, specifically its involvement in the war in Iraq. Benbrika told them it was *halal* to carry out violent jihad in Australia because Australia was a 'land of war' because it had sent troops to invade Iraq. It should be noted it was a largely circumstantial case, based primarily on a lot of talk about what they might or would like to do.

A phone intercept captured the following exchange, in which Benbrika and Merhi discussed carrying out an attack similar to the March 2004 train bombings in Madrid:

Benbrika: 'You shouldn't just do, kill one or two or three, you need some good... like close to the station, the train...'

Merhi: 'yeah like what's been going on in...'

Benbrika: 'do a big thing'

Merhi: 'like Spain'

Benbrika: 'When you in here, in Australia, when you do something they stop to send the troops. If you kill, we kill, here a thousand, the government is going to think...'

Merhi: 'bring the troops home, because if you get large numbers here, a thousand, the government will listen.'

There was also this chilling exchange:

Merhi: 'If for example John Howard kills innocent family, Muslim... Do we, we will make transgress back to him? Do we have to kill him and his family or can we just kill his people like people at the football.'

Benbrika: 'If they kill our kids we kill little kids.'

Merhi: 'The innocent ones?'

Benbrika: 'The innocent ones. Because he kills our innocent ones.'

The fact of such a conspiracy in Australia should come as no surprise. It was just the latest in a long series of attempts by al Qaeda and others who share its ideology to target Australia.

Australia has been named repeatedly in al Qaeda documents and broadcasts as a high priority target. There was Jack Roche's plan to bomb the Israeli embassy in Canberra, inspired by al Qaeda in Afghanistan in 2000. After it failed to eventuate, Hambali and Khalid Sheik Mohammed held further discussions on attacking Jewish targets in Australia. In 2003 another Australian convert, Jack Thomas, who also trained in Camp Faruq, was told in Pakistan by al Qaeda operative Khalid bin Attash that Osama bin Laden wanted a 'white boy' in Australia to carry out an attack similar to the 1998 African embassy bombings. Later, the Frenchman Willie Brigitte told his interrogators that he was sent to Australia in 2003 to carry out 'an attack of great size'. In 2006, Brigitte's accomplice Fahim Lodhi was convicted in Sydney on three charges including an act in preparation for a terrorist attack.

In short, the targeting of Australia is nothing new. Given this history, it is logical to assume there will be further attempts to attack Australia. The question is: when/will they succeed?

The heads of Australian policing and intelligence agencies have stated in the past that they believed it was 'inevitable' that at some point an attack would take place on Australian soil. There is still a strong possibility of this. However I believe there are signs that the threat may have receded:

- No further arrests or plots uncovered since the arrest of Benbrika and co in late 2005/early 2006;
- The change of government/end of Howard era - resulting shift in foreign policy – although this may have negligible impact in the short term;
- Extremely vigilant – the point of heavy-handed - counter-terrorism policing has had a strong deterrent effect.

It needs to be noted that the threat in/to Australia has been exaggerated - and at times shamelessly exploited – in a highly charged political environment under the umbrella of the 'war on terror' particularly under the previous government led by Prime Minister John Howard. A corollary of this has been some extremely heavy-handed counter-terrorism policing, which has served to further distort the threat.

The distortion can be seen in the Australian statistics on terrorism arrests. Since 9/11 and Bali, thirty-two people have been arrested and charged under the new anti-terrorism laws, of which no fewer than 44 have been passed in the last six years.

Marc Sageman has previously compared the rate of terrorism-related arrests per capita in Australia to that in the United States and the UK/Europe, and concluded on this basis that the extremist threat is higher in Australia than in the US, but lower than in the UK and Europe. The conventional wisdom on this is that there are more angry Muslims per capita in Australia than in the US, because Australian Muslims are socio-economically more disadvantaged, and socially and politically less integrated than their Muslim counterparts in the US. The reverse if you compare Australia with the UK. I agree with Sageman's assessment.

However we also need to examine the results of the charges laid in Australia – from which a rather different picture emerges. Of the 32 people charged, nineteen have been dealt with by the courts. Of those nineteen, ten were convicted, while the other nine were either acquitted or had their charges dismissed: a success rate of barely 50%. The failures include a string of conspicuously badly handled cases, the most recent being the arrest last year of Indian-born doctor Mohammed Haneef, who was detained in Queensland in connection with the failed terrorist attacks in the UK in June 2007. The charge against Haneef was dropped when the Director of Public Prosecutions decided that there was insufficient evidence to support it; in truth there was no evidence at all. The Haneef case is currently the subject of a judicial inquiry.

In conclusion: the extremist threat in and to Australia is real and needs to be acknowledged and addressed. There remains a distinct possibility of an attack on Australian soil. However, in my view, the threat has diminished in the past three to four years. We have reason to be alert, but not alarmed.

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