

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 62

Senator Trood asked the following question at the hearing on 18 October 2010:

Detachment 88—Indonesian elite counter-terrorism unit:

- a) In response to Questions on Notice in February 2010, the AFP revealed its contribution to the counter-terrorism program in South-East Asia for 2010 was \$16.2 million. Has that figure changed?
- b) What is the \$16.2 million being spent on?
- c) According to “Mr Drennan—There is a range of activities that take place across South- East Asia. Starting in Indonesia, there is a regional cooperation team. We work very closely with the Indonesian national police in targeting terrorism—providing them with support in a range of different areas from law enforcement intelligence analysis through to technical assistance and supporting their investigations through training of their members. We do a significant amount of training through the Jakarta Centre for Law Enforcement, which is also in Indonesia but not in Jakarta as the name suggests. Since the establishment of that there has been over 5,500 people from not only Indonesia but throughout South-East Asia trained in a variety of different aspects of law enforcement, which include investigations, intelligence, forensics and all the way through to sharia law. In Indonesia we have also established a DNA laboratory which we provide ongoing support to. It is run by the Indonesian National Police, and that has a very strong disaster victim identification capacity.”

What role does Australia play with training/assisting Indonesian counter-terrorism authorities?

- d) Does the Department provide financial assistance/training/equipment to Indonesia’s counter-terrorism unit, Detachment 88? If so, what?
- e) Is the Department aware of recent claims in an article “Australia paying troops who ‘torture’” in the *Sydney Morning Herald* on 13 September 2010 which claims abuse of prisoners by the Indonesia’s elite counter-terrorism unit, Densus (Detachment 88) which reportedly receives millions of dollars from Australia each year?
- f) Does the AFP monitor the organisations such as Detachment 88 that it provides assistance to? How?
- g) Has the AFP ever been aware or concerned about the activities of Detachment 88?
- h) Did the Australian Government recently send a letter regarding its plan to investigate the case? Are you able to table that document?
- i) Has an Australian official been sent to investigate the allegations raised in the article? What has been the outcome?

The answer to the honourable senator's question is as follows:

- a) The total Australian Federal Police (AFP) financial support for counter terrorism capacity initiatives in South East Asia from 1 July 2009 to 30 June 2010 was \$16.3 million.
- b) This figure encompasses a range of initiatives undertaken throughout South East Asia including the provision of investigations support, forensic assistance including post bomb blast analysis and the provision of training in investigations, leadership, criminal intelligence, communication and general forensics. These activities are delivered through the Jakarta Operations Centre, Manila Regional Cooperation Team, Bangkok Training and Development Centre and the Jakarta Centre for Law Enforcement Cooperation.
- c) As indicated by Deputy Commissioner Peter Drennan in his response to the Senate Standing Committee on Legal and Constitutional Affairs on 18 October 2010, the AFP provides training and capacity building to enhance the Indonesian National Police (INP) capacity to counter terrorism. The AFP is not directly involved in Detachment 88 operational activities.
- d) The AFP's support to the INP includes Detachment 88. AFP engagement with Detachment 88 is undertaken with its Executive and Headquarters members in Jakarta.
- e) The AFP is aware of media reporting in Australia and Indonesia alleging misconduct by INP Detachment 88 members against political prisoners in the Indonesian province of Maluku.
- f) Monitoring of Detachment 88 activities and any associated investigations are a matter for the Indonesian authorities. Media reporting in Indonesia that the AFP intended to go to Indonesia to investigate Detachment 88 is incorrect. The AFP is not involved in any investigation of this type and lacks authority to conduct an investigation in Indonesia.
- g) The AFP is aware of media reporting in Australia and Indonesia alleging misconduct by INP Detachment 88 members against political prisoners in the Indonesian province of Maluku. Any investigation into these allegations is a matter for the Indonesian authorities.

The AFP is committed to continued collaborative and multi-lateral engagement with the INP in preventing the broader regional threat of terrorism. The Australian Government is concerned that all security and law enforcement agencies operate with respect for human rights, a point we stress to Indonesia and which underpins our cooperation. The AFP notes that, similar to Australian law enforcement, the INP is responsible and accountable for the behaviour of its members.

The AFP also is aware of the allegations of brutality towards political prisoners raised by Human Rights Watch and Amnesty International. Embassy officials from Jakarta are in regular contact with human rights organisations in Indonesia. An Australian official raised these allegations with both government and civil society representatives during a recent visit to Ambon.

The AFP and the Department of Foreign Affairs and Trade (DFAT), through the Australian Embassy in Jakarta, will continue to assess the situation and make representations as necessary.

- h) No. The Australian Government, including through either the AFP or the Embassy in Jakarta, has no standing to investigate this case in Indonesia, and has not sent a letter stating its intention to do so.

- i) No. DFAT has advised that an Embassy officer was in Ambon from 29 August to 1 September as part of a regular program of provincial visits. This visit was erroneously characterised in the media as an investigation. The officer raised reports of the allegations against Detachment 88 in Maluku with local government officials and non-government organisations. Indonesian police have undertaken to investigate these allegations.