

THE AUSTRALIAN

Aussies killed in US drone strike in Yemen

PAUL MALEY AND MARK SCHLIEBS THE AUSTRALIAN APRIL 16, 2014 12:00AM

TWO Australian citizens have been killed in a US airstrike in Yemen in what is the first known example of Australian extremists dying as a result of Washington's highly controversial use of predator drones.

The Australian has been told the two men, believed to be in their 20s, were killed in a Predator drone strike on five al-Qa'ida militants travelling in a convoy of cars in Hadramout, in eastern Yemen, on November 19.

The men were Christopher Havard of Townsville and a New Zealand dual citizen who went by the name "Muslim bin John" and fought under the alias "Abu Suhaib al-Australi".

The Australian government, which insists it was given no advance warning of the strike, has positively identified the remains of the men using DNA analysis, with samples taken from families of the two men.

It is understood at least one of the men, Havard, was buried in Yemen, possibly as recently as last week, following prolonged discussions with his family, which hoped to repatriate his remains.

A senior counter-terrorism source told The Australian the men were "foot soldiers" for al-Qa'ida in the Arabian Peninsula, al-Qa'ida's regional franchise based in Yemen.

It is understood US authorities notified Australian officials about the possibility Australian citizens might have been "collateral damage" in the strike, part of an ongoing campaign by the US and Yemeni governments to wipe out AQAP militants.

"The Americans advised us that they had intelligence that suggested they may have been in the car and may have been collateral damage," the source said.

The two men were not the intended targets of the attack, which killed three other militants, including Abu Habib al-Yemeni, who appears to have been the primary target.

Abu Habib had reportedly travelled to Afghanistan in 1996 after al-Qa'ida left Sudan, and was a companion to al-Qa'ida leader Osama bin Laden, who was killed in a US military raid in May 2011. Authorities in Yemen sent DNA samples from all five victims to the Australian Federal Police. The samples, which consisted of tissue and bone fragments, positively identified the two Australians.

A spokeswoman for the AFP declined to comment, as did a spokesman for the US embassy in Canberra.

However, the Department of Foreign Affairs and Trade confirmed the nationality of the two men killed. It emphasised the Australian government had no prior knowledge of the strike.

"There was no Australian involvement in, or prior awareness of, the operation," a spokesman said.

He said DFAT could confirm the deaths late last year of “two Australians in Yemen, one of whom was a dual-national”.

“We understand the men were killed during a counter-terrorism operation and do not intend to discuss its details,” he said. “Police and consular officials in Australia, and in the dual-national’s country of other nationality, were in contact with the next of kin when the deaths were confirmed.

“The AFP assisted in the identification of remains.”

Yesterday, Havard’s stepfather, Neil Dowrick, said the family was told by the AFP in December that he had been killed in a counter-terrorism raid. Mr Dowrick said he received a letter from the government indicating his stepson had been buried in Yemen. “From what we understand, Chris was buried on Friday,” he said.

Mr Dowrick said Havard’s family had sought assistance from the Australian government to repatriate his grandson’s remains from Yemen, as they could not afford to do so.

It is not certain when Havard went to Yemen, but it is believed he arrived in 2011.

“From what I was told ... he went over to teach English,” Mr Dowrick said. “Chris told us that’s what he was going over there for.”

Mr Dowrick said he did not know what had prompted his stepson’s conversion to Islam.

“Whatever it was it straightened his life,” Mr Dowrick said. “Once he worked out what he needed to do in life, he changed his whole life.”

The five militants killed were eulogised on Twitter, which named them under their aliases as Abu Habib al-Yemeni, Abu Salma al-Russi, Abu Suhaib al-Australi, Waddah al-Hadramawti and Hammam al-Misri.

Abu Suhaib al-Australia was the alias used by Muslim bin John, while Abu Salma al-Russi is believed to refer to Havard, although it mistakenly identifies him as “the Russian”.

The Australian has been told Havard was unknown to Australian counter-terrorism officials before his arrival in Yemen.

Once there, however, he quickly showed up on the radar of intelligence agencies. It is understood there were several false reports of him having been killed before November.

Australian authorities knew little about Havard’s companion and fellow victim, “Muslim bin John”, a name that a source said appeared to have been changed by deed poll, either in Australia or New Zealand, where he was a citizen.

It is understood the two men did not know each other before meeting in Yemen.

“They were foot soldiers,” the counter-terrorism official said, concerning the role played by the two in AQAP. “And there was a suggestion they were involved in kidnapping Westerners for ransom.”

Armed predator drones have emerged as the weapon of choice for US authorities bent on eliminating Islamic militants. Yemen and the tribal areas of Pakistan are the main theatres for drone warfare.

Both the Pentagon and the CIA operate drones in Yemen, which before the eruption of the Syrian civil war three years ago was the destination-of-choice for foreign extremists, including several Australians.

The US reportedly conducted more than 20 airstrikes in Yemen throughout last year, the majority from drones.

A spokeswoman for the US embassy declined to comment on the incident: "The United States uses all lawful means at its disposal and works closely with foreign partners and allies to mitigate the threats we face."

×

Share this story

Facebook ([http://facebook.com/sharer.php?u=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&t=Aussies killed in US drone strike in Yemen](http://facebook.com/sharer.php?u=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&t=Aussies+killed+in+US+drone+strike+in+Yemen))

Twitter ([https://twitter.com/intent/tweet?url=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&text=Aussies killed in US drone strike in Yemen](https://twitter.com/intent/tweet?url=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&text=Aussies+killed+in+US+drone+strike+in+Yemen))

LinkedIn ([http://www.linkedin.com/shareArticle?mini=true&url=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&title=Aussies killed in US drone strike in Yemen](http://www.linkedin.com/shareArticle?mini=true&url=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&title=Aussies+killed+in+US+drone+strike+in+Yemen))

Google (<https://plus.google.com/share?url=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804>)

Email ([mailto:?body=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&subject=Aussies killed in US drone strike in Yemen](mailto:?body=http://www.theaustralian.com.au/national-affairs/policy/aussies-killed-in-us-drone-strike-in-yemen/story-fn59nm2j-1226885783804&subject=Aussies+killed+in+US+drone+strike+in+Yemen))



Ben Emmerson
United Nations Special Rapporteur on Counter-Terrorism
Office of the High Commissioner for Human Rights

By email: srct@ohchr.org

Cc: Christof Heyns
Special Rapporteur on Extrajudicial Killings
Office of the High Commissioner for Human Rights

By email: christof.heyns@up.ac.za

16 August 2013

Dear Special Rapporteur

Inquiry into human rights and civilian impact of drone strikes

This letter is to inform you of recent allegations made in the Australian media concerning Australia's direct involvement in the United States drones program in Asia and the Middle East and to request that these allegations form part of your inquiry into drone strikes.

On 21 July 2013 a major Australian newspaper, *The Age*, undertook investigations and reported allegations made by former personnel at Pine Gap, a joint Australian-American base located in the Northern Territory, Australia. The report states that the signals intelligence base has located and tracked al-Qaeda and Taliban leaders and has passed on location data to the US drone strike program and other military operations. The Australian Defence Minister has told Australian Parliament that the Pine Gap base operates with the 'full knowledge and concurrence' of the Australian government. We attach a copy of the media report.

If true, these allegations raise serious concerns about the complicity of Australian officials in civilian deaths caused by the US drone strikes. In particular, we are concerned that Australian officials may have facilitated targeted killing in violation of international humanitarian law and international human rights law.

We note that you are currently inquiring into the civilian and human rights impact of the use of drones. We consider that the allegations raised against the Australian Government in this report are relevant to your current inquiry. In particular, we believe the following issues are relevant:

- The extent to which Pine Gap is used to track targets before a drone strike and in post-strike assessments
- The extent to which intelligence from Pine Gap was used in the 25 case studies which are the subject of your inquiry

- The nature of the cooperation between Australian and US officials within the base and the level of involvement of Australian officials in obtaining and providing locational data used in targeting
- The basis on which Australia claims its involvement through the Pine Gap base is lawful under both domestic and international law
- The policy that applies to Australian officials at Pine Gap setting out the circumstances in which they transfer data to the US drone program

We also note that in 2008 Australia issued a standing invitation to receive visits from any United Nations special procedures mandate holders and hope that you will take advantage of that invitation to visit Australia in the course of your inquiry.

We thank you for your work on this inquiry and we would be happy to provide your mandate with further assistance to the extent that it would be useful.



Yours sincerely



Emily Howie
Director of Advocacy and Research
Human Rights Law Centre



Elaine Pearson
Australia Director
Human Rights Watch

smh.com.au**The Sydney Morning Herald** [Print this article](#) |  [Close this window](#)

Pine Gap drives US drone kills

Philip Dorling

Published: July 21, 2013 - 3:00AM

Central Australia's Pine Gap spy base has played a key role in the United States' controversial drone strikes involving the "targeted killing" of al-Qaeda and Taliban chiefs, Fairfax Media can reveal.

Former personnel at the Australian-American base have described the facility's success in locating and tracking al-Qaeda and Taliban leaders - and other insurgent activity in Afghanistan and Pakistan - as "outstanding".

A Fairfax Media investigation has confirmed that a primary function of the top-secret signals intelligence base near Alice Springs is to track the precise "geolocation" of radio signals, including hand-held radios and mobile phones, in the eastern hemisphere, from the Middle East across Asia to China, North Korea and the Russian far east.

This information has been used to identify the location of terrorist suspects, which then feeds into the United States drone strike program and other military operations. The drone program, which has involved more than 370 attacks in Pakistan since 2004, is reported to have killed between 2500 and 3500 al-Qaeda and Taliban militants, including many top commanders.

But hundreds of civilians have also been killed, causing anti-American protests in Pakistan, diplomatic tensions between Washington and Islamabad and accusations the "drone war" has amounted to a program of "targeted killing" outside of a battlefield. Earlier this year, the Obama administration acknowledged four American citizens had been killed by strikes in Pakistan and Yemen since 2009.

"The [Taliban] know we're listening, but they still have to use radios and phones to conduct their operations, they can't avoid that," one former Pine Gap operator told Fairfax Media. "We track them, we combine the signals intelligence with imagery, and once we've passed the geolocation intell[igence] on, our job is done. When drones do their job we don't need to track that target any more."

The Australian-American base's direct support for US military operations is much greater than admitted by Defence Minister Stephen Smith and previous Australian governments, new disclosures by former Pine Gap personnel and little-noticed public statements by US government officials have shown.

Australian Defence intelligence sources have confirmed that finding targets is critically dependent on intelligence gathered and processed through the Pine Gap facility, which has seen "a massive quantitative and qualitative transformation" over the past decade, and especially the past three years.

"The US will never fight another war in the eastern hemisphere without the direct involvement of Pine Gap," one official said.

Secret documents leaked by US intelligence whistleblower Edward Snowden indicate that Pine Gap also contributes to a broad US National Security Agency collection program code-named "X-Keyscore".

Pine Gap controls a set of geostationary satellites positioned above the Indian Ocean and Indonesia. These orbit the Earth at a fixed point above the equator and are able to locate the origin of radio signals to within as little as 10 metres. Pine Gap processes the data and can provide targeting information to US and allied military units within minutes.

Former US National Security Agency personnel who served at Pine Gap in the past two years have described their duties in unguarded career summaries and employment records as including "signals intelligence collection, geolocation ... and reporting of high-priority target signals" including "real-time tracking". US Army personnel working at Pine Gap use systems code-named "Whami, SEXTANT, and other geolocation tools" to provide

targeting information, warnings about the location of radio-triggered improvised explosive devices, and for combat and non-combat search and rescue missions.

Pine Gap's operations often involve sifting through vast quantities of "noise" to find elusive and infrequent signals. One former US Army signals intelligence analyst at Pine Gap describes the "collection and geolocation of an extremely hard-to-find target" as a task that included "manually sifting through hundreds of hours of collection".

Last month, Defence Minister Smith assured the Australian Parliament that Pine Gap operated with the "full knowledge and concurrence" of the Australian government.

He provided no details other than to say that the facility "delivers information on intelligence priorities such as terrorism, the proliferation of weapons of mass destruction, and military and weapons developments" and that it "contributes to the verification of arms control and disarmament agreements".

Mr Smith told Parliament that "concurrence" means that the Australian government approves the presence of a capability or function in Australia but "does not mean that Australia approves every activity or tasking undertaken".

Following consultation with the US embassy in Canberra, the Defence Department provided Fairfax Media with some basic factual information about Pine Gap, including the number of personnel employed there - approximately 800. However, consistent with a long-standing policy of not commenting on operational intelligence matters, the department did not respond to questions about the facility's support for US military operations including drone strikes.

This story was found at: <http://www.smh.com.au/national/pine-gap-drives-us-drone-kills-20130720-2qbsa.html>

Questions on Pine Gap role in Drone Deaths

04 Mar 2014 | [Scott Ludlam](#)
[Foreign Affairs & Defence](#)

Senate Question on Notice No.27 – Defence Facility Pine Gap

Senator Ludlam asked the Minister for Defence on 2 December 2013:

With regard to the Joint Defence Facility Pine Gap (Pine Gap):

- (1) What role does Pine Gap play in providing intelligence used in the US armed drone program.
- (2) Is intelligence downlinked, processed or analysed at Pine Gap that is used to track targets before a drone strike or in post-strike assessments.
- (3) Has intelligence that is downlinked, processed or analysed at Pine Gap been used in drone strikes that have caused the death of civilians.
- (4) What role do Australian officials play within the base in relation to downlinking, processing or analysis of intelligence or locational data used in targeting for the US armed drone program.
- (5) On what basis does Australia claim its involvement through the Pine Gap base is lawful under both domestic and international law.
- (6) Has the department received legal advice on this matter and, if so, from whom.
- (7) What policies apply to Australian officials at Pine Gap setting out the circumstances in which they can downlink, process, analyse or transfer intelligence or data to be used in the US drone program.

Response:

In answer to 1-7 (inclusive):

The Joint Defence Facility Pine Gap is an essential component of our national defence and our alliance with the US.

All activities undertaken at the Joint Defence Facility Pine Gap are subject to the full knowledge and concurrence of the Australian Government.

All activities are conducted in accordance with Australian law.

Consistent with long standing practice, the Government does not comment on intelligence matters.

Authorised by Scott Ludlam, Parliament House, Canberra, ACT 2600