



**RIFLE COMPANY BUTTERWORTH
VETERANS' GROUP**

26 April 2023

**SUBMISSION TO DHAAT INQUIRY INTO SERVICE WITH RCB
OBO RCB VETERANS GROUP**

Introduction

This submission is the last planned submission to this Inquiry. As a group, we have been pleased with the conduct of the Inquiry and the members of the Inquiry team and Secretariat staff.

We have been ably supported by the RCB Review Group, but the performance of the Defence team, in our view, is worse than inadequate. It is almost malicious in its character and not befitting those who are charged with the responsibility of acting as representatives of the Defence Department, compliance with Ministerial standards, codes of conduct/ethics and behaving as model litigants.

This paper will examine the key events of the RCB case chronologically.

Geopolitical context

RCB began its life in the last half of Australia's commitment to the war in Vietnam. Communism was enjoying an expansion in the region, opposed largely by the United States and its allies. The majority of Australia's fighter aircraft were stationed at Air Base Butterworth (ABB), where following the withdrawal of UK forces (1970), there was inadequate capacity within the Malaysian military to defend the airbase and prosecute a counter-insurgency war. Enter RCB – initially from Singapore based 28 ANZUK Brigade and in 1973 direct from Australia.

The UK's decision to withdraw from the "Far East" forced the Australian government to re-examine its treaty commitments in South-East Asia to combat communist expansion, specifically in Malaysia. In doing so, its strategic planners (including Defence) must have completed their appreciation of the situation and decided the threat of a renewed communist insurgency in Malaysia increasingly by North Vietnam had to be opposed by a deterrent force presence. The RCB QRF was tasked to protect the RAAF at ABB and additionally, confirm our support for the Malaysian and Singapore governments in their air defence by establishing the Integrated Air Defence System (IADS) at ABB.

So, the military objective and the threat with its correlation to casualties was determined at the highest level.

Attached at Annex “A” is an early threat assessment of ABB compiled by the ANZUK Intelligence Group and covers the period 1971-2. At para 50 it states:

The possibility of a “reaction” attack by CTs [THE ENEMY] in the Kulim area acting on their own initiative, or by supporters of sympathisers in the Penang/Butterworth area, particularly if RMAF aircraft are increasingly used against the CTs [THE ENEMY] in Kulim, could not, however, be excluded.

Indeed, ABB became the Malay’s forward base for launching air and ground attacks on the Communist Terrorists (CTs - THE ENEMY) in the months and years following the report.

At para D(1)(e) it states that:

there is definitely a risk that one or more CTs [THE ENEMY], or members of subversive groups known to be operating in the vicinity, could, regardless of CPM/CTO [THE ENEMY] policy and/or acting on their own initiative, attempt an isolated attack on or within the Base at any time. [underlining added].

At para 58, while discussing the options appearing in para 57 it states the option in para 57(d), which was:

Sabotage by the planting of delayed-action explosives, booby-traps and other similar devices, designed to damage Vital Points and injure personnel, by one or more CTs [THE ENEMY], members of subversive groups, or sympathetic or suborned LEC/contractor personnel. [underlining added].

Of course, the reference to “injure personnel” is a clear expectation of casualties.

Regardless of Defence’s attempts to obfuscate, deflect and basically engage in fabrications, RCB’s role was to maintain a Quick Reaction Force (QRF) to be a 24/7 combat force to repel insurgent CT [THE ENEMY] attempts to penetrate the perimeter of the airbase to damage/destroy vital military materiel and perhaps kill some allied troops in the process. Much like the booby traps and employment of indirect fire weapons (i.e. mortars and rockets), the indiscriminate nature of the attacks (consistent with Phase 2 of Communist doctrine) meant that casualties would ensue from both Malay and Australian forces, plus civilians.

ABB was the forward base for Malay operations against the CTs [THE ENEMY], plus it was the first stage of casualty evacuation from Vietnam for Australian casualties on their way back to Australia. It also provided regional air defence in the form of the IADS plus two squadrons of Sabre (later Mirage) fighter jets. The medical facilities at 4RAAF Hospital also treated Malay casualties.¹

¹ See interview with CO 4RAAF Hospital.

1975 JIO Threat Analysis

JIO was changed to the Defence Intelligence Organisation (DIO) in 1990. It is characterised as follows:

Our core business, as described in our mandate, is to analyse foreign developments and produce intelligence assessments for the Australian Government and Defence.²

DIO is an integrated civilian–military organisation, with the majority of staff being public servants recruited through either the defence graduate program or direct entry. JIO before it, was similarly staffed. In the “what we do” section of the DIO website, it states:

Our Intelligence Analysts help the Australian Government and Australian Defence Force stay on top of threats by following foreign military, political, social and cultural developments that affect another country's ability to wage war or to threaten regional or international stability.

Their task is to study and evaluate information from a variety of sources, such as satellite surveillance, foreign newspapers and broadcasts, social media and human contacts. This information can often be incomplete, contradictory and vary widely in terms of reliability. The analyst's role is to identify relationships, expose indicators and filter factual evidence to develop meaningful and usable intelligence assessments. It requires objective and creative approaches to thinking, continuous in-depth research, the questioning of information to confirm truths and probabilities, and the scrutiny of foreign developments to recognise trends and patterns. Once a conclusion about the information has been formed, an assessment is made which is then presented to customers so they can make informed decisions based on our findings and insights.

We provided intelligence assessments that directly supported ADF deployments to the Indo-Pacific and Middle East. We also support strategic policy makers and future force planners.³

It must be remembered that JIO was a strategic organisation like its successor, DIO. The threat assessment made by JIO in 1975 must be seen in that context. It does not make tactical threat assessments, nor does it dictate tactics. That is the responsibility of the commander on the ground.

² DIO website – www.defence.gov.au/dio/what-we-do.shtml.

³ Ibid.

At para 48 the JIO document states:

The possible forms of attack by the CTO [**THE ENEMY**] on Air Base Butterworth include:

- (a) An open conventional assault on the Base by day or night, by a large group of communist terrorists using small-arms and explosives. This would run the risk of meeting the superior firepower of Base defence personnel and could result in severe casualties for the terrorists. An air photograph showing likely approaches for CTO [**THE ENEMY**] assault groups is at Annex F. [underlining added]

Attached at Annex “B” is a report written by a former JIO Intelligence Analyst who, coincidentally, served at RCB. His insights are very instructive and hopefully provide some context for the nature of the threat. It appears as if the 1975 JIO assessment was largely lifted from the earlier document (Annex “A”) and illustrates how JIO appears to have almost blindly taken the first document and simply regurgitated a lot of the content.

Nowhere in the JIO assessment of 1975 is the word “low” associated with the threat to ABB by the various CT [**THE ENEMY**] organisations, regardless of how often Defence attempts to insert the word into the discussion.

Strategic vs tactical

In the public hearing of 3-4 April 2023, two former senior RAAF officers who attended the Ground Defence Operations Centre (GDOC) during their duties at ABB attested that:

Regular tactical intelligence was provided to them by a variety of sources within the Malay military intelligence system.

Other sources within Malaysia also informed their preparedness for tactical responses to perceived threats to ABB.

For those reasons, the status of the GDOC was raised and lowered to reflect the “ebb and flow” of the threat at any given time. As in all armed conflicts, hostilities increase and abate depending upon the tactical situation, opportunities and the actions of the enemy.

1993 Definition of Warlike Service

“Warlike operations are those military activities where the application of force is authorised to pursue specific military objectives and there is an expectation of casualties. These operations can encompass but are not limited to:

- (1) A state of declared war*
- (2) Conventional combat operations against an armed adversary*

(3) Peace enforcement operations which are military operations in support of diplomatic efforts to restore peace between belligerents who may not be consenting to intervention and may be engaged in combat activities. Normally but no necessarily always they will be conducted under Chapter VII of the United Nations Charter, where the application of all necessary force is authorised to restore peace and security or other like tasks."

If we examine the elements of the definition we arrive at the following:

"military activities" – RCB was engaged in "military activities". They were a military unit.

"application of force" – we have already established that weapons and live ammunition were not only available to RCB soldiers, but carried daily.

"authorised" – the ROE authorised the application of lethal force.

"to pursue" – in the attempt to secure (taking the normal meaning)

"specific military objectives" – it has been established by the Tribunal that the military objective was the defeat of hostile forces attempting to penetrate the perimeter of ABB.

"and there is an expectation of casualties" – there is a direct correlation between the threat and the expectation of casualties. It has been demonstrated that 4RAAF hospital was put on alert several times in their role of treating casualties from combat. The interview of the former CO of 4RAAF Hospital clearly details the comprehensive plan to cope with casualties resulting from an incursion onto the base and/or explosions resulting from indirect fire.

Sub-para (2) offers "conventional combat operations against an armed adversary" – it has been established that the CTs **[THE ENEMY]** were armed and they were the most likely adversary. Defence is a legitimate phase of war. Assaulting an armed adversary attempting to penetrate the perimeter of ABB would be a conventional combat operation. QED.

On the material above and considering all the evidence objectively, the balance of probabilities is well and truly satisfied.

As much as Defence would have anyone believe that the ROE were "defensive", they fail to note that defence is a legitimate phase of war⁴ and an offensive component of it is counter penetration and counter-attack. Also, the ROE were not likely to be used if the QRF was engaged in repelling a penetration of the perimeter. Every QRF call-out involved an assault on the Vital Point (sometimes in the genesis of RCB referred to as a "Key Point") to ensure it was clear of enemy.

⁴ Phases of war – advance, attack, withdrawal, defence.

The farcical “shoot to wound” dictum espoused by Defence is a nonsense and deserves no further attention, except to say that the majority of expected attacks were to take place at night. Shooting at a person at night is particularly difficult and usually the shooter has only the muzzle flash of their opponent to guide their aim. It is impossible, under those circumstances, to do anything other than shoot at the centre of mass. That is a kill shot.

Defence conduct

It would be remiss of us not to spend a little time highlighting the conduct of Defence from the very first representation of the RCB claim by Mr Robert Cross some 17 years ago to the current day. The Defence Department and specifically the Nature of Service Branch, have deliberately and repeatedly misrepresented the situation on the ground to suit their narrative. They have repeatedly briefed Ministers and Members of Parliament – including the Prime Minister – on the claim of the RCB veterans – in a manner that is totally disingenuous.

Indeed, their conduct in this inquiry has been less than stellar. They have refused to address areas of concern from the veteran community, they have failed (and at times outright refused) to address areas of concern from the Tribunal. The primary evidence is awash with Defence statements of comparison of RCB with other regional conflicts, but when called to put those comments in writing addressing items of primary evidence, their response is to state “Defence does not conduct comparisons” as if the audience does not recall their earlier conduct.

At the time of compilation of this submission we are about to commemorate another ANZAC Day – a time when we think of absent friends and brothers-in-arms. A large number of surviving RCB veterans will be remembering the manner in which Defence has trampled on the memory of our brother veterans who, in good faith, served our country honourably in Malaysia during the Communist Insurgency, yet did not live long enough to see that service recognised. To add insult to injury, even a cursory look at the so-called “matrix” provided to the Tribunal by the RCBRG clearly demonstrates the inequity perpetrated on RCB veterans for reasons best known to Defence, but impossible to defend. Accordingly, they don’t. They stonewall in an attempt to bully their way out of a difficult situation that would expose their duplicity.

Finally, for this section of this submission, we must bring up the findings of the Whitton report. Although not critical in the assessment of warlike service, nevertheless it highlights the egregious manner in which Defence has managed this claim from commencement to current times.

Summary

To summarise the situation as of late April 2023, the following has been established on the balance of probabilities:

Threat established (by JIO).

Enemy identified (by JIO and others).

Military objective identified (HQ FF Comd directives).

Expectation of casualties established (JIO 1975 plus CO 4RAAF Hospital confirmation).

Please remember – not all RCB groups had searchlights on their QRF truck. Not all were issued ROE (apart from the very basic). Not all went to Langkawi, or Pulada for training. But **ALL** carried weapons and live rounds almost every single day of their deployment for one reason or another.

Conclusion and recommendations

What remains is for the Tribunal to make a recommendation to the Minister for Defence that the service of RCB veterans at ABB 1970 – 1989 be reclassified as warlike service, with all that entails (i.e. medallic recognition and entitlement to repatriation benefits).

It may be that the Tribunal wishes to recommend to the Minister that such entitlements flow on to RAAF personnel stationed at ABB at the same time, plus perhaps a letter (or certificate) of gratitude for civilians and dependents who were also put in harm's way.

It may also be that the Tribunal may wish to comment on any administrative deficiency it has noted in the Defence claims process and a denial of natural justice towards the RCB claimants.

Finally, it is requested that the Minister be briefed that, should he seek the advice of his department with regard to what he should do next, he is prepared for a negative advice.

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COPY NO. 6 OF 40

ANZUK INTELLIGENCE GROUP (SINGAPORE)

NOTE No. 1/1971

THE THREAT TO AIR BASE BUTTERWORTH

UP TO THE END OF 1972

SINGAPORE
30 November, 1971

High Commission
Captain Harrison
Captain Judd 2/12
Lt. Col. [unclear]
Mr. [unclear]
Mr. [unclear]
R/S DHC. *[Signature]* *2/12/71.*

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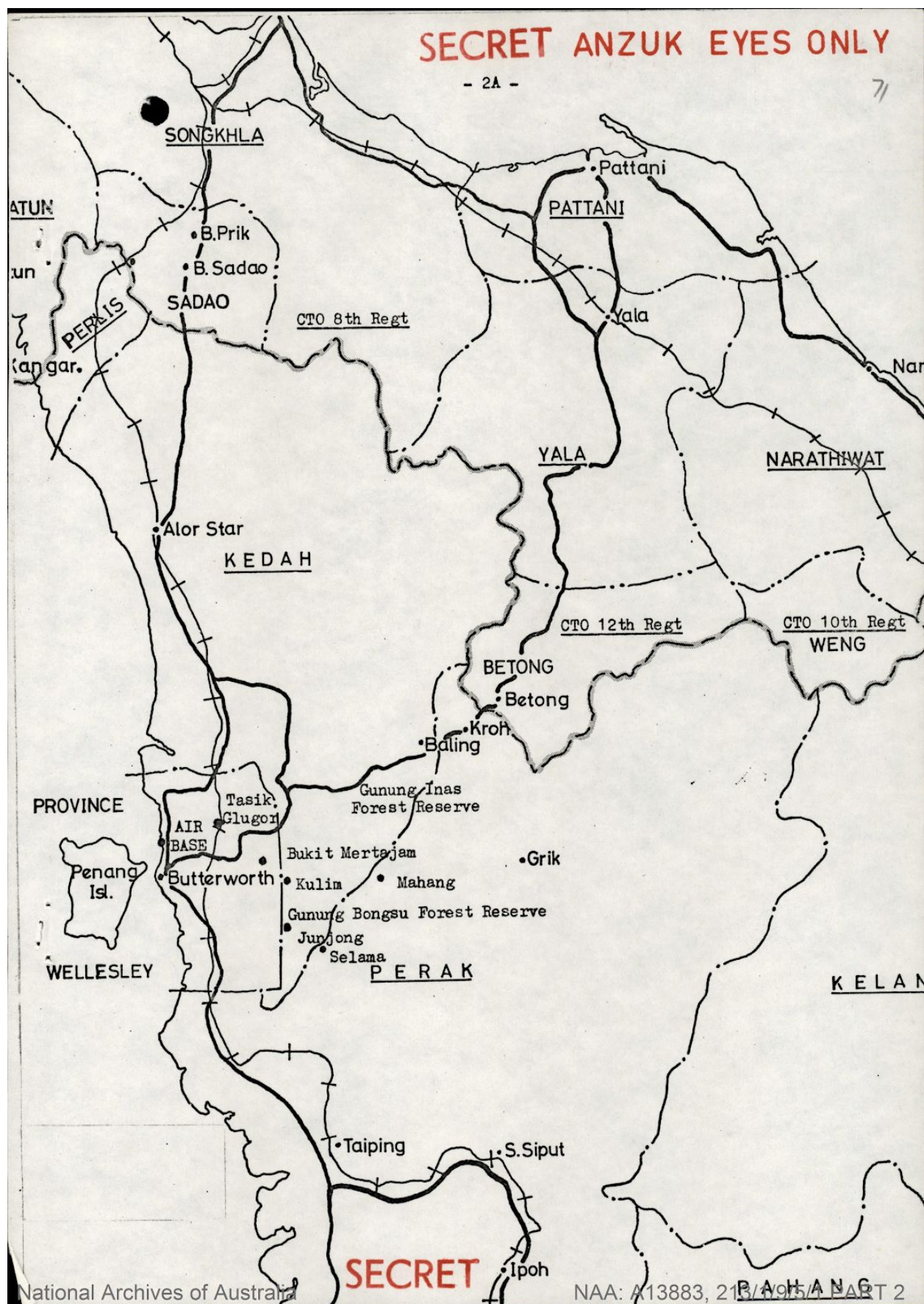
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UP TO THE END OF 1972CONTENTS

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3.

THE THREAT TO AIR BASE BUTTERWORTHUP TO THE END OF 1972A. AIM

The aim of this paper is to assess the threat to Air Base Butterworth up to the end of 1972.

B. INTRODUCTION(1) Description of the Base

2. Air Base Butterworth is a Royal Malaysian Air Force (RMAF) base jointly used by the Royal Australian Air Force (RAAF). The Base also houses the Headquarters of the Five Power Integrated Air Defence System (IADS) and its Air Defence Operational Centre (ADOC) which are in the south-east section of the Base together with the RMAF Air Defence Centre (ADC).

3. The Base is a major all-weather airfield capable of sustained bomber and fighter operations. It is in Province Wellesley on the north-west coast of West Malaysia five miles north of Butterworth town (on either side of the main north-south road) and approximately 46 miles from the Betong Salient section of the Thai/Malaysian border (see map and photograph). The runway is 8,000 feet by 150 feet, with asphalt overruns of 450 feet on the northern end and 520 feet on the southern end.

4. There are approximately 1430 RAAF personnel at the Base of whom some 300 live on it. There are some 886 Malaysian Service and Police personnel living on the Base (610 RMAF servicemen, 126 Special Security Police (SSP) and 150 Royal Malaysian Navy personnel).

5. To the east of the Base there is flat agricultural land, mainly ricefields. A narrow civilian bitumen road passes parallel to the runway at a distance of about 400 yards through several small kampong areas. A side track from this road runs through ricefields to the eastern boundary gate of the Base. To the south there are scattered kampong dwellings; to the north a local housing estate, small holdings and ricefields; on the western side, where the married quarters, transmitter aerial farm, messes and hospital are located, the boundary runs along the sea front.

(2) Description of the Target

6. The Base (see plan) supports operations by two RAAF Mirage squadrons each with 19 aircraft, a flight of six RAAF C47 transports, and two RAAF Iroquois helicopters in a Search and Rescue (SAR) role.

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7. The RMAF maintain a squadron of 10 (shortly to be 16) Sabre aircraft, three Tebuan strike aircraft and up to 10 Alouette helicopters. RMAF Caribou, Dove, Devon and Herald transport aircraft and Nuri helicopters as well as additional Tebuans operate from time to time from Butterworth. Other aircraft from the Five Power countries periodically visit the Base.

8. To support operations by these aircraft, the following facilities are located within the perimeter east of the north-south road: servicing and maintenance hangers and sections dealing with airframe, engine, radio, hydraulics, instruments, radar, armament and electrical repairs; fuel storage areas; ammunition and armament storage; missile (MATRA) preparation bay; equipment storage; motor transport storage and repair sections; control tower and Precision Approach Radar (PAR) section; emergency power plant; operations building; communications centre; Air Defence Centre; telephone exchange and administrative sections. The Tactical Air Navigation (TACAN) installation and its emergency power plant, transmitter station, surveillance radar, single sideband receivers, water supply pumping station, and marker beacons are outside the perimeter fence. Thirty-eight of these installations have been designated Vital Points in the Shared Defence Plan for the Base (Operations Order 1/71) which covers co-operation between the ANZUK and Malaysian forces in the defence of the Base in an emergency.

(3) Current Security Arrangements

9. The Royal Malaysian Military Police (26 Company, Special Security Police (SSP)) are responsible for the security of the Base, including control of entry, the guarding on a 24-hour basis of eight Vital Points, and the patrolling of the others at regular intervals. They maintain a quick reaction force of section strength (approximately ten men). The RAAF Mirage lines are not guarded during working hours when they are under normal surveillance by RAAF personnel; outside these hours they are guarded by two RAAF Security Guards, each armed with a pistol and accompanied by a dog. RAAF Service Police carry out mobile patrols at irregular intervals every night during which they check the security of Vital Points and observe the state of vigilance of the SSP guards, reporting by voice radio (also held by the SSP guards) to the RAAF duty security controller at the RAAF guardroom near the main entrance to the Base.

10. A company (currently Australian or New Zealand but in the future possibly British as well) drawn from 28 ANZUK Brigade is stationed on monthly rotation

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at Butterworth although at certain times during periods of training and handover - expected to aggregate two months during a twelve-months' period - no company is present. The company on rotation normally travels by train and its movements are therefore easily observable. One of the company's tasks, when at Butterworth, is to assist with the protection of ANZUK personnel, property and shared facilities within the Base. The company provides a section (normally 10 men) as a quick reaction force from 1800-0600 hours daily. The area of active responsibility of ANZUK forces is restricted to within the perimeter of the Base.

11. The RAAF employs about 1,400 Locally Employed Civilians (LEC), of whom all but 60 were vetted by the RAAF before 1 April, 1971, after which date responsibility for vetting passed to the SSP. It is not known what vetting is carried out by the SSP, who have hitherto been unwilling to discuss their procedures with the RAAF on the grounds that they (the SSP) are responsible for the security of the Base. Senior Malaysian officials and service authorities undertook in November, 1971, however, to have RMAF Butterworth produce a consolidated list of LEC for use by the Malaysian authorities in Kuala Lumpur for re-vetting purposes. On average, some 50 LEC are employed within the Base area outside normal working hours, for example fire service, tanker and transport drivers, and air movements and messing staffs.

12. Contractor personnel are employed on the Base by the RAAF, the Australian Department of Works and the RMAF. Individual firms are carefully selected for reliability and experience but vetting of the rank and file employees is the responsibility of the SSP who are given lists of such personnel for the issue of passes. Details of whatever vetting may be carried out are not made available to the RAAF. Upwards of 150 contractor personnel could be working at the Base on any given day.

13. The main static defence of the Base east of the north-south road is a perimeter fence, due to be completed at end November, 1971, approximately 9.3 miles in length. Except in the IADS-ADC area where there is a double fence, the perimeter fence is a single, chainlink fence the height of which varies from six to eight feet. It is topped by a barbed wire outward overhand. Drains running under the fence are protected by bars. A number of Malay and Chinese kampong dwellings are built close to the perimeter fence; in some cases chicken runs and pig pens use the fence as part of their structure.

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SECRET ANZUK EYES ONLY 64

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14. The Mirage lines, the IADS complex and the TACAN installations are protected by good lighting. Most other Vital Points have ineffective lighting; a few are unlit. Lighting at the bomb dump is shortly to be improved, as is street lighting generally. Four sixty-foot towers with floodlights will shortly be erected; these will give good lighting protection to the Staging Aircraft Servicing Section (SASS) and the visiting aircraft/RMAF Sabre and helicopter lines.

15. The Officer Commanding, RAAF Butterworth, has drawn attention to serious weaknesses in the current defences, including: inadequacy in the control and performance of the SSP generally and especially in regard to lack of patrolling of the perimeter, ineffective guarding of Vital Points, the inexperience and youth of the officers and the personnel, and their unwillingness to co-operate closely with the RAAF; the fact that an ANZUK company (with its quick reaction section) is not present on the Base at all times; inadequate control by the SSP of access to the Base; the fact that the perimeter fence is in the main single chainlink, unpatrolled and inadequately lit, and has kampong dwellings abutting on certain sections; ineffective lighting of most Vital Points including the bomb dump (although this aspect should be improved in the near future); lack of knowledge and control of the vetting of LEC and contractor personnel and doubt that the SSP is carrying out effective vetting; the parking of the Mirages in a straight line because of limitations in ground servicing equipment; and the absence of revetments to protect the Mirages.

C. FACTORS AFFECTING THE THREAT

(1) The External Threat

16. The ANZUK Joint Intelligence Committee assessed in October, 1971, that it was unlikely that any external overt military threat against Malaysia would arise during the period under review.

(2) Capability of the Communist Party of Malaya (CPM), the Communist Terrorist Organisation (CTO) and Related Organisations

(a) General

17. The Communist Party of Malaya (CPM), with its guerilla arm the Communist Terrorist Organisation (CTO), enjoys virtual control of areas along the Thai border, from where it has been developing a widespread infrastructure in West Malaysia. Although claiming to be multi-racial, the CPM is basically Chinese, but recent recruiting has included numbers of Thai Muslims and some Malays.

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SECRET ANZUK EYES ONLY

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18. The Joint Intelligence Organisation (Australia) estimated in October, 1971, that the CTO has about 1,800 to 2,000 armed terrorists, organised into three regiments - the 8th in the Sadao area of Thailand adjoining Perlis and Kedah States, the 12th in the Betong Salient adjoining Perak State and the 10th in the Weng District opposite Kelantan State - with up to 300 CTOs operating in West Malaysia.

19. There is also a reserve and operational support organisation, the Malayan Communist Youth League (MCYL), estimated to number between 3,000 and 6,000, based mainly in Southern Thailand, but with small cells in West Malaysia. Since November, 1969, the CTO, which has always had propaganda support from Radio Peking, has also had similar support from a radio station, Voice of the Malayan Revolution, located in southern China.

20. The Malayan National Liberation Front (MNLF), which first came to notice in April, 1970, is the largest and best-organised communist subversive organisation in West Malaysia. The MNLF has cells in most States. Direct links exist between the Perak and Kedah MNLF committees, and each of these also has direct links with the 12th CTO Regiment. The MNLF has already demonstrated a capability for co-ordinated subversive and minor terrorist activities in both West Malaysia and Singapore. There are also a number of other minor subversive groups, some of whom are in touch with the CPM or the MNLF, including the Malayan Patriotic Front (MPF) and the Malayan People's Liberation Front (MPLF). The organisations mentioned operate in the Penang/Butterworth area.

21. In the years 1960-1968, the CPM/CTO concentrated on establishing their bases in Southern Thailand. In mid-1968 the CPM/CTO began to probe the areas of West Malaysia near the Thai border, with the object of assessing whether conditions were suitable for re-establishment of bases prior to the eventual revival of the armed struggle. This new and more aggressive policy of revived activity within West Malaysia was marked in June, 1968, by the ambush of a Malaysian Police Field Force (PFF) patrol near the Thai border at Kroh, in which 17 PFF were killed. After the May, 1969, riots in Malaysia, the CPM/CTO took advantage of the unsettled situation and stepped up their policy of penetration into Malaysia; this has continued up to the present time (November, 1971).

(b) Nature of CT-Initiated Incidents and Modus Operandi

22. Since the CTO intensified their activity in West Malaysia from mid-1968, they have not attacked military installations or large formed units. Their

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SECRET ANZUK EYES ONLY 60

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activities have been directed to renewing contacts with supporters, to the development of lines of communication, bases and food caches, and to recruitment. The CTs have usually carried out these activities in small groups, but occasionally in larger groups of between 20 and 30. In general they have avoided contact with the Malaysian Security Forces, although they have initiated a few incidents within a few miles of the Thai/Malaysian border principally in the form of ambushes of Security Force patrols. Features of the CT modus operandi in such incidents have been the careful selection of ambush sites and timing, the placement of trip wires and anti-personnel and anti-vehicle explosives about half a mile apart to trap security forces within a "killing zone", brief attacks by small arms fire and subsequent rapid dispersal.

(c) Arms

23. Up to 1969, arms used by the CTO were mainly of British manufacture, obtained from the British during World War II or captured during the Emergency. These include: British rifles (Short Magazine Lee Enfield (SMLE) Nos. 1 Mk.III and 4 & 5); Bren Light Machine Guns (LMGs) Mk.1, 2 & 3; Thompson Sub-Machine Guns (SMGs); Sten guns; .38 Smith and Wesson (S & W) and 9mm. Browning pistols; and shotguns of various kinds. Other weapons have since been captured from the Thais and the Malaysian Security Forces as a result of ambushes; these include 9mm. and .45 pistols; American-made M3 and M3A1 carbines; LMGs (FN Bren); heavy-barrel, self-loading rifles (HBSLRs); self-loading rifles (SLRs); sub-machine guns (SMGs) and shotguns purchased locally in Thailand.

24. There is no evidence of the CTs having Chinese, Soviet or other communist weapons, nor of any heavier weapons, for example mortars or other indirect weapons. Although there is no evidence that the CTO have a mortar capability, we accept that this could be acquired at short notice and probably without our receiving advance warning.

25. The CTs have shown capability in the manufacture and effective use in ambushes of anti-personnel and anti-vehicle devices. Although these devices have usually been home-made, they have been technically sound. The amount of explosive used in anti-vehicle devices has been sufficient to cause severe damage to soft-skinned vehicles such as land rovers and 3-ton trucks. Subversive groups have used electrically-detonated booby traps and gelignite.

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SECRET ANZUK EYES ONLY⁸

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(d) Activities in Butterworth Area

26. The following summarises known CPM/CTO and other subversive activities in areas close to Butterworth Air Base (i.e. within a radius of approximately 50 miles) during the period mid-1968 to November, 1971.

27. In September, 1969, two CTs were sighted 12 miles north-east of Kulim or about 20 miles east of the Base. This sighting was significant in that it showed that the terrorists were operating in the Kulim area well away from the Thai border. The Kulim area has been a traditional centre of CT operations; it was classified a "Black Area" (viz. an area of strong CT activity) during the 1948-1960 Emergency.

28. In April, 1970, booby-trapped flags were planted in many parts of Malaysia and Singapore mainly by the MNLF; in Georgetown (capital of Penang) and Butterworth town, they were planted by the Malayan Patriotic Front (MPF), a subversive political organisation some 200 strong in Penang.

29. Between 29 June and 8 July, 1970, there were eight unconfirmed sightings in southern Kedah, the majority about 12 miles north-east of Kulim. Malaysian Special Branch reported in June, 1970, that a group of CTs was operating near Junjong on the Kedah/Province Wellesley border, and that CT supporters in the Kulim area were supplying food on a regular basis to the CTO 8th Assault Unit (a unit of the 12th CTO Regiment) located nearby.

30. As a result of increased CTO efforts to recruit members, a meeting was held in the Kulim area in June, 1970, between the CTO and the Malayan National Liberation Front (MNLF). At this meeting the MNLF were instructed to send cadres to the CTO for guerilla training. In August, 1970, 14 Chinese cadres left the Kulim area for guerilla training in southern Thailand.

31. In January, 1971, groups of between four and seven CTs were sighted about two miles north-east of Bukit Mertajam in Province Wellesley about eight miles south-east of the Base. On 8 March the railway line spanning the Sungai Jarak about a mile south of Tasek Glugor about seven miles east of the Base was damaged by explosives. This was a rather inept attempt at sabotage by a small group from the Malayan People's Liberation Front (MPLF), which had received training from the 8th CTO Regiment in the Sadao area.

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SECRET ANZUK EYES ONLY ⁸⁶

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32. Following increased attention to southern Kedah by the Security Forces, they successfully attacked a group of CTs from the 8th Assault Unit on 15 May, 1971. This group had been established in an overgrown rubber plantation in a hilly area three miles south of Kulim (from which area, incidentally, the Base can be seen). The CTs lost seven killed in the attack and follow-up actions. Documents obtained from the incident revealed that the CTs intended to establish contact with supporters in northern Perak and Junjong in Kedah. Other places mentioned were Penang and Sungei Bakap in Province Wellesley. Another directive stated that the 8th Assault Unit was to expand its activities (development of bases, contact with and training of supporters, recruitment) in southern Kedah and the Selama district of Perak. A further directive instructed the unit to continue stockpiling food and, in suitable circumstances, to supply arms to supporters (while avoiding exposure of their activities).

33. In September, 1971, a Malaysian military source stated that it was thought that the Kulim area would come to life again because "survivors of the 8th Assault Unit" were still in the Gunong Inas Forest area approximately 25 miles east of the Base. The number of these survivors was estimated in November, 1971, by Malaysian Special Branch to be between 20 and 30. The Malaysian military intelligence estimate of November, 1971, was that there were some 60 CTs in the wider Mahang/Gunong Inas/Bintang Hijau Forest Reserves area. In November, 1971, the Security Forces restricted road travel around the Gunong Bongsu Forest Reserve east of Kulim, and about 15 miles from the Base, an indication of official concern for the safety of military and civilian road traffic in an area of continuous CT presence.

34. Localities mentioned in sightings throughout 1971 indicate that Kulim is a centre of movement for terrorists between the Betong Salient and village areas east and south-east of Kulim in the southern part of Province Wellesley, southern Kedah and the Selama district of Perak. CT movement from the Salient appears to have followed the high terrain to Bukit Mertajam. No sightings of CTs have been reported in the "rice-bowl" areas around the Base. This may indicate that the CTs do not, as yet, have enough support from the population to enable them to move freely in this open and largely Malay-populated area.

35. In November, 1971, Malaysian Special Branch reported that they had recently obtained evidence of plans to establish Malayan Communist Youth League (MCYL) groups in Selama and Butterworth town.

.../11

SECRET ANZUK EYES ONLY 54

11.

(e) Known Incidents on the Base

36. In June, 1971, about 40 feet of copper-core cable was stolen from the Mirage engine run-up bay near the Matra site. A locked building was also forcibly entered at the same time. This area is within 50 feet of an SSP guard position. Between 6 and 10 August, 1971, copper earth strips were stolen from the roof of a building in the bomb dump. A week later eight four-foot lightning arrestors and a number of fire extinguisher caps were stolen from the bomb dump. A search failed to reveal the method of entry to the dump. The building from which the metal strips were removed is in full view of the SSP guard room at the gate to the dump. There have been a number of other thefts from inside the Base area, some outside working hours. In mid-September, 1971, two Malays were seen on a platform in a tree outside but close to the eastern perimeter fence near the bomb dump. They were apprehended and handed over to the SSP and then to the Malaysian Police. Special Branch in Penang have informed RAAF Butterworth that they believe that those apprehended were engaged in surveillance of the Base.

37. These incidents are not necessarily attributable to the CTs or their supporters; the thefts were probably carried out by locals, perhaps LEC or contractor personnel, or even members of the SSP. The incidents do, however, reveal that unauthorised personnel have been able on several occasions within the past few months to gain access to areas within the Base including Vital Points.

(f) Summary of Capability

38. The CTO have an estimated 1,800 to 2,000 armed terrorists in the Thai border areas, with several hundred in the Betong Salient and an estimated 300 operating within West Malaysia. The Kulim area, a traditional area of CT influence and operation, appears to be currently a centre for CT movement between the Betong Salient and village areas to the east and south-east of Kulim in southern Kedah, the Selama district of Perak and the southern part of Province Wellesley. We assess that there are some 60 CTs in Kulim and nearby forest areas some 15 to 25 miles east of the Base with a group - estimated to be 20 to 30 strong - of the 8th Assault Unit (the 12th CTO Regiment) in the Gunong Inas Forest Reserve. It is assumed that these CTs possess small arms (rifles and machine guns) and have the capacity to use anti-personnel and anti-vehicle explosives.

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SECRET ANZUK EYES ONLY 52

12.

There is no evidence that the CTO have a mortar capability but we accept that this could be acquired at short notice and probably without our receiving advance warning. Several communist subversive organisations linked with the CPM/CTO, including the Malayan National Liberation Front (MNLF), the Malayan Patriotic Front (MPF), and the Malayan People's Liberation Front (MPLF) are known to operate in areas close to Air Base Butterworth, including Penang and Butterworth town. They have the capability to commit minor acts of sabotage (using explosive booby-traps and gelignite). There have been several incidents of minor theft at Air Base Butterworth within the past few months which have revealed that unauthorised persons have been able, despite the current defences, to gain access to areas within the Base including Vital Points. There has been one incident suggesting the possibility - we would put it no higher - of surveillance of the Base for unknown purposes.

(3) CPM/CTO Policy and Intentions

39. The basic aim of the Communist Party of Malaya (CPM) and its associated organisations is the establishment of a communist state of "Malaya" embracing West Malaysia and Singapore. The CPM currently states that this will be accomplished ultimately by engaging in "armed struggle" (referred to in western military writing as Phase II of communist strategy) i.e. that phase of the insurgent campaign involving widespread terrorism, sabotage, guerilla action and attacks on military and para-military forces and government property.

40. This policy involves the development of an extensive underground infrastructure, accompanied by the systematic build-up of an armed capability. A captured document states CPM tasks as "to carry on strengthening the forces, to consolidate and expand the guerilla bases, to expand the operational areas of the vast area of the northern tip (i.e. the north of West Malaysia), to resume the masses' work in rural areas, to build underground bulwarks, to forge ahead with the masses' movement and to expand the guerilla war."

41. That this document is a reliable indicator of CTO intentions is confirmed by other captured documents containing directions to the 8th and 12th CTO Regiments; by the pattern of CTO activity since mid-1968 - small scale isolated incidents near the Thai border with limited objectives such as "blooding" newly trained groups, capturing arms and celebrating a particular anniversary in the CTO calendar; and by

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SECRET ANZUK EYES ONLY 50

13.

the fact that past CTO practice, has been to develop infrastructure support before embarking on wider armed action. Thus the expansion of "operational areas ... and guerilla war" mentioned in the CTO document is likely to be accorded a lower priority than the consolidation of guerilla bases and infrastructure.

42. It is difficult to predict how soon, and in what areas, the CPM/CTO will feel confident enough to initiate the armed struggle. Communist documents captured in May, 1971 (date of issue unknown) contain directives to build towards armed struggle in 2 to 5 years - a relatively short time-scale if mid-1968 were assumed to be the starting point. The initiation of armed struggle must largely depend on the rate at which the communists' infrastructure and influence can be expanded. The extent of progress here will in turn depend largely on the Malaysian Government's capacity to counter them. We consider it unlikely, chiefly because of lack of expertise, indifferent Thai co-operation and performance in the border area, shortage of training and sound intelligence, an apparent lack of overall strategy, and inadequate leadership, that the Malaysian Security Forces will be able during the period under review to prevent further extension of communist influence and activity. We consider, nevertheless, that the development of the communist infrastructure will not have proceeded to the point at which the CTO would judge the time ripe to proceed to the armed struggle phase.

43. We accordingly assess that current CPM/CTO intentions are to consolidate and extend their present position in West Malaysia; to continue recruiting and building up mass support among the Chinese peasants especially in those areas (such as Kulim) which were communist areas during the Emergency; to enlist support among the Malay peasants; to develop lines of communication and to establish camps as base areas and for training purposes; to develop food supply arrangements and lay down food caches; to obtain arms; and progressively to spread their influence and presence, including that of armed groups, while avoiding other than limited contact with the Malaysian Security Forces. We also consider that the CPM/CTO currently judge that an attempt to move to large-scale terrorism would be premature and possibly counter-productive, and we therefore assess the initiation of armed struggle throughout West Malaysia by the end of 1972 to be unlikely.

44. On the basis of present trends, therefore, we consider that by the end of 1972 the communist infrastructure is likely to be well on the way to completion

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SECRET ANZUK EYES ONLY

14.

in the West Coast states and in Kelantan; that, within that area, a competent and well-organised clandestine organisation will exist; that there is likely to be an increase in armed terrorist activities, largely confined to the border area in Kedah, Perak and Kelantan, although isolated incidents might occur further south; and that the MNLF, which will probably improve its present capacity for booby trapping and sabotage, could initiate a limited campaign involving minor acts of sabotage throughout West Malaysia for propaganda purposes or to celebrate certain communist anniversaries.

(4) Situations in which Air Base Butterworth might be Attacked

45. If the CTO succeeded in substantially expanding their infrastructure and area of influence in West Malaysia to the point at which a widespread campaign of attacks on prominent installations was launched towards the end of the period under review as an introduction to the "armed struggle" phase, Air Base Butterworth might be included as one of the targets; we consider this development unlikely. However, strengthening of the communist infrastructure in the northern states, which is likely, could enhance the risk of an isolated attack on the Base by the CTs.

46. The CTO might see advantage in mounting an attack on the Base in the event of large-scale civil disturbances or major industrial unrest, perhaps involving the diversion of Security Forces. We do not, however, consider such developments likely during the period to end 1972.

47. The CTO might also conceivably decide to attack the Base if they judged that a significant psychological or propaganda advantage might result. This might occur for example if the Five Power arrangements or Australia's role in them were to come under severe criticism in Malaysia, or if the CTO were to assess that such an attack would diminish Malaysia's confidence in the support of her external partners; would result in the withdrawal of Australian aircraft; or would seriously embarrass the Australian Government or have a demoralising effect on Australian opinion. As the Five Power defence arrangements seem likely to remain firm during the period under review, the CTO would have to weigh, against any psychological/propaganda gains, the reaction that could be generated. On balance the CTO seem likely to assess that an attack on the Base for psychological/propaganda purposes would probably be counter-productive: they

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SECRET ANZUK EYES ONLY

15.

might judge that such an attack would not only be likely to bring immediate attention from the Security Forces in the area but would also be likely to have broader effects in the sense of stiffening the Malaysian Government's support for the Five Power arrangements and in other areas of foreign policy.

48. The use of the Base as an airfield from which anti-terrorist air operations were being flown might prompt CTO reaction. We assume that Australian aircraft will not, during the period under review, be operated from Butterworth in an anti-terrorist role. Operations being conducted by the Malaysians from the Base would not appear at present to invite such action.

49. In the past two months, however, the Malaysians have increasingly used the Base for operations involving Tebuan strike aircraft (three of which are now on permanent deployment), and Alouette and Nuri helicopters. We know that the Alouettes and Nuris have been used in support of anti-terrorist operations in the border areas but the extent of Tebuan operations in this role is not clear (although we know that they were so used on a few occasions earlier in 1971). It is believed that a squadron of RMAF Caribou will be progressively stationed at Butterworth during 1972. With the RMAF Sabres becoming operational shortly, we expect that during 1972 the Base will be increasingly used, and known by the CTs to be used, for anti-CT operations in the border areas, and in known CT areas such as Kulim.

50. It is possible that such increased use of the Base could lead the CTO to make some form of "reaction" attack on it but, in accordance with our assessment of basic CTO intentions during the period under review, a CTO decision to make such an attack would still seem unlikely. The possibility of a "reaction" attack by CTs in the Kulim area acting on their own initiative, or by supporters or sympathisers in the Penang/Butterworth area, particularly if RMAF aircraft are increasingly used against the CTs in Kulim, could not, however, be excluded.

51. The Malayan National Liberation Front (MNLF) or one of the other smaller subversive groups might well, in connection with an anniversary of significance in the communist calendar or otherwise, make some limited sabotage and booby-trap attempt against the Base as part of a nation-wide, or more restricted, campaign.

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SECRET ANZUK EYES ONLY ⁴⁴

16.

(5) Early Warning (Local Intelligence Arrangements)

52. The Formation Intelligence Officer, RAAF Butterworth, is the co-ordinating authority for local intelligence arrangements. He reports direct to the OC RAAF Butterworth, to HQ ANZUK Force and to the Australian High Commission in Kuala Lumpur, as well as to appropriate authorities in Australia. His sources are the Royal Malaysian Police at Alor Star, and reports received through the Australian Army Ground Liaison Officer at Air Base Butterworth, including fortnightly briefings from 6 Malaysian Infantry Brigade (MIB) at Sungei Patani, Kedah, and GOC West Malaysia sitreps received daily by signal from Kuala Lumpur. He also has access to reports of briefings received approximately fortnightly from Malaysian Special Branch, Penang, by the Assistant Provost Marshal (APM), RAAF Butterworth.

53. These local intelligence arrangements might give RAAF Butterworth advance warning of a reasonably large group of CTs making an approach from the border area. The CTs do not, however, usually operate in this manner and it is assessed that advance warning of any form of attempted attack, whether by CTs or members of subversive groups, would most probably not be received.

D. THREAT ASSESSMENT(1) Likelihood of Attack

54. On the basis of the factors affecting the threat discussed earlier in this paper, we make the following assessments for the period up to the end of 1972:

(a) it is unlikely that any threat to Air Base Butterworth will arise from an external overt military attack on Malaysia;

(b) there is a potential threat to the Base from the Communist Party of Malaya (CPM), the Communist Terrorist Organisation (CTO), and related communist subversive organisations, whose aim is the establishment of a communist state in Malaysia/Singapore, ultimately by "armed struggle" - widespread guerilla/military action - and who have an estimated 1,800 to 2,000 terrorists in the Thai/Malaysian border area. Of these some 300 are estimated to be within West Malaysia, with some 60, assumed to be armed with rifles, machine guns and explosives, in the Kulim and nearby forest areas approximately 15 to 25 miles from the Base;

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SECRET ANZUK EYES ONLY ⁴²

17.

(c) on the basis of present evidence, CPM/CTO policy will be directed towards the consolidation of its strength, influence, infrastructure and bases within West Malaysia. Development along these lines, while likely to be substantial in view of likely deficiencies in Malaysian counter-measures, will not be advanced to the point at which a decision will be taken to launch armed struggle. It is unlikely, therefore, that the CPM/CTO will, as a deliberate act of policy, attempt an attack on Air Base Butterworth;

(d) it is possible, but we consider still unlikely, that the CPM/CTO could take a decision to attack the Base in certain circumstances, namely:

- (i) if the communist infrastructure in the northern states of West Malaysia were rapidly and progressively expanded during 1972 to the point at which the CTO judged the time ripe for attacks on substantial military targets in those states (although the risk of an isolated attack on the Base would be enhanced by such expansion);
- (ii) if there were large-scale civil disturbances or major industrial unrest, perhaps involving the diversion of Security Forces;
- (iii) if the CPM/CTO were to see significant psychological or propaganda advantage in an attack either in terms of Australian or Malaysian governmental or public attitudes to the Base in the context of the Five Power defence arrangements or as a morale-boosting demonstration, possibly related to a communist anniversary; and
- (iv) in retaliation for the increased use of the Base by the RMAF in anti-terrorist operations; and
- (e) there is definitely a risk that one or more CTs, or members of subversive groups known to be operating in the vicinity, could, regardless of CPM/CTO policy and/or acting on their own initiative, attempt an isolated attack on or within the Base at any time.

(2) Timing, Advance Warning, Method and Strength of any Likely Attack

55. As to the timing of any attack, we have earlier recorded our assessment that it is unlikely that the CPM/CTO will as a deliberate act of policy attempt an attack on Air Base Butterworth during the period to the end of 1972. As to the possible attacks referred to in paragraph 56(d), we assess that these,

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SECRET ANZUK EYES ONLY

18.

if they took place at all, would be more likely towards the end of the period under review. The form of isolated attack mentioned in paragraph 56(e) could take place at any time.

56. We assess that advance warning of any form of attempted attack (other than by a large group of CTs which we assess as unlikely) would most probably not be received whether the attack were by CTs or members of subversive groups.

57. Methods and strengths which could conceivably be employed, if it were decided to attack the Base, range through a number of possibilities (or variants of these):

(a) direct frontal assault by a large group of CTs up to 60 strong using small arms fire and explosives;

(b) covert penetration, probably at night, by one or more individual CTs or small groups, totalling up to 20, with a view to surprise attack on Vital Points, especially the aircraft, by small arms fire and explosives;

(c) mortar or other indirect weapon attack, if the CTs acquired this capability, using a small force of up to ten men located in the surrounding ricefield/kampong areas, especially those to the east;

(d) sabotage by the planting of delayed-action explosives, booby-traps and other similar devices, designed to damage Vital Points and injure personnel, by one or more CTs, members of subversive groups, or sympathetic or suborned LEC/contractor personnel.

58. Of the foregoing, we assess (a) and (b) as the least likely methods, prompting as they would reaction from the Base defence system and, subsequently, the Malaysian Security Forces. Method (b) should not, however, be discounted especially in view of the relative ease of a covert approach to Vital Points through the current defences. Method (c) would be likely if the CTs acquired a mortar capability. Method (d) is assessed as currently by far the most likely.

59. In the event of a sabotage attempt as in (d) above, those making it, particularly if they were suborned LEC/contractor personnel or members of subversive groups, might well be tempted to attack "soft targets", e.g. those Vital Points outside the

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SECRET ANZUK EYES ONLY

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19.

Base perimeter fence and/or those which are protected only by SSP patrols and dim lighting. They would probably also act partly on an opportunity basis, depending on where they had chosen to conceal themselves or cut through/climb over the fence. If an attack were the result of a deliberate CPM/CTO policy decision, or carried out by CTs in the area acting on their own initiative, however, we would expect Vital Points within the perimeter, especially the aircraft (probably RMAF before RAAF) to be priority targets, whether the attacks were carried out by mortar, surprise assault or sabotage.

E. SUMMARY AND CONCLUSIONS

(1) The Base and the Target (Paragraphs 1 to 8)

60. Air Base Butterworth, an RMAF base jointly used by the RAAF and situated on the north-west coast of West Malaysia, 46 miles from the Betong Salient section of the Thai border, currently supports operations by RAAF Mirages (38), RMAF Sabres and Tebuans and other aircraft. Over 1,400 RAAF personnel work at the Base, of whom 300 live on it, as do nearly 900 Malaysian servicemen and police. Some 1,500 Locally Employed Civilians (LEC) and contractor personnel are employed at the Base. A wide range of installations, including an air defence centre, radar and navigational aids, fuel and ammunition storage, and a missile (MATRA) preparation bay, are situated on or near the Base.

(2) Current Security Arrangements (Paragraphs 9 to 15)

61. The Malaysian Special Security Police (SSP) are responsible for the security of the Base including control of entry, guarding/patrolling of Vital Points (38 of which are designated in an ANZUK/Malaysian Shared Defence Plan for the protection of the Base in an emergency) and the maintenance of a 10-man quick reaction force. At night, pairs of RAAF Security Guards, each with a dog, guard the Mirage lines which are floodlit, and RAAF Service Police carry out mobile patrols of Vital Points at irregular intervals. A company from ANZUK Brigade is stationed at the Base for approximately 10 months of the year and, when there, provides a 10-man quick reaction force from 1800 - 0600 hours daily. Static defences comprise a single 6 to 8 foot perimeter fence with barbed wire overhang, and lighting of most Vital Points.

62. The Officer Commanding, RAAF Butterworth, has drawn attention to serious weaknesses in the current defences including the ineffective performance and inexperience

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SECRET ANZUK EYES ONLY 36

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of the SSP and the unco-operative attitude of their officers; the fact that the ANZUK company is not present at all times; deficiencies in the static defences, and in vetting procedures for LEC; and the parking of the Mirages in a straight line and without protection by revetments.

(2) Capability of Communist Organisations
(Paragraphs 16 to 38)

63. In the absence of an overt external threat to Malaysia, which is assessed as unlikely during the period under review, the potential threat is from the Communist Party of Malaya (CPM), the Communist Terrorist Organisation (CTO) and related subversive groups.

64. The CTO have an estimated 1,800 to 2,000 armed terrorists in the Thai border areas, with several hundred in the Betong Salient and 300 in West Malaysia. Of these, we assess that there are some 60 in the Kulim and nearby forest areas about 15 to 25 miles east of the Base. They are assumed to have small arms (rifles and machine guns) and the capacity to use anti-personnel and anti-vehicle explosives. There is no evidence that the CTs have mortar capability but we accept that this could be acquired at short notice and without our receiving advance warning. Several communist subversive organisations linked with the CPM/CTO are known to operate in the area and have the capability to commit minor acts of sabotage, using explosives and booby-traps. Recent cases of theft have shown that unauthorised persons (not necessarily CTs or supporters) have on several occasions gained access to areas within the Base, including Vital Points.

(3) CPM/CTO Policy and Intentions
(Paragraphs 39 to 44)

65. We assess that current CPM/CTO intentions are to consolidate their present position in West Malaysia by recruitment and extension of support among both Chinese and Malays; by the development of lines of communication, food supply arrangements, food caches and camps as base areas and for training; by the acquisition of arms, and by the progressive spread of their influence and presence, including that of armed groups, while avoiding other than limited contact with the Malaysian Security Forces. It is difficult to predict when and where the CPM/CTO will feel confident enough to initiate the "armed struggle" phase of communist insurgent strategy (widespread guerilla/military action including attacks on military forces and property) but, despite deficiencies in Malaysian countermeasures, we doubt that this phase will be initiated throughout West Malaysia by the end of 1972. We assess, however, that by then the communist infrastructure is likely to be well on the way

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SECRET ANZUK EYES ONLY³⁴

21.

to completion in the West Coast states and in Kelantan; that there is likely to be an increase in armed terrorist activities in the border area in Kedah, Perak and Kelantan, with the possibility of isolated incidents occurring further south; and that communist subversive organisations might initiate a campaign of sabotage for propaganda purposes or to celebrate communist anniversaries.

(4) Situations in which Air Base Butterworth might be Attacked (Paragraphs 45 to 53)

66. CTO attacks on prominent installations as an introduction to the "armed struggle" phase in West Malaysia are considered unlikely during the period under review, although the strengthening of the communist infrastructure in the northern states, which is likely, could enhance the risk of an isolated attack on the Base by the CTs.

67. Large-scale civil disturbances or major industrial unrest, which might provide occasion for a CTO "opportunity" attack, are considered unlikely.

68. The CTO could decide to attack the Base to gain psychological or propaganda advantage; on balance, we expect them to judge that such an attack would probably be counter-productive.

69. Although we expect the Base to be increasingly used by the RMAF during 1972 for anti-CT operations, a "reaction" attack by the CT is assessed as unlikely. The possibility of such an attack by CTs or supporters in the area acting on their own initiative cannot, however, be excluded.

70. Subversive groups might well make a limited sabotage attempt against the Base as part of a nation-wide, or more restricted, campaign.

(5) The Threat Assessment

Likelihood of Attack
(Paragraph 54)

71. We assess that, during the period up to the end of 1972:

- (a) it is unlikely that any threat to Air Base Butterworth will arise from an external overt military attack on Malaysia;
- (b) there is a potential threat to the Base from the CPM, the CTO, and related communist subversive organisations. The CPM/CTO have an estimated 60 terrorists armed with rifles, machine guns and explosives in the Kulim and nearby forest areas approximately 15 to 25 miles from the Base;

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SECRET ANZUK EYES ONLY ³²

22.

- (c) CPM/CTO policy will be directed towards the consolidation of its infrastructure within West Malaysia and this will not be advanced to the point at which a decision will be taken to launch armed struggle. It is therefore unlikely that the CPM/CTO will, as a deliberate act of policy, attempt an attack on Air Base Butterworth;
- (d) it is possible, but still unlikely, that the CPM/CTO could take a decision to attack the Base in certain circumstances, namely:
 - (i) if the infrastructure in the northern states were expanded to the point at which the CTO judged the time ripe for attacks on substantial military targets in those states (although the risk of an isolated attack on the Base would be enhanced by such expansion);
 - (ii) if there were large-scale civil disturbances or major industrial unrest;
 - (iii) if the CPM/CTO were to see significant psychological or propaganda advantage in an attack either in relation to Australian or Malaysian governmental or public attitudes to the Base or as a morale-boosting demonstration, possibly related to a communist anniversary; and
 - (iv) in retaliation for the increased use of the Base by the RMAF in anti-terrorist operations; and
- (e) there is definitely a risk that one or more CTs or members of subversive groups could, regardless of CPM/CTO policy and/or acting on their own initiative, attempt an isolated attack on or within the Base at any time.

Timing, Advance Warning, Method and Strength of
any Likely Attack (Paragraphs 55 to 59)

72. We assess that:

- (a) it is unlikely that the CPM/CTO will as a deliberate act of policy attempt an attack on Air Base Butterworth to the end of 1972. If, however, any of the possible attacks referred to in paragraph 71(d) took place, we assess that these would be more likely to occur towards the end of the period under review. The form of isolated attack mentioned in paragraph 71(e) ~~of the preceding paragraph~~ could take place at any time;

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SECRET ANZUK EYES ONLY

23.

- (b) advance warning of any form of attempted attack (except attack by a large group of CTs which is assessed as unlikely) would most probably not be received whether the attack were by CTs or members of subversive groups;
- (c) methods and strengths which could conceivably be employed, if it were decided to attack the Base, range through a number of possibilities:
 - (i) direct frontal assault by a large group of CTs up to 60 strong using small arms fire or explosives;
 - (ii) covert penetration, probably at night, by one or more individual CTs or small groups totalling up to 20 with a view to surprise attack on Vital Points, especially the aircraft, by small arms fire and explosives;
 - (iii) mortar or other indirect weapon attack, if the CTs acquired this capability, using a small force of up to 10 men located in the surrounding ricefield/kampong areas, especially those to the east; and
 - (iv) sabotage by the planting of explosive devices or booby traps, designed to damage Vital Points and injure personnel, by one or more CTs, members of subversive groups, or sympathetic or suborned LEC/contractor personnel;
- (d) of these methods, sabotage is by far the most likely, although covert penetration and surprise attack by a small group should not be discounted, and a mortar attack would be likely if the CTs acquired this capability; and
- (e) a sabotage attempt, if made by suborned LEC/contractor personnel or members of subversive groups, might well be directed against those Vital Points outside the

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SECRET ANZUK EYES ONLY

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perimeter fence or protected only by SSP patrols and dim lighting. If an attack were carried out by CTs as a result of a CPM/CTO policy decision, or by local CTs acting on their own initiative, however, we would expect Vital Points within the perimeter, especially the aircraft, to be priority targets, whether the attack were carried out by mortar, surprise assault or sabotage.

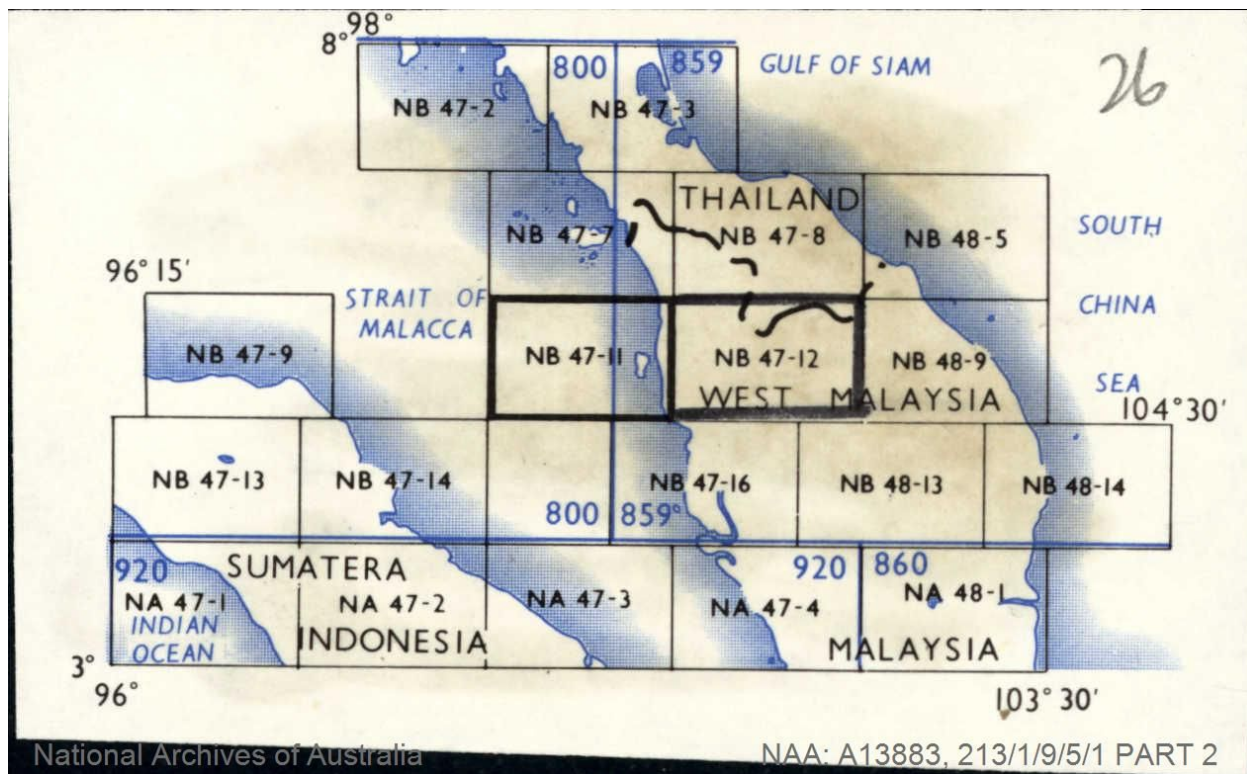
M.E. LYON
Australian Representative
(Chairman)

J.A. SANKEY
British Representative
(Co-ordinator)

D.G. HARPER
New Zealand Representative

F.E. BOLTON
(Squadron Leader)
Acting Chief Staff Officer
(Intelligence)

SINGAPORE
30 November, 1971



ANNEX A TO
ANZUK INTELLIGENCE GROUP (SINGAPORE)
NOTE No. 1/1971 OF
30 NOVEMBER 1971



SECRET ANZUK EYES ONLY

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Chief Staff Officer (Intelligence), ANZUK Force HQ	7
JIC(L) Representative and British High Commission, Singapore	8
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JIO Representative	12
Australian High Commission, Kuala Lumpur	13
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RCBVG April Submission – Rifle Company Butterworth (RCB)

“The greatest victory is that which requires no battle.” Sun Tzu,

Introduction

1. Once again, the RCBVG will start this report by thanking the Tribunal for its generosity in leaving the submissions open. I can report that amongst the veteran community this is very much appreciated. I would also acknowledge your corresponding burden is the increased workload in dealing with the additional material. In any case, thank you.
2. This submission will primarily address the Joint Intelligence Organisation (JIO) intelligence Assessment 1974, its relevance and its use in the context of the period under investigation for Rifle Company Butterworth (RCB). At the end of this submission we will make a digression towards a few points covering the Brisbane Hearing 3-4 April 2023. Lastly, we shall including an annex with a RCB Threat Matrix Model created using a typical intelligence tool designed to calculate threat. We will also include a transcript of a MCP radio broadcast alluding to enemy calculations and beliefs concerning the Australian military presence at Butterworth.

The 1974 Joint Intelligence Organisation Strategic Assessment

Statement of Sean Arthur - former National Security and Law Enforcement Intelligence Analyst

3. I feel that it is appropriate that I list my experience in the area of intelligence so that the Tribunal has some confidence that I am suitably qualified to made sensible commentary. I have briefly referred to this experience in a past submission by way of a footnote but I now believe that it should be brought to the forefront for reasons that will become evident. I do so only reluctantly because an argument made on its own merits is always superior to the titles of the claimant. However, at this point in our mutual investigations it is important that ordinary opinion is separated from considerations based upon long experience.
4. In 1993, on completing my degree, I was recruited directly out of university to become an intelligence analyst in the Defence Signals Directorate (DSD). During that time I was extensively trained in many basic aspects of the role, including cryptanalysis, Signals Intelligence (SIGINT) collection and High Capacity Communications Analysis amongst other skills. During my time an a civilian Defence analyst I was in a team reporting on active conflicts in a war zone.
5. I was also an analyst in a joint defence facility with a partner nation collecting intelligence in a significant strategic capacity for 14 months. In that position I was acting several grades beyond my nominal analytic role.

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6. In 1996, I accepted a promotion as manager of the Open Source Unit (OSU) at the Defence Intelligence Organisation (DIO). The Joint Intelligence Organisation (JIO) was the forerunner to the DIO and performed a near identical function. My role was to manage an intelligence team in satisfying intelligence tasking through open source means. As a DIO analyst covering this tasking we collected against a wide ranging set of areas from scientific developments to regional weapon systems and platforms.
7. In 1998, I accepted a position as a Criminal Intelligence Analyst with the Queensland Crime Commission (QCC) and mostly remained involved with state law enforcement agencies until my retirement last year in 2022. In 2007, I had a brief two year foray into the national arena once more as a Senior Intelligence Analyst (SIA) in the then Australian Crime Commission (ACC) before returning to the state agency in a similar position as SIA. In total, I have been an intelligence practitioner in Defence, National Security and Law Enforcement for the past 29 years. I have covered every aspect of intelligence work from tactical, operational and strategic occupations in both military and law enforcement operations. I have written numerable numbers of intelligence products over the years, from actual war analysis and reporting to criminal threat assessments. I have written strategic product on everything from emerging weapons platforms, to criminal paedophilia, to organised crime gangs and national criminal identities. I have performed a training role for intelligence analysts and have qualifications as a Human Source Handler (HSH) and also in Commonwealth Investigations. I have previously defended my intelligence analysis in cross-examination by defence QCs in criminal trials. Even though retired, I am due to do the same again at trial before the end of the year from the operational work resulting from my final police operation.
8. Having said this, I do not regard myself an expert in anything. Like everyone else, anything I attest can be challenged, and, obviously, sometimes I can be wrong in fact as any other person. However, I do understand intelligence work, intelligence processes and intelligence product. In this submission I primarily wish to discuss the JIO assessment and issues surrounding this document. Probably uniquely to this Tribunal, I not only was employed for three decades as a professional intelligence analyst, I also deployed operationally to Butterworth Air Base (BAB) as an ordinary rifleman as part of RCB.
9. During the Brisbane hearing process I soon began to get the impression that the JIO assessment was being totally misunderstood by every side. By extension misunderstanding this particular document meant that the meaning was not only being lost, its meaning was being misrepresented; probably innocently misrepresented, but misrepresented nevertheless. Every intelligence product has a defining purpose. The problem is, it is easy for a non-practitioner to read too much into it, or read too little. There is also the age-old intelligence problem of making predictions about future developments. This is a fraught gamble because the more complicated the situation on the ground is at any given time, the more likely new developments will change outcomes. The compounding effect of all these little new developments can make predictions exceedingly troubling.

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10. Before I continue, I am aware that sitting on the Tribunal are two very experienced and senior military members. I am also aware that whilst the chair does not have a military background, he has been exposed to thousands of such documents, besides which, as a member of a Military Awards Tribunal, this isn't his first rodeo either. It is not my intention to talk down to anybody. I just want to present a case, but in doing so I will occasionally speak to what all members are already aware. If I do so, I apologise for crossing that boundary.
11. Getting back to intelligence product purpose. Arguably, all intelligence product exists in two primary realms – the tactical and the strategic. There is also the operational realm, but as this JIO document wasn't prepared for that purpose it is perhaps best to not get into it.
12. Tactical intelligence is based upon immediacy and what is required to take a responsive action. It reflects what is happening now, or what might happen very soon. It is intelligence designed to aid and protect the war fighter, and/or allow them to take advantage of a developing situation. By doing so it reflects a level of active threat like no other intelligence product can. These take the form of any number of products, the names change all the time. They can be bulletins, alerts, critics and such like, or can be intelligence periodicals in the form of daily or weekly activity, say, in the form of Intelligence Summaries (INTSUM). Some product is so immediate, it is sent out "raw", meaning that it is so important that no time must be wasted in analysis.
13. Strategic intelligence is completely different, and its primary audience is completely different, although it is common for lesser commands to receive a copy anyway. The main point is not that field commands often get to see such product, but rather, it is written *expressly for the benefit of people of influence, such as policy makers*. Strategic intelligence is designed to publish a condensed general opinion based upon diverse multi-sourced material, generally illustrating the necessity for "grand action" of some kind. Why else bother to write it? The central principal is that strategic products involve over 'the horizon' perspectives and generally have no relevance in a day-to-day tactical posture. They usually serve as a warning to action, and are made in the knowledge that institutions need time to absorb information and either react to it in due course, or, to not react to it and accept the risk. I have said previously, because of this perspective, commanders in the field tend not to treat strategic product with the same level of immediacy as tactical intelligence reports because the report's scope is at arm's length and doesn't represent what may happen tonight. **In a very short period of time the report's conclusions become more and more ambiguous because strategic product does not - and cannot - keep up with the tactical developments that drives daily operations.**

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14. The principal audience for strategic intelligence product are the people who can read those ideas and have the power to summon into being possible remedies. Strategic information in a military situation sometimes, but not always, is an appeal for moneys being spent, either for boots on the ground, or perhaps for more or better equipment, or more advanced technology, or for different fighting platforms, and the like. It can inform high level decisions to acquire new defence capabilities that have wide ranging national security implications that may affect many organisations, including Defence. The information must be written with the perspective that an uninformed reader can quickly get the gist of the thing. The targeted reader will have many other high level competing problems then they have to deal with. The document must certainly contain truth, but when you zoom out sufficiently far enough, the truth must unavoidably become dated. If it takes an analyst three or four months to write a professional strategic product, then whatever significance an enemy action that took place a week ago may not have ripened into threatening activity as yet.
15. To use the dreaded example of Vietnam once more, in mid-1966, the enemy regimental HQ radios were tactically tracked heading South towards 6 RAR's area of Operations (AO) for many weeks and the Australian Task Force's Brigade's intelligence officer, Captain Bob KEEP, could not convince anybody of influence that the Australian Task Force was in danger. The end result was the Battle of Long Tan.¹ The strategic outlook at Nui Dat had not changed, but the tactical situation certainly had.
16. In this submission, I will not quote from the product at length because I am aware that all parties have a copy in their possession. I will say from the outset that I am a great admirer of the 1974 JIO Butterworth assessment. As a strategic assessment it is very well written and I would go so far as to say that it is an outstanding example of its kind. I say this in all sincerity that I am not trying to discredit the JIO assessment itself, but I am strongly suggesting that it is being portrayed as the one and only indicator of base security and as such it is being terribly misused.
17. I would hazard to guess that the paper was written by an academic, or at least it had university involvement. It definitely has that flavour and JIO/DIO has a long history of contracting civilian subject matter experts. Nevertheless, even if the author was a civilian it is also clear that the report was prepared with military advice and intelligence data, which obviously included Malaysian Armed Forces (MAF) intelligence feeding back into it. Such input was regularly obtained from the RAAF at Butterworth and also the MAF, including the Malaysian Police, on a daily/weekly basis as necessary.

¹ The inability of Captain KEEP to warn the Australian Task Force command about the enemy creeping towards the Australian Task Force caused him to suffer a personal mental breakdown. By an unusual synchronicity, KEEP was dispatched to the Butterworth Base Hospital from Vietnam about two days before the Long Tan Battle.

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18. The JIO document is absolutely packed, from start to finish, with not only enemy motivations and military capabilities, but also with the base's obvious vulnerabilities. Of the later, there are a great many. Hardly a single page instils a sense of security in the reader. I am resisting the urge to repeat quote after quote, and it is difficult to withhold because the examples speak for themselves. The overall impression is one of active threat. Yet, the Department can only read the line "*unlikely for the next 12 months*" and ignore every other threatening circumstance. To give but one example, a single strand of wire fencing and two RAAF AGD personal, and a dog, was all that was protecting the flight line for four fighter squadrons at night (see page 14). The circumstances continue in the same vein for 21 pages and if read in totality - and without cherry picking - it paints a picture that is completely at odds with the DOD's position.
19. Even the annex at the end of the document details, for a **single year** leading up to the publication of the 1974 JIO Assessment, 57 separate security incidents involving the CTs that occurred in the general vicinity of BAB. This is the document that the Department assures us proving that the entire air base, and that of our combined service, RAAF and Army was actually peaceful and no threat or risk of attack was evident.
20. While the JIO assessment was actually replete with warnings of risk, it should also be noted that even when addressing the likelihood (or otherwise) of an attack, it incorporated a major caveat. To an intelligence analyst it is vital to highlight caveats because it qualifies the veracity of the assessment one is making. You are making certain statements based upon particular factors. If the factors change, then the assessment must change. Or, in this case, the caveat was time-based. **The document states that this assessment suggests that an attack upon the airbase was "unlikely" for the next 12 months.** The caveat was unusually cautious. It doesn't say why, but one could take a defensible educated guess. At the time South Vietnam was circling the strategic plug hole. This JIO report was published on September 1974. Eighteen months before that, in March 1993, US combat forces departed Vietnam. Only a few months before this document was written in 1994, President Nixon resigned and Congress cut military aid to South Vietnam by 30%. The military regime in Cambodia was close to defeat at the same period. Within seven months of this JIO document, in April 1975, South Vietnam fell and the communist regime of Vietnam was in place and was committed to military support to the Communist Party of Malaysia (CPM) and its armed wing, the Malayan National Liberation Army (MNLA). This is all part of the historical record. Intelligence is perishable and these related events were evident a very long time before they eventuated, in fact the ink wasn't even dry on the JIO assessment when some of these critical facts were occurring. The worry was, not at all unfounded, that the MCP could be flooded with weaponry for its Malaysian offensive by the Republic of Vietnam. After the fall of Saigon, Vietnam possessed one of the largest military stockpiles in the region, (not including China) by virtue of captured US and SVN material.
21. As of April 1975, seven months after the JIO document was published, the regional situation had been upended so radically that even the most optimistic security assessment could not have stated with any confidence that an attack by CT forces was in any way "unlikely". If it did, I would be very interested in seeing the supporting material.

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22. On the other hand, the Australian DOD maintains three primary positions concerning base security supporting enemy risk.
- Firstly, the single strategic 1974, JIO assessment by quoting the line saying that an attack was “unlikely” (but *unlikely* for a 12 month period)
 - Secondly, that the threat was “continually low” throughout a 20 year period. What security assessments supporting this confidence remains unknown and Defence has yet to produce a single supporting document suggesting same. To our knowledge a rating of low does not exist and yet it is always asserted as such by the Department.
 - Thirdly, that the Australian Government, and therefore by extension, the DOD, does not recognise the Second Malaysian Insurgency at all, *therefore 19 years of peace, and supposedly, no threat at all by way of policy. This policy is not shared by the Malaysians who should know having experienced well over a thousand casualties.*
23. The veterans have produced numerous tactical intelligence products, suggesting a very significant CT threat. These include armed CT troop sightings, Improvised Explosive Devices (IED), other military installations, security and civil infrastructure destroyed and MAL forces either attacked, or other general hostile contacts. As far as can be ascertained, Defence has yet to respond to any of them, probably, I suspect, that it would result in an awkward conversation.
24. I shall end my submission on the JIO document at this point. But, I could go on in covering this particular report. As an example, the reporting concerning the JIO analysis and commentary on how the MCP political instability at the time caused a breakdown in command and control between military elements. The report asserts that this breakdown will possibly create internal competition for the infliction of damage towards the Malaysian Armed Forces and therefore a corresponding increase in the security threat to BAB. Instead of assuring continuing security, it just complicates it further.
25. It is obvious to all parties that critical documents are missing, *or may never have been created in the first place.* Therefore, the documents that **are available** should receive proper acknowledgement and correct interpretation.
26. During the course of the conflict the enemy threat should be viewed by how seriously the precautions evolved over time. Security for BAB went from a single two-metre wire fence, to a double apron fence, to guard towers, to search lights, to automatic airfield personal intrusion systems. Eventually additional security measures included the building of aircraft revetments and the wholesale relocation of Kampongs abutting the perimeter. **None of these developments actually repelled an intruder or an attack.** For that kind of security demands an offensive capability and that role was fulfilled at the very beginning by the armed presence and tactics of the RCB.

Expectation of casualties

27. The Second Malaysian Insurgency ended in December 1989. Over three years later, in 1993, at the end of hostilities in the Malaysian peninsula, certain definitions of warlike service were decided upon. The RCBVG would like to explore the supporting logic of those definitions.

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28. It is difficult to understand the concept '*expectation of casualties*' as a separate and standalone qualifier. In war, casualties must follow military action, and can therefore not precede it. A military unit can expect an attack, and prepare for all aspects for it, but an **expectation of casualties** is an indefinable preposition. Naturally, as a result of an enemy incursion, casualties may, or may not, occur. The primary focus is in the expectation of the action against an enemy, and preparation for all eventualities resulting from that occurrence must be secondary - which could also include activity in dealing with the dead and the wounded. There is no need to call in for a CASEVAC chopper if none is required. The recovery of casualties is but one of many subordinate post-action administrative responsibilities, which also includes ammunition resupply, dealing with prisoners, eating, rest and further mission planning. Indeed, Butterworth's Shared Mission Plan put in place measures for all of these eventualities.
29. The RCBVG do not apologise for bringing Vietnam into the picture as an example once more at this point. The RCB along with the entire Australian army was a creature of that conflict, with jungle warfare doctrine lasting well into the beginning of the 1980s. In Vietnam, every infantry patrol that left the confines of their Nui Dat base expected an enemy contact. That was the expectation. As part of that expectation, the possibility of casualties was always present, but could not be assumed. In the totality of the many thousands of patrols in enemy territory, the vast majority of these patrols did not result in Australian casualties. This was the case even in patrols where contact was made and enemy killed. So, if Australian troops were involved in actual battles resulting in no Australian dead or wounded, how exactly does one calculate an **expectation of casualties**?
30. On the night of 16/17 August 1966, the Australian Task Force at Phuoc Tuy Province, was mortared by North Vietnam forces which resulted in 24 Australian soldiers wounded and one dead. The following day the Task Force permitted two pop concerts headed by a 17 year old civilian singer, Little Pattie, with the audience of many hundreds of soldiers crowded into a single point. At that stage, the circumstances surrounding the previous night's mortar attack were still unknown. Even a single mortar round in that venue would have been devastating and casualties guaranteed, but of course, the enemy of the time never fired only single rounds. But, by the Task Force's very actions, it must be obvious that casualties were not expected, and only the subsequent fire-mission in support of Delta Company's fight at Long Tan was a third concert cancelled. This circumstance demonstrates that casualties might occur with or without regard to expectation. Casualties are often the result of luck or happenstance, in battle, or even in 'safe' harbour.
31. The RCBVG appreciates that reading about such semantics may be irritating but we can assure the reader it is just as irritating in considering and writing about them. Back in the day whilst defending the airbase it was quite simple. One would engage an enemy caught in the act of penetrating the base. The ROE was straightforward, with little thought about trying to wing the combatant in the knee in doing so. The enemy was the group of people who may attack BAB at any time - IE armed CT infantry wanting to cause death or harm. Semantics is the last thing we are interested in. Yet, a decision by this Tribunal may, in the end, turn upon such exotic points of argument. The risk of attack being present but, an expectation of casualties unable to be proven.

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32. In researching this problem we consulted Queensland statutes on circumstantial evidence. While we don't intend to quote at length about such evidence before a lawyer, but it did confirm in our mind the layman's understanding of it. The total circumstances of RCB deployments were obviously warlike. Locking a soldier inside an armcote never happened anywhere else. Storing weapons with breach-blocks inside them never happened anywhere else. Australian infantry performing attack QRF drills with live ammunition never happened anywhere else. Armed infantry moving tactically off base, prepared for a hostile contact never happened anywhere else.
33. The never-ending tactical intelligence on CT activity and local threat indicators flooding the RAAF ground operations system **did happen elsewhere, but never outside of a warlike theater of operations**. Yet, our entire claim for recognition may turn on an abstract point where evidence of an expectation of casualties did not reach a theoretical threshold that was decided upon only after the end of hostilities. If this is the case, then natural justice and the great wealth of available circumstantial evidence has been trumped by an agreed *ex post facto* definition. Has the extraordinary number of eye-witness testimony, both written and also provided as evidence under oath, carry so little weight that it cannot support warlike operations as they actually happened on base during an armed and recognised insurgency? If not, the ordinary peacetime protections identical to that of establishments such as RAAF Richmond or RAAF Amberley, with Air Force Security (AFSEC) and dogs, should have been sufficient. Obviously, they weren't, so Rifle Company Butterworth stood in the line for 19 years instead. One is peace and the other war.

The Brisbane Hearing 3-4 April, 2023

34. The RCBVG would like to make a few remarks stemming from the recent Brisbane hearing. At the time, we would have liked to make them in person, but due to the crippling time pressures we decided hold our tongues and make comment by way of submission instead. These final points are made in no particular order.
35. On the afternoon of the final day, the chair posited the silver bullet questions. This was a useful exercise as any because it may have fleshed out an unanticipated Ockham's Razor response. It didn't, but worth a try anyway. I would like to respond to a couple of points on what was suggested.
36. It was suggested that the remedies introduced by the BAB command and the Australian authorities, such as aircraft revetments, search lights, guard towers, the *TOBIAS* intruder detection equipment, etc, reduced the threat of attack and therefore the base was a safer environment as the period went on. It was for this reason, it was suggested, that the RCB may have been falling short of the threshold for an AASM. We would argue that the introduction of these measures implicitly describe the opposite.

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37. Most of these developments in no way reduced the possibility of an attack on the air base in the same way that a ballistic vest doesn't reduce the likelihood of an assassination attempt. None of these base defence features plays a significant role in *preventing* an attack - they do play a part in reducing damage once hostilities have commenced. In the case of the TOBIAS system, it is akin to an alert that the burglars have already entered your living room. TOBIAS doesn't stop the intruders from entering the house, nor does it eject them from the building once inside. Nor does it prevent them from causing destruction and killing personnel elsewhere once on the base. It does, however, highlight an ever increasing defensive response by the authorities to an ever increasing threat. These security features point to an anxiety by the Australian Government and a desire to limit damage, but that's all such additions can do in reality.
38. The ace up BAB's sleeve was its resident reinforced infantry company. No person can point out any security feature that could respond to an armed CT intrusion other than a RCB counter assault. That should be an argument stopper, but it isn't because the Department maintains that we were at peace. Defensive security features, no matter how sophisticated, cannot repel armed aggressors. An offensive military action can only be repelled by another offensive military action.
39. It was also suggested that the CT insurgents may not have considered the Australians to be their enemy? If so, for this reason, they may have not attacked BAB or harmed Australian personnel off-base? While this is certainly a possibility, and not an unreasonable one in the case of families living off base, but there are many alternative explanations. RAAF families may well have been considered non-combatants by the MCP? In either case, we don't know for sure and probably will never know because we cannot access the minds of the enemy. They may have been operating under a sophisticated ROE of their own which protected women and children. I would also like to draw the reader's attention to the demonstrated fact that the MCP never rejected outright murder and assassination as a legitimate tactic of war. Many civilians were killed during each of the two insurgencies.
40. Additionally, we were given another example of a successful vehicle ambush against the MAF which followed a couple of hours behind the RCB returning home from the range using the same route. Perhaps the CTs did permit the Australians safe passage through the killing ground without initiating an ambush. Perhaps. Or, perhaps a successful vehicle ambush takes time. A reconnaissance of the whole site must first be undertaken, security piquets along the perimeter must be posted, machine guns and RPG pits prepared and either a command detonated explosive device or a pressure plate explosive device sited. Perhaps preparations were just not completed at the time the RCB went through? In any case, the most favourable and supposedly reassuring version of this occurrence was that an Australian truck containing RCB troops was permitted to traverse a killing ground without accident or mis-identification. Is it really for this reason that the RCB were not conducting operations in a war zone? I was chilled to hear how close those Australian soldiers came to their destruction at the hands of a supposed non-enemy.

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41. At the Brisbane hearing, Defence did mount an unusual argument. Paraphrasing - the Department's representative reported that a major international military exercise, Ex Talisman Sabre 2023, was about to commence. The Defence representative suggested that because the exercise had a live firing component, would it be right, he posited, to issue the AASM to all exercise participants? Perhaps it was put slightly differently, I didn't quite understand the line of reasoning. All the veterans in the room have probably experienced at least one or two major international exercises in the 70s and 80s which would have involved live firing components. I would therefore like to reassure the Department that it is extremely unlikely that any of us are interested in pursuing AASMs for participating in the peacetime international 'Kangaroo' or other major exercises that were part of our collective experience. We actually can tell the difference between military exercises and military operations.
42. We appreciate that the Tribunal, veterans and even the Department recognises that in 80 deployments there are going to be small changes in operations. Sitting there at the hearing, listening to the evidence we kept hearing an assortment of practices that were different to many of our own. Some companies mounted the QRF with red tape on their magazines, some didn't. Some QRF were at the action stage of weapon readiness, some with their weapons unloaded. We heard evidence that some companies never mixed ball and blank ammunition, but I can report that our company did so on a brief exercise in the jungle. All we can say that all veterans are undoubtedly reporting the truth in these small inconsistencies as practice varied and they have little bearing on an outcome anyway. After all, the difference between a weapon unloaded and the firing of said weapon is only a matter of a couple of seconds.

The Enemy

43. During the closing stages of the final day's hearing (4 April 2023) the panel suggested that RCB lacked an enemy. Once again, the veteran groups are forced to challenge such reasoning because not only do such illusions neatly dovetail into the Department's general narrative of "*nothing to see here*", it is historically inaccurate in its own right. It is inexplicable that the DOD is stuck in a Victorian paradigm whereby conflicts can only officially proclaimed as such if bewhiskered ambassadors are recalled to meet at a big table to receive signed official documents announcing hostilities. The 20th century is awash with examples where the first hint of war was troops actually experiencing an assault across their lines to the total astonishment of the receiving soldiery.
44. On the 1 September 1939, a violent surprise attack was launched by Germany against Poland. Just over two weeks later, the Soviet Union did the same thing against Poland from the East. In neither case was the assault preceded by a declaration of war. On 8 December 1941, Japan declared war on the US only after an airborne assault on its possessions in the Mid-Pacific. In a mostly forgotten point of history, the Japanese actually landed and assaulted the small British garrison of Kota Bharu in North Eastern Malaya shortly before the Pearl Harbour attack and also without declaration. In the predawn hours of 25 June 1950, North Korea struck across the 38th parallel preceded by a massive artillery barrage without the benefit of a declaration of war. On the afternoon of 6 October 1973, Egypt and Syria launched a surprise attack on Israel capturing the Sinai Peninsula and the Golan Heights. It was a total surprise to Israel and initially the attack appeared to be a victory for the Arab forces. Where was the declaration?

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45. In all the above cases - and more could be quoted – the defending troops died before official technicalities would be put in place. The day before the attacks, strictly speaking, there was no enemy. The very act of armed aggression arrived first and enemy status followed well behind by intent. If nation states don't employ the Marquess of Queensberry rules in their warlike intentions, how more likely are ragtag insurgents with a history of murder and ambush to do so?²
46. The question of enemy status was suggested as an important element by the tribunal for our claim to be successful, so it is necessary to ask why the suggestion that RCB did not have one. In some of the examples, above, the prevailing circumstances, including disturbing intelligence, being present before the surprise attack arrived at their doorstep. In every case nominated there were military manoeuvring of sorts, mostly only revealed after the event.
47. That being said, the enemy circumstances must be fully explored to a conclusion. In the case of RCB, the Department insists that while Malaysia had a recognised enemy, allegedly, Australia did not. It is now established beyond doubt that Malaysia owned Butterworth Air Base. It must also be recognised that because fast jet and Malaysian troop deployments operated from BAB, the airbase was both a vulnerable and valuable legitimate military target for the MCP. Furthermore, it has been established that in the event of an armed intrusion to the airbase, under the Shared Defence Plan, it was an Australian responsibility to repel an attack on BAB. Lastly, the only means that Australia had to repel an armed intrusion to the airbase was the reinforced rifle company, RCB, that remained on a standing war-footing for that explicit purpose. To maintain any other conclusion, to our minds, is an exercise in flawed logic. Australia, both RAAF and Army, had an enemy at Butterworth, which while remaining undeclared, were absolutely present and loitering outside the wire to the North, the East and to the South of BAB as RAAF intelligence consistently reported.
48. We hope for everyone's sake that this is the final RCBVG submission. We would like to end it with thanks and would also like to acknowledge that the Tribunal's task is many many month's of hard work well into the future. Veterans have always been bothered by the lack of records - those massive gaps that really could better explain our particular situation. But, as Submission 66 demonstrates, there are still monumental amounts of tactical material available. That is why the DOD insists on a handful of political statements made at a time of international sensitivities and the misreading of a single JIO strategic assessment made at a single point in time less than half way into the insurgency. Defence would have us believe that the security situation at BAB froze on the 31 December 1975, the day that the JIO's threat warning expired. According to Defence, our supposed security is based upon a single strategic document that was designed to inform department heads about the general military situation in a little insurgent hot-spot in far North Eastern Malaysia. The Department never explains its bizarre argument that the conflict was Malaysian in its entirety and Australians weren't a combatant force. Yet according to the Shared Defence Plan, an intrusion onto the air base was an Australian responsibility in the armed repelling of it, and not a Malaysian responsibility? How does that work? RCB was supposedly involved in a Clayton's conflict. We weren't involved in the hostilities at all, **except that we actually were by explicit planning.** It is all documented, and the Tribunal holds the documentation.

² The Falklands War is yet another example, and if more were needed, the 2014 and 2022 Russian invasions of the Ukraine are very modern 21st century examples. .

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49. Lastly, the RCBVG would argue that the awarding of the AASM, in any event, is not just based upon the degree of likelihood that a soldier's body might adsorb bullets or the framing of a human target in a weapon's foresight. It is the uncertain risk that either of those things *could happen*. All the necessary ingredients were present, and the soldiers accepted the risks and did all the things required of them. **In return, the Australian government, and the one organisation that should exhibit particular appreciation of the entire situation - the Defence Department - has turned its back and remains wilfully blind.** The Department has a "policy", and that appears to be enough. In the weight of total evidence supporting RCB warlike service, the single opposing voice, ironically, is that of our former employer.
50. It has been predicted that no single paper will ever be found to neatly wrap up the question by itself. However, the answer is actually buried deep inside all those intelligence reports, proving our demonstrated warlike actions over 20 years. None contradict veteran submissions nor oral evidence provided by army veterans and RAAF ground defence officers under oath. The circumstances will lead us, in the end, to a truth. As Occam's Razor predicts, the best explanation of any phenomenon is the one that makes the fewest assumptions. RCB adopted a warlike posture in the face of a known enemy. Our opponents are making extraordinary claims backed up by very weak evidence - or, in a great many cases - no evidence at all.
51. Thank you all for your labours. Please find as an attached annex, an Intelligence Threat Matrix and a transcript of a CT radio broadcast made about BAB in 1972.

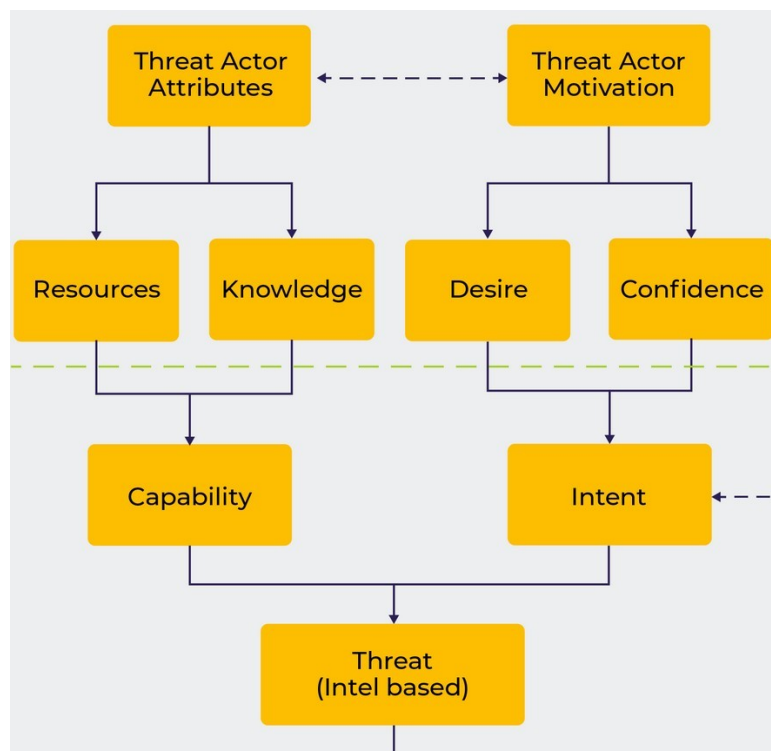
Sincere regards,

XX April 2023,

Annex 1. Modern Intelligence Threat Matrix

Introduction

1. To date, the assessment of risk for RCB service has been rather haphazard. One person's "low" is another person's "medium" or "high", and vice versa. To date the claims of risk are intertwined with other vague terms such as "threat" and "casualty expectation". To reach a fair verdict a clearer and indisputable measure must be employed. Subjective viewpoints might be set aside to determine whether it is feasible to employ an objective result based upon a recognised methodology.
2. It is still possible to assess threat and develop a level **casualty expectation** for RCB service using a basic, yet scientific, tool. This tool is utilised every day in police operations, and I am quite familiar in its usage. It can be used for any type of threat, including any warlike situation as it only requires input based upon a threat actor. It is called an Intelligence Threat Matrix. In practice, the concept is very common and is used as method to inform a level of threat. I have created an RCB threat indicator and it is based on a boilerplate model that I have used many times before as a professional intelligence analyst. It is different from a risk assessment in that it only assesses an actor desiring to do harm – injury, death and/or destruction. It is also neutral in that input choices are transparent, and if desired, input vectors may be challenged. Provided one enters the data correctly, *and the data must be transparent and defensible*, it can only lead to the most appropriate level of threat.
3. **Threat should be evaluated as a combination of Intent and Capability.**
 - **Capability** is an attribute comprised of **resources** available to the enemy and the **knowledge** they have to achieve their aims.
 - **Intent** is a motivating factor comprising **desire** plus **confidence** (expectation).
4. When you calculate all four subsets of **Intent** and **Capability** (**resources, knowledge, desire and confidence (expectation)**) you arrive at the **assessed threat**.



RCB Assessment

To assess a threat profile you rank the threat's 1. Resources, 2. Knowledge, 3. Desire and 4. Confidence (expectation).

Resources

What resources (or access to resources) does the attacker have at their disposal?

- Few if any resources and/or funding
- Limited funding and/or resources
- **Moderate level of financing and/or resources**
- Significant level of funding and/or resources.
- Fully funded and resourced.

Assessment

*The CT insurgents is rated (above) as having **moderate** level of financing/resources. Like insurgencies everywhere their resources were not unlimited; they had no air force, amour nor high calibre artillery, but they were very adequately armed with auto and semi-automatic weapons. They also had an indirect fire support capability in RPG and 81 and 82mm mortars. The CTs were resupplied by civilians (willingly or unwillingly) and up to 1974/1975 were materially supported by China. After 1975, Vietnam replaced China for weapons and other material support, but probably not at a quantitative relation enough to push their resource allocation into a significant level. **Insurgencies can cause significant damage even with the resources at moderate.** Every AK47 is fully automatic, every SLR is single shot. The SLR is accurate to 300 metres, the AK47 is accurate to 400 metres. RPGs can either targeted against vehicles, strong-points or aircraft, or used against infantry as the warhead self-destructs at 900 metres.*

Knowledge

How much knowledge or skills does the attacker have?

- No knowledge or training
- Limited knowledge and ability.
- Moderate level of training and skills.
- **Very skilled and trained in the use of tactics and techniques**
- Highly skilled and comprehensively trained.

Assessment

The CT enemy were very skilled in the art and techniques of insurgency warfare. They were using techniques and methodology first learned in the 1960s against British and Australian regular infantry. They used a strategy that suited their limited operations to a very high standard. They knew how to exploit conventional forces weaknesses by hit and run tactics, and they understood when to withdraw into their natural safe hideouts in the Malay/Thai borderlands. These tactics let them survive against a modern nation state for over 20 years.

Desire

What does the attacker desire?

- Little to no desire-absence of drive and purpose
- Some drive and commitment to achieve outcomes using generally peaceful means.
- Highly motivated but with some flexibility in terms of method and capacity for compromise.
- High degree of desire with limited room for compromise and potential to use extreme measures.
- **Extremist motivations with few if any limitations on attack options and no room for compromise.**

Assessment

The desire implicit in the CT insurgents motivations can only be described as extreme. Their life in the jungle for more than two decades would be exceedingly troubled and difficult. They would have experienced physical discomfort, disease, inadequate food and an almost total absence of even the basic conveniences of life. Any injury or wound was automatically life-threatening. They were fighting a modern and relatively well-equipped enemy with only basic weapons, and yet they sustained themselves in extreme hardship for 20 years. That they lasted into 1989 might be considered extraordinary.

Confidence (Expectancy)

An attacker's confidence or expectation, can be ranked as follows:

- Threat actor does not believe they have the capacity & competence to achieve an attack.
- Threat actor believes they have limited capacity & competence to achieve an attack.
- Threat actor has reasonable expectation of a successful attack based on their capacity & competence.
- **Threat actor competence and capabilities are such that they have high expectations of achieving a successful attack.**
- Threat actor has very high expectation of achieving a successful attack.

Assessment

The CT insurgency had high competencies and proven abilities indicating a demonstrated success in achieving an attack. For two decades they repeatedly attacked MAL security forces and were not discouraged by the imbalance in forces against them nor in their receiving severe casualties. The MAF were still experiencing KIA by the CT forces in 1988. The CT success is indicated by the use of careful planning and preparation and the ability to understand and exploit the opposition's vulnerabilities. They specialised in raids, ambushes and hit and run operations that were quick to setup and difficult to prevent. They would disappear into the jungle when a MAF retaliatory operation was mounted against them. They understood that as soon as the security forces departed the Area of Operations (AO), as they eventually must, they could return to continue their insurgent operations. It is suggested that only a permanent regular armed infantry force, such as that provided by the RCB, could manage to deter an attack, as evidenced by Butterworth not receiving such an attack despite being the closest military instillation inside their AO.

Assessing the Threat to Butterworth Air Base 1968 to 1989

After ranking all the resulting indicators, **1. Resources**, **2. Knowledge**, **3. Desire** and **4. Confidence (expectation)**, and after providing justification for the nominated assessed position, one is able to clearly make a justified assessment for the threat posed by the CT insurgency. The threat is assessed for the entire 1968 to 1989 period because while the enemy advanced and withdrew according to MAF operations mounted against them, the indicators remained fairly static during the entire period highlighting the danger they posed to BAB and the forces protecting it. As can be seen below, the CT insurgents capability is assessed as **Developed** and their **Intent** is assessed as **Determined**.

Therefore, the overall threat to Butterworth Air Base for the period 1968 to 1989 is assessed as **HIGH**.

		INTENT				
		None	Little	Expressed	Determined	Dedicated
CAPABILITY	Extensive	S	H	E	E	E
	Advanced	S	S	H	E	E
	Developed	M	S	S	H	E
	Moderate	L	M	S	S	H
	Low	L	L	M	S	S

Low
Moderate
Significant
High
Extreme