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# ***Border security and counter terrorism – the New Zealand experience***

an address to the Institute on 16 December 2014 by

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*Islamic extremism has re-emerged in the globalised information age of the 21<sup>st</sup> century promoted by rival power centres, al-Qaeda and Islamic State. It has necessitated nation-states to place renewed emphasis on border security. Informed by intelligence sharing among like-minded nations, especially the ‘five eyes’ partners, New Zealand has developed and is implementing cost-effective counter terrorism and targeted goods inspection measures at the nation’s borders. High priority is being accorded to detection and management of returning ‘foreign fighters’ and dangerous goods entering New Zealand. Cooperation with Australian customs officials is well established and will be vital to continued success.*

**Key words:** Muhammad; Islam; Al-Qaeda; Islamic State; border security; counter terrorism; foreign fighters; improvised explosive devices; UN Security Council Resolutions 1373 and 2178; New Zealand.

## **Global Terrorism**

Terrorism today is not limited to areas of traditional conflict as in the past but is global, affecting all countries in some way. The diaspora from conflict areas initially brought those issues with them to the West, but now we have seen the emergence of home-grown independent actors, such as religious converts that have no links to the original area of conflict.

This trend has been driven by the ability of terrorist groups to access their intended audiences via social media such as Facebook and Twitter. It has evolved to the point where terrorist groups can extend their narrative to a global audience without needing to depend on traditional media coverage. Indeed, al-Qaeda, by design, is more of a virtual organisation today than a traditional hierarchical one.

The rise of modern Islamic Sunni extremism can be linked to the end of the Ottoman Caliphate and the creation of Turkey by Kemal Atatürk in the 1920s. The Moslem Brotherhood and various splinter groups were formed with varying strategies, but a common Islamic ideology, to return to an Islamic Caliphate. This culminated in the creation of al-Qaeda late in the 20<sup>th</sup> century and the 9/11 attacks in the United States in 2001.

Sunni extremism is complex but can be loosely framed into four dimensions:

1. Al-Qaeda central, headed by an emir (formerly Osama Bin Laden, now Ayman al-Zawahiri) and its new rival, Islamic State in Iraq and the Levant (ISIL), self-described now as the ‘Islamic State’ and headed by an emir (Abu Bakr al-Baghdadi #4) who has been proclaimed as ‘caliph’ of the Islamic State – al-Qaeda and ISIL are similar in ideology, but employ different strategies;

2. established insurgent or terrorist groups, which are formally affiliated to al-Qaeda or ISIL;
3. *ad hoc* groupings of extremists, which can either participate in the various areas of conflict or conduct ‘inspired’ attacks in home countries; and
4. radicalised individuals (sometimes referred to as ‘lone wolf’ attackers) who are unpredictable and, because of their limited contact with other extremists, very difficult to identify.

The highest risk of attack does not equate to the dimension level. Typically, the most lethal attacks have come from the 2<sup>nd</sup> dimension, due to the experience and training many of these groups have. Dimensions 3 and 4 are increasingly blurred, with small groups sometimes assisting a lone attacker. These individuals may travel to conflict areas at some point but do not need to do so to attack in their home country.

In some Moslem countries, including Indonesia, a flow-on effect from the rise of Sunni extremism has been the emergence of nationally-focused Islamic groups as an alternative political force. These groups have had limited appeal for the majority of Moslems as the extremists are, by definition, extremely intolerant of local customs and culture. While globalisation has created an opportunity for the extremists to spread their messages, it also has provided a limitation, as Moslems generally seek to improve their lives in the modern setting rather than take up a way of life more aligned to earlier, less enlightened, times.

There has been adverse commercial impact globally from even the risk of terrorist attacks. This started off as unintended consequences from an attack, but now terrorist groups are aware of the ongoing financial impact of their actions. Much of this is caused by the costs of the requisite ‘duty of care’ exercised by governments to address risks versus the terrorists’ absolute lack of care.

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## Border Security

Al-Qaeda and affiliated groups have made specific threats against transportation, especially airlines, and this is an ongoing area of high risk that affects the world, both in terms of personal travel and the commercial movement of goods for trade. Massive investment has been required by all countries, including Australia and New Zealand, to institute trade security measures, such as the Container Security Initiative, in order to operate commerce between countries. This extends to protecting airport and seaport facilities and has impacted on international travel by individuals as more stringent security measures have been applied, such as banning carriage of liquids aboard aircraft and other restrictions.

The scale of border transactions means security measures have to be implemented in a collaborative process with all parties engaged in both trade and passenger travel industries, not just the law enforcement agencies.

Australia has a larger population and proportionate trade and travel numbers than New Zealand, but the processes are similar. A typical year on the New Zealand border reveals the following statistics:

- 8000 vessels carrying 200,000 passengers;
- 60,000 aircraft carrying 9 million passengers;
- 180,000 cargo reports;
- \$2 million goods declarations from 8000 industry clients with a total value of \$80 billion;
- \$9.7 billion collected in Crown revenue; and
- 120,000 alerts actioned (intelligence input).

## Counter Terrorism

The 'foreign fighter' threat is the current priority of counter terrorism groups in both Australia and New Zealand. This threat emerges when individuals with extremist tendencies travel from western countries to fight alongside the extremist factions opposed to the Syrian Assad regime and later return to their home countries more radicalised and better trained to launch attacks at home.

The Assad regime has resisted the 'Arab spring' movement that swept across the Middle East. This has resulted in a civil war and state of chaos in Syria that has enabled the Islamic extremist groups to establish themselves there. The main Islamic extremist groups of ISIL and al-Nusra (an al-Qaeda affiliate) have attracted thousands of foreign fighters to the region to actively engage in the conflict against both the Assad regime and the moderate opposition groups in Syria.

A compelling study by a Norwegian academic<sup>2</sup> has measured the likely effect of foreign fighters returning to their respective home countries and the risks they pose. An estimated 1 in 9 returning fighters becomes involved in a terrorist plot. The presence of a foreign fighter in a plot doubles the probability of the plot becoming an actual attack and such attacks are twice as lethal.

This has a direct impact on Australia and New Zealand, albeit on a scale estimated to be 20:1 given the

larger number of returning foreign fighters in Australia, but the nature of the threat is very similar. The New Zealand prime minister, John Key, has stated the numbers of persons of interest in New Zealand to be around 40 with another 40 individuals warranting further investigation as potential persons of interest.

## Border Security and Counter Terrorism in New Zealand

Our counter terrorism objectives in New Zealand are: to protect New Zealand's border; and, to fulfil our international obligations. The foundation for our counter terrorism processes is United Nations Security Council Resolutions 1373 and 2178, under which we are obliged to:

- implement effective border controls to prevent movement by terrorists;
- deny safe haven to terrorists;
- prevent terrorist acts (by information sharing);
- deny support for terrorist recruitment;
- prevent weapon supply or movement across our borders;
- prevent the planning of terrorist acts;
- prevent funds for terrorism crossing our borders; and
- prevent residents or citizens travelling to engage in conflict alongside designated terrorist groups ('foreign fighters').

In 2002, the New Zealand Customs Service (NZCS) set up a counter terrorism unit (CT) inside the national intelligence unit with a view to:

- aligning the NZCS border protection mission with the international obligations entered into via the United National Security Council resolutions 1373 and 2178;
- establishing a doctrine of disrupting terrorist activities at the border;
- resolving the intelligence classification issues between the Customs operating processes and the higher level associated with national security matters;
- developing knowledge and expertise in terrorism matters and maintaining a terrorist profile for border interdiction; and
- coordinating with other counter-terrorism agencies, both domestic and international.

Intended outcomes were: the mitigation of terrorist risks through earlier identification of suspects; the enabling of opportunities to disrupt intended terrorist activities; and the exploitation of the controlled border environment.

Counter terrorism is currently the number one priority border activity for the NZCS. Currently, the priority risks to the border are judged to be: the 'foreign fighter' issue (the return of experienced, radicalised fighters, leading to an increased likelihood of terrorist attacks at home); and, the acquisition by terrorist groups of the passports carried by deceased fighters, which the terrorist groups could then use to facilitate terrorist acts elsewhere. This risk is much worse than that experienced previously during the Afghanistan conflict and extends to travellers returning from Yemen, Pakistan and Somalia, as well as from the Iraq/Syria area.

<sup>2</sup>Thomas Hegghammer, "Should I stay or should I go?" Norwegian Defence Research Establishment (FFI) Research Report, February 2013.

Counter measures have been adopted and developed from a variety of processes in a layered approach using existing border resources and the effective use of screening tools that are run across information provided by industry partners, such as airline reservation data. Additionally, there is close collaboration in the 'five eyes' domain<sup>3</sup>, by engagement within the 'Border Five' area on a regular ongoing basis. Persons of interest are regularly interdicted at the border in response to risk assessments created from the information obtained. These assessments are created by intelligence analysts trained and specialising in counter-terrorism risks and are shared in a timely manner with partner agencies, both domestic and international (especially Australia).

In terms of mitigating terrorism risks around goods, a slightly different operational response has been developed. Interdiction of goods is different to interdiction of passengers and requires a closer alignment with commercial processes due to the scale of the activity and time/resource constraints. These limitations have been offset by adopting intelligence-enabled targeting to isolate consignments of potential risk and applying technology such as X-ray and back scatter equipment to minimise the impact on legitimate traders. Long-term security screening measures at an international standard are in place alongside formal partnership agreements with industry.

A project to interdict the network of precursor ingredients used commonly by terrorists to create improvised explosive devices was instigated recently. The NATO<sup>4</sup> doctrine of 'attacking the network' was refined into the NZCS operational environment. We connected existing processes of counter-terrorism targeting and a World Customs Organisation monitoring programme. We then developed goods targeting rules within the trade process to identify outliers from legitimate trade in the precursor ingredients. These two measures enabled us to effect timely disruption with minimal impact on legitimate trade, which is consistent with the NZCS goal of 'high assurance, light touch'. The project is successful and reinforces existing processes at the border, with a refined targeted selection of consignments being subjected to intervention by NZCS officers. On several occasions, we have been able to mitigate risk by intercepting suspect consignments and detaining the goods in question, while urgent inquiries were made by New Zealand Police counter-terrorism specialists.

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<sup>3</sup>The 'five eyes' intelligence-sharing community consists of Britain, Canada, the United States, Australia and New Zealand.

<sup>4</sup>North Atlantic Treaty Organisation

## International Cooperation

In terms of developing relationships and partnerships, we have extended our focus outside of the immediate New Zealand border and have delivered counter-terrorism border training overseas funded by the Asia Security Fund administered by our Ministry of Foreign Affairs and Trade.

Trans-Tasman arrangements have been established over the years building on our shared ANZAC heritage and close economic partnership. We have continuous [24-hours per day/7-days per week] communication via Targeting Centres set up identically to those in Australia, along with routine direct intelligence exchange via the 'Five Border' group. We are moving towards placement of New Zealand officers in Australian facilities, along with officer exchanges and face-to-face meetings between officials.

We have conducted operational activity at the New Zealand border in close collaboration with Australian agencies. The success of these activities has been as a result of timely information sharing and is ongoing.

## Conclusion

The re-emergence of Islamic extremism in the globalised information age has placed renewed emphasis on border security. Intelligence collection, analysis and sharing among like-minded nations, especially the 'five eyes' partners, coupled with cost-effective counter terrorism and targeted goods inspection measures at national borders, are reducing the threat posed by returning 'foreign fighters' and dangerous goods entering New Zealand. Ongoing cooperation with Australian customs officials will be vital to our continued success.

**The Author:** Colin Smith is Chief Customs Officer (Intelligence), New Zealand Customs Service (NZCS). An NZCS officer of 30 years standing, he has had a broad range of operational customs experience, especially in law enforcement. He has led the NZCS Counter Terrorist Intelligence Team since its inception in 2002, and has developed the doctrine and standard operating procedures for counter-terrorism, counter-proliferation and other related security issues. He has also helped establish a multi-agency intelligence group to address the seaborne transportation of illegal migrants. He is currently working on a project to implement counter-improvised explosive device measures within NZCS goods clearance systems. Mr Smith holds certification in intelligence analysis, border management and counter terrorism; and is an alumnus of the Asia-Pacific Centre for Security Studies 2010 Comprehensive Security Response to Terrorism Course.