

# A 104-year-old treaty closes a case 10 years on



**Even though a suspect may abscond and think they've gotten away with committing a crime, its good to know that eventually the legal processes will catch up with them.**

In late 1996, an inconspicuous sloop named *The Highlander* quietly made its way through the backwaters off Poona, 220 km north of Brisbane. To the casual observer, nothing appeared untoward until the Customs Coastwatch helicopter flooded the vessel with searchlights and federal agents boarded the small ship. On board, they found a massive eight tonnes of cannabis resin with a street value of \$64 million. A drug haul that would also bring about the arrest of 15 suspects from Australia, Hawaii and New Zealand for their part in the drug smuggling ring that stretched half-way around the world.

*Operation Calculus* began 11 years ago as a joint AFP, Customs and Queensland Police operation involving more than 150 officers worldwide. At the time, the alleged skipper of the vessel was granted bail of \$250,000 with strict reporting conditions, but when he fled Australia the following year, the AFP issued a warrant which resulted in him being the subject of a worldwide Interpol alert.

That alert has paid off more than a decade

later when Cuban authorities detained a 49-year-old Australian national and returned him to Australia in July 2007. This brought the AFP's role in the case to a close after it charged the suspect under the *Customs Act 1901*. The charges carry a maximum penalty of life imprisonment.

Delivery of this man to the justice system is the final step in a major operation which has so far resulted in the conviction of 18 people and the dismantling of another huge global drug trafficking syndicate. The arrest is the result of cooperation between the AFP's Border and International, Australian Customs, State police and international law enforcement agencies.

"This trial has been a long time coming and it goes to show that we never forget and we never let go," National Manager of Border, Assistant Commissioner Rudi Lammers said. "Sooner or later these people will surface."

## **Strong International Network**

This final arrest highlights the strength of AFP's Border and International Network, which has a presence in more than 27 countries around the world.

"When *Operation Calculus* began there were just a handful of international posts,"

Assistant Commissioner Lammers said. "Now we have a posting in almost every major city throughout the world.

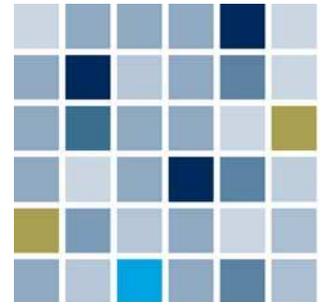
"It's about being the gatekeepers in transnational crime, forever on the lookout and working closely with our partner agencies overseas – together we form a huge law enforcement network throughout the world."

As a result of the Interpol alert, Cuban authorities were able to detain the suspect as he tried to enter Cuba. This final arrest for *Operation Calculus* also marks the first extradition between Cuba and Australia under the 1903 Treaty. With assistance from the Attorney-General's Department, the man was extradited to Australia and charged on arrival in Brisbane – where the case is currently before the courts.

"Having systems in place to get our criminals back is integral to our success and it's to everybody's credit that Cuba was able to do this," Assistant Commissioner Lammers said.

"If there was no treaty in place and a country chose not to allow Australia to extradite, then we simply wouldn't be able to get them out," he said.

National Manager International Network Federal Agent Tim Morris agreed that the



assistance from Cuban authorities has been exceptional.

“This is a significant achievement for the AFP and its Australian and international partner agencies,” he said.

In a similar situation to the Cuban extradition a man has been charged six years after 89kg of cocaine (worth approximately \$22.5 million) was seized in a joint AFP-Customs operation. Once again because of an Interpol alert, the suspect was located in Costa Rica and arrested by local authorities before being extradited to Brisbane. This was the second successful extradition in relation to this case.

“This is the last of three men to be charged over what was, at the time, the largest detection of cocaine in Queensland history,” Assistant Commissioner Lammers said.

Originally operating under the same portfolio, Border and International now work independently yet remain in close cooperation. While Border investigations cover a number of areas including transnational sexual exploitation and people smuggling, 90 per cent of its investigations remain drug-related.

### Winning the fight

Drugs which are destined for Australian streets are regularly intercepted due to the strong cooperation between AFP, Customs and international law enforcement partners. The benefits of this joint-forces approach enables drug syndicates in their source or transit countries to provide greater opportunities to arrest syndicate leaders, obtain larger seizures, cause greater disruption and limit safe havens for syndicate operations.

Ultimately, it means that fewer drugs will reach Australian streets. While Australia is a popular target for drug traffickers, the strategy of detecting illicit substances before they reach our shores has been so successful it has led to a drug drought in Australia in recent years.

The largest haul of cannabis seized by the AFP was 10 tonnes in 1997 followed by the biggest haul of heroin (390 kilograms) in 1998. The largest single drug haul was 1.3 tonnes of MDMA in 2005. The maximum penalty for drug trafficking is life imprisonment.

“Globally, cannabis is still the most trafficked and consumed drug in the world and the largest consumed drug

in Australia,” Assistant Commissioner Lammers said.

“But now we’re also seeing a lot of precursor chemicals that make up things like ‘ice’ coming out of Indonesia and heroin coming down through the Golden Triangle.”

### Future focus

Assistant Commissioner Lammers believes the key to the future success of Border and International’s fight against illicit drugs crossing our borders is the strength of our partnerships with other intelligence and law enforcement agencies.

“Without these partnerships, our task would be virtually impossible,” he said.

“And these partnerships must also stand the test of time. So in 10 years’ time when we have moved on, the system remains intact. That’s why we have an international network and why it’s imperative to continue to build on our strong border investigation capability.”