# "Who is ASIO serving?"



The Australian – Letters to the Editor, 26 March 2010

- "You are guilty until proven innocent, for reasons undisclosed. You have no rights to investigate, and do as you are told. Our intelligence is above the law, you have no right to know. What ASIO knows will not be known, and never will be shown"-new verse should be added to our national anthem. Fits the bill perfectly. (Tony of Sydney)
- Lets face it ASIO is incompetent! (AWADA of Sydney)

# A SUBMISSION TO

# THE

## Parliamentary Joint Committee on Intelligence and Security (PJCIS)

<u>Review of the re-listing of Al Shabaab, Hamas' Iss al-Din al-</u> <u>Qassam Brigades, Kurdistan Workers Party (PKK), Lashkar-e-</u> <u>Tayyiba and Palestinian Islamic Jihad as terrorist organisations</u>

## BY

# **ASEM JUDEH**

#### 2 September 2012

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**Committee Secretary Parliamentary Joint Committee on Intelligence and Security** Parliament House CANBERRA ACT 2600 AUSTRALIA

#### Dear Committee Secretary,

In spite of the short time (<u>two weeks</u>) given to the public to make to exercise their rights and to make submissions to the Committee, I am pleased to write this submission to PJCIS inquiry into the <u>Review of the re-listing of Al Shabaab, Hamas'</u> <u>Iss al-Din al-Qassam Brigades, Kurdistan Workers Party (PKK)</u>, <u>Lashkar-e-Tayyiba</u> and Palestinian Islamic Jihad as terrorist organisations.

I offer this Submission for your consideration and assessment, I will be pleased to appear before the Committee to give oral evidence, more evidence and about what included in the submission and answer any questions and clarifications.

**Best Regards**,

Asem Judeh

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# 1. Introduction

I found myself again obliged writing to PJCIS and to put the argument to remove Hamas' Izz al-Din al-Qassam Brigades and PIJ from the terrorist list.

I have read again with great interest PJCIS 2009 report 'Review of the re-listing of Hamas' Brigades, PKK, LeT and PIJ as terrorist organisations'<sup>1</sup>

In 2009, PJCIS has authorised for publications my 3-detailed submissions 4, 8 and 9. Sadly without knowing the reasons the Committee did not invite me to give oral evidence before the Committee. The Committee has invited all other people who made submissions in relation to PKK and LeT.

However, I would like to start this submission with quoted from PJCIS 2009 report<sup>2</sup>, which I found it very useful and educational in relation to the process, particularly **ASIO's guidelines** *in selecting entities for proscription under the Criminal Code. Some of the factors included:* 

- Engagement in terrorism;
- Ideology and links to other terrorist groups or networks;
- Links to Australia;
- Threat to Australian interests;
- Proscription by the UN or like-minded countries; and
- Engagement in peace and mediation processes.

After careful consideration to the above guidelines, individuals and community organisations will not be successful in arguing their case to remove any organisations or groups from the terrorist list.

PJCIS Committee, other parliamentarian Committees' and Attorney-General 2009 Public Consultation has received many public submissions criticising the anti-terror laws, the process and lack of accountability. The majority of these submissions demanded balancing ASIO's power with accountability.

The Discussion Paper states that the aim of the proposals is to equip intelligence and law enforcement agencies ,,with contemporary skills and technologies, and backed by necessary powers – *coupled with the appropriate checks and balances and oversight mechanisms society rightly demands*" (emphasis added). The Discussion Paper does not, however, provide any details. We are concerned that at the same time as the warrant powers are expanded, there will be a weakening of the existing accountability framework.

Source: Gilbert + Tobin Centre of Public Law Submission No 36 to PJCIS inquiry into potential reforms of National Security Legislation, August 2012.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees? url=pjcis/hamas\_pkk\_let\_pij/report.htm

<sup>&</sup>lt;sup>3</sup>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees? url=pjcis/nsl2012/subs.htm

Division 102 of the *Criminal Code Act 1995* (the Criminal Code) politically drafted to give ASIO the power to list any group as terrorist organisation. For example, in the case of Palestinian groups 'terrorist' acts, ASIO's guidelines doesn't pay any attention to Israeli government ongoing terrorism, ethnic cleansing and barbaric occupation.

Is this is how Australian government and intelligence and security agencies play their role in solving the longstanding conflict in the Middle East? They are blaming the victims and turn blind eyes on the occupier terror infrastructure in Australia that finance Israel racism, ethnic cleansing and apartheid.

For more details please refer to submission number 92<sup>4</sup> to **PJCIS inquiry into potential reforms of National Security Legislation.** 

Because of that ASIO guidelines should not be enough indicators to review the listing of terrorist organisations. Especially, in conflicts such as the longstanding conflict in the Middle East.

# The Independent National Security Legislation Monitor (INSLM) first Annual Report, 16 December 2011, touched important issues.

Mr Bret Walker SC in his first annual report has raised more questions to be examined and investigated in the coming years. For Example:

#### Appendix 3 Issues for consideration

Is the UN Security Council Resolution 1373 a secure foundation for Australia's international Counterterrorism obligations? (15-17)

Is there practical consensus internationally on the definition of terrorism? (16, 24-25, 49-54) Does the use of religious motivation in the definition of terrorism inappropriately risk enlisting anti- Muslim prejudice? (22-25, 52-53)

Should the Minister be required rather than empowered to revoke a listing when satisfied it is no longer necessary? (38-39)

Should there be wider judicial review of listing decisions including revocation applications? (39-40) Do secrecy provisions hamstring judicial review of listing decisions? (40)

Are these emergency powers appropriate for indefinite or permanent availability, without a sunset clause?

Are there criticisms by the Special Rapporteurs of Australia's definition of terrorism of which further account should be taken? (52-53)

Should hostage- taking be explicitly included as a terrorist act? (21, 53)

Does the separate requirement for a motive (including the intention of advancing a religious cause) produce avoidable disadvantages including prejudicial trial evidence? (22-25, 52-54)

#### Source: INSLM 2011 Annual Report<sup>5</sup>

<sup>&</sup>lt;sup>4</sup>Asem Judeh public Submission

http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees?u rl=pjcis/nsl2012/subs/sub92.pdf

<sup>&</sup>lt;sup>5</sup> <u>http://www.dpmc.gov.au/inslm/index.cfm</u>

This submission will examine ASIO's guidelines and other points that proves that ASIO's statement of reasons is a political one to appease the government under the pressure of the organised powerful pro-Israel lobby.

"Where were your [Simon Crean] words of advice on this? Advice to your audience that **Israeli sophistry over settlements feeds Palestinian sophistry over violence and terrorism**. The 400,000-plus Israelis living in other settlements in the West Bank, East Jerusalem and Gaza were all authorised, and subsidised, by successive Israeli governments. No one else "authorised" them. <u>Not the international community, certainly not the Palestinians, not even the Australian Labor Party</u>. You know better than most that the price of the democratic system is criticism. Yet all too often Israel and its supporters try to shut down legitimate debate by accusing critics of being "anti-Israeli" or, worse, of being "anti-Semitic". If criticism of Israeli policies is the yardstick for defining anti-Semitism, you'll know from your own visits that there's an awful lot of it in Israel!

Source: *The Age* 4 September 2003 <u>'Memo Simon Crean [and ABC]</u>: be honest in <u>dealing with Israel</u>.<sup>6</sup>. By Peter Rodgers, former Australian ambassador to Israel.

## ASIO guidelines: Engagement in peace and mediation processes

In my 2009 3-public submissions to PJCIS I gave evidence how ASIO "**cut and paste from the internet**" intelligence about peace process is a big lie and misleading the Parliament.

## Is Israel interested in peace settlements or illegal settlements?

All the facts on the ground (even USA and UK intelligence sources, but not ASIO) confirm that Israeli government are interested only in illegal settlements not peace. This mainly because Zionism racist ideology: 'Jewish state', 'God promised land', 'There no such Palestinians' and 'Kill and gas all Arabs' etc.



Arafat died in a Paris military hospital in November 2004.

Late Palestinian leader Yasser Arafat signed Oslo Accord in 1993, he changed Palestinian Liberation Organisation charter and recognised Israel and he fought against Palestinians who opposed Oslo Accord. In return, Israel continue its ethnic cleansing policies by building more illegal, in contrary to international law and ignoring UN, USA, EU and Australia calls to stop building settlements.

As a result of Zionism ethnic cleansing policies, Yasser Arafat came to conclusion that peace process is dead and Israelis and Palestinian hope for peace is dead.

<sup>&</sup>lt;sup>6</sup> http://www.theage.com.au/articles/2003/09/03/1062548900687.html

Arafat died in a Paris military hospital in November 2004, a month after being airlifted - when his health collapsed - from his battered headquarters in Ramallah, where he had been effectively confined by Israel for more than two and a half years. Allegations of foul play have long surrounded Arafat's demise after French doctors who treated him in his final days said they could not establish the cause of death.

Last month, Arafat's wife, Suha, asked a court in the western Paris suburb of Nanterre to launch a murder investigation following revelations that a Swiss institute had discovered high levels of the radioactive element polonium-210 on Arafat's clothing.

*That substance was found to have killed former Russian spy Alexander Litvinenko in London in 2006.* (Source: *Maan <u>29/8/2012</u> 'France opens Arafat murder inquiry'<sup>7</sup>)* 

Mahmood Abbas who replaced late Arafat, went through the same process for nearly 10 years. Israel ethnic cleansing policies get worse which prompted President Abbas to stop negotiations with Israel since 2008 until now.

Currently, Israeli extremist Foreign Minister, is launching an intimidation campaign against President Abbas.

Foreign minister urges cabinet to issue ultimatum to PA president and thwart his UN bid.

Israel should present Palestinian Authority President Mahmoud Abbas with an ultimatum, Foreign Minister Avigdor Lieberman said this weekend: If he doesn't resume negotiations and abandon his unilateral campaign for UN recognition as a state, Israel will cease to see him as a legitimate negotiating partner.

Source: Lieberman to Haaretz: Israel must launch concerted campaign to delegitimize Abbas.<sup>8</sup> 26 August 2012

So, who is threatening peace process? Palestinians, including Hamas and PIJ, or Israel?

Who want to destroy who? ASIO's (intelligence) want us to believe that Hamas' Brigades and PIJ will destroy Israel [sic].

Who isolated Hamas after they democratically won the government during 2006 election? Who prevented Hamas from participating in the peace process?

Will Australia, USA and EU dare boycotting the new Egyptian President Dr Mohammed Morsi because he is member with Muslim Brotherhood?

#### ASIO is incompetent!

<sup>&</sup>lt;sup>7</sup> <u>http://www.maannews.net/eng/ViewDetails.aspx?ID=515283</u>

<sup>&</sup>lt;sup>8</sup> <u>http://www.haaretz.com/news/diplomacy-defense/lieberman-to-haaretz-israel-must-launch-concerted-</u> campaign-to-delegitimize-abbas.premium-1.460698

- For unknown reasons, ASIO's statement of reasons not only listed Hamas' Brigades and PIJ 'rockets' attacks on Israel without context. But most importantly ASIO (intelligence) did not report the large escalation in March 2012 when Israel Air Force attacked Gaza killing 12 Palestinian civilians and in response and self defence, Palestinian resistance fired 60 rockets wounding 8 Israelis. This cycle of violence lasted for 5 days.
- ASIO (intelligence) did not report, or may be didn't bother to know, that Israel gave no guarantees in exchange for Gaza truce. "At first, at the Palestinians' request, the Egyptians also attempted to obtain an Israeli commitment to refrain from targeted killings of senior figures in the various terrorist organizations. But Israeli officials said this effort was shelved in the face of Israeli opposition. "There were no guarantees and no other promises," said Maj. Gen. (res.) Amos Gilad, denying Islamic Jihad's claim that Israel did in fact promise to refrain from targeted killings of the organization's operatives."<sup>9</sup>
- ASIO has failed to report to the government that the new Hamas force in Gaza foiled rocket attacks against Israel, May 2012.
- IDF strikes Gaza militants about to fire rockets into Israel. Palestinian sources say 2 Palestinians wounded in the attack, coming a day after Islamic Jihad leader says group committed to ceasefire with Israel. (Haaretz 7/4/2012)<sup>10</sup>

That proves that:

- 1. ASIO is incompetent and
- 2. Palestinian resistance groups are not Al-Qaeda.

# Section B: 'ASIO guidelines' will cover the above points and more with more details.

# ASIO's listing used by Zionists to terrorise and intimidate Australian government Agencies and NGOs.

Zionist organisation Israeli Law Centre 'Shurat HaDin' has sent two threatening letter, <u>15 February 2012</u>, to government agency AusAID<sup>11</sup> and World Vision Australia<sup>12</sup>. Attempts by Australian aid organisations to help struggling farmers in Gaza who lost their farms and their jobs after the Gaza bombing in 2008-2009 are being thwarted by a cruel campaign by the Israeli Law Centre (ILA). The Israeli Law Centre (ILA) is relying on deliberate, and long standing deceptions by ASIO to continue to keep Gazans under the poverty line.

<sup>&</sup>lt;sup>9</sup> Haaretz 14/3/2012: <u>http://www.haaretz.com/print-edition/news/top-official-israel-gave-no-guarantees-in-exchange-for-gaza-truce-1.418328</u>

<sup>&</sup>lt;sup>10</sup> <u>http://www.haaretz.com/news/diplomacy-defense/idf-strikes-gaza-militants-about-to-fire-rockets-into-israel-1.423165</u>

 <sup>&</sup>lt;sup>11</sup> ILA threatening letter to AusAID
 <u>http://israellawcenter.org/uploadimages/image/letter%20to%20Ausaid,%202.15.12.pdf</u>
 <sup>12</sup> ILA threatening letter to World Vision Australia

http://israellawcenter.org/uploadimages/image/letter%20to%20WVA,%202.15.12.pdf

This a sneaky war, using scare campaigns and prejudice to continue to attack and terrorise innocent people. Now well intentioned not for profit organisations are being dragged into it.

The proposed project is between, the largest Australian NGO, World Vision, and the <u>Union of Agricultural Work Committee (UAWC)</u>, a registered non-profit organisation with both the Palestinian Authority and Israel. The ILA claim that the UAWC is 'illegal' and dealing with it 'would expose both <u>AusAID</u> and <u>World Vision</u> to criminal prosecution under Australian and United States law as well as civil liability to victims of PFLP-sponsored terrorism' is just the kind of bullying and distortion we continually see. The ILA has tried to use threats, referring often to American anti-terror laws and US legal cases. It is completely inappropriate here. But **they hope to attack and silence all Australians who want to help Palestinians, including NGOs and government agencies.** 

In 2009, PJCIS has considered the evidence given to the Committee regarding Zionism ethnic cleansing policies, IDF barbaric treatment of Palestinians and the rise of criminals Israeli settlers violence and terrorism not relevant to this inquiry.

1.17 The central question in the listing of the Hamas Brigades, the PIJ, or any other organisation, is whether they have been involved in terrorist activities. Mr Judeh's submissions concerning the IDF are not relevant to the legislative test of whether the Brigades have been involved in such activities.

Source: PJCIS Report to the Parliament, 2009.

I hope that PJCIS this time examine these **<u>accurate</u>** facts and take the hard decisions in the right direction and set a precedent to say to Israel 'enough is enough'. The world cannot remain silent any more.

Be assured that Palestinians will remain resilient until Palestinian refugees return to their homes and villages and until they have their own state, like all other nations around the world.

If no land left for Palestinians as a result of Zionism ethnic cleansing and racist ideology, then Palestinians will demand to be treated equal to Israelis and share the land and resources i.e. the end of the racist 'Jewish state'.

I am confident that the Arab Spring that lead government change in Tunisia, Egypt and Libya will advance Palestinian struggle for freedom and will lift Israeli barbaric siege on Gazans.

This submission has two major sections:

#### Section A: The root cause of terrorism - Zionism ethnic cleansing and racist ideology. Section B: ASIO guidelines. Section C: Why PJCIS need to de-list Palestinian groups and Conclusion.

# Section A: Terrorism root causes - Zionism ethnic cleansing and racist ideology

# 2. If Australians Knew!

If Australians Knew! Maps and Statistics will lift the veil on ASIO deliberate lies and cover-up!

ASIO claims that their Statement of Reasons presented to the Attorney-General, Government and Parliament are <u>accurate and reliable</u>! This submission will argue with logic and evidence that ASIO's statement of reasons are deliberately biased and misleading the parliament.

To the Australian Government's knowledge, these details are accurate and reliable and have been corroborated by classified information.

**Source<sup>13</sup>**: ASIO's Statement of Reason, **August 2012**, to relist Hamas' Brigades and PIJ as a terrorist organisation under Division 102 of the *Criminal Code* 

Shocking facts on the ground in the occupied Palestinian territories (Gaza and West Bank) and inside Israel (1.5 million Palestinians), proves clearly **that ASIO is incompetent and deliberately misleading the public** who elected the government and the MPs and Senators.

Members of PJCIS has an obligation to carefully examine and investigate ASIO statement of reasons to relist permanently **only** Palestinian organisations as terrorist organisation in the long outstanding Middle East conflict.

**Contempt of parliament** is very serious issue, especially if it leads to killing civilians in Palestine historical land. The majority of the killed civilians are Palestinians, Christians and Muslims.

ASIO has responsibility contribute to the world peace and security. ASIO statement of reasons encourages Israel to endanger the world peace and security.

#### **Recommendation 1**

The PJCIS to refer ASIO statement of reasons regarding relisting Hamas' Brigades and PIJ to:

http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committee s?url=pjcis/five\_terrorist/sor/hamass%20izz%20al-din%20al-gassam%20brigades.pdf

Palestinian Islamic Jihad Statement of Reasons

<sup>&</sup>lt;sup>13</sup> <u>Hamas' Iss al-Din al-Qassam Brigades Statement of Reasons</u>

http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committee s?url=pjcis/five\_terrorist/sor/palestinian%20islamic%20jihad%20pij.pdf

• Parliamentary privileges committee to investigate the serious allegations if ASIO deliberately misled and "<u>contempt of parliament</u>".

• Ask the Inspector-General on Security and Intelligence to investigate if ASIO Director-General and the government ministers are complied with **Section 8 'Control of Organisation**' of *ASIO Act*.

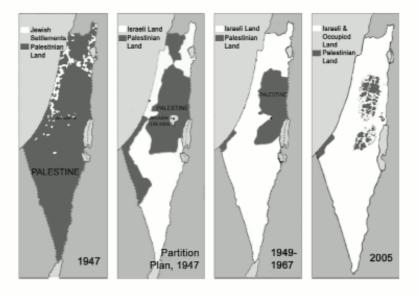
2.1 Zionist ongoing ethnic cleansing – Maps of stolen Palestinian land.

This ad published in American newspaper the *Daily Californian*, 21 May 2012<sup>14</sup>

# Palestinian land stolen

Americans are led to believe that Palestinians are invading Israel, and that Israel is the victim of aggression. <u>It is actually the opposite.</u>

What is now called Israel was originally the land of Palestine; 95 percent of the inhabitants were Muslim and Christian. During the 1940s Palestinians were ruthlessly pushed off their land by recently-arrived colonists, and 78% of their land was renamed Israel. This historic injustice is ongoing. In 1967, Israel attacked and gained control over the final remnants of Palestine.



Today, Muslim and Christian Palestinians in these occupied territories live under Israeli military rule. No one can enter or leave without permission from Israel. Israeli forces invade Palestinian villages daily, beating, humiliating, kidnapping, and sometimes killing inhabitants, all the while confiscating still more land for Jewish-only colonies and to construct an imprisoning wall. Hundreds of Israeli military checkpoints and obstacles on Palestinian land prevent Palestinians from getting to work, school, the hospital, relatives' homes, etc.

Despite all this, Congress – under pressure from the most powerful and pervasive lobby on behalf of a foreign nation – continues giving Israel modern American weapons and billions of dollars – more than to any other country on earth.

For more detailed history go to www.IfAmericansKnew.org Ad paid for by Justice First Foundation, 401-539-7985

<sup>&</sup>lt;sup>14</sup> Source: <u>http://www.ifamericansknew.org/stats/cal-ad.html</u>

## 2.2 Who are the real terrorist, Palestinians or Israelis; Muslims or Zionists?

According to ASIO's accurate and reliable, as statement of reasons claims, Hamas' Brigades and PIJ listed as terrorist organisations because of the following ideology and terrorist activities since <u>August 2009</u>:

- 1. Both organisations are Sunni Islamist organisation;
- 2. **7 April 2011**: Hamas' Brigades missile hit a school bus resulting in the death of an Israeli teenager;
- 3. **1 September 2010**: a group of Brigades members wounded two Israeli settlers near Ramallah. A subsequent statement by the Brigades threatened a wave of attacks against Israelis.
- 4. **31 August 2010**: four Israeli settlers were shot dead by the same members of the Brigades near the West Bank city of Hebron;
- 5. **29 October 2011**: PIJ launched a number of rockets into several areas of Israel's Southern District, killing one Israeli civilian and wounding two;
- 6. **20 August 2011**: PIJ militants launched a series of rockets into Israel's southern district, killing one Israeli civilian and injuring seven;
- 7. **8 January 2011**: suspected PIJ militants fired two mortar rounds into an area of Israel's Southern District, wounding two Thai nationals.

ASIO's **accurate and reliable** reasons to relist the Brigades and PIJ shows that number of 'terrorist' attacks by Palestinian groups are far less from the period between 2003-2009.

As usual ASIO <u>accurate and reliable</u> intelligence has failed to mention that the above 'terrorist' acts committed by the Brigades and PIJ came in <u>self-</u> <u>defence</u> to the Zionist entity ongoing crimes and aggression toward defendless Palestinian people in occupied Gaza and West Bank.

B'Tselem – The Israeli information Centre for Human Rights in the occupied territories. B'Tselem well researched and documented work on the ground, not by manipulated intelligence sources, are recognised and acknowledged by United Nations Human Rights bodies; EU civil societies and even by Israeli courts and judges.

According to B'Tselem well documented fatalities in the Palestinian occupied territories after Israeli Zionist criminal war on Gaza 2008-2009 (Cast Lead Operation) as follow:

- Total Palestinian civilians killed Israeli terrorist security forces is 302 (260 in Gaza and 42 in West Bank);
- Total Palestinian civilians killed by Israeli terrorist settlers is 6 (5 in West Bank and
- Two foreign citizens killed by Israeli forces in Gaza.

### Fatalities after operation "Cast Lead"<sup>15</sup>

Click on the numbers for a list of individual names and details about the circumstances of their death.

The Fatalities' data can be shown either by the date of the event in which they were hurt or by the date of their death. Since some of the fatalities died of their injuries days, weeks and sometimes months after they were hurt, choosing the view affects the distribution of data.

Data by the date of event, 19.1.2009- 30.6.2012	Occupied Territories			Israel
	Gaza Strip	West Bank	Total	
Palestinians killed by Israeli security forces	<u>260</u> 16	<u>42</u> 17	<u>302</u>	0
Palestinians killed by Israeli civilians [Settlers]	0	<u>5</u> 18	<u>5</u>	<u>1</u> 19
Foreign citizens killed by Israeli security forces	<u>2</u> <sup>20</sup>	0	2	0

#### **Recommendation 2**

The PJCIS to postpone its decision to relist the Brigades and PIJ and that the Committee:

Send delegation to Israel-Palestine and get the facts on ground about Israeli Zionist entity ongoing ethnic cleansing polices, illegal settlements and treatment of Palestinians.

• Invite B'Tselem and other Palestinian human rights groups to appear before the Committee in a video link to give their evidence about terrorism in Palestine historical land

• Invite Australian NGOs to appear before the Committee and present true facts about Israeli-Zionist daily killing and ritual humiliation toward Palestinians. These NGOs runs humanitarians projects in Palestine funded by taxpayers' money and they visit the region in regular basis and eyewitness Israel's terrorist activities.

<sup>18</sup> The victims names and other important details

<sup>19</sup> The victims names and other important details

<sup>20</sup> The victims names and other important details

<sup>&</sup>lt;sup>15</sup> B'Tselem website

http://old.btselem.org/statistics/english/casualties.asp?sD=19&sM=01&sY=2009&filterby=event&ofer et stat=after

The victims names and other important details

http://old.btselem.org/statistics/english/Casualties Data.asp?Category=1&region=GAZA&sD=19&sM =01&sY=2009&filterby=event&oferet\_stat=after

<sup>&</sup>lt;sup>17</sup> The victims names and other important details

http://old.btselem.org/statistics/english/Casualties Data.asp?Category=1&region=WB&sD=19&sM=0 1&sY=2009&filterby=event&oferet stat=after

http://old.btselem.org/statistics/english/Casualties\_Data.asp?Category=3&region=WB&sD=19&sM=0 1&sY=2009&filterby=event&oferet stat=after

http://old.btselem.org/statistics/english/Casualties Data.asp?Category=4&region=ISRAEL&sD=19&s M=01&sY=2009&filterby=event&oferet stat=after

http://old.btselem.org/statistics/english/Casualties\_Data.asp?Category=11&region=GAZA&sD=19&s M=01&sY=2009&filterby=death&oferet stat=after

### 2.3 Statistics vs ASIO "accurate and reliable" intelligence and Annual Report

### 2010-2011 ASIO Annual Report to the Parliament

ASIO has reported to the Parliament just that:

The longstanding conflict between the Palestinians and Israel also continues to provide a source of extremism which can be reflected outside the Middle East in Western countries.

Tensions arising from overseas conflicts — for example, **events in Israel and the Palestinian territories** — **have given rise to some political protests but these have not been reflected in communal violence**. Anti-Muslim rhetoric adopted by some nationalist or racist extremists and others clearly has some resonance, but there has been no translation of this into any systemic activity. Nevertheless, significant incidents such as a major terrorist attack in Australia attributed to jihadists might quickly and unexpectedly unlock the potential for violence latent in the underlying tensions. Communal violence can also be a displacement response to tensions and incidents not obviously or directly connected to the target of that violence.

There has been a persistent but small sub-culture of racist and nationalist extremists in Australia, forming groups, fragmenting, re-forming and often fighting amongst themselves. Over the past year, such extremists have been active in protesting against various Muslim interests. Local racist and nationalist extremists maintain links and draw inspiration from like-minded overseas extremists, and much of their rhetoric and activity is derivative, heavily influenced by developments overseas. At present, their main focus is propaganda and engendering support. However, there is always the possibility of a lone actor or autonomous group inspired by a nationalist or racist extremist ideology engaging in violence as a means of provoking a wider response. A recent development is the emergence of an 'anti-fascist' movement, led by self-styled anarchists, which aims to confront those it identifies as fascists, including some of the nationalist and racist extremist groups also of interest to ASIO. Where such confrontations have occurred, the 'anti-fascists' have outnumbered the nationalist and racist extremists and police intervention has been required.

Source: 2010-2011 ASIO Annual Report to the Parliament<sup>21</sup>

For ASIO to list <u>only</u> Palestinian groups as terrorist organisations, simply means that ASIO not only doesn't understand *the 'longstanding conflict between the Palestinians and Israel'*, but most importantly **ASIO become incompetent**.

How ASIO can protect Australians freedom, way of life and name those Zionist individuals or organisations who terrorise Australian people?

<sup>&</sup>lt;sup>21</sup> http://www.asio.gov.au/img/files/Report-to-Parliament-2010-11.pdf

## Australian people terrorised by pro-Israel lobby not Palestinians



No wonder why ASIO and other Security agencies are only targeting Muslim community. No wonder why ASIO Annual Report 2010-2011<sup>23</sup> did not detect and <u>report to the</u> <u>parliament</u> the growing number of racist and hate anti-Islam groups in our own backyard.

ASIO didn't report the politically motivated threat and intimidations to free Australian men and women!

No wonder why ASIO only listed Muslim groups as terrorist organisations?

For more details please refer Submission# 92<sup>24</sup> to PJCIS recent Inquiry into potential reforms of National Security Legislation.

#### **Recommendation 3**

• PJCIS to investigate why ASIO's Statement of Reasons not in line with 2010-2011 Report to the Parliament?

- PJCIS to investigate why ASIO only listed Palestinian groups as terrorist organisations?
- PJCIS to investigate and find out what ASIO knew about pro-Israel and Zionists **politically motivated** tactics to intimidate and terrorise Australian free men and women?

• PJCIS to investigate if ASIO took any actions in reporting pro-Israel and Zionists **politically motivated** tactics to intimidate and terrorise Australian free men and women?

#### If Americans Knew Statistics

The following statistics from American organisation **'If Americans Knew'** website<sup>25</sup>. This organisations founded by American freelance journalist, Alison Weir, who travelled independently throughout the West Bank and Gaza Strip in February and March of 2001. Former eleven-term Illinois Congressman Paul Findley and

<sup>22</sup> http://middleeastrealitycheck.blogspot.com.au/2011/03/kahane-down-under.html

<sup>&</sup>lt;sup>23</sup> ASIO Annual Report 2010-2011 <u>http://www.asio.gov.au/img/files/Report-to-Parliament-2010-</u> 11.pdf <sup>24</sup> http://www.asio.gov.au/img/files/Report-to-Parliament-2010-

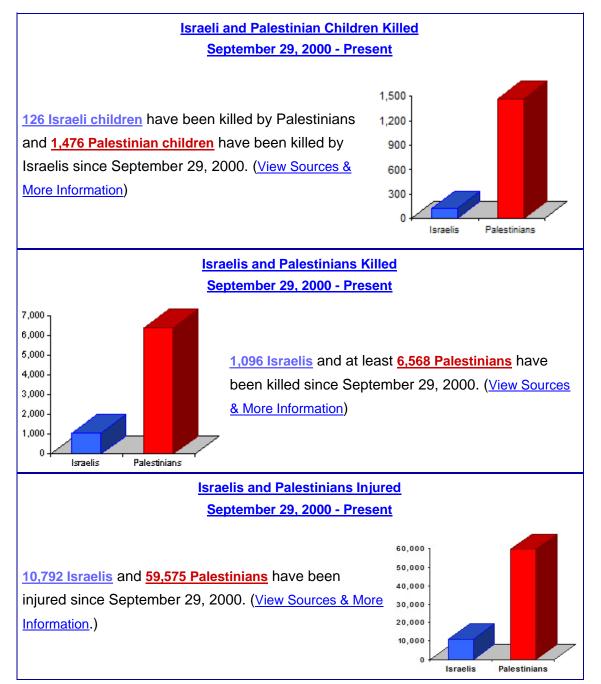
<sup>&</sup>lt;sup>24</sup><u>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees</u> <u>?url=pjcis/nsl2012/subs.htm</u>

<sup>&</sup>lt;sup>25</sup>These statistics compiled from B'Tselem Israeli Human Rights organisation http://www.ifamericansknew.org/about\_us/whoweare.html

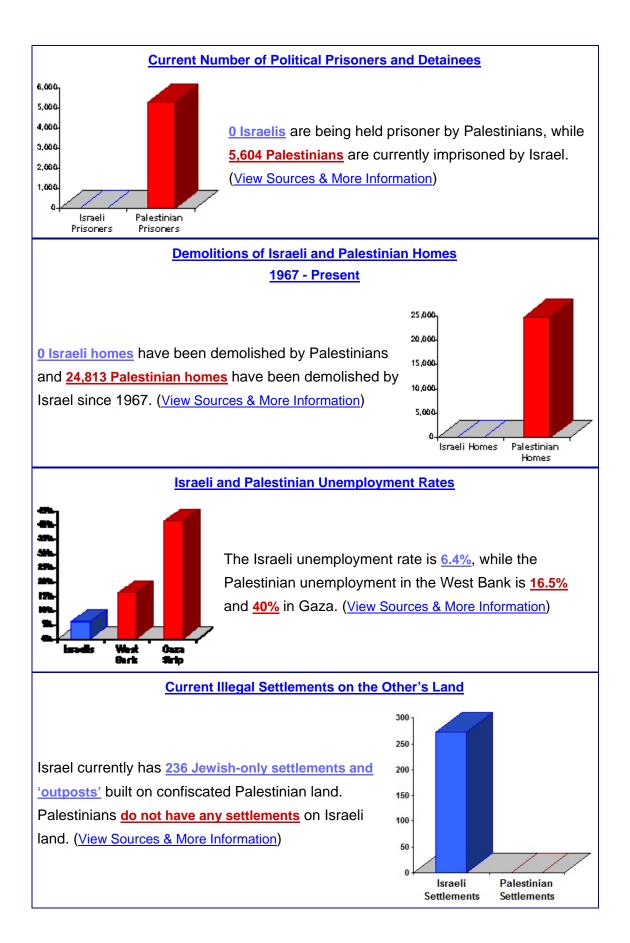
career foreign service officer and Ambassador Andrew I. Killgore are board members of "If Americans Knew" organisation.

The Israeli-Palestinian conflict is one of the world's major sources of instability. Americans are directly connected to this conflict, and increasingly imperiled by its devastation.

It is the goal of If Americans Knew to provide full and accurate information on this critical issue, and on our power – and duty – to bring a resolution.



Please click on any statistic for the source and more information. Statistics Last Updated: April 25, 2012



### 2.4 ASIO lies: Destruction of Israel! Evidence from Australia: Jewish National Fund financing Israel ethnic cleansing and apartheid policies.

### ASIO is Zionist propagandists: Destruction of Israel!

ASIO Statement of Reasons claims that both the Brigades and PIJ goal the destruction of Israel!

#### **Brigades Objectives**

As Hamas's military wing, the Brigades' objectives are subordinate to Hamas's broad political goals. Their essential aim is the unification of Israel and the Palestinian Territories under Islamic rule – a goal which entails the destruction of Israel as a political entity. Due to the disparity between Israel and Hamas's respective military resources, the Brigades have adopted terrorist tactics in their bid to defeat Israel. Most famously, they adopted the use of suicide bombings, describing them as the "F-16" of the Palestinian people.<sup>26</sup>

#### **PIJ Objectives**

PIJ's goal is the establishment of a sovereign Islamic state within the geographic borders of the pre-1948 British mandated Palestine. It promotes the military destruction of Israel as the only viable means to attain this goal. Accordingly, PIJ refuses to participate in the political process and rejects the possibility of a negotiated settlement to the Israel/Palestine problem.<sup>27</sup>

#### Are they, ASIO, kidding themselves? How could powerless organisations destroy Israel?

## Who is destroying who?

Isn't the distance between Iran and Israel around 2000-3000KM? Aren't Israel endangering the world peace and security, by threatening United States if they don't act, then Israel will act alone and attack Iran?

Aren't the above evidence, maps and statistics, enough to prove that Israel through Zionism ideology aims to destroy any dream for viable independent Palestinian State and illegal settlements are major obstacle to permanent peace, not Hamas or PIJ?

Palestinian Authority in Ramallah has stopped the damaging negotiations with the Israeli right-wing government because their ongoing illegal settlements on the Palestinian occupied land.

<sup>&</sup>lt;sup>26</sup> Hamas' Iss al-Din al-Qassam Brigades Statement of Reasons

http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committee <u>s?url=pjcis/five\_terrorist/sor/hamass%20izz%20al-din%20al-gassam%20brigades.pdf</u> <sup>27</sup> <u>Palestinian Islamic Jihad Statement of Reasons</u>

http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committee s?url=pjcis/five\_terrorist/sor/palestinian%20islamic%20jihad%20pij.pdf

Israeli Zionist entity is the only member of United Nations that did not declare its borders!

What ASIO knew about Australian taxpayers' money by Zionist organisation, that financing Israeli ethnic cleansing and apartheid policies?

# Jewish National Fund financing Israel ethnic cleansing and apartheid policies

This ad by **Australian Jewish National Fund (JNF)**, **17 May 2002**, is based on **Zionism racist and ethnic cleansing ideology** <u>'God promised land'</u>, not only denies the existence of Palestinians, but most importantly using Australian taxpayers' money to finance Israel's ethnic cleansing and apartheid policies **violating international and Australian domestic law**.

This ad has been published every two weeks in Australian Jewish News, but after making an official complaint against JNF under *Racial and Religious Tolerance Act* (2001), August 2003, JNF stopped publishing this racist ad.



#### DANGEROUS LAW

VICTORIA'S Racial and Religious Tolerance Act (2001) represents a potentially-growing threat to the Jewish community as the 2003 case of Judeh vs Jewish National Fund illustrated. In that case, Judeh, a Palestinian Arab, claimed that an unlabelled map of Palestine displayed by the JNF in the *AJN* vilified him and therefore breached the act.

As this case demonstrates, Zionists such as myself can be prosecuted for making comments that are deemed to incite hatred. For instance, if I state that by 2030 or thereabouts, Israel's growing Arab population may present a threat to the Zionist state, I am likely to be found guilty of breaching the act.

Or if I say, for example, as my grandmother stubbornly continues to say, "Germans are terrible people, because of what they did to the Jews", I am likely to be guilty of racially vilifying all Germans under the act.

Alternatively, if I say that "Lubavitcher Jews are the truly good Jews because they zealously keep the Torah", I am likely to be guilty of vilifying secular Jews who do not zealously keep the Torah, and therefore, breaching the act.

Source: *Australian Jewish News*, Letters to the Editor, 18 June 2005

#### So, who is destroying who?

Why ASIO and other security agencies did nothing to prevent organisations, such as JNF, that **violates the international and Australian domestic law** to finance Zionist entity ethnic cleansing, racist and apartheid policies?

Is this is how ASIO play its positive role to end the longstanding conflict in Middle East and eliminate the root causes of terrorism; eliminate hatred toward the West; preventing Australian citizens breaching the *Foreign Incursion Act*; and to creating secure and safer world?

To learn more about JNF contribution to Israel ethnic cleansing, racism and aparthied, I encourage PJCIS to read the following well researched paper by By Dr Salman Abu-Sitta:

# JNF: Financing Racism and Apartheid - Jewish National Fund's Violation of International and Domestic Law<sup>28</sup>

### **Recommendation 4**

• PJCIS to investigate if ASIO has any intelligence about Australian Zionist organisations that **violates the international and domestic law** to: (1) finance Israeli ethnic cleansing policies, racism and apartheid, (2) support and finance illegal settlements and (3) **endangering the peace process between Israelis and Palestinians**.

• PJCIS to investigate why ASIO take no action to recommend to the government outlawing these racist organisation?

• PJCIS to investigate if ASIO has hidden agenda not to outlaw these organisations or government ministers breached **Section 8 'Control of Organisation'** of *ASIO Act* and pressured ASIO to remain silent.

## 2.5 Who is ASIO Serving?

Australian governments (Labor and Liberal) repeatedly said that "Australian Government supports a two-state solution to the Israeli-Palestinian conflict based on Israel 's right to live in peace within secure borders, and the legitimate aspirations of Palestinian people for state of their own."

ASIO's mission statement states just that "to identify and investigate threats to security and provide advice to protect Australia, its people and its interests."<sup>29</sup>

Does ASIO really care to protect "Australia, its people and its interests'?

<sup>&</sup>lt;sup>28</sup> <u>http://www.palestineremembered.com/Articles/JNF/Story1513.html</u>

<sup>&</sup>lt;sup>29</sup> Source: ASIO's website http://www.asio.gov.au/About/content/miss.aspx

### Illegal Settlements and Australia national interest<sup>30</sup>

Since coming to power in 2007 the two Labor Governments have made a number of statements about Israeli settlement activity in the West Bank and East Jerusalem. The policy contained in these statements has remained fairly consistent. Australian Government officials have not used the term 'illegal' or 'contrary to international law' in statements criticising Israel over settlement construction—as the Hawke and Keating Governments did—but Australia did change its vote from 'against' to 'in favour' on a recurring UNGA resolution which defined Israeli settlements as 'illegal'.

In response to a Question on Notice in October 2009, Foreign Minister Smith outlined Australia's formal position on Israeli settlements:

#### The Government's position is that Israel needs to freeze all settlement activity. This is one of Israel's obligations under the Roadmap for Middle East peace.

Comments about Israeli settlements under Rudd and Gillard have either called for a settlement 'freeze' or have stated that settlements 'undermine' or are 'counter-productive' to the peace process.

# Illegal Settlements and Australia-United States Ministerial Consultations (AUSMIN) 2010 Joint Communiqué<sup>31</sup>

The then Minister for Foreign Affairs Kevin Rudd, Minister for Defence Stephen Smith, Secretary of State Hillary Rodham Clinton and Secretary of Defense Robert Gates met in Melbourne on 8 November 2010 for the annual Australia-US Ministerial Consultations (AUSMIN).

The talks marked the 25th anniversary of AUSMIN and the 70th anniversary of the establishment of diplomatic relations between the two countries. The 2010 Joint **Communiqué had the following:** 

#### **Global Challenges:**

Australia expressed strong support for US-led efforts to achieve a just and enduring peace in the Middle East based on a two-state solution. Australia and the United States urged the Israelis and Palestinians to seize the opportunity for peace by continuing, as a matter of urgency, direct talks, with the goal of reaching agreement on final status issues within one year, and **to refrain from any actions, including settlement activity, which undermined trust and the climate for negotiations**.

<sup>&</sup>lt;sup>30</sup> The Rudd and Gillard Governments and the Israeli-Palestinian conflict: November 2007–May 2012. Prepared by Marty Harris, DFAT Defence and Security Section, to the Parliament, <u>**31 August 2012**</u>. <u>http://www.aph.gov.au/About\_Parliament/Parliamentary\_Departments/Parliamentary\_Library/pubs/BN</u> /<u>2012-2013/AustraliaIsraeliPalestinianConflict#\_Toc329868741</u>

<sup>&</sup>lt;sup>31</sup> DFAT Australia-United States Ministerial Consultations (AUSMIN) 2010 Joint Communiqué, <u>8</u> November 2010. <u>http://foreignminister.gov.au/releases/2010/kr\_mr\_101108.html</u>

Both countries reaffirmed their commitment to Palestinian institution building in preparation for statehood and called on all parties, particularly regional countries, to support these efforts through financial and other tangible assistance.

# ASIO turned blind eyes on Extremist Right-Wing Zionist and their strong support base in Australia.

I have argued in my many voluminous submissions to various parliamentary committees' that Zionism and Israel are the ones who don't support peace process. Zionism ethnic cleansing and racist policies inside Israel and occupied territories are the main obstacle to peace and the root causes behind violence and terrorism in the area. This argument supported by many evidence.

There is strong evidence that Zionist right-wing extremist settler movement has strong base and support here in Australia.

ASIO turned blind eyes to settlement movement and their strong base and supporters <u>in Australia</u>? Again, ASIO is endangering "Australia, its people and its interests"!

<u>Australian Friends of Gush Katif & Shomron</u><sup>32</sup> invited extremist Zionist David Ha'ivri <u>Shomron Regional Council</u><sup>33</sup> Representative, <u>Melbourne</u> between October 21st and October 29<sup>th</sup> 2009.



<sup>32</sup> http://www.onestateonenation.org/

<sup>&</sup>lt;sup>33</sup> http://www.yeshuv.org/shomron-regional-council.html



**The map** in the above advertisement speaks for itself and Zionism ethnic cleansing and racist ideology. It proves the strong base, here in Australia, for illegal settlement and how Zionism ideology educational and religious has impacted children and Jews in historical Palestine and abroad. Zionism teaches its supporters to kill Palestinians (Muslims and Christians).

Does ASIO and other security agencies did anything to prevent these illegal activities in Australia?

ASIO has no problem for members

from Australian Jewish community to form an organisation that promotes and supports illegal, criminal and terrorist activities in occupied Palestinian land. These activities constitute:

- Publicly supports illegal activities contrary to the international law;
- Publicly supports illegal activities that endangers world peace and security;
- Publicly supports illegal activities against Australia's national interest;
- Publicly supports criminal activities that constitute killing Palestinian civilians, destruction of Palestinian farms and property, house demolition, restriction of Palestinian movements, stealing Palestinian resources and ritual humiliation of Palestinians.

# 2.6 Zionism ethnic cleansing ideology, the rise of criminal settlers terrorism and ASIO deliberate silence & cover up.

Zionist religious leader says killing of non-Jews is permissible A Jewish rabbi from the Israeli-occupied West Bank has endorsed the killing of any non-Jew, including children and babies, who pose a threat to Israel. In a book written by the prominent right-wing religious figure, Rabbi Yitzhak Shapira, it is suggested: "If a gentile endangers the existence of Israel, it is allowed to kill him. Also if he is completely not to blame for the situation that has been created." The author has written: "Children should not be exempt from this fate. There is a reasonable explanation for killing infants if it is clear that they will grow up to hurt us, and in this situation, the strike should be directed at them."<sup>34</sup>

<sup>&</sup>lt;sup>34</sup> Source: Big News Network, 12 November 2009. <u>http://feeds.bignewsnetwork.com/?sid=564560</u>

**Israeli right-wing terrorist settler admits to murder, series of bomb attacks:** 'A resident of the West Bank settlement outpost Shvut Rachel was arrested last month for suspected murder and for his alleged role in a string of attempted murder plots, according to details of an investigation revealed on Sunday after a gag order on the case was lifted. Yaakov "Jack" Teitel, 37, is suspected of killing two Palestinians, for rigging the package bomb which left the child of a Messianic Jew seriously wounded, for attempting to kill left-wing professor Ze'ev Sternhell, and for his alleged role in a series of warning attacks against Israel Police at the time of the Gay Pride Parades. According to the Shin Bet and Israel Police, Teitel has confessed to most of the allegations against him.'<sup>35</sup>

Those Zionist extremist and religious terrorist settlers can visit Australia any time and raise funds for their extremist, terrorist and war crimes activities because ASIO is politically motivated and not interested in protecting 'Australia, its people and its national interest'.



West Bank terrorist settler Yaakov Teitel was arrested last month for allegedly murdering Palestinians, attempting to **murder leftist and Messianic Jew Haaretz 2 November 2009** 



Weapons smuggled into Israel by Yaakov Teitel Jerusalem Post 02 November 2009



Teitel family We were living a lie.

More media reports about Israeli right-wing terrorist settler Yaakov Teitel:

- *BBC* November 1<sup>st</sup>, 2009 'Israeli settler held over attacks'
  - http://news.bbc.co.uk/2/hi/middle\_east/8337150.stm
- Haaretz November 1<sup>st</sup>, 2009. 'Netanyahu: 'Minority' of violent far-rightists must be stopped' http://www.haaretz.com/hasen/spages/1125068.html
- *Haaretz* November 1<sup>st</sup>, 2009. 'Who is suspected Jewish terrorist Yaakov Teitel?' http://www.haaretz.com/hasen/spages/1125062.html
- Ma'an November 1<sup>st</sup>, 2009. 'Settler arrested for string of killings, bombings' http://www.maannews.net/eng/ViewDetails.aspx?ID =236600
- Israel Ynet News November 1<sup>st</sup>, 2009. 'Son of murdered Arab: I hope Teitel never sees light of day' <u>http://www.ynetnews.com/articles/0,7340,L-</u> <u>3798715,00.html</u>
- Haaretz November 2<sup>nd</sup>, 2009. 'Shin Bet probing whether or not Jewish terrorist acted alone' http://www.haaretz.com/hasen/spages/1125254.html
- *Haaretz* November 2<sup>nd</sup>, 2009. 'Amir Oren / Israel's new kind of terrorist' http://www.haaretz.com/hasen/spages/1125252.html
- Haaretz November 2<sup>nd</sup>, 2009. 'Settlements are fertile ground for Jewish terror' http://www.haaretz.com/hasen/spages/1125294.html
- Ma'an November 2<sup>nd</sup>, 2009. 'Israel says 'Jewish terrorists' still at large' http://www.maannews.net/eng/ViewDetails.aspx?ID =236675

Tens of thousands religious extremist illegal settlers committed criminal activities, share and supports Teitel's view.

<sup>35</sup> Source: Haaretz 1 November 2009. <u>http://www.haaretz.com/hasen/spages/1125063.html</u>

# Zionist Jewish settlers terrorist activities are well known and documented and not known to ASIO!

Zionist Jewish terrorist settlers activities are well known and documented in the internet. The Israeli newspaper, *Haaretz*, reported all violent and terrorist acts by extremist Zionist settlers.

I am confident that year-10 student can research terrorism in historical Palestine land much better than ASIO.

Here are <u>some</u> (drop in the ocean) of the shocking terrorist acts committed by extremist Zionist settlers documented in *YouTube*. These acts are guided by Zionism ethnic cleansing and racist ideology.



Zionist Jewish terrorist settler Kills a Palestinian while Israeli soldiers waching! 11 December 2011 http://www.youtube.com/watch?v=ghoFYgK66XM

Zionist Jewish terrorist settler kills a Palestinian. 23 May 2012 http://www.youtube.com/watch?v=vYQxHkjzFUc

Zionist Jewish settlers terrorist killing Palestinian teenager in cold blood , south of Nablus. 15 June 2011 http://www.youtube.com/watch?v=V1gtu2nB1d4

Zionist Jewish terrorist settlers attack Palestinian shepherds and international accompaniers with large rocks. They manage to steal a donkey and stab it to death. 15 November 2008 <u>http://www.youtube.com/watch?v=gFPaPaURfI0</u> Zionist Jewish terrorist settlers attacking Palestinian civilians and killing them at gun point with the protection of the Israeli terrorist army. 30 May 2009 <u>http://www.youtube.com/watch?v=kq5wJV11CQQ</u> Zionist Israeli terrorist settler gloats over killing Jesus. 7 February 2007 <u>http://www.youtube.com/watch?v=xsRycBM8RpU</u>

Zionist Jewish terrorist settlers abuse towards Christianity -We killed Jesus & We're Proud. 6 May 2012 http://www.youtube.com/watch?v=6IoCZO98CEs

Zionist Jewish terrorist settlers attacked the village of Qusra, South of Nablus on Friday, and attempted uprooting the village's olive trees, the main source of income for many of the Palestinian villagers. 25 Sep 2011 <u>http://www.youtube.com/watch?v=lihsRCTw3Kw</u> Zionist Jewish terrorist settlers set fire to fields of Palestinians village, solders shoot Palestinian man! 27 May 2012 http://www.youtube.com/watch?v=83er6DW1HFY

# 2.7 Foreign Minister Bob Carr to Investigate Israeli Treatment of Palestinian Children.

### ASIO lives in a different planet: Terrorism root causes.

British Foreign Office-backed delegation of UK lawyers says treatment may stem from belief every Palestinian child is potential terrorist<sup>36</sup>. A belief that every Palestinian child is a potential terrorist may be leading to a "spiral of injustice" and breaches of international law in <u>Israel</u>'s treatment of child detainees in military custody, a delegation of eminent British lawyers has concluded in an independent report backed by the Foreign Office.

The nine-strong delegation, led by the former high court judge Sir Stephen Sedley and including the UK's former attorney-general Lady Scotland, found that <u>"undisputed facts"</u> pointed to at least six violations of the UN convention on the rights of the child, to which Israel is a signatory. It was also in breach of the fourth Geneva convention in transferring child detainees from the West Bank to Israeli prisons, the delegation said.

Its report, <u>Children in Military Custody</u><sup>37</sup>, released on Tuesday, was based on a visit to Israel and the West Bank last September funded and facilitated by the Foreign Office and the British consulate in Jerusalem.



Israeli soldiers stand guard over Palestinian children arrested in the West Bank city of Hebron

The Australian Foreign Affairs Minister, Bob Carr, announced on Monday that he plans to send officials from his office to Israel to observe trials of Palestinian children who are sentenced to military prison, the Palestine News Network reported.

Carr expressed his concern about violations of the rights of Palestinian children in the occupied territories and demanded that Israel respect the human rights of children.

According to a report by the Save the Children Foundation and the East Jerusalem YMCA Rehabilitation Program, the Israeli military arrests 700 Palestinian children every year. There are currently an estimated 280 Palestinian children in Israeli military prisons.

Since the year 2000, the Alternative Information Center (AIC) estimates that about 8,000 children have been arrested in contravention of the United Nations Convention on the Rights of

<sup>&</sup>lt;sup>36</sup> <u>The Guardian 26 June 2012</u>. <u>http://www.guardian.co.uk/world/2012/jun/26/israel-palestinian-children-injustice</u>

<sup>&</sup>lt;sup>37</sup> Children in Military Custody, June 2012. http://www.childreninmilitarycustody.org/

the Child (CRC), to which Israel is a signatory.

Those arrested who are defined as children include anyone under the age of 18, but many children in Israeli prisons are as young as 12 years old and Israel has even arrested children as young as 9. They are sometimes arrested for throwing stones, but a reason for arrest is not always given and children are simply kidnapped from their homes, often in the middle of the night.<sup>38</sup>



Israeli veteran reflects on everyday abuse of Palestinians – video Link to this video

Former Israeli soldiers disclose routine mistreatment of Palestinian children. Booklet of testimonies of former Israeli soldiers describes beatings, intimidation and humiliation of children.<sup>39</sup>

More than 30 former Israeli soldiers have disclosed their experiences of the treatment of Palestinian children during military operations and arrests, pointing to a pattern of abuse.

A booklet of testimonies, published by <u>Breaking the Silence</u><sup>40</sup>, an organisation of former Israeli soldiers dedicated to

publicising the day-to-day actions of the army in the occupied territories, contains descriptions of beatings, intimidation, humiliation, verbal abuse, night-time arrests and injury. Most of the children had been suspected of stone-throwing.

The witness statements were gathered to show the "common reality" of acts of violence by soldiers towards Palestinians, including children, in the West Bank, said Yehuda Shaul of Breaking the Silence. "Sadly enough this is the moral consequence of prolonged occupation of the Palestinian people," he said.

One former soldier describes serving in Hebron in 2010: "You never know their names, you never talk with them, they always cry, shit in their pants ... There are those annoying moments when you're on an arrest mission, and there's no room in the police station, so you just take the kid back with you, blindfold him, put him in a room and wait for the police to come and pick him up in the morning. He sits there like a dog ...''

Children frequently soiled themselves, according to the testimonies. "I remember hearing him shitting his pants ... I also remember some other time when someone pissed in his pants. I just became so indifferent to it, I couldn't care less. I heard him do it, I witnessed his embarrassment. I also smelled it. But I didn't care," said another.

<sup>&</sup>lt;sup>38</sup> International Middle East Media Centre <u>http://www.imemc.org/article/63983</u>

<sup>&</sup>lt;sup>39</sup> <u>http://www.guardian.co.uk/world/2012/aug/26/israeli-soldiers-mistreatment-palestinian-children</u> <sup>40</sup> <u>http://www.breakingthesilence.org.il/</u>

Another soldier describes an incident in Qalqiliya in 2007 in which a boy was arrested for throwing stones. "At the end of the day, something has to make these kids stop throwing stones on the road because they can kill," he said.

"That specific kid who actually lay there on the ground, begging for his life, was actually nine years oldI mean, a kid has to beg for his life? A loaded gun is pointed at him and he has to plead for mercy? This is something that scars him for life. But I think if we hadn't entered the village at that point, then stones would be thrown the next day and perhaps the next time someone would be wounded or killed as a result."

According to Gerard Horton of Defence for Children International – Palestine (DCI) the testimonies confirm a pattern of behaviour uncovered by his organisation's research into the treatment of Palestinian children by the Israeli security forces.

DCI and other human rights organisations say Palestinian children are routinely arrested at night, handcuffed, blindfolded, mistreated and denied access to their parents or a lawyer.

"For years credible reports of human rights abuses against children living under Israeli military occupation have emerged," he said. "These latest testimonies from young soldiers given the task of enforcing the occupation provide further evidence of its deeply corrosive effects on all. The testimonies lay bare the day-today reality of the occupation. These are not isolated incidents or a question of ' a few bad apples'. This is the natural and foreseeable consequence of government policy."

## 2.8 ASIO Vs Contempt of Parliament – A critical case study.



The author of this submission demand that PJCIS investigate why ASIO listed only Hamas' Brigades and PIJ as terrorist organisations and ignored Zionism ethnic cleansing and racist ideology. ASIO has failed reporting in any of Israel and Israelis well known terrorist activities. ASIO has failed to list one Zionist group as a terrorist organisation. Zionist errorist organisation Kach and Kahane Chai is listed as terrorist organization in Israel, USA and Canada.

It Mr Philip Ruddock (former Attorney-General and currently PJCIS Committee member) 6 months to answer former Labor MP Julia Irwin question on notice.

But when Mr Ruddock became Attorney-General in <u>7 October</u> <u>2003</u>, Ruddock became in John Howard cabinet reshuffle, he did not waste any time and in less than 4-weeks he presented Howard government CRIMINAL CODE AMENDMENT (HAMAS AND LASHKAR-E-TAYYIBA) BILL 2003 to the House of Representatives and the Senate November 2003!<sup>41</sup>

<sup>&</sup>lt;sup>41</sup> Please refer to Section 3.1 of this Submission, Greens Senator Bob Brown Senate speech, 7 November 2003.

#### Reminder: Parliament HANSARD

Mrs Irwin asked the Minister representing the Minister for Justice and Customs, upon notice, on **11 August 2003**:

Are the organisations known as Kach and Kahane Chai regarded as derivative organisations of the listed terrorist organisation Hizballah External Security Organisation.
 Are these organisations known to be active in Australia.

<u>Mr Ruddock</u> — [Based on ASIO advice after 6 months (AJ)] The answer to the honourable member's question is as follows:

(1) No

(2) No. Kach and Kahane Chai operate primarily in Israel and the [occupied] West Bank [Mr Ruddock, Does Hamas' Brigades and PIJ operates in Australia?]

Source: House of Representatives Official Hansard No. 1, 2004 Tuesday, 10 February 2004, Page: 24212

# Section B: ASIO guidelines.

# 3. ASIO's evaluation process for proscription under the Criminal Code,

According to the Committee report 'Review of the re-listing of Hamas' Brigades, PKK, LeT and PIJ as terrorist organisations'42, PJCIS review will be based ASIO's guidelines, as follow:

2.6 At its hearing on 1 February 2005 for the *Review of the listing of six terrorist organisations,* the Director-General of ASIO advised the Committee of ASIO's evaluation process in selecting entities for proscription under the Criminal Code. Some of the factors included:

- Engagement in terrorism;
- Ideology and links to other terrorist groups or networks;
- Links to Australia;
- Threat to Australian interests;
- Proscription by the UN or like-minded countries; and
- Engagement in peace and mediation processes.4 (*Confidential exhibit*, ASIO, tabled 1 February 2005.) [Why this confidential? Why the secrecy about peace and mediation process?]

This section will deal with each guideline separately in detail.

## 3.1 ASIO Guideline: Engagement in terrorism.

## ASIO deliberate lies: Significant property damage

ASIO's <u>Hamas' Izz al-Din al-Qassam Brigades Statement of Reasons</u><sup>43</sup> states just that:

Since their first suicide bombing in 1993, the Brigades are reported to have killed more than 500 people in more than 350 separate terrorist attacks. Since 2005, however, the majority of the terrorist activity conducted by the Brigades has consisted of small-arms fire and rocket and mortar fire directed at Israeli military assets and communities in the vicinity of Gaza. These attacks, sometimes indiscriminate in nature, have caused **significant property damage** as well as deaths and **injuries to military personnel** and civilians.

As explained in Section '2.3 Statistics vs ASIO "<u>accurate and reliable</u>" intelligence and Annual Report' since 1967 until present, Palestinians did not

<sup>&</sup>lt;sup>42</sup><u>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees</u> <u>?url=pjcis/hamas\_pkk\_let\_pjj/report.htm</u>

<sup>&</sup>lt;sup>43</sup><u>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees</u> ?url=pjcis/five\_terrorist/sor/hamass%20izz%20al-din%20al-qassam%20brigades.pdf

# demolish a single owned by a Jew, where Israel Occupation Army demolished 24,813 Palestinian houses.

These figures doesn't included deliberate damage to all Palestinian civil infrastructure donated by international community taxpayers' included Australian people.

**In 2002**, when Israeli Occupation Force (IOF) invaded army invaded West Bank they have deliberately destroyed the airport in Gaza donated by United States and all Palestinian civil infrastructure in West Bank including schools, government departments and police stations etc. IOF also deliberately destroyed *Ma'an* agriculture project funded by Australian taxpayers' money and managed by Union Aid Abroad 'APHEDA'.

Courageous Australian women and founder of APHEDA, Dr. Helen McCue had issued a media release calling for Australian government to force Israel to compensate Australian taxpayers money. Also IOF destroyed thousands of Palestinian properties and massacred in cold blood hundreds of civilians.

**During IOF Gaza barbaric war 2008-2009** they deliberately destroyed Palestinian civil infrastructure electricity and water plants, parliament house, government departments, police stations, United Nations UNRWA schools and buildings and hundreds of Palestinian private properties.

## Is ASIO really protecting 'Australia, its people and its national interest'?

IOF deliberate damage to Palestinian civil infrastructure in Gaza prompted EU NGOs calling their governments to condemn Israeli attack and demanding that Israel compensate EU for their deliberate damage to the humanitarian projects funded by EU taxpayers' money. It worth to note that Israel agreed to compensate UN for the damage caused by IOF UN schools and building.

Middle East peace process costed the international community and taxpayers in US, Canada, EU and Japan etc. trillions of dollars. This is mainly because Zionism ethnic cleansing and racist ideology. IOF deliberately destroyed humanitarian projects funded by of taxpayers' money from around the world, including Australia. Zionism aim to keep Palestinian under poverty line and in need for the international community assistance, so they, Palestinian never achieve their aspiration for freedom and independent state with Jerusalem its capital.

More about this important issue can be found in

# Appendix A: Asem Judeh's supplementary Oral Evidence before the Parliamentary Standing Committee on Petitions, October 30th 2008<sup>44</sup>.

44

http://www.google.com.au/url?sa=t&rct=j&q=asem%20judeh%20helen%20mccue%20&source=web& cd=1&ved=0CCAQFjAA&url=http%3A%2F%2Fwww.aph.gov.au%2FParliamentary\_Business%2FC ommittees%2FHouse\_of\_Representatives\_Committees%3Furl%3Dpetitions%2Fpetitions\_42%2Froun dtables%2F30oct08%2F30oct08answer59.pdf&ei=q6hCUKbZOoyZiAeBIYHoCg&usg=AFQjCNEBd -sLZHDgtpXp5OYOoq03eU6EJA

## Are ASIO kidding themselves? Why ASIO treat us like children?

Those photos tell all the truth and left the veil on ASIO lies:



I want to make it clear that the author of this submission is not member of Hamas or any Palestinian groups. I don't support killing any civilian or any act of terrorism. Palestinian groups actions taken deliberately without any context for **political reasons** by ASIO deliberately is ignoring the political situation and Zionism ethnic cleansing policies.

## ASIO deliberate lies: Injuries to military personnel

#### Hamas is not al-Qaeda

#### Whistle blower Andrew Wilkie has accused former prime ministers John Howard and Kevin Rudd and Prime Minister Julia Gillard of having "blood on their hands"

Hamas and all Palestinian groups are not Al-Qaeda or Taliban. Israel is not fighting terrorism or Al-Qaeda in <u>occupied</u> Gaza and West Bank.

This week Australian people shocked by the loss of 5 of its soldiers in Afghanistan. The government and all Australians see it as Australia's black day since Vietnam War.

The loss of 5-young soldiers prompted Australian people and politicians to withdraw its troops from Afghanistan.

Whistle blower and PJCIS committee member, independent MP Andrew Wilkie, said just that<sup>45</sup>:

The tragedy was "amplified greatly by the fact none of those men had to die". "The five soldiers who died in Afghanistan this week died unnecessarily and Howard, Rudd and Gillard all have blood on their hands," Mr Wilkie, a former army and intelligence officer, told AAP.

"Being in Afghanistan now is not in Australia's national interest and was avoidable."

If Zionist state, ASIO and Australian politicians are really care about Israeli occupation army soldiers then they should end Israel's barbaric occupation and stop killing Palestinian people in mass.

If "being in Afghanistan now is not in Australia's national interest and was avoidable", then it is not in Australia's national interest to blindly support Zionists barbaric occupation which seen by many people around the world a major threat to the world peace and security.

ASIO, Government and Parliament 'all have blood on their hands' for killed Plaestinians and Israelis. The majority of those who killed are Palestinians.

<sup>&</sup>lt;sup>45</sup> **The Australian 31/8/2012** 'PMs have blood on their hands: Wilkie' <u>http://www.theaustralian.com.au/national-affairs/pms-have-blood-on-their-hands-wilkie/story-fn59niix-1226462241403</u>

### What ASIO deliberately did not consider?

ASIO statement of reasons listed Hamas' Brigades and PIJ "terrorist" activities without any context. PJCIS must consider and examine the following important points in its review:

- ASIO did not make any reference at all to the political situation, in particular Israeli military barbaric occupation. The word 'occupation' is not mentioned in the statement of reasons.
- ASIO statement of reasons has failed to examine or collect intelligence if Palestinian groups acted in self-defence and in response to Israeli occupation military target killing and daily ritual humiliation to Palestinians in occupied Gaza and West Bank.
- ASIO statement of reasons has failed to mention the barbaric siege imposed on 1.5 million Gazans by Zionist occupation army.
- ASIO statement of reasons has failed to take into account Zionism ideology that govern all Israeli political and religious leaders to steal Palestinian land and resources to build illegal settlements in contrary to the international law.
- World leaders (United States, Britain, EU and Australia etc.), UN and the Quartet has criticised Israel illegal settlement policy as threat to peace and inciting hatred and violence.
- Most importantly ASIO statement of reasons has failed to report the <u>serious attempts</u> by all major Palestinians groups in Gaza, especially Hamas, to foil rocket attacks against Israel.
- The Hamas government in Gaza has been operating a force (**300 men anti-rocket force operates day and night**) over the past few months whose sole task is to prevent the firing of rockets into Israel<sup>46</sup>.
- ASIO (intelligence) did not report, or may be didn't bother to know, that Israel gave no guarantees in exchange for Gaza truce. "At first, at the Palestinians' request, the Egyptians also attempted to obtain an Israeli commitment to refrain from targeted killings of senior figures in the various terrorist organizations. But Israeli officials said this effort was shelved in the face of Israeli opposition. "There were no guarantees and no other promises," said Maj. Gen. (res.) Amos Gilad, denying Islamic Jihad's claim that Israel did in fact promise to refrain from targeted killings of the organization's operatives."<sup>47</sup>
- IDF strikes Gaza militants about to fire rockets into Israel. Palestinian sources say 2 Palestinians wounded in the attack, coming a day after Islamic Jihad leader says group committed to ceasefire with Israel. (Haaretz 7/4/2012)<sup>48</sup> That proves if Israel is not interested in peace and Zionist occupation army intimidate Palestinians on daily basis.

<sup>&</sup>lt;sup>46</sup> Haaretz 10/5/2012 <u>http://www.haaretz.com/news/diplomacy-defense/new-hamas-force-in-gaza-is-foiling-rocket-attacks-against-israel-1.429297</u>
<sup>47</sup> Haaretz 14/2/2012 http://www.haaretz.com/news/diplomacy-defense/new-hamas-force-in-gaza-is-foiling-rocket-attacks-against-israel-1.429297

<sup>&</sup>lt;sup>47</sup> Haaretz 14/3/2012: <u>http://www.haaretz.com/print-edition/news/top-official-israel-gave-no-</u>

<sup>&</sup>lt;sup>48</sup> <u>http://www.haaretz.com/news/diplomacy-defense/idf-strikes-gaza-militants-about-to-fire-rockets-into-israel-1.423165</u>

- Egyptian intelligence has mediated many truce between Palestinians and Israelis. Egyptian intelligence are the most reliable source about who starts the violence. It worth if the Committee investigate and find out if ASIO had any **accurate** intelligence from Egypt. If not, why?
- ASIO has failed to report the cycle of violence in **9 March 2012** which lasted for 4-5 days. After months of relative calm, there was no indication that all hell would break loose. ASIO failed to report who started this wave violence! Haaretz columnist and a member of the newspaper's editorial board, <u>Gideon Levy</u>, said what ASIO couldn't say. <u>Gideon Levy</u> wrote that: "Here we go again a targeted killing; retaliation; retaliation to the retaliation. Here we go again The reflexive act; the harsh rhetoric; the blindness. The Israel Defense Forces carries out a targeted killing. The Palestinian organizations avenge it and it's the Palestinians instigating war and terrorism. MK Danny Danon (Likud) has, of course, already called for "all of those in possession of weapons in the Gaza Strip" to be targeted because of the "million people living under fire."<sup>49</sup>
- ASIO statement of reasons ignores simple fact that Israel does not react to events. It precedes them, plots for their outcome and always, always, keeps its eye on the ball: Israel's long-term, strategic interests based on Zionism ethnic cleansing and racist ideology.
- If it is true that Israel acting in self-defence and only attacks Hamas Brigades and PIJ. Then why Israel and Zionist Jewish settlers are killing and terrorising Palestinians (Christians and Muslims) in occupied West Bank where there is no any rockets attacks launched against Israel from West Bank!
- What ASIO knew about the growing extremists and terrorists in Egyptian Sinai peninsula? Last month these terrorist groups launched terrorist attack on Egyptian army killing 16 soldiers. It is not in Hamas and all Palestinian groups interest to damage good relationship with the newly democratically elected Egyptian president, Dr Mohamed Mursi. Egyptian government has opened the borders with Gaza. lifted all restrictions on Gazans movement from/to Gaza and president Mursi has welcomed the democratically elected Hamas Prime Minister Ismail Haniya in the Egyptian palace. Recent media reports, <u>30/8/2012</u>, revealed that "Egyptian security officials said Thursday that three Bedouin men from the Sinai are suspected of and president involvement in the killing of an Islamist militant earlier this week."<sup>50</sup> It is not in Israel interest that new Egyptian government have good relations with Hamas. The deposed Egyptian dictator, Hosni Mubarak, has ignored Sinai peninsula for 30 years and according to Camp-David agreement, Egypt not allowed to have any military presence in the peninsula.

<sup>&</sup>lt;sup>49</sup> Haaretz 11/3/2012. 'Way to go, IDF!' <u>http://www.haaretz.com/print-edition/opinion/way-to-go-idf-1.417750</u>

<sup>&</sup>lt;sup>50</sup> Maan 30/8/12 'Egypt security: 3 Bedouin suspected of Sinai assassination' http://www.maannews.net/eng/ViewDetails.aspx?ID=515827

# **Recommendation 5**

Based on the above facts, PJCIS to investigate

• The reasons that ASIO ignored these facts and if government ministers or lobby groups manipulated ASIO statement of reasons and if ASIO or government ministers breached **Division 8 'Control of Organisation' of** *ASIO Act*.

• Does ASIO coordinate with Egyptian Intelligence Organisation regarding who started terrorism, Palestinian groups or Israel?

• What ASIO knew about the growing and terrorist and extremist groups in Sinai peninsula and if they are linked with Israel?

• Why ASIO ignored important facts such as Hamas anti-rocket force and Israel attack on Gaza, 9 March 2012?

• Does ASIO agents make regular visits, i.e. fact finding mission, to Israel and occupied West Bank to educate themselves and witness themselves who is the victim? This will help ASIO to present more balanced and accurate statement of reasons.

# 3.2 ASIO Guideline: Ideology and links to other terrorist groups or networks.

What do you expect the ideology of any religious (Jewish, Christian or Muslim) group to be? Of course their ideology will reflect their religious values. Most importantly, if this groups is political then they will use religion to get support from the people who follow same religion. Hamas and PIJ are no difference to any other religious political groups.

# ASIO is a copycat not intelligence organisation and hatemonger machine

ASIO has full ownership of the **Government Counter-Terrorism** <u>White (not</u> <u>Roadmap)</u> Paper<sup>51</sup>, 2010, states just that:

Terrorism affected Australia before the 11 September 2001 attacks against the United States. Various overseas terrorist groups have long had a presence in Australia – focused largely on fundraising and procurement, occasionally escalating to violence. But prior to the rise of self-styled jihadist1 terrorism fostered by al-Qa'ida, Australia itself was not a specific target.

**1** The term 'jihadist' is an **imperfect descriptor** that has multiple meanings. It is, however, a term that has been appropriated by many terrorist groups to describe their activities, and it is **commonly used by security services and public commentators across the world to describe them**.

<sup>&</sup>lt;sup>51</sup> <u>http://www.asio.gov.au/img/files/counter-terrorism\_white\_paper.pdf</u>

How we can rely on ASIO intelligence services when they knew very well the term 'jihadist' is and **'imperfect descriptor'**? Why ASIO **'imperfect descriptor'** in all of their publications, including statement of reasons.

How we can trust our intelligence organisation when they rely on what said and used by other security services and **<u>public commentators</u>**? There are two type of public commentators. Why copycat ASIO just took the **'imperfect descriptor'** from the bad commentators? There are so many commentators who criticised the so-called civilised' West war on terrorism and their intelligence organisations.

Is it very hard for ASIO to get the accurate definition of 'jihadist' from scholars Muslim religious leaders here in Australia?

By the way, Australia has the most moderate Muslim community in the world.

As a Muslim I see the Government Counter-Terrorism White **[sic]** Paper intimidating and racist toward Islam and Muslims in Australia and abroad.

#### In my submissions to

Victorian Government 'Racial and Religious Tolerance Legislation: A Discussion Paper and a Model Bill' <u>24 February 2001</u>, and Victoria Police <u>important and</u> <u>needed</u> inquiry 'The Lexicon of Terrorism' <u>3 November 2009</u>, made it very clear with evidence from Zionist entity, Israel, and pro-Israel here in Australia and abroad, that Zionism and pro-Israel lobby are the major source for hatred and racism toward Islam and Muslims long time before the events of September 11.

### ASIO's (intelligence) deliberately did not detect and report this simple fact.

"As part of a strategy to combat extremism, Victoria Police with the support of the Federal Government, has undertaken this project looking at the 'Lexicon of Terror'. While this project is still in progress, comments made by Assistant Commissioner Fontana and Australia's Attorney General Robert McClelland, suggest that the 'Lexicon of Terror' project will likely recommend that the language around terror be sanitised, avoiding all possible reference to Muslims in the belief that this will reduce their alienation and hence their radicalisation.

In the JCCV's opinion - and that of many learned experts on terror - this would be an ill-considered and likely counter-productive outcome. There is widespread disagreement on what makes a terrorist. Mooted causes include indoctrination, alienation, poverty, anger at the West for its military action against Islamic countries, hatred of the West for its values, doctrinal differences, individual pathology, personal tragedy and more. For every theory there are both exceptions to the rule and countering views, hence making both proactive and reactive approaches all the more difficult."

Source: ICJS Research (Issues of Concern for Justice & Society) website http://www.icjs-online.org/index.php?article=2027

Early this year I have spoken with the person in charge of Victoria Police important and needed inquiry, Dr Gaetano Ilardi, to find out why the inquiry report not launched publicly. Dr. Illardi's said that they have sent it to the federal Attorney-General and the Victorian Premier and it is awaiting their approval to launch it. How long will take the A-G and the Premier of Victoria to launch the inquiry report. It must be the inquiry finding criticise the racist and hatemonger language used by ASIO.

#### **Recommendation 6**

PJCIS to investigate the reasons behind ASIO's racist and hatemonger language used and why the Attorney-General did not launch the findings of Victoria Police inquiry into '**The Lexicon of Terrorism**'.

# **Australian Parliament prayers**

The "Parliament did not introduce prayers because of 'our Judeo-Christian heritage'. It introduced prayers in response to lobbying from churches.

During the 1890s when the Constitution was being drafted, the colonial churches began a campaign of petitions calling for three things.

The petitioners achieved two of their aims. The preamble to the Constitution says that in deciding to federate the Australian people were 'humbly relying on the blessing of Almighty God'. And prayers began in Parliament in June 1901."<sup>52</sup>

# Zionism (and Israel) Ideology

### The Roots of Hatred in the Zionist Ideology

The rise of fascism in the Zionist culture is, as I shall explain below, an aspect entrenched in Zionist culture from its earliest establishment; the recent Israeli election (in February 2009) has only made it more visible to public opinion. For years Zionists have used the phrase "Israel is the only democracy in the middle east" as an ideological weapon to demonize Arabs and to justify its crimes. Today, after the war on Gaza which showed the world the ugly face of Zionism, the rise of Israeli fascism is yet evidence that Zionism and racism, as the UN declared in 1975, are twins; the recent elections in Israel showed us that Zionism and fascism are synonyms. Yet I must note that there is a major difference between the Nazi and the Zionist fascist, this difference does not lie in the culture of hate, which is the basis of both, but rather in the fact that the Zionist fascist has nuclear capability, enough, according to military analysts, to destroy a large percentage of the human population globally; this fact has, unsurprisingly, raised serious concerns both in the Middle East and around the world. Even prior to his election, knowing the great support he already had among new generation of Israelis instilled for years with the culture of hate, the Moldavian fascist Avigdor Lieberman, brought to Israel in 1978, told the media that they must get used to the idea of him as the next Israeli defense minister. What does it mean when the

<sup>&</sup>lt;sup>52</sup> 'CONSTITUTIONAL CRITIQUE - Critical constitutional analysis by the CRU' by <u>Anne Twomey</u>. <u>http://blogs.usyd.edu.au/cru/2012/08/prayers in parliament and the 1.html</u>

majority in a society elects ultra-right wing and fascist parties? It can mean anything, but it is definitely not a healthy sign and shows a society for which the logic of 'might makes right' has become synonymous with it very existence.

A recent psychological study might explain the reasons behind the rise of the far right and war criminals to position of power in the state of Israel. The research was conducted by Daniel Bar-Tal, who is, according to Haartz newspaper, one of the world's leading political psychologists and Rafi Nets-Zehngut, a doctoral student. It found that "Israeli Jews' consciousness is characterized by a sense of victimization, a siege mentality, blind patriotism, belligerence, self-righteousness, dehumanization of the Palestinians and insensitivity to their suffering" (Haartz, 30.01.09).<sup>53</sup>

### Zionist Ideology, the Non-Jews and the State of Israel

Israel Shahak once remarked that for at least the last 200 years, Jews have demanded equal rights in every country in which they've lived – with the remarkable exception of Israel, the Jewish state. Israel has always founded its institutions on the denial of equality to non-Jews. From the beginning, a good half a century before 1948 when the state of Israel was established, Zionist ideology has held strict opposition to equality for non-Jews as a fundamental principle.

The principle of inequality for non-Jews requires, first of all, that the relevant population groups be defined. It is therefore not surprising that the dichotomy Jew/non-Jew cuts across nearly all the social, demographic, juridical and cultural institutions of Israeli life. Consider, as an instructive example, how the requirement of this opposition affects the tables of vital statistics in the Israeli Annual Statistical Abstract. Vital statistics include demographic information on such matters as population growth, the regional distribution of the population, immigration, household size etc. The figures are, in general, cross classified by familiar parameters such as sex and age. However, the cross-classification into religious categories in virtually every table is quite striking.<sup>54</sup>

# Parliament Report 97 Conviction with Compassion: A Report on Freedom of Religion and Belief, 27 November 2000.55

The Joint Standing Committee on Foreign Affairs, Defence and Trade Human Rights Sub-Committee Inquiry into Freedom of Religion founded and reported to the parliament just that:

**5.160** In a private submission, Mr Asem Judeh supported many of these views. He believed that, because Israel is a Jewish state, it did not give rights to other religions. In particular, because they are not Jews, there is discrimination against Palestinians in every facet of their lives.137

<sup>&</sup>lt;sup>53</sup> 'The Roots of Hatred in the Zionist Ideology' 19/2/2009.

http://www.palestinechronicle.com/view\_article\_details.php?id=14851

http://theunjustmedia.com/Jewish%20Zionists/Zionist%20Ideology,%20the%20Non-Jews%20and%20the%20State%20of%20Israel.htm

<sup>&</sup>lt;sup>55</sup>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees ?url=jfadt/religion/relindex.htm

5.161 In his submission, Mr Judeh asserted that according to UNHRC, Israel violated almost every article of the ICCPR. He also referred to:

- exclusion from full participation as Israeli citizens because Palestinians are not allowed to undertake military service;
- humiliating procedures, such as closed schools, curfews, ID cards, since the 1967 occupation of the Palestinian Territories;
- denial of free access to Jerusalem;
- difficulties for Christians and Muslims in gaining access to their Holy Places;
- deprivation of the right to learn for Palestinian children;
- restrictions on the amount of water supplied to Palestinians;
- demolition of homes and illegal settlements, and
- use of Australian tax payers' money in Israeli human rights violatons

Source: Chapter 5: Religious intolerance<sup>56</sup>

# Zionist Jewish Rabbis Ethnic cleansing and racist ideology

# Settler rabbi: The State of Israel is an enemy of the people<sup>57</sup>

"The state of Israel has become the enemy of the people and the land of Israel," settler rabbi Shalom Dov Wolpe said Tuesday during an emergency meeting on the state's plan to evacuate a house in Hebron whose ownership has been at the center of a bitter dispute for over a year.

The four-story building became a flash point for tensions when settlers moved in early last year after claiming to have purchased it from a Palestinian. But the Palestinian denies the claim and Israeli authorities have not recognized the sale as legal. Some 1,000 Kirvat Arba residents attended the emergency meeting Tuesday, held at a local youth center, after the High Court on Sunday gave settlers three days to voluntarily vacate the house or force will be used to evacuate them.

MK Uri Ariel (National Union-National Religious Party) said that the court's ruling was political and biased, saying "we will be there, I will be there with my fellow MKs. We will protect this house the way any man protects his home. There is no need for violence, but if anyone hits us, we will protect ourselves."

# Former Sephardic chief rabbi, Ovadia Yosef – They're black, let them drown!58

Prime Minister Benjamin Netanyahu recently sent his national security adviser, Yaakov Amidror, to convince Rabbi Ovadia Yosef of the need to attack Iran. Amidror

<sup>&</sup>lt;sup>56</sup><u>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees</u> ?url=jfadt/religion/relchap5.pdf
<sup>57</sup> Haaretz 19/11/2008 http://www.haaretz.com/hasen/spages/1038565.html

<sup>&</sup>lt;sup>58</sup> Haaretz 30/8/12 http://www.haaretz.com/weekend/magazine/the-road-to-iran-follow-the-blind-goat-1.461745

described the Iranian nuclear program to the rabbi, and explained the danger inherent in its completion.

One wonders whether, in the course of the explanation, which was supposed to be based on a rational argument, Amidror took into account Rabbi Yosef's outlook on disasters. For example, do Amidror and the man who dispatched him, Israel's prime minister, accept the basic core of [Rabbi Ovaida] Yosef's explanations for the disaster that struck the people of New Orleans in 2005 when Hurricane Katrina ravaged the city? "All this is from too little Torah study," opined the great sage. "There are a lot of blacks there. Are blacks going to learn Torah? Yallah, let there be a tsunami there. Let them drown."

# Rabbi Ovadia Yosef: Katrina is Bush's Punishment for Supporting Gaza Disengagement<sup>59</sup>

Yup, you heard that right. Israel's former Sephardic chief rabbi claims that George Bush got his comeuppance in the forum of Hurricane Katrina because he supported the Gaza Disengagement.

"Bush was behind the (expulsion of) Gush Katif," he said. "He encouraged Sharon to expel Gush Katif...we had 15,000 people expelled here, and there 150,000 (were expelled). It was God's retribution ..God does not short-change anyone." "He (Bush) perpetrated the expulsion. Now everyone is mad at him...this is his punishment for what he did to Gush Katif, and everyone else who did as he told them, their time will come, too," the rabbi said.

Ovadia concluded: "Where can evil escape to from God? Its time will come and it will be slapped on the head."

# Yesha Rabbinical Council: During time of war, enemy has no innocents<sup>60</sup>

The Yesha Rabbinical Council announced in response to an IDF attack in Kfar Qanna that <u>"according to Jewish law</u>, during a time of battle and war, there is no such term as 'innocents' of the enemy."

All of the discussions on Christian morality are weakening the spirit of the army and the nation and are costing us in the blood of our soldiers and civilians," the statement said. (Efrat Weiss)

<sup>&</sup>lt;sup>59</sup> <u>http://www.richardsilverstein.com/tikun\_olam/2005/09/09/rabbi-ovadia-yosef-katrina-is-bushs-</u> punishment-for-supporting-gaza-disengagement/ <sup>60</sup> YnetNews 30 July 2006 http://www.ynetnews.com/articles/0,7340,L-3283720,00.html

# Australian Zionist Jewish Rabbis on "Jewish Law"

Friday, August 5, 2005

ADVERTISEMENT

# RABBIS SAY NO TO DISENGAGEN

"The message of the Torah, Torat Chaim and Torat Emet, namely: that Eretz Yisrael is ours by Divine Covenant ognized by all who believe in the sanctity of the Torah; and the "facts of life" and "truth" are that Jews are no "aggressors" in their homeland, but that what has passed into our hands is only a restitution of what is night, will and grace, not by the "false grace" of the United Nations. And we cannot afford to be magnanimous and part of our tiny land in response to the threat of force, since the retention of every last inch of it is a matter of the five million Jews as well as for our Jewish people as a whole."

Letter written by Lubavitcher Rebbe1980 (The Let

Allow Card

# A definitive Halachic (Jewish Law) Ruling Forbiddir the Surrender of Any Part of the Holy Land

Based on a Ruling Recently Issued by 300 Prominent Israeli Rabbis, Including Former Justices of Israel's Supreme Rabbinical Court The meticulous observance of the Sabbath as a Day of Rest is one of the most cherished of all Jewish religious obligations. Neverther Jewish Law prescribes (see Orach Chaim, 329:6) that if marauders approach a border town on the Sabbath, even if their osternologies straw and stubble, we are commanded to desecrate the Sabbath, take up arms, and repel their attack, for otherwise the entre and e conquer-thereby endangering Jewish lives. The classical Rabbinic authority, "the Rema" adds that this applies "even if they have not p only preparing to arrive."

The current situation is far more severe than that depicted in Shulchan Aruch making the above ruling all the more applicable

 The towns and settlements threatened to be expelled are not merely close to israel's threatened borders-they themselves a borders.

 Israel's enemies are not coveting mere straw and stubble; they shamelessly declare their desire to dispossess the Jews of all "drive the Jews into the sea," G-d forbid.

Experience has taught that even mere negotiation of handing over settlements increases Israel's enemies' brazen desire to in against us.

Hence since conceding any territory would surely severely jeopardize the safety of all the five million Jews living in the Holy Land, it is is circumstances, to carry out the Israeli government's perilous **"disengagement"** plan, or to in any way participate in it or endorse it. We call on all Rabbis and all Jews to join us in openly condemning this suicidal surrender.

We also call on all Jews to increase in **Torah study, prayer, and good deeds** to avert this terrible disengagement Psak Din adapted by Rabbi Yeoishophot Oliver (Melbourne)

We, the undersigned:

# Hamas and other Palestinian groups ideology.

### Hamas Charter: Vision, Fact and Fiction<sup>61</sup>

The Israeli occupation has never missed an opportunity to brand Hamas a fundamentalist, terrorist, racist, anti-Semitic organization. True to the Mossad motto which states 'By way of deception, though shall do war,' it has excelled at taking select articles from the Islamic party's charter and using them, out of context, to justify its claims.

The Israelis have, for example, translated the charter to several languages, English and French included, intentionally perverting the substance of its tenets to suit their purposes. Those aims were to market its fraudulent translation to as many Western politicians, academics and media channels as possible; and therefore make it easier to claim security concerns as the basis for their legal infractions. The fear-mongering is

<sup>&</sup>lt;sup>61</sup> By Dr. Ahmed Yousef, former senior Political Adviser to Prime Minister Ismail Haniyeh. <u>http://palestinechronicle.com/view\_article\_details.php?id=16576</u>

designed to horrify the West so much that it turns a blind eye to the crimes against humanity which contravene international law.

Throughout my tenure as an adviser to Prime Minister Ismail Haniyeh in the tenth and eleventh administrations (the unity government), and even after the events of June 2007 when I was assigned as a deputy minister to the foreign ministry, journalists and politicians consistently asked the same questions around the charter and the extent to which the government was beholden to it or intent on applying the articles within it. Despite my consistent clarification that Hamas must be evaluated on its official actions and political positions, it is evident that the Israeli propaganda machine has over a two year period successfully brainwashed those it has targeted. Many observers have become incapable of making an impartial assessment of the significant transformations the movement has undergone; and instead have parroted the Israeli position, adopting the obstinacy of what a local colloquialism notes "is a goat, even if it has wings."

# The Reality and the Tale

The Islamic Resistance Movement, known by its Arabic acronym Hamas, was born in December 1987 with the first Intifada, or Uprising. Initially, the group mounted demonstrations against Israeli belligerence; and in order to maintain the momentum of the newly created protest culture, the group's leadership needed a platform to crystallize its views and give the "resistance generation" broad strokes direction on the principles and challenges within which they would operate against the occupation. Those early, revolutionary days represent the context within which the concept of a charter was formed.

That document was a practical response to an oppressive occupation. It reflected the views of one of the movement's elder leaders; and it was ratified during the unique circumstances of the Uprising in 1988 as a necessary framework for dealing with a relentless occupation. There was little opportunity, at that time, to pore over the minutia of either its religious and political terminology or the broader perspective of international law.

An internal committee reviewed the possibility of amending the charter during the nineties and ratifying it as a binding manifesto; yet the primary concern, that of being seen as following the Fatah route of offering up concessions on a silver platter, led the group's leadership to shelve such measures. Instead, new ideas were proposed that reflected the movement's openness to the international community and its willingness to adopt a more realistic political view. This flexibility was evident in official speeches; and more recently in the election platform put forward by the Change & Reform Party (al-taghyeer wal islah).

Despite the group's evolution, it is an inescapable fact that the charter represents a milestone in the struggle against an irredentist occupation. At any rate, historical statements remain a testament to the past; and the charter, as a document written over two decades ago, retains its authoritative value. However, it is not a constitution drafted as law; and cannot be construed to demand literal interpretation. In fact, the movement has to a certain degree moved on from its content simply by participating in the political process, accepting a Palestinian state within the 1967 borders and

publicly declaring a readiness to explore political solutions with the international community. The claim of an intransigent organization simply does not tally with the reality of a group opening up to its regional environment; and one which participated in a national parliament borne of the Oslo Accords, having won a majority vote through participatory elections in 2006.

# The Vision and the Policy

Logic dictates Hamas has demonstrated the flexibility to deal with changing realities while remaining true to its principles; and it as shown an openness to be actively engaged when appropriate. Regardless of the past, our position is crystallized as follows:

**1.** Historic rights remain inalienable, preserved by each generation; and the resolve shall continue until those rights are restored. The issue is bound only by capacity and the regional balance of power. Our people have never repudiated the fact that Jews and Christians are an integral part of the Palestinian people and its land – the land of all prophets. Yet we reject a situation where one encroaches on the possessions and holy sites of another, supported by external powers and claims of divine promise. This is not only a Hamas refutation; but that of the entire Palestinian population.

2. There is a stark difference between acquiescing to pressure then accepting conditions, hoping for better circumstances for your people, and gaining your rights in a manner that preserves your integrity and protects the sanctity of your lands and holy sites. Attempts to put Hamas on the Fatah path (coaxing then gain successive compromise) would place it in the former camp, which is untenable. The movement's decision-making process is based on a consultative apparatus, one that is designed to protect the inviolability of the Palestinian cause and the historical rights of its people; and hence we can only consider solutions that reflect the people's will.

**3.** Our current conflict with the occupation is a political one. Yet virtually all liberation movements rely on the language of religion to inspire their peoples, given that such discourse offers the greatest clarity and motive to make sacrifices for liberty. For our part, we do not shy away from shedding light on the historical milestones that underscore our struggle against the fundamentalism inherent in Zionism. We do so in a way that will undermine the dream of Eretz Israel; and place us firmly on a path to a just peace.

**4.** Hamas is a national liberation movement with an Islamic identity; and it recognizes that the conflict sometimes takes on religious form in ways that cannot be ignored. Palestine is a trust that cannot be discharged; and there are rights that have been usurped that must be restored, peacefully or through war. There are no political parties that can simply cede these rights without reverting to a national referendum which would collectively decide on the right course to preserve the greater good of the Palestinian people.

**5.** The cornerstone of this issue is that Palestinian rights will not dissipate as a result of stonewalling. Whether or not the conflict has a religious dimension, the people's rights must be restituted either through peaceful settlement or through open conflict for generations to come, awaiting a change in the balance of power that will allow a final, equitable solution to emerge.

**6.** Hamas' view is that this conflict is multi-dimensional: religious, political, legal, ethical and security-related. Yet at its core is the matter of rights that have been abrogated. These must be restored; and the international community has attested to this imperative thru numerous declarations, including United Nations Resolution 194 which recognizes the right of Palestinian refugees to return and be compensated for their losses.

**7.** For our part, we acknowledge that these are sacred lands which were the cradle of three monotheistic messages – Jewish, Christian and Muslim. The followers of these faiths have been on this land for centuries; and therefore their presence on this land, in general, has never, and will not, end.

**8.** The Palestinian people have never harbored ill will towards the Jewish presence on this land, only for the Zionist aberration that seeks to expropriate it, dominate it, cast out indigenous "gentiles", and invite mass immigration from across the globe through formal Aliyah (Jewish immigration) programs.

**9.** The prospect of coexistence among the original inhabitants of this land is possible after those who have been wronged receive restitution. Yet any submission to the status quo, negating the harm that has been done over the past 60 years, is unacceptable under any circumstance.

These, then, are the general principles upon which the Islamists of Palestine operate, regardless of the comments some may have over a charter written at a specific, tumultuous point almost a quarter of a century ago; and when the language of conflict from all parties was open to a wide array of political and religious phraseology. The pragmatism of Hamas' current position is self-evident when evaluated without the partiality of propaganda. It is up to the Israelis and the international community to recognize it as such or doom the holy land to further strife until the next generation come of age.

# 3.3 ASIO Guideline: Links to Australia.

#### Links to Australia

There are no known links to Australia.

Source: <u>Hamas' Iss al-Din al-Qassam Brigades Statement of Reasons</u> and <u>Palestinian</u> <u>Islamic Jihad Statement of Reasons</u>

If ASIO couldn't find any intelligence that there are links in Australia for Hamas' Brigades and PIJ and ASIO listed them as terrorist organisation. Then ASIO should list every group use violent means to achieve their goals.

Why took ASIO so many years after September 11 to list Tamil organisation LTTE as a terrorist organisation? Where United Nations named and listed LTTE as a terrorist organisation, but not Hamas and PIJ! Where LTTE has strong and effective link here in Australia!

Is it because Seri Lankan government put pressure on Australia as civil rights lawyer Rob Stary claims?

Civil rights lawyer Rob Stary has called for a Senate inquiry into Australia's role in the war in Sri Lanka. Stary defended three Australian Tamil men charged with terrorism offences in 2007. He said such an inquiry would look at the reasons for the decision to prosecute the three.

He told the meeting that evidence given by an Australian Federal Police officer to a committal hearing in 2007 showed that the prosecution went ahead at the behest of the Sri Lankan government.

# Source: Senate inquiry should investigate Tamil prosecutions, says lawyer $(28/8/2012)^{62}$

What about many violent religious and non-religious groups in our region and close to our doorstep?

### Terrorism against Rohingya Muslims in Myanmar



Wife of Turkish prime minister, Emine Erdogan, accompanied Turkey's Foreign Minister Ahmet Davutoglu as he left on Wednesday to observe the situation in Rakhine, Myanmar. Fighting between Buddhists and Rohingya Muslim has killed 80 killed 80 people in June, according to official figures. (Video photo)<sup>63</sup>

For many years, Muslim minority in Myanmar's western Rakhine state terrorised by Buddhists supported by Junta.

Religious Buddhists burned their houses and killed many. Thousands of Muslim Rohingyas minority left their houses and villages and became refugees.

Human Rights Watch said on Aug. 1 that the Rohingyas had suffered mass arrests, killings and rapes at the hands of the Myanmar security forces. The minority bore the brunt of a crackdown after days of arson and machete attacks in June by both Buddhists and Rohingyas in Rakhine state, the monitoring group said.

### **Recommendation 7**

PJCIS to call for Senate inquiry into Australia's role in the war and terrorism conducted by Zionist Israelis against Palestinians.

<sup>&</sup>lt;sup>62</sup> http://www.greenleft.org.au/node/52039

<sup>&</sup>lt;sup>63</sup> http://www.alarabiya.net/articles/2012/08/13/232016.html

# 3.4 ASIO Guideline: Threat to Australian interest.

# Hamas' Brigades and PIJ homemade rockets is not threat to Australian national interest.

In the course of pursuing its objectives Hamas's Izz al-Din al-Qassam Brigades [and PIJ] are known to have committed or threatened action:

- that causes, or could cause, serious damage to property, the death of persons or endanger a person's life; and
- with the intention of advancing Hamas's Izz al-Din al-qassam Brigades' [and PIJ] political, religious or ideological causes; and
- with the intention of intimidating the public and sections of the public.

Source: <u>Hamas' Iss al-Din al-Qassam Brigades Statement of Reasons</u> and <u>Palestinian</u> <u>Islamic Jihad Statement of Reasons</u>

The only threat to Australians by Hamas' Brigades and PIJ is injuring or killing an Australian citizen or member of an Australian delegate during their visit to Israel. **I** agree it is a risk, but it is very low risk.

# Israel using Gaza as 'guinea pig' for military testing in preparation to attack Iran.



Turkey's President Abdullah Gul (R) and Hamas leader Khaled Meshaal (L) meet in Istanbul March 17, 2012. The man in the middle is a translator.Photo by Reuters

Hamas politburo chief Khaled Meshal on Sunday accused Israel of using the Gaza Strip as a "guinea pig" for its testing its missile capabilities amidst rising tensions with Iran, the Turkish newspaper Today's Zaman reported.

Meshal claimed that Hamas rocket attacks on Israel were self-defense, asserting that rockets are only fired from Gaza in response to Israeli strikes. (Source: Haaretz 18/3/2012)<sup>64</sup>

# Zionist entity, Israel, not Hamas' Brigades or PIJ is major threat to Australia and world peace and security.

### Palestine is the main issue!

Israel's human rights abuses and shameful treatment to the Palestinian people (Christians and Muslims) encouraged more free men and women to advocate for

<sup>64</sup> Hamas chief: Israel using Gaza as 'guinea pig' for military testing <u>http://www.haaretz.com/news/diplomacy-defense/hamas-chief-israel-using-gaza-as-guinea-pig-for-military-testing-1.419411</u>

Palestinians. Peaceful International Solidarity Movement are growing very rabidly. People got sick from Israel being above the law.

Many of those peaceful non-Palestinians either killed or injured by Israeli Occupation Force.

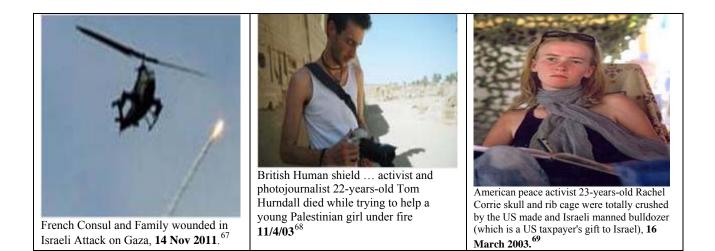


Image grab of YouTube video posted by International Solidarity Movement showing an IOF Commander beating a peace activist in the face with an M-16 rifle, April 14, 2012.<sup>65</sup>

The footage of the ugly incident near Jericho-Palestine, 14 April 2012, shows show Israeli Occupation Army commander Eisner walking up to a man taking part in a bicycle ride in the Jordan valley, and without warning, hitting a peace activist from Denmark in the face with his M-16 automatic rifle. Eisner's behavior represents the norm of Zionist Israelis rather than the exception<sup>66</sup>.

### How many times pro-Israel lobby in Australia politically motivated and threatened and intimidated Australian free men and women?

Here are more evidence from my archive that many world citizens, including Australians, killed or injured deliberately by Israeli Occupation Army:



<sup>&</sup>lt;sup>65</sup> Watch this video <u>http://www.guardian.co.uk/world/video/2012/apr/16/israeli-soldier-assaults-</u> <sup>66</sup> <u>http://desertpeace.wordpress.com/2012/04/19/israeli-barbarianism-caught-on-camera/</u>

<sup>68</sup> http://www.guardian.co.uk/artanddesign/2012/mar/01/tom-hurndall-middle-east-photographs

<sup>&</sup>lt;sup>67</sup> http://www.imemc.org/article/62504

<sup>&</sup>lt;sup>69</sup> http://www.youtube.com/watch?v=PBPf29ZOWkg



Australian citizen Ahmed Luqman Talib (centre) recovers from gunshot by terrorist Israelis wounds in an Istanbul hospital. Ahmed, you should take legal action against your own government.



Fairfax journalists Paul McGeough and injured Kate Geraghty detained in Israel. Watch THIS<sup>70</sup> YouTube and learn how Australian citizens can serve in the Israeli terrorist army and may kill us



Humiliated and degraded in Israel Australian ABC Middle East correspondent Anne Barker. 17Nov2010.71



The Heroes of the Mavi Marmara - a Turning Point for International Solidarity PTT 7June2010. One of them has US citizenship. Rest in peace all of you and shame on the so-called civilised West. They gave Israel license to kill.

### ASIO Gives Israel free license to kill and terrorise Palestinians & other nationalities

According to Israel Prime Minister spokesperson, Mark Regev [he also an Australian Citizen], Israel war in Lebanon and Gaza is war against terrorism [sic].

International peace activists seen by Zionist Israelis as terrorists, and they have every right to kill and terrorise them.

"Well, I think you could only prosecute people who were directly involved in terrorism, or in this specific case, directly responsible, involved in the kidnapping of the corporal. I don't think you could adequately prosecute people if they were only bystanders or if they're part of the same organisation, but the legal situation is clear. Under Israeli law, Hamas is a terrorist organisation and it is possible to prosecute people just for being leaders and activists in a terrorist organisation. I'd also remind you that it's not only Israeli law. Under Australian law, under Canadian law, under European Union guidelines, under American law, in all those places and others, Hamas is officially defined as a terrorist organisation and so its leadership can be arrested in many countries, not just in Israel."

Source: Mark Regev speaking to Tony Jones ABC Lateline July 4, 2006, during Lebanon and Gaza war<sup>72</sup>

 <sup>&</sup>lt;sup>70</sup> <u>http://www.smh.com.au/world/prayers-tear-gas-and-terror-20100603-x7ew.html</u>
 <sup>71</sup> <u>http://www.abc.net.au/news/2009-07-06/reporter-feels-mobs-hate-in-the-holy-city/1343182</u>

<sup>&</sup>lt;sup>72</sup> http://www.abc.net.au/lateline/content/2006/s1677842.htm

# 3.5 ASIO Guideline: Proscription by UN or like-minded countries.

Hamas' Izz al-Din al-Qassam Brigades (the Brigades) [and PIJ] are proscribed as a terrorist organisation by the governments of the United Kingdom and New Zealand. Hamas (including the Brigades) has been proscribed as a terrorist organisation by the governments of the United States and Canada. Hamas is also listed by the European Union for the purposes of its anti-terrorism financing measures.

**Source**: <u>Hamas' Iss al-Din al-Qassam Brigades Statement of Reasons</u> and <u>Palestinian</u> Islamic Jihad Statement of Reasons

As far as know Hamas' Brigades and PIJ are not proscribed as terrorist organisations by United Nations.

We can understand why United States has proscribed Hamas and PIJ as a whole as terrorist organisations. It is because United States never been an honest broker in the Middle East and blockaded more than 60 Security Council resolutions against Israel.

How we can trust United States, UK and Australia intelligence services when they fabricated their intelligence to attack a United Nations member state, Iraq.

This month, <u>16 August 2012</u>, eminent Australians, led by former prime minister Malcolm Fraser, has called for an independent inquiry into the decisions which led to Australia joining the US-led invasion of Iraq in 2003.

Former defence secretary Paul Barratt has told Australia Network's <u>Newsline</u> it is apparent now that in the lead-up to the war there was a great deal of manipulation of intelligence within the US system.

Mr Barratt says the inquiry could reveal how the Australian Government chose to reconcile conflicting intelligence information.<sup>73</sup>

Isn't PJCIS committee member independent MP Andrew Wilkie from Australian Secret Intelligence Service (ASIS) as a result of former prime minister Howard lies over Iraq war?

This criteria is irrelevant to relist Hamas' Brigades and PIJ as terrorist organisations.

PJCIS should not consider this criteria of proscribing terrorist organisation.

### 3.6 ASIO Guideline: Engagement in peace and mediation process.

There are no current peace negotiations being conducted including the Brigades and [PIJ]

**Source**: <u>Hamas' Iss al-Din al-Qassam Brigades Statement of Reasons</u> and <u>Palestinian</u> <u>Islamic Jihad Statement of Reasons</u>

<sup>&</sup>lt;sup>73</sup> ABC 16/8/2012 <u>http://www.abc.net.au/news/2012-08-16/an-calls-for-australian-inquiry-into-iraq-war/4201748</u>

Isn't Israel the one who rejected 2006 Palestinian fair and democratic election that brought Hamas to the government?

Isn't Israel had orchestrated organised campaign and pressured the so-called civilised nations (USA, Canada, EU and Australia) to isolate Hamas and reject the results of the democratic election. So Israel can get a golden opportunity to kill more Palestinians and fulfil Zionism dream in stealing more Palestinian land for Jews only.

Hamas leader Khaled Meshal recent statement in Turkey, 17 March 2012, speak for itself:

"We want to open a new page, and we think that we have created a domestic peace atmosphere," Meshal was quoted as saying. "Peace is obligatory, and Palestinians should be unified. The Palestine issue is our cause, and our stance on occupation is the same."

"We should sacrifice our personal and political views for the sake of the Palestine cause," Meshal continued. Hamas, which controls the Gaza Strip, and Fatah, which controls the West Bank, have been attempting to implement a reconciliation agreement brokered by Egypt and signed last year in Cairo. That agreement included the formation of a unity government and the holding of elections in May 2012.

# Israel has rejected the agreement, refusing to negotiate with a government involving Hamas, whose charter calls for the destruction of Israel.

Meshal on Sunday promised to continue efforts to fight Israel. "We will naturally continue our fight against Israel in political, diplomatic and media fields," he was quoted as saying. "We will try to get the greatest support possible from the world."

### Source: Haaretz 18/3/2012<sup>74</sup>

Israel is not interested in peace settlement, it is interested in illegal settlements.

Again, before Hamas came to power, Israel did the same thing with late Palestinian leader Yasser Arafat and confined him in his compound for more than two years because he is a 'terrorist'.

Israel doing exactly the same with Palestinian Authority President Mahmood Abbas.

Any Palestinian who refuses Israel's apartheid peace, he/she is a 'terrorist'!

Any one dare supporting, even Julia Gillard or John Howard, Palestinian people aspiration for freedom and independent state with Jerusalem its capital he/she is a terrorist.

Zionism policy either you support blindly our killing and ethnic cleansing of Palestinian or you will be labelled as anti-Semite and 'terrorist'.

# This criteria is irrelevant to relist Hamas' Brigades and PIJ as terrorist organisations. In fact it is against Israel.

<sup>&</sup>lt;sup>74</sup> <u>http://www.haaretz.com/news/diplomacy-defense/hamas-chief-israel-using-gaza-as-guinea-pig-for-military-testing-1.419411</u>

# 3.7 ASIO Guideline: Ideology and links to other terrorist groups or networks.

Hamas's funding comes from a range of both official and private sources. Saudi Arabia and Iran have traditionally been the largest sources of financial aid. Hamas collects taxes within Gaza and has limited access to Palestinian Authority funds. The amount of money earmarked specifically for the Brigades is difficult to ascertain.

Source: <u>Hamas' Iss al-Din al-Qassam Brigades Statement of Reasons</u>

Despite being a Sunni group, PIJ was inspired by and remains ideologically supportive of Iran's Islamic Revolution and maintains close ties with the Iranian Revolutionary Guards Corps and Hizballah.

Source: Palestinian Islamic Jihad Statement of Reasons

According to my knowledge, Iran and the Iranian Revolutionary Guards are not listed as a terrorist organisations.

Also, according to my knowledge the political and social arm of Hizballah are not proscribed here in Australia as terrorist organisations.

It is well known that Hizballah military branch activities unknown for the public, and even to close organisations like PIJ and Hamas.

This fact is acknowledged by ASIO.

Little is known about the current structure or membership of the[External Security Organisation] ESO. It remains a covert and highly secretive organisation that has been successful in restricting information about its organisational structure and membership. Its current leader is Talal Hamiyah.

Source: <u>The Hon Nicola Roxon MP - Attorney-General</u>, Hizballah's External Security Organisation (ESO) Statement of Reasons<sup>75</sup>, June 2012.

This criteria is irrelevant to relist Hamas' Brigades and PIJ as terrorist organisations.

<sup>&</sup>lt;sup>75</sup><u>http://www.aph.gov.au/Parliamentary\_Business/Committees/House\_of\_Representatives\_Committees</u> ?url=pjcis/hizballaheso2012/subs/sub1.pdf

# Section C: Why PJCIS need to de-list Palestinian groups and Conclusion.

As per the above extensive details the Committee should recommend to the parliament that Hamas' Brigades and PIJ to be removed from the terrorist list.

ASIO decision is a political one. I strongly recommend that the Committee refer this matter to a Senate Inquiry to get to the bottom of this important issue (see Recommendation 7).

# In brief, ASIO's statement of reasons has deliberately ignored the following important facts:

- Ignored the political and Zionist military barbaric occupation to Gaza and West Bank;
- Hamas' Brigades and PIJ acted in self-defence to Israeli Occupation Force ongoing aggression;
- ASIO ignored important facts such as March 2012 IOF attack on Gaza and terrorist attack on Egyptian army in Sinai peninsula and possible link with Israel;
- ASIO has ignored Hamas new force to prevent launching any rocket attack against Israel. This force has succeeded to prevent many attacks and there has been quiet period until Israel attacked Gaza in March 2012.
- ASIO ignored the fact that Israel has refused to give any guarantee to end its policy of target killing and political assassination.
- Zionism ethnic cleansing and racist ideology is the main reason for this cycle of violence;
- Israeli ongoing illegal settlement policy is the main obstacle for peace;
- There are no links for Hamas' Brigades and PIJ in Australia;
- Hamas' Brigades and PIJ don't impose any threat to Australia national interest;
- Proscription of Hamas' Brigades and PIJ by United States and United Kingdom should be void and not to be considered by Australian government; and
- Hamas' Brigades and PIJ don't have any links with any known terrorist groups.

# Appendix A: Asem Judeh's supplementary Oral Evidence before the Parliamentary Standing Committee on Petitions, October 30th 2008

# Authorised for publication by the Committee in 12 November 2008

# In addition to <u>Mr Russell Broadbent MP</u> question in relation to Foreign Minister Stephen Smith, I would like to add the following at the public record:

- 1. Based on many letters I have received from former Liberal Foreign Minister, DFAT Middle East Section and former Prime Minister Office I can confirm that all letters has exactly same context in reference to Middle East Peace Process and supporting two states solution. The only difference is the figures of Australia's aid to Palestinian Authority.
- 2. Australia's aid to Palestinain Authority is far less that foreign aid received from EU, USA, Canada and Japan;
- 3. In March-April 2002, Israeli Occupation Army deliberately destroyed Palestinian airport in Gaza and all Palestinian infrastructure. They have destroyed and wasted billions of taxpayers' money donated to Palestinian Authority since Oslo agreement, 1995.
- 4. One important Australian development project has been deliberately destroyed and Australian Liberal Government and Labor opposition did not raise their voice asking Israeli government to compensate Australian taxpayers money for the destroyed developments Australian funded projects!
- 5. Dr Helen McCue, who founded APHEDA the ACTU Humanitarian Arm and Director of WREN (Women Refugee Education Network) has issued a media release, <u>8 April 2002</u>, 'WAR CRIMES IN PALESTINE MUST STOP';
- 6. Ms McCue demanded just that "WREN calls on the Australian Government to condemn Israel for these brutal actions; to publicly call for the implementation of United Nations Security Council resolutions with regard to an immediate cease-fire and withdrawal of all Israelis forces from the occupied Palestinian Territories; and to call on the United Nations to immediately send an international peace keeping force to the region."
- 7. On another Media Release, <u>29 April 2002</u>, 'ISRAELI'S LOOT AND DESTROY AUSTRALIAN AID OFFICE' Ms McCue said just that "The head of an Australian funded aid project in the West Bank city of Ramallah Mr Sami Khader has reported that in the early hours of Saturday morning April 20th just hours before a withdrawal of the Israeli military forces to the outskirts of the city, Israeli soldiers blew open the doors of the Maan Development Centre and systematically destroyed the office."
- 8. Dr Helen McCue a former aid worker and United Nations consultant to the Middle East and Secretary of WREN said that "the Australian Government and the Australian people along with the international community, will be called upon yet again to fund rebuilding of Palestinian infrastructure destroyed by Israelis. There is a type of obscenity when the Australian people, through our taxes, pay to repair again and again this disgusting and ongoing systematic destruction of Australian aid projects at the hands of the Israeli military. A military that not only commits war crimes but loots and steals and destroys projects that Australians in good faith have supported".

As you can see Mr Broadbent, foreign aid requires moral courage to protect Australian taxpayers money and strong commitment to International Law and balanced foreign policy.

#### Asem Judeh Principal Petitioner Attached Dr Helen McCue Media Releases of 4 and 29 April 2002

#### 8 April 2002

#### WAR CRIMES IN PALESTINE MUST STOP

"Sharon's brutal killing of Palestinians, his war crimes in the Occupied Territories of the West Bank and Gaza must be stopped immediately," former United Nations consultant to the World Health Organisation in the Middle East, Dr Helen McCue said this morning. "Reports are emerging of a massacre by the Israeli army using tanks and Apache helicopters on the refugee's camps in Jenin and in Nablus. A serious war crime is being committed and we are remaining silent in the face of this madness," Dr McCue said. Dr McCue was a witness to the Sabra - Shatila massacre committed by Ariel Sharon in the Palestinian camps in Beirut in 1982. The Israeli investigation of that massacre, the Khan Commission, held that the then Defence Minister Ariel Sharon was responsible for the massacre of 2,000 innocent Palestinian and Lebanese women and children and he was sacked from the Government of the time. Mr Sharon is presently being tried in the courts in Belgium for that war crime.

In Palestine today there is more of the same. Dr McCue said."There are reports of many dead and wounded and as in other areas under assault in hte Occupied Territories of the West Bank and Gaza, ambulances and health workers are being denied access to the wounded. Oxygen has been cut off from hospitals along with water and electricity so that no emergency work can be carried out. People are bleeding to death in front of health workers who are shot at as they try to reach the wounded. Throughout the Palestinian Territories, now under total siege for nine days, innocent civilians are being shot indiscriminately when they venture from their homes and access to health care all persons is being denied. Water is in short supply with water pipes being deliberately severed and dead persons are being left in peoples' homes for days on end. The risk of a serious outbreak of communicable disease is also high," Dr McCue said.

"The International Committee of the Red Cross has reportedly stopped sending its personnel to the area due to the threat to the lives of its emergency aid workers and journalists are being denied access to these areas. There has been wonton destruction of the religious places, educational facilities, local government and trade union offices. This is a full-scale assault not only on the lives of the Palestinian people but on their entire religious, civic, economic, social and educational infrastructure. Israel is blatantly breaking international humanitarian laws, is violating the Geneva Fourth convention with regard to civilians and medial workers and is carrying out a massive assault on the Palestinian people and is committing serious war crimes," Dr McCue said.

WREN calls on the Australian Government to condemn Israel for these brutal actions; to publicly call for the implementation of United Nations Security Council resolutions with regard to an immediate cease-fire and withdrawal of all Israelis forces from the occupied Palestinian Territories; and to call on the United Nations to immediately send an international peace keeping force to the region.

"Ariel Sharon is once again being permitted by the virtual silence of the international community to

commit war crimes against the Palestinian people. The implications from this present situation are serious indeed, not only for the Palestinian people and the Middle Eastern region, but for the entire international community," Dr McCue said.

### Contact: Dr Helen McCue 02 4862 2325 mobile 0429 622 325

Dr Helen McCue Visiting Honorary Associate University of NSW. Sydney

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#### 29 April 2002

#### ISRAELI'S LOOT AND DESTROY AUSTRALIAN AID OFFICE

The head of an Australian funded aid project in the West Bank city of Ramallah Mr Sami Khader has reported that in the early hours of Saturday morning April 20th just hours before a withdrawal of the Israeli military forces to the outskirts of the city, Israeli soldiers blew open the doors of the Maan Development Centre and systematically destroyed the office.

"They destroyed the training rooms, the offices, computers and filing materials and the telephone system. They shot opened cupboards, shot the computers, tore off the tops of desks and looted valuable training materials. Racist and abusive graffiti was spread over the valuable Palestinian cultural pictures and artefacts", Mr Khader said.

The Maan Development Centre is located in the Commerce Building which had sustained a serious fire in the early days of the invasion and siege of the city, but this time the Israeli army returned and systematically destroyed the Centre largely funded by Australian aid monies. Maan Centre was one of nine organisations located in the downtown building all of which were subject to this brutal looting and systematic and calculated destruction.

Another of the offices in the same building is the Palestinian Labor Union office which has also been destroyed.

This is the third time that the Maan Center has been seriously damaged by Israeli aggression. In November 2002 Maan Permaculture office, located in Marda a small rural village in the West Bank, was totally destroyed. The project was assisting impoverished and marginalised farmers and women. In an earlier incident Israeli soldiers looted Maan office again targeting valuable training materials used to assist with various development projects.

Mr. Khader said that these were deliberate, vicious and targeted attacks on Palestinian non-government agencies who are committed to developing the health, welfare, social and economic infrastructure of Palestinian society.

Dr Helen McCue a former aid worker and United Nations consultant to the Middle East and Secretary of WREN said that "the Australian Government and the Australian people along with the international community, will be called upon yet again to fund rebuilding of Palestinian infrastructure destroyed by Israelis. There is a type of obscenity when the Australian people, through our taxes, pay to repair again and again this disgusting and ongoing systematic destruction of Australian aid projects at the hands of the Israeli military. A military that not only commits war crimes but loots and steals and destroys projects that Australians in good faith have supported".

Dr McCue said that "there is an urgent need for international peace keepers to protect the Palestinian people and to protect their civic and developmental institutions. The Israelis must withdraw from the territories

that they have occupied illegally for over 35 years and it is time that Israel started to

obey international law and to behave like a civilised and law abiding member of the international community" Dr McCue said.

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