
The Parliament of the Commonwealth of Australia

Review of the re-listing of Ansar al-Islam, Islamic Movement of Uzbekistan, Jaish-e-Mohammad and Lashkar-e-Jhangvi

Parliamentary Joint Committee on Intelligence and Security

May 2012
Canberra

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Membership of the Committee

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Mr John Forrest MP

Mr Daryl Melham MP

(until 14 March 2012)

The Hon Kevin Rudd MP

(from 14 March 2012)

Mr Andrew Wilkie MP

Senator Mark Bishop

Senator the Hon George Brandis SC

Senator the Hon John Faulkner

Senator the Hon David Johnston

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Terms of reference

This inquiry and report is conducted under the following powers:

Criminal Code Act 1995

Section 102.1A Reviews by Parliamentary Joint Committee on Intelligence and Security

Review of listing regulation

- (1) If a regulation made after the commencement of this section specifies an organisation for the purposes of paragraph (b) of the definition of terrorist organisation in section 102.1, the Parliamentary Joint Committee on Intelligence and Security may:
 - (a) review the regulation as soon as possible after the making of the regulation; and
 - (b) report the Committee's comments and recommendations to each House of the Parliament before the end of the applicable disallowance period.

And

Ansar al-Islam (formerly known as Ansar al-Sunna)

Criminal Code Amendment Regulations 2012 (No 1)

Registered: 9 March 2012 (FRLI: F2012L00553)

Islamic Movement of Uzbekistan

Criminal Code Amendment Regulations 2012 (No 2)

Registered: 9 March 2012 (FRLI: F2012L00554)

Jaish-e-Mohammed (JeM)

Criminal Code Amendment Regulations 2012 (No 3)

Registered: 9 March 2012 (FRLI: F2012L00555)

Lashkar-e Jhangvi (LeJ)

Criminal Code Amendment Regulations 2012 (No 4)

Registered: 9 March 2012 (FRLI: F2012L00556)

Introduction

- 1.1 This review is conducted under section 102.1A of the *Criminal Code Act 1995* (the Criminal Code). Section 102.1A provides that the Parliamentary Joint Committee on Intelligence and Security (the Committee) may review a regulation specifying an organisation as a terrorist organisation for the purpose of paragraph (b) of the definition of terrorist organisation in section 102.1 of the Criminal Code and report the Committee's comments to each House of the Parliament before the end of the applicable disallowance period.
- 1.2 The regulations under review have specified the following organisations as terrorist organisations for the purposes of section 102.1 of the Criminal Code:
 - Ansar al-Islam (formerly Ansar al-Sunna)
 - Islamic Movement of Uzbekistan
 - Jaish-e-Mohammad (JeM)
 - Lashkar-e Jhangvi (LeJ)
- 1.3 This is a review of the re-listing of these four organisations.
- 1.4 In a letter to the Committee dated 22 February 2012, the Attorney-General advised that she intended to re-list these four organisations prior to the lapsing of their current listing as provided for in section 102.1(3). The Attorney provided statements of reasons for the re-listings. These were accepted as submission number one to this review.
- 1.5 The regulations were signed by the Governor-General on 8 March 2012. They were then tabled in the House of Representatives and the Senate on 13 March 2012. The disallowance period of 15 sitting days

for the Committee's review of the listing began from the date of the tabling. Therefore the Committee was required to report to the Parliament by Tuesday, 29 May 2012.

- 1.6 Notice of the review was placed on the Committee's website and a media release was issued on 15 March 2012. No submissions were received from the general public.
- 1.7 In its first report, *Review of the listing on the Palestinian Islamic Jihad (PIJ)*, the Committee decided that it would test the validity of the listing of a terrorist organisation under the Criminal Code on both the procedures and the merits.
- 1.8 The Committee continues to regard this as a useful approach in the discharge of its responsibilities.
- 1.9 When the re-listing of these four organisations was previously reviewed by the Committee in June 2009, the re-listing of a fifth organisation, Asbat al-Ansar (AAA) was also reviewed. In the letter dated 22 February 2012, the Attorney-General advised the Committee Chair that she had decided not to re-list Asbat al-Ansar as a terrorist organisation under section 102.1 of the Criminal Code, because she was satisfied on reasonable grounds that there was insufficient contemporaneous information from classified and open sources to demonstrate that AAA satisfied the legislative criteria for proscription under the Criminal Code.
- 1.10 In December 2011, the Chair of the Committee received correspondence from the Attorney-General advising of the de-listing of the Islamic Army of Aden (IAA). This organisation was first listed in April 2003 and last re-listed in March 2009. The regulation listing the IAA as a terrorist organisation would have ceased to have effect on 14 March 2012.

The Government's procedures

- 1.11 In a letter received by the Committee on 19 March 2012 the Attorney-General's Department advised the Committee that the procedures listed below – accepted as submission number two for this review – were followed for the purpose of listing Ansar al-Islam, the Islamic Movement of Uzbekistan, Jaish-e-Mohammad (JeM) and Lashkar-e Jhangvi (LeJ):

The Security Law Branch of the Attorney-General's Department facilitates the process by which the Attorney-General makes a decision to list, re-list or de-list a terrorist organisation under the Criminal Code. This includes obtaining products from ASIO that assess organisations and seeking the advice of the Chief General Counsel of the Australian Government Solicitor in relation to the assessments. These are included in a package of information that is submitted to the Attorney-General to assist her to make a decision as to whether or not a particular organisation will be listed under the Criminal Code.

The following processes were undertaken for the purpose of listing Ansar al-Islam (AAI), Islamic Movement of Uzbekistan (IMU), Jaish-e-Mohammad (JeM) and Lashkar-e Jhangvi (LeJ):

- Unclassified Statements of Reasons were prepared by ASIO, and endorsed by DFAT, detailing the case for re-listing AAI, IMU, JeM and LeJ.
- On 24 November 2011, Mr Robert Orr QC, Chief General Counsel, provided written advice with respect to the Statements of Reasons for AAI, IMU, JeM and LeJ.
- The Acting Director-General of Security wrote to the Attorney-General on 22 December 2011, outlining the background, training activities, terrorist activities, and relevant statements of AAI, IMU, JeM and LeJ.
- A submission was provided to the Attorney-General on 21 December 2011, providing the following documents:
 - ⇒ copies of the Statements of Reasons received from ASIO with respect to the organisations; and
 - advice from the Chief General Counsel.

Having considered the information provided in the submission, the Attorney-General signed statements on 17 January 2012 with respect to AAI, IMU, JeM and LeJ confirming that she is satisfied on reasonable grounds that the organisations are organisations directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act, or advocate the doing of a terrorist act, whether or not the act has occurred or will occur.

- On 17 January 2012, the Attorney-General wrote to the Prime Minister advising of her intention to re-list AAI, IMU, JeM and LeJ as terrorist organisations.

- On 17 January 2012, the Attorney-General wrote to the Director-General of Security, in response to the Acting Director-General's letter dated 22 December 2011.

- On 4 February 2012, the Prime Minister wrote to the Premiers of the States and Chief Ministers of the Territories advising them of the Attorney-General's decision to re-list AAI, IMU, JeM and LeJ as terrorist organisations and requesting their comments on the proposed re-listing. The States and Territories were also advised of the proposed re-listings by e-mail dated 4 February 2012.
- The following responses were received from the Premiers and Chief Ministers of the States and Territories:
 - ⇒ New South Wales - response dated 22 February 2012
 - ⇒ Victoria - response dated 22 February 2012
 - ⇒ Western Australia - response dated 15 February 2012
 - ⇒ South Australia - response dated 20 February 2012
 - ⇒ Tasmania - response dated 22 February 2012
 - ⇒ Australian Capital Territory - response dated 22 February 2012
 - ⇒ Northern Territory - response dated 16 February 2012

All responses were supportive of the proposed re-listings.

Note: A response from Queensland has not been received due to the existence of the caretaker government pending the election on 24 March 2012.

- A submission was provided to the Attorney-General on 14 February 2012, providing regulations and Federal Executive Council documentation with respect to the re-listing of AAI, IMU, JeM and LeJ.
- The Attorney-General signed *Criminal Code Amendment Regulations 2012* in relation to the organisations, and approved associated Federal Executive Council documentation including an explanatory memorandum, executive council minute and explanatory statements, for the Federal Executive Council meeting that occurred on 8 March 2012.
- On 22 February 2012, the Attorney-General advised the Leader of the Opposition of the proposed re-listing of AAI, IMU, JeM and LeJ as terrorist organisations by letter, and offered a briefing in relation to the re-listings.

- On 22 February 2012, the Attorney-General wrote to the Chair of the Parliamentary Joint Committee on Intelligence and Security advising of her decision to re-list AAI, IMU, JeM and LeJ as terrorist organisations.

On 8 March 2012 the Governor-General made the following:

- *Criminal Code Amendment Regulations 2012 (No. 1)* – re-listing Ansar al-Islam
- *Criminal Code Amendment Regulations 2012 (No. 2)* – re-listing Islamic Movement of Uzbekistan
- *Criminal Code Amendment Regulations 2012 (No. 3)* – re-listing Jaish-e-Mohammad, and
- *Criminal Code Amendment Regulations 2012 (No. 4)* – re-listing Lashkar-e Jhangvi.

The Regulations were registered with the Federal Register of Legislative Instruments (FRLI) on 9 March 2012 with the following FRLI Reference Numbers:

- F2012L00553 – Criminal Code Amendment Regulation 2012 (No. 1)
- F2012L00554 – Criminal Code Amendment Regulation 2012 (No. 2)
- F2012L00555 – Criminal Code Amendment Regulation 2012 (No. 3)
- F2012L00556 – Criminal Code Amendment Regulation 2012 (No. 4)

The re-listing Regulations came into effect on 10 March 2012, the day after they were registered on FRLI.

- The Attorney-General issued a Media Release on 9 March 2012 announcing the re-listing of the terrorist organisations and attaching copies of the Statements of Reasons.
- The Australian Government’s National Security website was also updated.

Procedural comments

- 1.12 The Committee is satisfied with the procedures undertaken by the Government and notes the responses of the States and Territories.

The Listings

The Criteria for listing an organisation

2.1 To be specified as a terrorist organisation for the purpose of paragraph (b) of the definition of terrorist organisation in section 102.1 of the Criminal Code, the Minister:

... must be satisfied on reasonable grounds that the organisation is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not the terrorist act has occurred or will occur).¹

2.2 At the 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/mediation processes.²

¹ Subsection 102.1(2) of Division 102, Subdivision A of the Criminal Code.

² Parliamentary Joint Committee on ASIO, ASIS and DSD, *Review of the listing of six terrorist organisations*, Parliamentary Paper No.: 67/2005; Tabled 7 March 2005, p. 15.

- 2.3 The Committee continues to use these criteria as the basis of its reviews of all listings.

Overview

- 2.4 The Committee's view is that, given their records and stated purposes, all the organisations reviewed in this report fit the definition of a terrorist organisation under the Act and for the purposes of the proscription power.
- 2.5 As in previous Committee reports into listings and re-listings of terrorist organisations, this report identifies issues relating to the current nature and reach of each of the organisations, with particular emphasis on developments since the Committee last reviewed the listing of these organisations. As previously stated by the Committee in its report, *Review of the re-listing of Al-Qa'ida and Jemaah Islamiyah* (October 2006):

The Committee believes that it is important that the Parliament seek to establish as accurate a picture as possible of the nature, size, reach, and effectiveness of organisations that are subject to section 102.1 of the Criminal Code and that these reviews should reflect the most current information available about the organisations under review.³

The Organisations

- 2.6 The four organisations under review were initially listed as terrorist organisations in 2003 under legislative arrangements which required that to be proscribed organisations had to be on the United Nations list of terrorist organisations. The organisations came up for review under new legislative arrangements passed by Parliament in 2004. The Committee, therefore, reviewed the first re-listing of these organisations in August 2005. Following this, the Committee again reviewed these re-listings in June 2007 and in June 2009. This is the fourth review of the re-listing of these four terrorist organisations.

3 Parliamentary Joint Committee on Intelligence and Security, *Review of the re-listing of Al-Qa'ida and Jemaah Islamiyah as terrorist organisations under the Criminal Code Act 1995*, Parliamentary Paper no.: 251/06; Date tabled: 16 October 2006, p. 10.

Ansar al-Islam

- 2.7 The Attorney-General's Statement of Reasons for re-listing Ansar al-Islam is at Appendix B.

Engagement in Terrorism

- 2.8 Ansar al-Islam (AAI) (formerly Ansar al-Sunna) plans and conducts attacks against foreign forces, Shia, Kurdish and Iraqi government interests. AAI's attacks most commonly target US and Iraqi security forces in Iraq using Improvised Explosive Devices (IEDs) and Indirect Fire (IDF) attacks.⁴
- 2.9 The Statement of Reasons lists over fifty attacks for which AAI has indicated responsibility, by posting a video or media statement, in the period since the last review. Their methods have included assassinations, the use of small arms, thermal grenades, and IED and mortar attacks against Iraqi police and military personnel and against US military patrols, bases and vehicles.⁵
- 2.10 The Statement of Reasons lists the following attacks carried out by the AAI in the last year:
- In July 2011 AAI claimed responsibility for a car bombing that killed two Iraqi government officials in Baghdad in June;
 - In May 2011 AAI's media unit released a video showcasing a number of the group's recent attacks against Iraqi security forces, referring to them as "agents of the United States in its 'proxy war' on Iraq";
 - In April 2011 AAI claimed responsibility for the March 2011 assassination of an Iraqi Army officer in a car bomb attack in Baghdad; and
 - In March 2011 AAI released a video of two fighters recounting events from a clash with American soldiers in Kirkuk province.⁶
- 2.11 Although outside the period currently being reviewed, it was AAI which claimed responsibility for the suicide attack that claimed the life of Australian ABC cameraman Paul Moran in Iraq in 2003. One of the

4 Statement of Reasons, *Submission 1*, see Appendix B.

5 Statement of Reasons, *Submission 1*, see Appendix B.

6 Statement of Reasons, *Submission 1*, see Appendix B.

group's founders and former leader, Najmuddin Faraj Ahmad, "boasted about the suicide squad he established which killed Moran." ⁷

- 2.12 Jane's Terrorism and Insurgency Centre (Jane's) notes that on 15 February 2012, Najmuddin Faraj Ahmad, alias Mullah Krekar, appeared before a court in the Norwegian capital Oslo and was charged with making death threats against a former government minister and with criminal incitement over remarks he allegedly made to a U.S. television network in 2009, when he purportedly called for attacks on U.S. soldiers in Iraq.⁸
- 2.13 The Statement of Reasons notes that AAI has released a number of statements that advocate violent jihad and encourage Muslims to participate. It lists sixteen such statements made during the period under review.
- 2.14 Both the Statement of Reasons and Jane's state that Ansar al-Islam continues to engage in terrorist attacks of a high lethality and frequency. The Committee is of the opinion that this organisation meets the definition for the purpose of re-listing.

Ideology and links to other terrorist groups/networks

Ideology

- 2.15 AAI's initial objective was to counter the influence of the secular political parties active in Iraqi Kurdistan, and to establish a local Islamic administration consistent with their hardline Salafist interpretation of Islam. However, following the US-led 2003 coalition invasion of Iraq, AAI's positions were overrun, and the group's cadres scattered. The group re-emerged later that year under the name Ansar al-Sunna, with the new objective of expelling foreign forces and countering the growing influence of Iraq's Shia and Kurdish communities.⁹
- 2.16 In November 2007, having established itself as one of the foremost Sunni insurgent groups in the country, the group reverted to using the original Ansar al-Islam name. Despite its renewed capabilities, AAI is not in a position to achieve its objective of overthrowing the national government, and it is unable to establish secure base areas even in its principal areas of operation. Nevertheless, AAI is a sophisticated insurgent outfit, and it

7 S. Neighbour, 'Terror kingpin escapes retribution', *The Australian*, 5 December 2009.

8 Jane's Terrorism and Insurgency Centre, *Ansar al-Islam*, 13 March 2012, <www.jwit.janes.com> viewed on 13 March 2012.

9 Jane's Terrorism and Insurgency Centre, *Ansar al-Islam*, 13 March 2012, <www.jwit.janes.com> viewed on 13 March 2012.

poses a significant threat to government and security force personnel, particularly in the north of Iraq.¹⁰

- 2.17 With the withdrawal of US forces from Iraq completed in late December 2011, Jane's notes that AAI issued a statement on 1 January 2012 claiming that the Iraqi government "was a puppet regime of the Iranian government". The statement further claimed that while the US still plays a significant role as the "far enemy", the group would "continue to fight the Iraqi government until the implementation of sharia."¹¹

Links to other terrorist groups/networks

- 2.18 AAI has no formal alliances with other Salafist groups in Iraq, and has managed to retain a great deal of independence. AAI is, however, aligned ideologically with al-Qa'ida.¹²
- 2.19 Al Shafi'I, one of the founders of AAI, trained at an al-Qa'ida training camp in Afghanistan and was said to have close ties to Usama bin Laden and Al-Qaeda. When captured by Iraqi and US forces on 3 May 2010, al Shafi'I admitted to carrying out joint operations with al-Qa'ida in Iraq (AQI).¹³
- 2.20 According to the Statement of Reasons, counter-terrorism operations against AAI and AQI may eventually force the groups to cooperate on a more regular basis in preparing for and conducting attacks to maintain their respective capabilities.¹⁴

Links to Australia

- 2.21 There is no information on any direct funding or support links with Australia in the Statement of Reasons.

Threat to Australian interests

- 2.22 The Statement of Reasons states that in the course of pursuing its objectives in Iraq, AAI is known to have committed or threatened action

10 Jane's Terrorism and Insurgency Centre, *Ansar al-Islam*, 13 March 2012, <www.jwit.janes.com> viewed on 13 March 2012.

11 Jane's Terrorism and Insurgency Centre, *Ansar al-Islam*, 13 March 2012, <www.jwit.janes.com> viewed on 13 March 2012.

12 Jane's Terrorism and Insurgency Centre, *Ansar al-Islam*, 13 March 2012, <www.jwit.janes.com> viewed on 13 March 2012.

13 Statement of Reasons, *Submission 1*, see Appendix B.

14 Statement of Reasons, *Submission 1*, see Appendix B.

with the intention of creating a serious risk to the safety of sections of the public globally.¹⁵

Proscription by the UN or like-minded countries

- 2.23 Ansar al-Islam is listed on the United Nations 1267 Committee's consolidated list. AAI is also listed as a proscribed terrorist organisation by the governments of the United States, the United Kingdom, New Zealand and Canada.

Engagement in Peace and Mediation processes

- 2.24 There is no information in the Statement of Reasons stating that Ansar al-Islam has engaged in any peace or mediation processes and the Committee has no information to indicate this organisation is engaged in peace or mediation processes.

Recommendation 1

The Committee recommends that the regulation, made under the Criminal Code section 102.1, to list Ansar al-Islam as a terrorist organisation not be disallowed.

15 Statement of Reasons, *Submission 1*, Appendix B.

Islamic Movement of Uzbekistan

- 2.25 The Attorney-General's Statement of Reasons for re-listing the Islamic Movement of Uzbekistan (IMU) is at Appendix C.

Engagement in terrorism

- 2.26 The IMU is a militant Islamist group based and operating in Central and South Asia. In 1999 and 2000 the IMU launched incursions into Uzbekistan and southern Kyrgyzstan from the Tavildara area of Tajikistan, carrying out a series of high-profile attacks that gained the group international notoriety.¹⁶
- 2.27 The group subsequently relocated to northern Afghanistan, where it established relations with the Taliban and al-Qa'ida, and allegedly became extensively involved in narcotics trafficking. One of its founders, Namangani, was killed during the US-led invasion of Afghanistan in 2001, and the remnants of the IMU fled across the border to the Federally Administered Tribal Areas (FATA) of Pakistan. Although its capabilities were severely degraded, the following years saw the IMU regroup in the South Waziristan area of the FATA, where it established close links to a number of Pakistani Taliban groups and reportedly participated in cross-border attacks on the International Security Assistance Force (ISAF) in Afghanistan.¹⁷
- 2.28 During the latter part of 2009, the IMU claimed that its fighters had been engaged in four months of severe fighting in four northern provinces of Afghanistan and in northwest Pakistan, and that the ranks of the IMU were being filled on a daily basis by new volunteers.¹⁸
- 2.29 Notwithstanding increasing pressure from ISAF and Pakistani security forces, reports throughout 2010 indicated that the IMU had re-established an operational presence in northern Afghanistan, and the group also claimed responsibility for a series of attacks in Tajikistan.¹⁹

16 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, <www.jwit.janes.com> viewed on 21 March 2012.

17 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, <www.jwit.janes.com> viewed on 21 March 2012.

18 Statement of Reasons, *Submission 1*, Appendix C.

19 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, <www.jwit.janes.com> viewed on 21 March 2012.

- 2.30 The Statement of Reasons lists eight terrorist attacks for which the IMU has claimed responsibility, or which have been reliably attributed to the IMU, during the period under review, the most recent being:
- 19 September 2010 when the IMU claimed responsibility for an ambush of Tajik troops in the Rasht Valley, east of Dushanbe, Tajikistan, killing 25 soldiers and wounding 20 others; and
 - 3 September 2010 when the Tajik government blamed the IMU for a suicide car bombing outside the office of the anti-organised crime police unit in Khujand, Tajikistan, killing two police officers and wounding 25 others.²⁰
- 2.31 In March 2011, the IMU released a video recording “apparently showing a series of attacks on Coalition forces in July-August 2010 in the Chahar Dara District of Afghanistan’s Kunduz Province.”²¹
- 2.32 On 15 October 2011, two security guards were killed and two others were wounded when a militant detonated a suicide vehicle borne improvised explosive device (SVBIED) targeting a US military and Provincial Reconstruction Team (PRT) base in the Rukha area of Afghanistan’s Panjshir province. The attack was claimed by both the IMU and the Taliban, and represented the IMU’s first alleged involvement in a suicide attack in Afghanistan, as well as the first suicide attack in the province since the start of the conflict in Afghanistan.²²

Ideology and links to other terrorist groups/networks

Ideology

- 2.33 IMU was founded in Tajikistan in 1997 by two Uzbek nationals – Juma Namangani and Tahir Yuldashev – with the primary objective of overthrowing the government of President Islam Karimov in Uzbekistan and installing an Islamic state under sharia (Islamic law).²³
- 2.34 In 2001, the IMU expanded its territorial focus to encompass an area stretching from the Caucasus to China’s western province of Xinjiang, under the new banners of the Islamic Party of Turkestan and the Islamic

20 Statement of Reasons, *Submission 1*, see Appendix C.

21 Statement of Reasons, *Submission 1*, see Appendix C.

22 Jane’s Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, <www.jwit.janes.com> viewed on 21 March 2012.

23 Jane’s Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, <www.jwit.janes.com> viewed on 21 March 2012.

Movement of Turkestan. Despite the name changes, the group's name continues to be reported as the IMU.²⁴

- 2.35 A video-taped statement by Yuldashev in 2004, praising the actions of militant Islamists against the US occupation in Iraq, underlined the IMU's embrace of a more global jihadist ideology with specifically anti-US elements. Nevertheless:

despite cross-pollination with the broader jihadist movement through contacts in Afghanistan, the IMU retains a strong regional focus thanks to its roots as a movement committed to what it considers to be a religiously justified violent struggle against what it views as the apostate regime of Uzbek President Karimov.²⁵

Links to other terrorist groups/networks

- 2.36 As mentioned above, when the group relocated to northern Afghanistan, it established relations with the Taliban and al-Qa'ida, and allegedly became extensively involved in narcotics trafficking.
- 2.37 The Statement of Reasons notes that the IMU members fight alongside the Taliban and al-Qa'ida against Coalition forces in Afghanistan and Pakistani forces in Pakistan and senior IMU leaders have held positions in the al-Qa'ida hierarchy.²⁶
- 2.38 However, it has been suggested that the relationship between the IMU and the Taliban is not particularly strong. A senior US military intelligence source told Jane's in 2010:

'That relationship [between the Taliban and the IMU] has been waning for a while [and] it wasn't that close to begin with.' The source attributed this trend to the differing objectives of the two groups, with the Taliban focused only on Afghanistan and the IMU more regionally-focused. Nonetheless, the IMU's expansion into northern Afghanistan in 2010 and 2011 - and its control from there of narcotics trafficking routes into Central Asia - could not have been achieved without at least the tacit support of local Taliban forces, potentially undermining reports of a deteriorating relationship.²⁷

24 Statement of Reasons, *Submission 1*, see Appendix C.

25 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, <www.jwit.janes.com> viewed on 21 March 2012.

26 Statement of Reasons, *Submission 1*, see Appendix C.

27 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, <www.jwit.janes.com> viewed on 21 March 2012.

Links to Australia

- 2.39 There is no information on any direct funding or support links with Australia in the Statement of Reasons.

Threats to Australian Interests

- 2.40 The Statement of Reasons contains no information on this matter. Australian citizens, including ADF personnel and Australian interests may be threatened as a result of IMU's support for the insurgencies in Afghanistan and Pakistan.

Proscription by the UN or like-minded countries

- 2.41 The IMU is listed on the United Nations 1267 Committee's consolidated list. The IMU is also listed as a proscribed terrorist organisation by the governments of the United Kingdom, the United States and Canada.

Engagement in Peace and Mediation processes

- 2.42 The Statement of Reasons contains no information on this and the Committee has no information to indicate this organisation is engaged in peace or mediation processes.

Recommendation 2

The Committee recommends that the regulation, made under the Criminal Code section 102.1, to list Islamic Movement of Uzbekistan (IMU) as a terrorist organisation not be disallowed.

Jaish-e-Mohammad

- 2.43 The Attorney-General's Statement of Reasons for re-listing Jaish-e-Mohammad (JeM) is at Appendix D.

Engagement in terrorism

- 2.44 The Statement of Reasons indicates that the JeM is based in Pakistan and operates primarily in Indian Administered Kashmir (IAK). JeM operatives have been involved in attacks against civilian and military targets in Afghanistan, India and Pakistan. JeM attacks have included suicide bombings in 2001 and 2003 with most attacks since that time involving grenades and firearms.
- 2.45 JeM continues to concentrate its efforts against Indian security forces (military and police), government installations and civilians in the disputed territory of IAK. In addition, JeM has broadened its operational focus to join the Afghan Taliban in attacks against government and Coalition forces in Afghanistan.²⁸
- 2.46 The Statement of Reasons notes that Pakistan-based militants, including members of JeM, continue to cross the Line of Control into IAK for the purpose of engaging in acts of terrorism and are often involved in clashes with security forces. Five incidents are listed which can reliably be attributed to JeM since the last re-listing of the group, including:
- February 2010: A Pakistani militant captured in Dhaka, Bangladesh, admitted to working as a JeM coordinator in that country and as a recruiter for operations in India. Four other JeM militants were also apprehended;
 - December 2009: Security authorities arrested six people for their links to JeM and for planning a terrorist attack in Sargodha, Pakistan;
 - October 2009: Suspected JeM militants attacked a police facility in Srinagar, IAK, killing one policeman and injuring two others; and
 - June 2009: Police in Lahore, Pakistan, claimed to have arrested seven terrorists linked to JeM and the Pakistani Taliban and recovered explosives and weapons.²⁹

²⁸ Statement of Reasons, *Submission 1*, see Appendix D.

²⁹ Statement of Reasons, *Submission 1*, see Appendix D.

Ideology and links to other terrorist groups/networks

Ideology

- 2.47 Established in 2000, JeM was founded by the radical Islamic scholar and jihadist leader, Maulana Masood Azhar.
- 2.48 JeM's aim is to unite the IAK with Pakistan under a radical interpretation of Islamic law, and it has openly declared war against the United States and other nations for perceived violations of Muslim rights. It is politically aligned with the radical political party Jamiat Ulema-i-Islam's Fazlur Rehman faction (JUI-F). Pakistan outlawed JeM in 2002. By 2003, JeM had splintered into Khuddam ul-Islam (KUI), headed by Azhar, and Jamaat ul-Furqan (JUF). Pakistan banned KUA and JUF in November 2003.³⁰
- 2.49 The Statement of Reasons indicates that, despite splintering into factions, JeM is still regarded as a single entity in most reporting.³¹

Links to other terrorist groups/networks

- 2.50 The statement of reasons notes that extremists in Pakistan often mix across multiple networks and groups, especially at the lower levels, and there is probably an overlap in personnel linked to JeM and other extremist groups including Lashkar-e-Tayyiba (LeT), Lashkar-e-Jhangvi (LeJ) and Harakat ul-Mujahideen (HuM).³²
- 2.51 JeM conducts joint operations in Afghanistan and Pakistan with groups such as Hizb-ul-Mujahideen (HM), Harakat-ul-Jihad-i-Islami (HuJI), LeJ and Sipah-e-Sahaba Pakistan (SSP). In addition, JeM remains closely associated with al-Qa'ida and the Afghan Taliban.³³
- 2.52 The statement of reasons also reports that many JeM operatives have benefited from HuM training programmes, which reportedly were devised by Pakistan's ISI. JeM reportedly trains its members in Bangladesh, Nepal and the Middle East. Many JeM operatives are believed to be veterans of the wars in Afghanistan.³⁴

30 US Department of State, Country Reports on Terrorism 2005, *Chapter 8; Foreign Terrorist Organizations*, April 30, 2006, <<http://www.investigativeproject.org/profile/134>> viewed on 21 March 2012.

31 Statement of Reasons, *Submission 1*, see Appendix D.

32 Statement of Reasons, *Submission 1*, see Appendix D.

33 Statement of Reasons, *Submission 1*, see Appendix D.

34 Statement of Reasons, *Submission 1*, see Appendix D.

Links to Australia

- 2.53 The statement of reasons mentions no direct JeM link to Australia.

Threats to Australian interests

- 2.54 The statement of reasons contains no information on this matter. Australian citizens, including ADF personnel and Australian interests may be threatened as a result of JeM's support for the insurgency in Afghanistan and Pakistan.

Proscription by the UN or like-minded countries

- 2.55 The JeM is listed on the United Nations 1267 Committee's consolidated list. The JeM is also listed as a proscribed terrorist organisation by the governments of the United States, the United Kingdom, Canada, New Zealand, India and Pakistan.

Engagement in peace/mediation processes

- 2.56 The statement of reasons contains no information on this matter and the Committee has no information to indicate this organisation is engaged in peace or mediation processes.

Recommendation 3

The Committee recommends that the regulation, made under the Criminal Code section 102.1, to list Jaish-e-Mohammad (JeM) as a terrorist organisation not be disallowed.

Lashkar-e-Jhangvi

- 2.57 The Attorney-General's Statement of Reasons for re-listing Lashkar-e-Jhangvi (LeJ) is at Appendix E.

Engagement in terrorism

- 2.58 Jane's Terrorism and Insurgency Centre states that LeJ activities have been curbed following the arrest of key leaders and the particular focus of the military and police authorities on the group, resulting in the arrest of hundreds of activists.³⁵
- 2.59 Jane's states that while the group remains a significant threat to Shia, Western, Pakistani Christian and Pakistani government targets, LeJ militants have increasingly begun to act under the umbrella of the Tehrik-e-Taliban Pakistan (TTP), raising questions as to the extent to which the LeJ can be considered to continue to exist as an independent, structured organisation. Such an alliance, according to Jane's, may also see a broadening of LeJ's traditional targeting of the Shia community, as was seemingly evidenced by the October 2010 arrest of seven LeJ militants who had allegedly planned to assassinate Prime Minister Yousuf Raza Gilani, as well as launch attacks on dams, bridges and military installations.³⁶
- 2.60 Nonetheless, Jane's expects that, even with the eradication of high-profile leaders, individual acts of terrorism will continue to be directed by the LeJ against Shia Muslims and Christians. The continuing threat posed by the group was underlined by a double suicide attack in Kohat district in April 2010 which left at least 44 civilians dead. The attack, which targeted refugees at a camp for internally displaced persons, was claimed by the Al-Alami faction of the LeJ who cited the presence of Shia Muslims in the camp as the motive for the attack. The group also claimed responsibility for the 1 September 2010 attack in Lahore in which 37 people were killed and 241 others injured, as well as the 7 December suicide attack in Quetta targeting the Chief Minister of Pakistan's Balochistan province, Nawab

35 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

36 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

Muhammad Aslam Khan Raisani, during which 10 people were wounded.³⁷

- 2.61 Following the killing of al-Qa'ida leader Osama bin Laden in May 2011, the LeJ vowed to conduct a series of retaliatory attacks. To this end, a spokesman for the LeJ, identifying himself as Ali Sher Haidri, released a statement in mid-May threatening to avenge Bin Laden's death by targeting not only government ministers and security force personnel but also Shia Muslims from the ethnic Hazara community in Pakistan.³⁸
- 2.62 The LeJ followed through with these threats with a series of significant attacks in and around Quetta between May and July 2011. On 6 May, eight civilians were killed and 15 others were wounded when suspected LeJ militants in two vehicles opened fire on them with small-arms and rocket-propelled grenades (RPGs) in the town of Hazara on the outskirts of Quetta. Then on 18 May, seven civilians were killed and six others were wounded in a small-arms attack in Quetta, while on 16 June suspected LeJ militants shot dead the Deputy Director General of the Pakistani Sports Board, Syed Abrar Hussain Shah, in the city. All the victims in these attacks were ethnic Hazaras. The apparent sectarian campaign by LeJ militants continued with three ethnic Hazaras, including two police officers, shot dead in Quetta on 10 July and a further 11 people killed in a small-arms attack by suspected LeJ militants targeting a bus transporting Hazara Shia Muslims in Hazara on 30 July.³⁹
- 2.63 LeJ operations targeting Shia Muslims from the Hazara community continued in late 2011, and 28 people were killed and six wounded in two separate attacks in the Quetta region on 20 September. In the first incident, 26 people were killed and six seriously wounded when between eight and ten gunmen intercepted a coach in the Ghuncha Dori area near Quetta, segregated the Hazaras, and then machine-gunned them. Meanwhile, in the Mastung area, three further Hazara civilians were killed when gunmen riding a motorcycle opened fire on their vehicle. The LeJ subsequently claimed responsibility for the attacks.⁴⁰

37 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

38 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

39 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

40 Jane's Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

- 2.64 The statement of reasons lists twelve acts of terrorism attributed to or suspected of being perpetrated by the LeJ, including some as listed above, since its last re-listing.

Ideology and links to other terrorist groups/networks

Ideology

- 2.65 The LeJ aims to establish an Islamist Sunni state in Pakistan based on Sharia law, by violent means if necessary. The group also seeks to have all Shias declared kafirs (non believers; literally, one who refuses to see the truth). Its wider objective is to assist in destruction of all other religions.⁴¹
- 2.66 The LeJ was founded by Mohammed Ajmal (aka Akram Lahori), Malik Ishaque and Riaz Basra, senior members of the Sipah-e-Sahaba Pakistan (SSP) who broke away following disillusionment that the SSP's leaders were not following the ideals established by its founder Maulana Haq Nawa Jhangvi, who was assassinated in 1990, almost certainly by Shia extremists.⁴²

Links to other terrorist groups/networks

- 2.67 As mentioned above, Jane's states that LeJ militants have increasingly begun to act under the umbrella of the Tehrik-e-Taliban Pakistan (TTP). Such an alliance, according to Jane's, may see a broadening of LeJ's traditional targeting of the Shia community.⁴³
- 2.68 The statement of reasons states that LeJ, as part of the Sunni militant community, has linkages with LeT, JuA/HuM, HuJI and JeM and also notes its strong links to TTP. Additionally, the statement of reasons notes its close relationship with the Afghan Taliban, stating it fought with them against the Northern Alliance and participated in Killings of Shias during the rule of the Taliban in Afghanistan.⁴⁴

41 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

42 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

43 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi*, <www.jwit.janes.com> viewed on 26 March 2012.

44 Statement of reasons, *Submission 1*, see Appendix E.

Links to Australia

2.69 The statement of reasons mentions no direct LeJ link to Australia.

Threats to Australian interests

2.70 Whilst the statement of reasons contains no information on this matter, it can be inferred that, through LeJ's support for the insurgency in Afghanistan and Pakistan, Australian citizens, including ADF personnel and Australian interests may be threatened.

Proscription by the UN or like-minded countries

2.71 The LeJ is listed in the UN 1267 Committee's consolidated list and as a proscribed terrorist organisation by the governments of the United Kingdom, the United States, Canada, New Zealand and Pakistan.

Engagement in peace/mediation processes

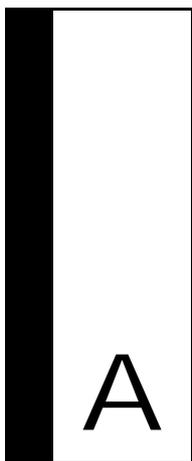
2.72 The statement of reasons contains no information on this matter. The Committee has no information to indicate this organisation is engaged in peace or mediation processes.

Recommendation 4

The Committee recommends the regulation, made under the Criminal Code section 102.1, to list Lashkar-e Jhangvi (LeJ) as a terrorist organisation not be disallowed.

Hon Anthony Byrne, MP

Chairman



Appendix A – List of Submissions

1. The Hon Nicola Roxon MP, Attorney-General
2. Attorney-General's Department



Appendix B – Statement of Reasons – Ansar al-Islam

(Also known as: **Ansar al-Islam Army, Ansar al-Sunna, Army of Ansar al-Islam, Devotees of Islam, Followers of Islam in Kurdistan, Jaish Ansar al-Islam, Jaish Ansar al-Sunna, Jund al-Islam, Kurdish Taliban, Kurdistan Supporters of Islam, Partisans of Islam, Protectors of Islam, Protectors of the Sunni Faith, Soldiers of Islam, Soldiers of God, Supporters of Islam in Kurdistan**)

The following information is based on publicly available details about Ansar al-Islam (AAI). To the Australian Government's knowledge, these details are accurate and reliable and have been corroborated by classified information.

Basis for listing a terrorist organisation

Division 102 of the *Criminal Code* provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied on reasonable grounds that the organisation:

- (a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not a terrorist act has occurred or will occur); or
- (b) advocates the doing of a terrorist act (whether or not a terrorist act has occurred or will occur).

Details of the organisation

AAI is a Sunni Islamist militant group that operates mainly in the Kurdish areas in the north-west region of Iraq. It originally emerged from several smaller Kurdish Sunni extremist groups active within the Kurdish areas of northern Iraq. AAI was first proscribed on 27 March 2003, and was last re-listed as a proscribed group on 17 March 2009.

AAI was formed in 2001 when Abdallah al Shafi'I, leader of the Jund al Islam (Soldiers of Islam) group, merged his force with Mullah Krekar's splinter faction of the Islamic Movement of Kurdistan. Mullah Krekar emerged as the spiritual leader of AAI while Abdallah al Shafi'I was appointed the military commander. Al Shafi'I was captured by Iraqi and United States (US) forces on 3 May 2010.

AAI is aligned ideologically with al-Qa'ida and aims to expel foreign forces from Iraq, minimise the influence of Iraq's Shia and Kurdish populations and establish an Islamic caliphate administered under Sharia Law. Al Shafi'I trained at an al-Qa'ida training camp in Afghanistan and was said to have close ties to Usama bin Laden and al-Qa'ida. When captured by Iraqi and US forces on 3 May 2010, al Shafi'I also admitted to carrying out joint operations with al-Qa'ida in Iraq (AQI). AAI does not have the capability to overthrow the Iraqi Government. However, it continues to pose a significant threat to security, particularly in the north of the country.

Counter-terrorism operations against AAI and AQI eventually may force the groups to cooperate on a more regular basis in preparing for and conducting attacks to maintain their respective capabilities.

It is unknown who will take, or has taken, the place of al Shafi'I as military leader of AAI following his capture. For his part, as at August 2011 Mullah Krekar remains in Norway after having been deported there by the Netherlands in 2003. Krekar is not in custody in Norway and under Norwegian law he cannot be deported to Iraq as he would face prosecution, with the possibility of receiving the death penalty. Despite his remote location, Krekar remains a spiritual leader for AAI.

AAI's area of operation and influence is predominately in the north-west of Iraq, including in Baghdad, and the provinces of al-Anbar, Salah ad-Din and Diyala.

AAI also maintains a presence in Mosul and Kirkuk and these cities are used as staging grounds for attacks against Kurdish interests in Arbil and Sulaymaniyah. Arrests and weapons seizures made throughout 2009 and 2010 against AAI have eroded its overall capability to conduct attacks in Iraq. Nevertheless, it is still capable of conducting attacks against foreign forces, Iraqi security forces and Kurdish targets.

AAI is predominately comprised of Iraqis, some of whom are former intelligence and security personnel. However, AAI’s ranks also include a number of Sunni Arab foreign fighters – predominately Yemenis and Saudis.

Locally, AAI receives funds from donations from local sheikhs and former Ba’athist officials and conducts criminal acts to raise funds. AAI also receives donations from the Iraqi diaspora around the world, particularly in Jordan, Turkey and Europe and from AAI associates in Syria. It also is possible that AAI receives monetary support from al-Qa’ida and al-Qa’ida in Iraq (AQI) given the links between its leadership and these groups. Some reporting also indicates that AAI receives support from Iran via the Islamic Revolutionary Guards Corps.

Terrorist activity of the organisation

AAI plans and conducts attacks against foreign forces, Shia, Kurdish and Iraqi government interests. AAI’s attacks most commonly target US and Iraqi security forces using Improvised Explosive Devices (IEDs) and Indirect Fire (IDF) attacks.

Directly or indirectly engaged in the doing of terrorist acts

Below is a list of attacks for which AAI has indicated responsibility by posting a video or media statement since AAI’s last re-listing in 2009. Except where noted, the dates of these attacks and the veracity of AAI’s claims are unknown. However, AAI is believed to be behind attacks that occur against US and Iraqi troops in the group’s area of operation:

- 12 July 2011: AAI claimed responsibility for a car bombing that killed two Iraqi government officials in Baghdad on 17 June 2011;

- 14 May 2011: AAI's media unit released a video showcasing a number of the group's recent attacks against Iraqi security forces, referring to them as "agents of the United States in its 'proxy war' on Iraq";
- 11 April 2011: AAI claimed responsibility for the 22 March 2011 assassination of an Iraqi Army officer in a car bomb attack in Baghdad;
- 28 March 2011: AAI released a video of two fighters recounting events from a clash with American soldiers in Kirkuk province;
- 8 December 2010: AAI released a video showing the group's fighters launching an ambush on Iraqi forces in Samarra;
- 30 November 2010: AAI released a video showing the group's fighters firing a mortar shell at a US military base in Samarra;
- 23 November 2010: AAI released a video showing an IED attack against a US vehicle;
- 10 November 2010: AAI released a video showing an IED attack against a US vehicle in Mosul;
- 20 October 2010: AAI released a video of an IED attack against an Iraqi Army vehicle in Mosul;
- 14 October 2010: AAI released a video of an IED attack against a US military patrol;
- 30 July 2010: AAI released a video of a mortar strike on al-Bakr Airbase;
- 26 July 2010: AAI released a video claiming damage to an Iraqi troop carrier in Mosul;
- 12 June 2010: AAI released a video of an IDF attack against a US base in Kirkuk;
- 3 June 2010: AAI released a video of an IED attack against an Iraqi military vehicle in Mosul. AAI claimed this attack killed Iraqi military personnel;
- 18 May 2010: AAI released a video of an IED attack against a US vehicle in Mosul;
- 9 May 2010: AAI released a video of an IED attack against an Iraqi police vehicle in Mosul;
- 28 April 2010: AAI released a video of an IED attack against a US military vehicle in Kirkuk;
- 4 April 2010: AAI released a video of an IDF attack against a US military base in Kirkuk;
- 18 March 2010: AAI released a video of an attack against an Iraqi troop transport vehicle in Mosul. AAI claimed this attack caused deaths and injuries of Iraqi soldiers;
- 12 March 2010: AAI released a video of a rocket attack against a US military vehicle in Diyala province;
- 3 March 2010: AAI released a video of an attack against a US military vehicle in Tikrit which AAI claims killed US soldiers;
- 14 February 2010: AAI released a video of an IDF attack against a US military base in Balad;
- 11 February 2010: AAI released a video showing a raid on Iraqi soldiers in Kirkuk. An unknown number of Iraqi soldiers were killed and injured in this attack;
- 5 February 2010: AAI released a video of an IED attack against a US military vehicle in Mosul;

- 25 January 2010: AAI released a video of an IDF attack against an Iraqi military facility in Samarra;
- 11 January 2010: AAI released a video of an IED attack on an Iraqi police vehicle in Anbar province;
- 3 September 2009: AAI released a video of an IDF attack against a US base in Baghdad;
- 28 August 2009: AAI released a video of a thermal grenade attack against a US military vehicle in Mosul;
- 7 August 2009: AAI released a video of an IDF attack against a US military base in Baghdad;
- 1 August 2009: AAI released a video of an IDF attack against a US base in Yusifiyah;
- 25 July 2009: AAI released a video of an IED attack against a US military vehicle in Tikrit;
- 20 July 2009: AAI released a video of an IDF attack against US military barracks in Kirkuk;
- 12 July 2009: AAI released a video of an IED attack against a US military vehicle in Tikrit. AAI claimed that all of the occupants of the vehicle were killed or injured;
- 6 July 2009: AAI released a video of a bombing against a US patrol in Kirkuk province which possibly took place on 21 May 2009. AAI reported two US soldiers were killed and one injured in this attack;
- 27 June 2009: AAI released a video of an IED attack against a US military vehicle in Huweija;
- 29 June 2009: AAI released a video of an IED attack against a US military vehicle in Tikrit;
- 20 June 2009: AAI released a video of an IED attack against a US military vehicle in Diyala province. AAI reported all military personnel in the vehicle were killed in this attack;
- 14 June 2009: AAI released a video of an IDF attack against a US military base in Mosul;
- 9 June 2009: AAI released a video of an IED attack against a US military vehicle in Salah ad-Din province;
- 3 June 2009: AAI released a video of an IED attack against US military vehicles in an area south of Baghdad;
- 27 May 2009: AAI released a video of an IED attack against a US military vehicle in Huweija;
- 20 May 2009: AAI released a video of an IED attack against an Iraqi National Guard vehicle in Diyala;
- 17 May 2009: AAI released a video of an IED attack against a US military vehicle in Mosul;
- 5 May 2009: AAI released a video of a guided rocket attack against a US military vehicle in Huweija. AAI claimed the US military personnel onboard were killed and injured in this attack;
- 23-26 April 2009: AAI released four videos claiming attacks against a US airbase with rockets and against US military patrols using ambush, IEDs and a

minesweeper in the Mosul area between 4 and 18 April 2009. AAI indicated a number of US military personnel were killed in the attacks;

- 18 April 2009: AAI released a video of an IED attack against a US military vehicle in Baghdad;
- 12 April 2009: AAI released a video of an IED attack against a US military vehicle in Fallujah;
- 8 April 2009: AAI released a video of an IDF attack against a US military base west of Baghdad;
- 3 March 2009: AAI released a video of an IED attack against a US military vehicle in Huweija. AAI said this attack took place in a large market;
- 24 February 2009: AAI released a video of an IED attack against an Iraqi security force vehicle in Diyala;
- 23 February 2009: AAI claimed responsibility for an attack on a US aircraft in Ninawa province;
- 17 February 2009: AAI claimed responsibility for an attack on a security officer working for the Kurdish Intelligence Agency, Asayesh, with a sticking bomb placed on the officer's vehicle;
- 11 February 2009: AAI released a video of an IDF attack against a US military base in Yusufiyah;
- 7 February 2009: AAI released a video of an IED attack against an Iraqi National Guard vehicle in Kirkuk. AAI indicated in the video that this attack caused an unknown number of deaths and casualties;
- 22 January 2009: AAI released a video of an IED attack against a US military vehicle in Salah ad-Din province;
- 3 January 2009: AAI released a video of an IDF attack against 'enemy barracks' in Kirkuk. AAI indicated that the 'enemy' suffered casualties in this attack.

Advocating the doing of terrorist acts

AAI has released a number of statements that advocate violent jihad and encourage Muslims to participate.

- 2 August 2011: AAI released a statement for the holy month of Ramadan rallying its fighters for jihad, saying Sunnis must show 'one's faith and get closer to Allah with the sword and the blood'.
- 11 April 2011: AAI released a statement congratulating the al-Qa'ida-affiliated Sunni umbrella group, Islamic State of Iraq (ISI), for the 29 March 2011 raid on the Tikrit provincial council building. The statement praises the ISI attackers, asserting 'legitimate vengeance is one of the greatest ways to get closer to Allah' and predicting that 'this style of fighting will have great achievement in the near future'.
- 7 January 2011: AAI released a statement threatening the Arab Summit that was scheduled to be held in Baghdad in March 2011. The AAI leadership called upon all jihadist factions in Iraq to strike those who give legitimacy to the Iraqi government, and declared, 'every Arab political or commercial title in Iraq is considered to be a military target for the mujahideen'.

- 14 November 2010: AAI released a statement rallying fighters, scholars and Muslims in general for jihad. AAI urged every Muslim to ‘embrace the call to fight’ and instructed its fighters to wage a ‘war of attrition’ by implementing ‘constant distracting and focused attacks’ against the enemy.
- 20 October 2010: AAI released a 16-page document assuring fighters of inevitable victory in Afghanistan, Iraq and other battlefields.
- 19 August 2010: The Military Council of AAI released a statement for the holy month of Ramadan rallying its fighters for jihad. The group instructed its fighters to escalate their calls for jihad, to intensify guerrilla warfare and ‘exhaust’ remaining military and paramilitary forces allied with the US.
- 22 June 2010: AAI released a media statement that denounced recent arrests of Muslims in Kurdistan and threatened violence against ‘the Kurdish secularists’ should all those detained not be released and ‘unjust campaigns and media slander against Muslims’ and preachers not be stopped.
- 21 March 2010: AAI released a video on the seventh anniversary of the war in Iraq, claiming that Britain masterminded the war to provide for Israel’s security in the region and that Britain implicated the US in the war. Anti-British and US rhetoric is a feature of this video and AAI reaffirmed its desire to establish an Islamic state, through violence if necessary.
- 3 January 2010: AAI released a statement that urged the Sunni population of Samarra not to sell their land, particularly to non-Sunnis, and expressed AAI’s belief that Samarra land may be ‘swallowed by its Shia neighbours if it does not resist its advances’. AAI indicated in this statement that all ‘individuals who are loyalists to the subordinated and act as facilitators for them and their actions, and who penetrated the city of Samarra’ are easy targets for AAI.
- 30 November 2009: AAI released a statement that encouraged Muslims to commit to violent jihad as a religious duty.
- 27 November 2009: Al-Shafi’I released a media statement addressed to scholars and the general Sunni Muslim population of Samarra that said the US policy on the Middle East ‘will not bring any agent of change that is authentic and effective, one that can be counted on even by governments that have been set up on Muslims in the region’. Al-Shafi’I renewed AAI’s commitments and urged other groups and scholars to commit to jihad and the pursuit of Islamic dominance.
- 21 November 2009: AAI released a media statement that urged the mujahideen to aim their attacks against ‘the enemy’ and not fight one another.
- 14 November 2009: AAI released a 16-page document critical of the democratic processes in Iraq and discouraged Iraqis against promoting and working in electoral campaigns and participating in the elections, arguing that such is a form of ‘supporting the enemy’.
- 27 October 2009: AAI released a eulogy for Baitullah Mehsud, former leader of Tehrik-i-Talibani Pakistan. In this eulogy, AAI encouraged the Mujahedeen to continue their fight despite the death of their leader.
- 20 September 2009: AAI released a media statement that urged extremists to ‘hold steadfast to their principles and to jihad and to demonstrate that their generation is not stagnant, but moving in accordance with Sharia’.
- 21 August 2009: AAI released a video of an operation against US forces in Diyala, calling it a ‘Ramadan gift’.

Conclusion

ASIO assesses AAI continues to directly and indirectly engage in preparing, planning, assisting in, advocating and fostering the doing of acts involving threats to human life and serious damage to property. This assessment is corroborated by information provided by reliable and credible intelligence sources, as well as by terrorist acts conducted by AAI.

In the course of pursuing its objectives in Iraq, AAI is known to have committed or threatened action:

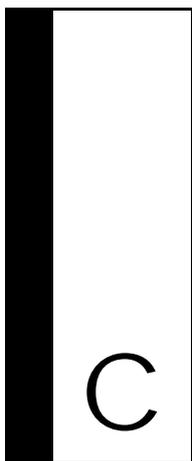
- with the intention of advancing AAI's political, religious or ideological causes;
- that causes, or could cause, serious damage to property, the death of persons or endanger a person's life; and
- with the intention of creating a serious risk to the safety of sections of the public globally.

Other relevant information

Since January 2009 AAI has exhibited links to, expressed support for, or received verbal support from al-Qa'ida Senior Leadership (AQSL), AQI, al-Qa'ida in the Islamic Maghreb (AQIM) and Tehrik-e-Taliban.

- AAI is reported to have cooperated with AQI, and AAI's leadership has links to AQSL. On 27 October 2009, AQSL figure Abu Yahya al-Libi appeared in an al-Qa'ida media statement and recommended that the Islamic State of Iraq and AAI unite and make concessions to each other for that purpose. Following the deaths of Abu-Umar al-Baghdadi and Abu-Hamzah al-Muhajir, the respective Leader and Deputy Leader of the ISI, AAI released a statement of condolences for their deaths, ideologically supported the ISI, and encouraged AAI to follow their lead. Libi again called for unity between AQI and AAI in a video statement released on 15 June 2010. On 28 April 2009 AQIM expressed condolences for the deaths of ISI leaders and urged AAI to unite with the ISI as 'the best move with which you can infuriate the enemies of the faith'. On 16 June 2010, AAI released a statement that offered condolences for the death of al-Qa'ida in Afghanistan general head Mustafa Abu Al-Yazid and reaffirmed its commitment to violent jihad.

AAI is listed on the United Nations 1267 Committee's consolidated list and as a proscribed terrorist organisation by the governments of the US, UK, New Zealand and Canada.



Appendix C – Statement of Reasons – Islamic Movement of Uzbekistan (IMU)

(Also known as: **IMU, Islamic Movement of Turkestan, Islamic Party of Turkestan**)

The following information is based on publicly available details about the Islamic Movement of Uzbekistan. To the Australian Government's knowledge, these details are accurate and reliable and have been corroborated by classified information.

Basis for listing a terrorist organisation

Division 102 of the *Criminal Code* provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied on reasonable grounds that the organisation:

- (a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not a terrorist act has occurred or will occur); or
- (b) advocates the doing of a terrorist act (whether or not a terrorist act has occurred or will occur).

Details of the organisation

Objectives

The origins of the Islamic Movement of Uzbekistan (IMU) date from the early 1990s, when Juma Namangani, a former Soviet Army soldier who fought in Afghanistan joined forces with Tahir Yuldashav (variant Yuldosh), an unofficial mullah and head of the Adolat (Justice) Party, with the aim to implement Sharia law in the city of Namangan in Uzbekistan's part of the Ferghana Valley.

Alarmed by Adolat's demands to transform Uzbekistan into an Islamist state, the government banned the Adolat Party in March 1992. A period of repression followed, forcing many Islamic militants to flee the Ferghana Valley. Namangani fled to Tajikistan, where he participated in the Tajik Civil War and established a base for his fighters in that country. Yuldashev travelled to Afghanistan, Pakistan and Saudi Arabia, establishing links to other Islamic militants. He also made clandestine trips to Uzbekistan, maintaining contact with his supporters and setting up underground cells. By the late 1990s, the IMU was officially formed.

The IMU's stated goal, as posted on the internet in August 1999, is the 'establishment of an Islamic state with the application of the Shariah' in Uzbekistan.

The IMU expanded its territorial focus to encompass an area stretching from the Caucasus to China's western province of Xinjiang, under the new banners of the Islamic Party of Turkestan in April 2001 and the Islamic Movement of Turkestan in May 2001. Despite the name changes, the group's name continues to be reported as the IMU, and it is listed under this name by the US Office of the Coordinator for Counterterrorism as a foreign terrorist organisation.

By the end of the 1990s, the IMU had relocated to Afghanistan, due to the lack of support for the movement in Uzbekistan and the measures taken against it by the Uzbek government.

Leadership

The former chief and co-founder of the IMU, Tahir Yuldashev, was killed in a US drone strike in South Waziristan, Pakistan, on 27 August 2009. Yuldashev's death was confirmed by the IMU in August 2010. The new IMU leader, Usmon Odil, is a long time associate of Yuldashev and was named as successor before Yuldashev's death.

Membership

The IMU has attracted supporters from a variety of ethnic backgrounds, principally Uzbeks, Kyrgyz, Tajiks, Chechens and Uighurs. The IMU's recruitment efforts have also been aimed at Germans, with a German member of the group, in a video released in 2010, inviting entire families to leave Germany to join the IMU in Pakistan's tribal areas.

The IMU continues to recruit fighters, and IMU members fight alongside the Taliban and al-Qa'ida against Coalition forces in Afghanistan and Pakistani forces in Pakistan. The Ferghana Valley, where the Uzbek, Kyrgyz and Tajik borders converge, is a fertile recruiting ground for the IMU, which has successfully exploited the widespread poverty in the region in its recruitment strategy.

The IMU's losses in Afghanistan and Pakistan, as well as the defection of fighters to a splinter group, the Islamic Jihad Union, have not diminished the group's capability and intent to conduct terrorist attacks.

During the latter part of 2009, the IMU claimed that its fighters had been engaged in four months of severe fighting in four northern provinces of Afghanistan and in northwest Pakistan, and that the ranks of the IMU were being filled on a daily basis by new volunteers.

Funding

Sources of funding for the IMU have included Uzbeks who migrated to Islamic countries in the 1920s, in particular Saudi Arabia's Uzbek diaspora which numbers 300,000 people. Funds also come from a number of Turkish foundations and Islamist and pan-Turkic organisations, the Taliban, al-Qa'ida and sympathetic foundations and banks throughout the Arab world.

The IMU also generates funds through drug trafficking, racketeering and solicitation of donations abroad. In May 2008, French, German and Dutch authorities detained ten individuals suspected of running a network to funnel money to the IMU in Uzbekistan.

Terrorist activity of the organisation

Directly or indirectly engaged in the doing of terrorist acts

Terrorist attacks for which the IMU has claimed responsibility, or which have been reliably attributed to the IMU include:

- 19 September 2010: the IMU claimed responsibility for an ambush of Tajik troops in the Rasht Valley, east of Dushanbe, Tajikistan, killing 25 soldiers and wounding 20 others;
- 3 September 2010: the Tajik government blamed the IMU for a suicide car bombing outside the office of the anti-organised crime police unit in Khujand, Tajikistan, killing two police officers and wounding 25 others;
- 22 August 2010: six guards were killed during a prison break in Dushanbe, Tajikistan, during which 25 alleged IMU militants escaped;
- 14 August 2010: IMU fighters attacked Ali Abad District police headquarters in Kunduz Province, Afghanistan, killing one policeman;
- 9 August 2009: according to Uzbek authorities, a cell linked to senior IMU figure Shaukat Makhmudov murdered Hasan Asadov, an Uzbek Interior Ministry anti-terrorism and anti-corruption officer;
- 31 July 2009: according to Uzbek authorities, a cell linked to senior IMU figure Shaukat Makhmudov murdered the chief Imam of the Kukeldash Mosque in Tashkent, Uzbekistan;

- 20 July 2009: five IMU fighters were killed when they attacked a remote military checkpoint in Tajikistan near the Afghan border;
- 16 July 2009: according to Uzbek authorities, a cell linked to senior IMU figure Shaukat Makhmudov murdered an assistant at the Kukeldash Mosque in Tashkent, Uzbekistan;
- April 2009: the IMU claimed responsibility for a suicide bombing in North Waziristan, Pakistan, that killed a Pakistani soldier and seven civilians;
- 5 September 2008: according to Tajik authorities, an unidentified IMU member shot and wounded a police officer in Isfara, Tajikistan;
- 28 August 2008: according to Tajik authorities, IMU elements fired upon two police officers in Isfara, Tajikistan;
- May 2008: two IMU members in possession of explosives and hand grenades were arrested in Afghanistan. The two admitted to planting mines on a road and providing a base for militant activities;
- Mid-2007: seven IMU militants were arrested while planting a mine on a road used by Coalition patrols in northern Afghanistan. The group admitted to carrying out rocket attacks, suicide missions and recruitment activities;
- 27 September 2006: according to Tajik authorities, the IMU launched an attack against a vehicle carrying supporters of the Tajik President in Isfara, Tajikistan, wounding two civilians;
- 12 May 2006: the IMU attacked border and customs posts in Kyrgyzstan and Tajikistan;
- 25 January 2006: the IMU attacked a pre-trial detention centre in Kairakum, Tajikistan, killing the centre's chief;
- 31 January and 13 June 2005: the IMU exploded bombs outside the Ministry of Emergency Situations in Dushanbe, Tajikistan, killing one person and wounding at least 12 others;
- 8 May 2003: the IMU bombed a currency exchange office in Osh, Kyrgyzstan, killing one person;
- 27 December 2002: the IMU bombed a market in Bishkek, Kyrgyzstan, killing six people and wounding 40 others;
- 12 August 2000: the IMU kidnapped four US mountain climbers;
- 21 August 1999: the IMU kidnapped four Japanese geologists, their interpreter and the head of the Kyrgyz Ministry of Interior troops; and
- 16 February 1999: the IMU exploded five car bombs in Tashkent, Uzbekistan, killing at least 16 people and wounding over 130 in an apparent attempt to assassinate President Karimov.

Directly or indirectly preparing and/or planning the doing of terrorist acts

On 10 March 2011, an alleged IMU commander was detained along with an unspecified number of suspected militants in Balkh Province, Afghanistan, while in the final stages of planning a suicide attack in Mazar-e Sharif.

On 23 July 2009, three IMU members were detained for planning an attack in eastern Tajikistan.

On 11 September 2006, the IMU leadership renewed its commitment to attack the governments of Central Asia and issued personal threats against the Uzbek, Kyrgyz and Tajik Presidents. This statement reinforced the IMU leadership's commitment to al-Qaida's ideology of global jihad and anti-Western and anti-Israeli rhetoric.

Directly or indirectly assisting in the doing of terrorist acts

Western European Muslims have been trained by the IMU in camps in North Waziristan, Pakistan. German nationals of Turkish and Moroccan origin have been trained in IMU camps and have made threats against Germany.

In September 2009, Pakistani investigators discovered a 'village' of German insurgents, including Muslim converts, who were being trained in a camp controlled by the IMU in the Waziristan area of Pakistan. A number of Swedish converts were also located there.

Directly or indirectly fostering the doing of terrorist acts

The IMU maintains a media wing, known as Jundallah Studio, through which it releases video and audio statements. The IMU also has distributed video and audio tapes and propaganda documents to sympathetic communities in the Ferghana Valley.

On 17 March 2011, the IMU released a 21-minute video recording apparently showing a series of attacks on Coalition forces in July-August 2010 in the Chahar Dara District of Afghanistan's Kunduz Province.

By late August 2010, Jundallah Studio had produced a 51-minute video compilation containing footage of operations and attacks conducted by militants, including Germans, from April to June 2010. These videos contained German introductions and German subtitles.

In December 2009, the IMU released English and German-subtitled videos showing a meeting between its former chief, Tahir Yuldashev, and the leader of Tehrik-e-Taliban Pakistan (TTP), Hakimullah Mahsud. The video shows Tahir and Mahsud talking with each other, walking together and taking turns firing a gun. The video also shows Tahir reading a eulogy for slain TTP leader Baitullah Mahsud, stressing that jihad will not cease with the death of its leaders.

Conclusion

In view of the above information, ASIO assesses the IMU is directly engaged in preparing, planning, assisting in or fostering the doing of terrorist acts. It is assessed that the acts attributable to the IMU are terrorist acts as they:

- are done with the intention of advancing a political cause, namely, establishing of a radical Islamist caliphate across Central Asia;
- are intended to coerce or influence by intimidation the governments of foreign countries, namely the states of Central Asia, as well as member countries of the Coalition forces in Afghanistan and Pakistan, and/or intimidate a section(s) of the public; and
- constitute acts which cause serious physical harm to persons, including death, as well as serious damage to property.

Other relevant information

Links to other terrorist groups or networks

The IMU has close ties with al-Qa'ida, the Taliban and other militant groups in the Afghanistan/Pakistan theatre. Senior IMU leaders have held positions in the al-Qa'ida hierarchy. Current IMU chief Odil appeared in an October 2009 video with TTP leader Hakimullah Mahsud, shortly after both groups lost their leaders in US drone strikes.

Proscription by the UN and other countries

The IMU has been listed in the United Nations 1267 Committee's consolidated list and as a proscribed terrorist organisation by the governments of the United Kingdom, United States and Canada.



Appendix D – Statement of Reasons –JAISH-E-MOHAMMAD (JeM)

(Also known as: **Army of Mohammed; Army of the Prophet; Jaish-e-Mohammed; Jaish-e-Muhammed, Jaish-i-Mohammed; Jaish-i-Mohammad; Jaish-i-Muhammad; Jaish-i-Muhammed; Jaish-e-Mohammad Mujahideen E-Tanzeem; Jamaat ul-Furqan (JuF); Jeish-e-Mahammed; Jesh-e-Mohammadi; Khudamul Islam; Khuddam ul-Islam (KuI); Kuddam e Islami; Mohammed’s Army; National Movement for the Restoration of Pakistani Sovereignty and Army of the Prophet; Tehrik Ul-Furqaan.**

The following information is based on publicly available details about the Jaish-e-Mohammad (JeM). To the Australian Government’s knowledge, these details are accurate and reliable and have been corroborated by classified information.

Basis for listing a terrorist organisation

Division 102 of the *Criminal Code* provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied on reasonable grounds that the organisation:

- (a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not a terrorist act has occurred or will occur); or
- (b) advocates the doing of a terrorist act (whether or not a terrorist act has occurred or will occur).

Details of the organisation

Objectives and Formation

Based in Pakistan, JeM is a fundamentalist Deobandi Sunni Islamist organisation which operates primarily in Indian Administered Kashmir (IAK). JeM uses violence in pursuit of its stated objective of forcing the withdrawal of Indian security forces from IAK and uniting IAK with Pakistan under a radical interpretation of Islamic law. Some JeM members endorse the wider aim of establishing an Islamic caliphate across South Asia and expelling Hindus from the Indian subcontinent. JeM is violently opposed to all other religions, including Shia Islam.

JeM was founded in 2000 by Maulana Masood Azhar, a radical Islamic scholar and jihadist leader, following his release from an Indian jail in exchange for 155 hostages hijacked aboard an Indian Airlines aircraft on 31 December 1999. When released from prison, Azhar did not rejoin his former group, Harakat ul-Mujahideen (HuM). Instead, Azhar formed JeM, reportedly with support from Pakistan's Inter-Services Intelligence (ISI), the Afghan Taliban, Usama bin Laden and several other Sunni extremist organisations in Pakistan.

JeM has been splintering into factions since at least 2003 when it initially split into two groups. One faction rejected Azhar's claim to the leadership after he expelled 12 other leaders. The breakaway faction, led by Mualana Abdul Jabbar (alias Umer Farooq) and known as Jamaat ul-Furqan (JuF), claims to be the authentic inheritor of the JeM/Khuddam-ul-Islam (KuI) legacy. Both KuI and JuF were subsequently banned by Pakistan in November 2003. Despite these developments, JeM is still regarded as a single entity in most reporting.

JeM broadened its operational focus soon after its founding to include attacks in Pakistan, Afghanistan and wider India. Notable attacks outside IAK include the assault on India's parliament building in 2001, the murder of US Journalist Daniel Pearl in 2002 and two assassination attempts against Pakistani President Musharraf in 2003. JeM is assessed to be well trained and supported, and poses a terrorist threat to India and Pakistan and to Western targets in both of these countries.

Leadership and membership

JeM's founder, Maulana Masood Azhar, remains the group's emir, but the full command structure of JeM is unknown. JeM is estimated to have several hundred members, including approximately 300 to 400 fighters.

JeM is organised into military and missionary groups administered through six or seven departments. The majority of JeM's membership consists of jihadists from Pakistan and Kashmir, and includes some Arabs and Afghans. JeM's membership probably includes small semi-autonomous cells in an attempt to avoid detection from Pakistan authorities.

Extremists in Pakistan often mix across multiple networks and groups, especially at the lower levels, and there is probably an overlap in personnel linked to JeM and other extremist groups including Lashkar-e-Tayyiba (LeT), Lashkar-e-Jhangvi (LeJ) and Harakat ul-Mujahideen (HuM).

Many JeM operatives have benefited from HuM training programmes, which reportedly were devised by Pakistan's ISI. JeM reportedly trains its members in Bangladesh, Nepal and the Middle East. Many JeM operatives are believed to be veterans of the wars in Afghanistan.

Funding

Funding for JeM is derived from both legitimate business interests and Islamic charitable foundations. JeM-linked charitable foundations include the Al-Rehmat Trust, which collects donations publicly to help families of the mujahedeen and has been seeking land donations to build mosques in Lahore, Peshawar and Karachi. Other JeM-linked charities include the Al-Rashid Trust, which is listed by the US Department of Treasury as a designated terrorist support organisation. The Al-Rashid Trust has been linked to charities providing aid to people affected by the 2010 Pakistan floods.

Terrorist activity of the organisation

JeM operatives have been involved in attacks against civilian and military targets in Afghanistan, India and Pakistan. JeM attacks have included suicide bombings in 2001 and 2003 with most attacks since that time involving grenades and firearms.

JeM continues to concentrate its efforts against Indian security forces (military and police), government installations and civilians in the disputed territory of IAK. In addition, JeM

has broadened its operational focus to join the Afghan Taliban in attacks against government and Coalition forces in Afghanistan.

Directly or indirectly engaged in the doing of terrorist acts

Pakistan-based militants, including members of JeM, continue to cross the Line of Control into IAK for the purpose of engaging in acts of terrorism and are often involved in clashes with security forces.

Incidents reliably attributed to JeM include:

- February 2010: A Pakistani militant captured in Dhaka, Bangladesh, admitted to working as a JeM coordinator in that country and as a recruiter for operations in India. Four other JeM militants were also apprehended;
- December 2009: Security authorities arrested six people for their links to JeM and for planning a terrorist attack in Sargodha, Pakistan;
- October 2009: A JeM divisional commander and his bodyguard were killed inside the house in which they had been trapped for several days;
- August 2009: Suspected JeM militants attacked a police facility in Srinagar, IAK, killing one policeman and injuring two others;
- June 2009: Police in Lahore, Pakistan, claimed to have arrested seven terrorists linked to JeM and the Pakistani Taliban and recovered explosives and weapons;
- March 2009: Several JeM militants and a soldier were killed during an encounter in Pulwama District, IAK;
- October 2008: Four JeM-linked operatives were arrested for their involvement in grenade attacks;
- January 2008: Police killed two JeM militants during an 18-hour gun battle near Warpora village, IAK. One police officer was killed and 22 security personnel were injured;
- November 2007: Security forces arrested three JeM militants who admitted they had planned to kidnap a member of India's Congress Party. The militants were in possession of various arms and explosives;
- June 2006: JeM claimed responsibility for three grenade attacks in Srinagar, IAK. Two of the attacks targeted the bunker of the Central Reserve Police Force in the Lal Chowk area of the city and the third was aimed at a passing police vehicle;

- December 2003: Members of a JeM splinter group were involved in two suicide bombings in attempts to assassinate Pakistan President Pervez Musharraf in Rawalpindi, Pakistan;
- February 2002: Senior JeM leader Sheikh Omar Saeed was charged with the murder of American journalist Daniel Pearl, the South Asia bureau chief for the *Wall Street Journal*;
- December 2001: The Indian Government officially blamed JeM and LeT for the attack on the Indian parliament building in New Delhi;
- December 2001: JeM militants launched grenade attacks in India at a bus stop in Kupwara, injuring 24 people, and at a marketplace in Chadoura, injuring 16 people.
- October 2001: JeM claimed responsibility for a suicide bombing at the Jammu & Kashmir legislative assembly building in Srinagar, IAK, that killed 31 people; and
- July 2001: a JeM rocket-propelled grenade attack failed to injure the Chief Minister at his office in Srinagar, IAK, but wounded four others.

Directly or indirectly preparing and/or planning the doing of terrorist acts

JeM continues to engage in acts of terrorism against Indian security forces, government installations and civilians in the disputed territories of IAK.

On several occasions JeM undertook incursions across the Line of Control into India-administered Kashmir for the purposes of engaging in terrorism.

- July 2011: A JeM divisional commander and an associate were killed in a gun battle with security forces in Pulvama District, IAK. Both had been involved in recruiting local youth and attacking security force camps;
- July 2011: A senior JeM commander was among five militants killed by the Indian Army in Kupwara District, IAK;

March 2011: A senior JeM commander and his bodyguard were killed in a gun battle with police at Dal Lake, Srinagar, IAK.

- November 2010: Three JeM militants were killed in a gun battle with police in Srinagar, IAK. The militants had been part of a cell involved in the killing of two police officers several days earlier, for which responsibility was claimed by JeM;
- October 2010: Three JeM militants were killed by security forces in Srinagar, IAK;
- September 2010: One JeM militant was killed and four were arrested in a clash with security personnel in IAK. Weapons and money were also recovered;

- February 2010: Two JeM militants were killed in a gun battle with security forces in northern IAK.

In addition, JeM also has conducted attacks against Afghan government and Coalition forces in Afghanistan.

JeM trains personnel for possible involvement in future attacks. JeM operates several camps in Pakistan which provide both religious instruction and military style guerrilla training and support to JeM members from Kashmir and Pakistan and to individual jihadists from other parts of the world.

Reporting also indicates JeM may be facilitating the activities of international jihadists intending to conduct terrorist operations outside Kashmir or greater India, including the United Kingdom and US. In May 2010 Pakistani authorities detained four suspected JeM members, one of whom was possibly connected to Faisal Shahzad, who attempted to detonate a bomb in New York's Times Square on 1 May 2010.

Investigators have also uncovered possible connections between JeM and the British-born suicide bombers responsible for the 7 July 2005 London subway attacks.

In August 2006, it was discovered that Rashid Rauf, the main conspirator behind a plot to blow up a USbound British aircraft, is a relative of Maulana Masood Azhar and a member of JeM. Rauf was arrested at a JeM madrassa in Bahawalpur in southern Punjab on 9 August 2007, a couple of days before British authorities arrested the other plotter.

Although based in Pakistan, JeM also uses Bangladesh and Nepal as transit routes for its operatives and finances. In February 2010 Bangladeshi authorities arrested several extremists who had reportedly been coordinating JeM's operations in Bangladesh. One of these operatives admitted to planning and executing the Indian Airlines hijacking from Kathmandu to Kandahar in December 1999.

Directly or indirectly assisting in the doing of terrorist acts

JeM is aligned politically with the prominent Pakistani Islamist party, Jamiat-i Ulema-i-Islam (JUI-F). JeM operates with other Islamist militant groups in IAK, such as LeT, and conducts joint operations in Afghanistan and Pakistan with groups such as Hizb-ul-Mujahideen (HM), Harakat-ul-Jihad-i-Islami (HuJI), LeJ and Sipah-e-Sahaba Pakistan (SSP). Furthermore, JeM remains closely associated with al-Qa'ida and the Afghan Taliban.

Directly or indirectly fostering the doing of terrorist acts

JeM utilises various online and print media to propagate its message and to foster terrorist acts. This includes a Peshawar-based weekly magazine entitled Al Qalam and a children's magazine, Musalman Bachay. JeM also draws financial support from religious supporters in Pakistan through these publications, collecting funds through donation requests in magazines and pamphlets.

In February 2009, several banned militant groups – including JeM – met in Muzaffarabad, the capital of Pakistan-occupied Kashmir, and pledged to continue the jihad to 'liberate' Kashmir from India.

Conclusion

On the basis of the above information, ASIO assesses JeM is directly engaged in preparing, planning, assisting in or fostering the doing of terrorist acts. It is submitted that the acts attributable to JeM are terrorist acts as they:

- are done with the intention of advancing a political cause, namely, creating a radical Islamist state in Pakistan and uniting Indian-controlled Kashmir with Pakistan;
- are intended to coerce or influence by intimidation the governments of foreign countries, including Afghanistan, Pakistan and India, as well as member countries of the Coalition forces in Afghanistan, and/or intimidate sections of the public; and
- constitute acts which cause serious physical harm to persons, including death, as well as serious damage to property.

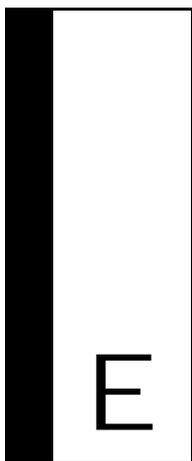
Other relevant information*Links to other terrorist groups or networks*

JeM is a member of the United Jihad Council (UJC), which was formed in 1990 to bring all Kashmir-focused militant groups under a single banner. Other major groups in the UJC are HuM, LeT, HM, and the Al Badr Mujahideen.

JeM conducts joint operations in Afghanistan and Pakistan with groups such as HM, HuJI, LeJ and SSP. In addition, JeM remains closely associated with al-Qa'ida and the Afghan Taliban.

Proscription by the UN and other countries

JeM is listed in the United Nations 1267 Committee's consolidated list and as a proscribed terrorist organisation by the governments of the US, UK, Canada, New Zealand, India and Pakistan.



Appendix E – Statement of Reasons – LASHKAR-E JHANGVI (LeJ)

(Also known as: **Jhangvi Army, Lashkar-e-Jhangvie, Lashkar-e-Jhangwi, Lashkar-e-Jhanvi, Lashkar-i-Jangvi, Lashkar-i-Jhangvi, Lashkar-i-Jhangwi, Lashkar e Jhangvi, Lashkar Jangvi, Lashkar Jhangvi, Lashkare Jhangvi, Laskar e Jahangvi, Laskar-e-Jhangvi**).

The following information is based on publicly available details about Lashkar-e Jhangvi. To the Australian Government's knowledge, these details are accurate and reliable and have been corroborated by classified information.

Basis for listing a terrorist organisation

Division 102 of the *Criminal Code* provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied on reasonable grounds that the organisation:

- (a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not a terrorist act has occurred or will occur); or
- (b) advocates the doing of a terrorist act (whether or not a terrorist act has occurred or will occur).

Details of the organisation

Objectives

Lashkar-e Jhangvi (LeJ) is a Sunni Deobandi Islamist terrorist group based primarily in Pakistan's Punjab region. LeJ's goals are to establish an Islamist Sunni state in Pakistan based on Sharia law, by violent means if necessary; to have all Shias declared non-believers; and to eliminate followers of other faiths, especially Jews, Christians, and Hindus. Reflecting its hostility to Shias, LeJ also has targeted Iranian interests and Iranian nationals in Pakistan.

The group was formed in 1996 by Akram Lahori, Malik Ishaque, and Riaz Basra of the radical sectarian organisation Sipah-e-Sahaba Pakistan (SSP), who accused the SSP's leadership of deviating from the ideals of its co-founder, Maulana Haq Nawaz Jhangvi.

Pakistan has been plagued by sectarian violence for much of the past four decades and LeJ has established a reputation as the most violent Sunni extremist organisation in Pakistan, killing hundreds of Shias since its formation. LeJ has targeted Shia politicians, professionals, scholars and lobbyists. LeJ attacks have also targeted Christians, including attacks on Christian churches and schools.

Although sectarian attacks remain LeJ's primary focus, it has broadened this focus to target Western interests in Pakistan. In 2002, LeJ operatives participated in the abduction and murder of US journalist Daniel Pearl. LeJ's main areas of operation are the Punjab, Sindh and Baluchistan Provinces. LeJ also has been active in Khyber Pakhtunkhwa (KP), claiming responsibility for a double suicide bombing in the province's Kohat District in April 2010.

Leadership and membership

Reporting indicates two co-founders of LeJ, Akram Lahori and Malik Ishaque, exercised a leadership role and continues despite being imprisoned by Pakistani authorities. Operational command, however, has fallen to other members. The most recent figure known to exercise operational control was Qari Zafar, who reportedly was killed in a US drone strike in February 2010. Qari Zafar had been linked to al-Qa'ida as well as to attacks against former Pakistan President Pervez Musharraf, a Special Investigations Unit office in Lahore, the Marriott Hotel in Islamabad and the US Consulate in Karachi.

Akram Lahori remains in prison, but Malik Ishaque, who was originally tried for the deaths of 12 members of a Shia family and had over 40 cases of murder pending against him, was released from prison on 14 July 2011 after serving 15 years. His current role is unclear.

LeJ is estimated to have around 300 active members and is a collection of loosely coordinated sub-units with semi-autonomous chiefs for each sub-unit. LeJ members traditionally have operated in small cells - usually ranging from five to eight personnel - that disperse after completing their missions in an attempt to avoid detection from Pakistani authorities.

Extremists often belong to multiple networks within Pakistan, with varying degrees of intermingling, especially at the lower levels. Therefore, there is probably overlap in personnel between LeJ and other extremist networks including Jaish-e-Mohammed (JeM) and Jamiat-ul-Ansar (JuA)/Harakat-ul-Mujahideen (HuM).

LeJ activities have come under increased scrutiny by Pakistani authorities, resulting in the arrest of key leaders and hundreds of activists. However, the group remains a significant threat to Shia, Western, Pakistani Christian and Pakistani government targets.

Funding

A large percentage of LeJ's funding is likely to come from wealthy supporters in Karachi. Additional funding is derived from sources in Saudi Arabia, as well as from criminal activities, such as protection rackets and extortion from both Shia and Sunni banks and businesses. In June 2010, one LeJ militant was shot dead and three were arrested during a bid to escape after robbing a private bank in Karachi.

Terrorist activity of the organisation

Directly or indirectly engaged in the doing of terrorist acts

LeJ operatives continue to be involved in sectarian attacks across Pakistan, including in the Punjab region, targeting members of the Shia community and other groups considered to be heretics. LeJ has also expanded its focus to target Western interests in Pakistan and has claimed responsibility for several assassinations in Baluchistan.

Although LeJ generally uses suicide bombings to kill large numbers of Shias, it has also used various weapons such as assault rifles, rockets, landmines and other small arms. Attacks claimed by, or attributed to, LeJ include:

- July 2011: LeJ claimed responsibility for shooting passengers waiting at a bus terminal in Quetta, killing eleven people and wounding three others. All of the victims were Hazaras. The attack was claimed as revenge for the death of a Sunni cleric;
- July 2011: LeJ claimed responsibility for an attack on police in Quetta in which two police officers and a civilian were killed. Both police officers were Hazaras;
- June 2011: Suspected LeJ militants shot dead the deputy director general of the Pakistani Sports Board in Quetta. The victim was a Hazara;
- May 2011: Suspected LeJ militants shot dead seven Hazara civilians and wounded six others in Quetta;
- May 2011: Suspected LeJ militants killed eight Hazaras and wounded 15 others in a small arms and grenade attack in Quetta;
- August 2010: Four LeJ operatives were arrested for involvement in May 2010 attacks on Ahmedi mosques;
- June 2010: LeJ operatives were linked in media reports to suicide attacks on Ahmedi places of worship in Lahore;

- April 2010: LeJ operatives conducted a double suicide attack targeting refugees in Kohat District, KP, killing an estimated 44 people and injuring at least 64 others;
- March 2010: LeJ faction Lashkar-e-Jhangvi Al-Alami was linked to the kidnapping of British journalist Asad Qureshi and former Inter-Services Intelligence (ISI) Colonel Armir Sultan. The kidnappers reportedly killed a third hostage, former Pakistan Air Force officer and former ISI member Khalid Khwaja;
- March 2010: at least 57 people were killed and at least 90 others were injured when twin suicide bombs detonated in Lahore's RA Bazaar. LeJ claimed responsibility;
- January 2010: LeJ claimed responsibility for ambushing Hazara policemen in Quetta;
- November 2009: LeJ claimed responsibility for a bomb blast targeting the Deputy Inspector General of Police Operations and warned that additional attacks against police would be conducted;
- March 2009: LeJ was suspected of involvement in the attack on the Sri Lankan cricket team in Lahore, but charges against LeJ co-founder Malik Ishaque were dropped because the prosecution could not prove its case;
- September 2008: three LeJ-trained operatives were killed in a police raid. The police also found bomb-making material and the body of a Pakistani businessman who had been kidnapped and killed by the operatives.
- September 2008: former LeJ leader Qari Zafar is suspected of involvement in the suicide bombing of the Marriott Hotel in Islamabad;
- July 2008: senior LeJ member Shafiqur Rehman was arrested in Quetta. He confessed to seven assassinations in Quetta and is suspected of involvement in over 100 cases of sectarian terrorism;
- February 2008: LeJ member Fida Hussain, who is believed to have been involved in the suicide bombing of a Pakistan Air Force bus in October 2007, was arrested in Lahore; and

- January 2008: LeJ was suspected of involvement in a bombing near a mosque in Peshawar in which 14 people were killed.

Directly or indirectly preparing and/or planning the doing of terrorist acts

LeJ operatives continue to train and plan terrorist attacks against a variety of targets in Pakistan. LeJ has operated training camps in the past, but the current status of these camps is unclear.

Directly or indirectly assisting in the doing of terrorist acts

LeJ militants have been involved with Tehrik-e-Taliban Pakistan (TTP) operations targeting Pakistani authorities. In addition, LeJ maintains linkages with other Pakistani terrorist groups including Lashkar-e-Tayyiba (LeT), JuA/HuM, Harakat-ul-Jihad Islami (HuJI) and JeM. LeJ also has a long-standing, close relationship with the Afghan Taliban.

Directly or indirectly fostering the doing of terrorist acts

LeJ utilizes varying types of online and print media to propagate its message and foster terrorist acts. LeJ spokesmen also claim responsibility for attacks and kidnappings through fax messages to Pakistani media outlets.

Conclusion

In view of the above information, ASIO assesses LeJ is directly engaged in preparing, planning, assisting in or fostering the doing of terrorist acts. It is submitted that the acts attributable to LeJ are terrorist acts as they:

- are done with the intention of advancing a political cause, namely, creating a radical Islamist state in Pakistan and uniting Indian-controlled Kashmir with Pakistan;
- are intended to coerce, or influence by intimidation, the governments of foreign countries, including Afghanistan, Pakistan and India, as well as member countries of the Coalition forces in Afghanistan, and/or intimidate sections of the public; and
- constitute acts which cause serious physical harm to persons, including death, as well as serious damage to property.

Other relevant information*Links to other terrorist groups or networks*

As part of the Sunni militant community, LeJ has linkages with other Pakistani terrorist groups including LeT, JuA/HuM, HuJI and JeM.

LeJ also has strong linkages to TTP, which includes LeJ operatives participating in TTP attacks. In addition, LeJ has a close relationship with the Afghan Taliban, having fought with them against the Northern Alliance and participated in killings of Shias during the rule of the Taliban in Afghanistan.

Proscription by the UN and other countries

The LeJ is listed in the UN 1267 Committee's consolidated list and as a proscribed terrorist organisation by the governments of the United Kingdom, the United States, Canada, New Zealand and Pakistan.