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Process for the 2018 Declaration of Mosul district, Ninewa province, Iraq as an area where a listed terrorist organisation is engaging in hostile activities

The Protocol for declaring an area in a foreign country pursuant to section 119.3 of the *Criminal Code* sets out the role of key Commonwealth bodies such as the National Threat Assessment Centre (NTAC), the Australian Security Intelligence Organisation (ASIO), the Department of Home Affairs (Home Affairs) and the Department of Foreign Affairs and Trade (DFAT).

The following provides an overview of key dates and processes undertaken for the purpose of declaring Mosul district, Ninewa province, Iraq from 3 March 2018.

- In early 2018 the Centre for Counter-Terrorism Coordination (CCTC) in Home Affairs hosted a number of multi-agency meetings to consider and discuss a possible declaration of Mosul district, Ninewa province, Iraq, and coordinate key agencies to collect and provide relevant information and intelligence for inclusion in a Statement of Reasons in support of a possible declaration.
- 7 February 2018—NTAC provided an unclassified Statement of Reasons outlining that Islamic State was still engaged in hostile activities in Mosul district, Ninewa province, Iraq. The Statement of Reasons was circulated to DFAT and Home Affairs.
- 8 February 2018—Home Affairs provided a submission to the Minister for Home Affairs containing copies of: the NTAC Statement of Reasons for the declaration of Mosul district, Ninewa province, Iraq; and proposed draft legislative instrument and Explanatory Statement.
- 21 February 2018—the Minister for Home Affairs wrote to the Minister for Foreign Affairs stating that it is open to her to consider declaring Mosul district, Ninewa province, Iraq under section 119.3 of the *Criminal Code*. The letter attached a copy of the NTAC Statement of Reasons, proposed draft legislative instrument and Explanatory Statement.
- 26 February 2018—DFAT provided a submission to the Minister for Foreign Affairs regarding the Statement of Reasons for the declaration of Mosul district, Ninewa province, Iraq.
- 28 February 2018—the Minister for Foreign Affairs, having considered the information in the submission, agreed she was satisfied that Islamic State of Iraq and the Levant, a listed terrorist organisation, was engaging in a hostile activity in Mosul district, Ninewa province, Iraq, and agreed to take steps to declare the area.
- 28 February 2018—the Minister for Foreign Affairs wrote to the Leader of the Opposition on the proposed declaration of Mosul district, Ninewa province, Iraq, providing a copy of the Statement of Reasons and offering further briefing in relation to the declaration. On this occasion, no briefing was requested.

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- 1 March 2018—the Minister for Foreign Affairs signed the *Criminal Code (Foreign Incursions and Recruitment—Declared Areas) Declaration 2018—Mosul District, Ninewa Province, Iraq*.
- 1 March 2018—the Minister for Foreign Affairs wrote to the Chair of the Parliamentary Joint Committee on Intelligence and Security advising of the declaration of Mosul district, Ninewa province, Iraq.
- 1 March 2018—the Australian Embassy in Baghdad notified senior members of the Iraqi Government about the forthcoming declaration of Mosul district, Ninewa province, Iraq.
- 2 March 2018—the Minister for Foreign Affairs issued a media release publicising the declaration of Mosul district, Ninewa province, Iraq.
- 2 March 2018—Home Affairs updated the Australian National Security website to reflect the declaration of Mosul district, Ninewa province, Iraq.
- 2 March 2018—the *Criminal Code (Foreign Incursions and Recruitment—Declared Areas) Declaration 2018—Mosul District, Ninewa Province, Iraq* was registered on the Federal Register of Legislation (FRL reference no. [F2018L00176](#)).
- 3 March 2018—the declaration of Mosul district, Ninewa province, Iraq came into effect.
- 19 March 2018—a copy of the *Criminal Code (Foreign Incursions and Recruitment—Declared Areas) Declaration 2018—Mosul District, Ninewa Province* was laid before the Senate.
- 26 March 2018—a copy of the *Criminal Code (Foreign Incursions and Recruitment—Declared Areas) Declaration 2018—Mosul District, Ninewa Province* was laid before the House of Representatives.
- 20 June 2018—the disallowance period in the House of Representatives will have expired in accordance with section 42 of the *Legislative Instruments Act 2003*.
- 26 June 2018—the disallowance period in the Senate will have expired in accordance with section 42 of the *Legislative Instruments Act 2003*.