



ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP

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The Hon David Jull MP
Committee Chairman
Parliamentary Joint Committee on ASIO, ASIS & DSD
Parliament House
CANBERRA ACT 2600

Dear Mr Jull

I am writing to advise you that a regulation is scheduled to be considered by the Federal Executive Council on 4 November 2004 specifying the Armed Islamic Group as a terrorist organisation for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code).

The Armed Islamic Group was specified under the *Criminal Code Regulations 2002* as a terrorist organisation for the purposes of section 102.1 of the Criminal Code with effect from 14 November 2002. Pursuant to subsection 102.1(3) of the Criminal Code, the listing of the Armed Islamic Group will cease to have effect on the second anniversary of the day on which it took effect.

The making of the regulation is in anticipation of the cessation of the listing under subsection 102.1(3), and in accordance with paragraph 102.1(3)(c). Paragraph 102.1(3)(c) states that subsection 102.1(3) does not prevent the making of new regulations the same in substance as the regulations the subject of the subsection, whether the new regulations are made or take effect before or after those regulations cease to have effect because of the subsection.

The regulation will be made on the basis that I am satisfied on reasonable grounds that the Armed Islamic Group is an organisation directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not the act has occurred or will occur).

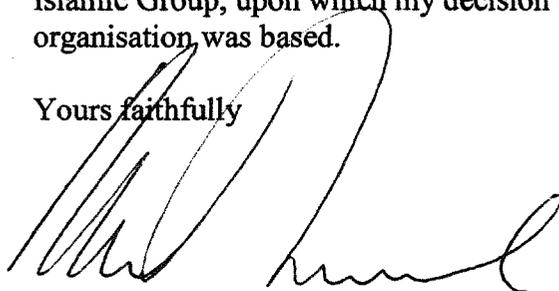
I made the decision to re-list the Armed Islamic Group following careful consideration of unclassified intelligence information provided by the Australian Security Intelligence Organisation (ASIO) in relation to the organisation, and legal advice provided to me by the Australian Government Solicitor.

Section 102.1A of the Criminal Code provides that the Parliamentary Joint Committee on ASIO, ASIS and DSD may review the regulation as soon as

possible after it has been made, and report the Committee's comments and recommendations to each House of the Parliament before the end of the applicable disallowance period for that House.

To assist the Committee, should it decide to review the regulation, I enclose a copy of the Statement of Reasons provided by ASIO in relation to the Armed Islamic Group, upon which my decision to list the organisation as a terrorist organisation, was based.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Philip Ruddock', written over a large, faint circular stamp or watermark.

Philip Ruddock

Armed Islamic Group (GIA)

(Also known as: Al Jamm'ah Al-Islamiah Al-Musallah; GIA; Groupement Islamique Armé; Groupe Islamique Armé)

The following information is based on publicly available details about the Armed Islamic Group (Groupe Islamique Armé or GIA). These details have been corroborated by material from intelligence investigations into the activities of the GIA and by official reporting. ASIO assesses that the details set out below are accurate and reliable.

The GIA is listed as a proscribed terrorist organisation by the United Nations and the United States Government.

Background

GIA is a Sunni Islamic extremist organisation based in Algeria. It was founded in the early 1990's following the Algerian Government's ban on the Islamic Salvation Front (FIS), imposed after FIS's victory in the first round of legislative elections in December 1991.

The GIA began a high profile campaign of terrorist acts in 1993 and quickly became one of Algeria's most radical and violent Islamist extremist groups. It distinguishes itself from other such groups operating in Algeria by indiscriminately targeting civilians, a policy that has contributed to its lack of popular support in the country.

It is also unpopular with most other extremist Islamist groups operating in Algeria, who accuse it of the un-Islamic slaughter of innocent civilians, or complicity with the Algerian security forces. In 1998, the GIA split over the issue of attacking civilians. One of its commanders, Hassan Hattab, broke away to found the Salafist Group for Call and Combat (GSPC) which renounced attacks against civilians. Many GIA guerrillas defected to the new group. Others split from the GIA to form new and autonomous groups.

Objectives

The objective of the GIA is to overthrow the secular Algerian Government and replace it with an Islamic state.

Leadership and Membership

The GIA is estimated to comprise around 100 guerrillas, although it is possible that membership could be as low as 30 following defections to the GSPC.

Since the death of Antar Zoubari, the long-time leader of the GIA, in February 2002, the GIA's chain of command has been weakened by inter-factional conflict, as well as by the appearance of some apparently autonomous splinter groups. Rashid Oukali (also known as Rashid Abu Tourab) was named as Zoubari's successor in April 2002. In July 2002, Oukali was reportedly killed but subsequent reports refute this claim.

The GIA has little or no relationship with other Islamist groups in Algeria and is a rival to the GSPC (GSPC leader Hattab is rumoured to have been complicit in Zoubari's death at the hands of Algerian security forces). The GIA is assessed to have had links to al-Qa'ida through Palestinian Shiekh Omar Mammud Muhammed Othman, also known as Abu Qatada, who was designated by bin Laden as spiritual advisor for Algerian groups. Abu Qatada was arrested in October 2002 by British authorities under the Anti-Terrorism, Crime and Security Act 2001. In recent years, however, al-Qa'ida is reported to have criticised the GIA's tactics of targeting civilians and seems to favour the GSPC. In March 2004, the US and Italy designated 10 alleged GIA members living in Italy as suspected al-Qaida members.

The Algerian diaspora in Europe, and especially France, has been used by the GIA as a source of financial support and recruitment. France has also been used by the GIA as a sanctuary and a target

Terrorist Activities

The GIA has been involved in a number of terrorist attacks including hijacking, bombing civilian sites, attacking civilians, and ambushing Algerian security forces. Since 1992 the GIA is reliably reported to have killed more than 100 foreigners, mostly Europeans, in Algeria.

Terrorist activities for which responsibility has been claimed by, or reliably attributed to, the GIA, have included:

- hijacking of an Air France flight to Algiers in December 1994. One passenger was executed before French commandos killed the hijackers;
- a series of bombings in France in 1995, which killed 10 people and injured more than 200. The most frequent targets were subways, but there were also strikes against outdoor markets, a Jewish school, a high-speed train and the *Arc de Triomphe*. Several GIA members were convicted for these in late 1999;
- bombing a market place in Larbaa, about 20 kilometres from Algiers on 5 July 2002 (Algerian Independence Day) which killed 35 people;
- killing 13 people, including 5 children, in Western Algeria on 10 July 2002;
- killing 21 members of the same family in a rural area approximately 200 kilometres from Algiers on 24 October 2002;
- bombing a market at Boukadir (200km west of Algiers) in December 2002 in which four people were killed and 15 wounded;
- killing two families in an attack in May 2003 in the Chlef region of Algeria (west of Algiers), an area where the GIA is known to be active;
- attacks against a number of military targets during 2003 on mountain roads southwest of Algiers.

Conclusion

On the basis of available information, we assess that the incidence of terrorist activity by GIA has declined significantly since 2002. However, ASIO assesses that while the membership of the GIA has reduced since the defections to the GSPC, the GIA remains committed to its objective of overthrowing the Algerian Government and replacing it with an Islamic state. ASIO further assess that core members remain active, and continue to prepare, plan and foster the commission 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.

In the course of pursuing its objectives, the GIA is known to have engaged in actions that:

- are aimed at advancing the GIA's political and religious causes;
- are intended to, or do, cause serious damage to property, the death of persons or endanger life; and
- are intended to cause, or have caused, serious risk to the safety of sections of the public in countries around the world and persons visiting these countries.

In view of the above information, the GIA is assessed to be preparing, planning, and fostering the conduct of terrorist acts. Such acts include actions which are to be done and threats of actions which are to be made with the intention of advancing a political, religious or ideological cause and with the intention of coercing, or influencing by intimidation the government and people of numerous countries, including Algeria. The actions or threatened actions which the GIA is assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.