



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 responsibly 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.