



Appendix B – Statement of Reasons – Ansar al-Sunna

Ansar al-Sunna

(Also known as Ansar al-Islam, Partisans of Islam, Protectors of Islam, Supporters of Islam, Devotees of Islam,, Jaish Ansar al-Sunna, Ansar al-Sunna Army, Army of Ansar al-Sunna, Jund al-Islam, Soldiers of Islam, Protectors of the Sunna Faith)

The following information is based on publicly available details about Ansar al-Sunna (including the alias Ansar al-Islam). These details have been corroborated by material from intelligence investigations into the activities of Ansar al-Sunna. ASIO assesses that the details set out below are accurate and reliable.

Ansar al-Sunna is listed as Ansar al-Islam in the United Nations 1267 Committee's consolidated list and by the governments of Canada, the United Kingdom and the United States. Ansar al-Sunna is listed separately by the UK government.

Current status of Ansar al-Sunna

Ansar al-Sunna was initially formed as Ansar al-Islam, a merger of several smaller Kurdish-based Sunni extremist groups within the Kurdish Autonomous Zone (KAZ) of northern Iraq in late 2001. At this stage, Ansar al-Islam focused on the defeat of the secular Kurdish leadership to establish an independent Islamic state in the KAZ.

In March 2003, successful joint Patriotic Union of Kurdistan (PUK) and United States military operations against Ansar al-Islam strongholds forced many in the

group to disperse to other locations, including Iran. Ansar al-Islam members regrouped shortly after and returned to Iraq, where they sought, in cooperation with other foreign and Iraqi militants, to create an umbrella organisation for Sunni jihadi resistance to the Coalition presence in Iraq.

As a result, Ansar al-Islam evolved into Ansar al-Sunna with the formation of the group announced in an internet statement on 20 September 2003 calling all jihadists in Iraq to unite under the name Ansar al-Sunna. Following the release of the statement, attacks conducted by Ansar al-Islam operatives have been claimed under the name Ansar al-Sunna. However, many operatives abroad, particularly in the Kurdish immigrant communities in Europe, retain their Ansar al-Islam identity but continue to provide support to Ansar al-Sunna.

Ansar al-Sunna has strong links with al-Qa'ida and historical links to Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (TQJBR), a proscribed terrorist organisation also known as al-Qa'ida in Iraq. Former TQJBR leader Abu Musab al-Zarqawi operated one of the Ansar al-Islam training camps prior to the operations against the group in 2003.

Funding is supplied through radicalised Kurdish communities abroad, al-Qa'ida, criminal hostage taking and a degree of self-sufficiency in extracting funding from local sources in northern Iraq.

Objectives

Ansar al-Sunna supports the global militant Sunni jihadist ideology that is espoused by al-Qa'ida, including the re-establishment of the historical Islamic caliphate.

Ansar al-Sunna's objectives within Iraq are to overthrow the Iraqi Government, expel Coalition forces from the country and establish a Sunni Islamic state administered under Sharia law.

Leadership and membership

Ansar al-Sunna is organised into small, highly mobile cells. The reported leader of Ansar al-Sunna is Abu Abdullah al Hasan bin Mahmud. Members are recruited from Sunni based foreign and local sources. Ansar al-Sunna is believed to be divided into six divisions including a military and information division. The precise size of the group is unknown but estimates indicate numbers to be between 500-1000 members.

Ansar al-Sunna's engagement in terrorist activities

Ansar al-Sunna undertakes terrorist attacks each week in Iraq. Ansar al-Sunna's operational focus includes targeting Coalition Forces; Western interests; Iraqi

security forces; Iraqi government structures; Iraqis seen as cooperating with Coalition forces; secular Kurdish officials; and increasingly sectarian Shia targets.

Ansar al-Sunna's terrorist activities include suicide attacks, car bombs, emplaced improvised explosive devices (IEDs), kidnappings, executions, assassinations and conventional military attacks. It has also been involved in plans to conduct assassinations in Germany against Iraqi government interests.

Recent significant terrorist attacks for which responsibility has been claimed by, or reliably attributed to, Ansar al-Sunna include:

- 4 May 2005: Suicide bombing at KDP office in Erbil, killing 60 and wounding 150;
- 8 May 2005: Ambush of security contractors, killing 16. Japanese national Akihiko Saito was kidnapped and later died;
- 11 May 2005: Suicide bombing in Tikrit killing 33 labourers;
- 14 June 2005: Suicide attack in Kirkuk, killing 22 and wounding over 85;
- 16 June 2005: Senior Iraqi judge, Salem Mahmoud al-Haj Ali, assassinated in Mosul;
- 22 August 2005: Three military attacks against Iraqi security forces in Mosul and Kirkuk killing an unknown number of security personnel;
- 23 July 2006: Assassinating a Shia political figure in Diyali, sniping two US soldiers in Meet and detonating an IED in al-Miqdadiya damaging a US armoured vehicle;
- 29 September 2006: Suicide bombing assassination of Director of Police in Kirkuk which also killed a number of other Iraqi officials; and
- 5 December 2006: Rocket launchers and automatic gunfire killed several US service personnel on foot patrol in the al-Haqlaniyah market west of Baghdad.

Conclusion

The Criminal Code provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied that:

- (i) the organisation 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
- (ii) the organisation advocates the doing of a terrorist act (whether or not a terrorist act has occurred or will occur).

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

- (i) are done with the intention of advancing a political cause, namely, creating an Islamic caliphate in Iraq;
- (ii) are intended to coerce or influence by intimidation the governments of foreign countries, including Iraq and Coalition countries, and/or intimidate a section of the public; and
- (iii) constitute acts which cause serious physical harm to persons, including death, as well as serious damage to property.

This assessment is corroborated by information provided by reliable and credible intelligence sources.

Process for the 2007 re-listing of Ansar al-Sunna as a terrorist organisation under the *Criminal Code Act 1995*

The following process was undertaken for the purpose of re-listing Ansar al-Sunna as a terrorist organisation:

1. A separate unclassified Statement of Reasons for Ansar al-Sunna was prepared by the Australian Security Intelligence Organisation (ASIO), in consultation with the Department of Foreign Affairs and Trade, detailing the case for re-listing Ansar al-Sunna.
2. Mr Henry Burmester QC, Chief General Counsel of the Australian Government Solicitor, provided written confirmation on 24 January 2007 that the Statement of Reasons prepared by ASIO was sufficient for the Attorney-General to be satisfied on reasonable grounds that Ansar al-Sunna meets the requirements to be proscribed as a terrorist organisation under s 102.1 of the Criminal Code Act 1995 (the Criminal Code).
3. The Director-General of Security, Mr Paul O'Sullivan wrote to the Attorney-General on 31 January 2007 outlining the background, leadership, membership, leadership and membership of Ansar al-Sunna and attached a Statement of Reasons in respect of the organisation.
4. A submission was provided to the Attorney-General on 28 February 2007 attaching:
 - a. A copy of the Statement of Reasons prepared by ASIO in respect of Ansar al-Sunna;
 - b. Advice from the Chief General Counsel in respect of Ansar al-Sunna; and
 - c. Regulations and Federal Executive Council documentation in respect of Ansar al-Sunna.
5. Having considered the information provided in the submission, the Attorney-General signed a statement confirming he is satisfied on reasonable grounds that Ansar al-Sunna is 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.

The Attorney-General also signed regulations with respect to Ansar al-Sunna and approved associated Federal Executive Council documentation including Explanatory Memorandum, Executive Council Minute and Explanatory Statement.

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6. A letter dated 2 March 2007 from the Attorney-General was sent to the Prime Minister advising of the Attorney-General's intention to re-list Ansar al-Sunna as a terrorist organisation under the Criminal Code.
 7. The Attorney-General advised the Leader of the Opposition by letter dated 2 March 2007 of the proposed re-listing of Ansar al-Sunna as a terrorist organisation under the Criminal Code. The Leader of the Opposition was offered a briefing in relation to the re-listing of the organisation, however he has not taken up this offer.
 8. The Attorney-General wrote to the Attorneys-General of the States and Territories on 2 March 2007 advising them of the decision to re-list Ansar al-Sunna as a terrorist organisation under the Criminal Code. A copy of the Statement of Reasons re-listing Ansar al-Sunna as a terrorist organisation was attached to the letters. To date, no correspondence from the States or Territories has been received in relation to this re-listing.
 9. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on Intelligence and Security on 2 March 2007 advising of his decision to re-list Ansar al-Sunna as a terrorist organisation under the Criminal Code.
 10. The Governor-General made the regulation on 22 March 2007.
 11. The regulation was registered with the Federal Register of Legislative Instruments on 23 March 2007 and commenced on 24 March 2007.
 12. A press release was issued on 26 March 2007 and the Attorney-General's Department's National Security web site has been updated.

