

The Organisations

Overview

- 3.1 These six organisations were initially listed as terrorist organisations in 2003 under legislative arrangements which required that organisations to be listed had to be on the United Nations list of terrorist organisations. The six 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. This is the third review of the re-listing of the six terrorist organisations

Ansar al-Islam (formerly Ansar al-Sunna)

3.2 The statement of reasons is attached at Appendix B.

Engagement in Terrorism

- 3.3 Both the statement of reasons and Jane's state that Ansar al-Islam (also known as Ansar al-Sunna) has conducted terrorist attacks against a range of political, religious and foreign targets in Iraq, claiming responsibility for several attacks each week in Iraq.¹ Their targets include Iraqi and Coalition security forces, Kurdish government officials, Western individuals and interests based in Iraq, Iraqi civilians they believe have cooperated with Coalition forces and sectarian Shia targets.² By February 2007, Ansar al-Sunna had claimed responsibility for approximately 1,600 attacks in Iraq.³
- 3.4 The statement of reasons lists 16 attacks in the period since the last review. Their methods include assassinations and executions against Iraqi security and official personnel and foreign contractors from an array of nations, the use of small arms, IED and mortar attacks against high profile targets and suicide bombings, using both vehicle borne and person borne improvised explosive devices.⁴ The statement of reasons also states that Ansar al-Islam has used sophisticated weapons to attack military targets using rocket-propelled grenades and anti-aircraft weapons. Some of their most recent attacks include:
- 20 July 2008: A roadside bomb on a convoy of Iraqi National Guardsmen travelling through Mosul purportedly killed or injured 15 'apostates';
 - 13 August 2008: Ansar al-Islam claimed an attack on a Peshmerga barracks, reportedly killing 19 people and destroying two vehicles.⁵
- 3.5 In addition, Jane's Terrorism and Insurgency Centre states that on 3 February 2009 Iraqi security forces announced the arrest of an alleged female member of Ansar al-Islam, who authorities suspect was

1 Statement of reasons, *Submission 1*, Appendix B.

2 Statement of reasons, *Submission 1*, Appendix B.

3 Statement of reasons, *Submission 1*, Appendix B.

4 Statement of reasons, *Submission 1*, Appendix B.

5 Statement of reasons, *Submission 1*, Appendix B.

responsible for training around 80 female suicide bombers and sending at least 28 to carry out attacks.⁶

- 3.6 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. This organisation clearly meets the definition for the purpose of re-listing.

Ideology and links to other terrorist groups/networks

Ideology

- 3.7 The statement of reasons states that Ansar al-Islam's immediate objective is to overthrow the Iraqi Government, expel Coalition forces from the country and establish a Sunni Islamic state administered under Shariah law.⁷
- 3.8 Jane's states that, due to this ideology, members of Ansar al-Islam are also forbidden to participate in elections, amnesties and truces involving the 'foreign installed "apostate" Iraqi Government'.⁸

Links to other terrorist groups/networks

- 3.9 In the past Ansar al-Islam has openly declared its fealty to Osama bin Laden, whilst also having historical links with Al-Qa'ida in Iraq (AQI). Yet according to the statement of reasons, in October 2006 Ansar al-Islam refused to join AQI's umbrella organisation, the Islamic State of Iraq (ISoI).⁹
- 3.10 In April 2007, the Islamic Army in Iraq (IAI), a nationalist jihadist organisation, openly criticised AQI's unlawful tactics. Following this, in May 2007, the IAI established its own pan-Islamic political organisation, the Reformation and Jihad Front (RJF), incorporating Ansar al-Islam. These events led to signs of a split in Ansar al-Islam. However on 16 May 2007, Ansar al-Islam's leadership issued a number of statements claiming joint operations with AQI and that to date, Ansar al-Islam maintains a close relationship with AQI, as their hardline tactics and targets have converged.¹⁰

6 Jane's Terrorism and Insurgency Centre, *Ansar al-Sunna*, 6 February 2009, www.jtic.janes.com

7 Statement of reasons, *Submission 1*, Appendix B.

8 Jane's Terrorism and Insurgency Centre, *Ansar al-Sunna*, 6 February 2009, www.jtic.janes.com

9 Statement of reasons, *Submission 1*, Appendix B.

10 Statement of reasons, *Submission 1*, Appendix B.

Links to Australia

- 3.11 There is no information on any direct funding or support links with Australia in the statement of reasons.

Threat to Australian interests

- 3.12 Australians are considered a legitimate target by Ansar al-Islam, as indicated by the group's founder and original leader, Mular Krekar's comments in November 2007. In reference to the death of ABC journalist Paul Moran in 2003 in a suicide bombing claimed by Ansar al-Islam, Krekar stated that it was legitimate for Ansar al-Islam 'to kill Australian soldiers in Iraq'.¹¹

Proscription by the UN or like-minded countries

- 3.13 Ansar al-Islam is listed as Ansar al-Islam in the United Nations 1267 Committee's consolidated list. Ansar al-Islam is also listed by the Governments of the United States and Canada. In the United Kingdom, the group is listed separately under the names, Ansar al-Sunna and Ansar al-Islam. It is also listed by the European Union for the purposes of its anti-terrorism measures.

Engagement in Peace and Mediation processes

- 3.14 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. Indeed, as mentioned earlier in the chapter, its members are forbidden to engage in activity of this type.

Recommendation 1

The Committee does not recommend the disallowance of the regulation, made under the Criminal Code section 102.1, to list Ansar al-Islam as a terrorist organisation.

11 Statement of reasons, *Submission 1*, Appendix B.

Asbat al-Ansar (AAA)

3.15 The statement of reasons is attached at Appendix C.

Engagement in Terrorism

3.16 Since the last review of this organisation's listing, the statement of reasons lists three incidences where AAA has been involved in preparing, planning, assisting or fostering the doing of a terrorist act. These include:

- May 2007, AAA announced that one of its members was "martyred" during an attack outside Ayn al-Hilwah against the Lebanese Army in support of the Fatah al-Islam conflict in the Nahr al-Barid refugee camp;
- June 2007, Lebanese authorities detained a cell of AQI extremists in the Bekaa Valley who had trained with the AAA and were possibly planning terrorist attacks throughout Lebanon against United Nations Interim Forces or Western targets;
- 17 June 2007, AAA associates were implicated in a Katyusha rocket attack against northern Israel.¹²

3.17 Originally based in Lebanon, conducting attacks there in the 1990s, AAA has since scaled down its operations in Ayn al-Hilwah, Palestinian refugee camp in Lebanon and now concentrates on recruiting, training and dispatching volunteers to the insurgency in Iraq.¹³

3.18 According to the statement of reasons this is supported by an incident on 3 June 2008, when Jund al-Sham gunmen attacked a Lebanese army position on the edge of Ayn al-Hilweh. AAA distanced itself from this fighting instead joining a united Palestinian group to maintain peace in the camp. The statement of reasons states that this is so it can ensure a continued supply of fighters for Iraq without interference from Lebanese Armed Forces.¹⁴

3.19 Jane's provides more detail stating that this AAA action to maintain peace was due to a Fatah split in Lebanon between two rivals vying for leadership.¹⁵ This split has led to the rise of small Fatah factions in the Ayn

12 Statement of reasons, *Submission 1*, Appendix C.

13 Statement of reasons, *Submission 1*, Appendix C.

14 Statement of reasons, *Submission 1*, Appendix C.

15 Jane's Terrorism and Insurgency Centre, *Ansar al-Asbat*, 11 December 2008, www.jtic.janes.com

al-Hilwah camp. Some of these factions have been cooperating with Lebanese military intelligence in a campaign of kidnappings and assassinations targeting Jund al-Sham members wanted by Lebanese authorities. AAA opposes this collaboration and blames Fatah for the current instability in the camp. If this campaign continues, Jane's states that it could compel AAA to take sides with other Jihadist groups against Fatah, stimulating further civil unrest in Lebanon.¹⁶

- 3.20 In their submission to the inquiry, the Federation of Community Legal Centres (Vic) were concerned that the statutory criteria have not been adequately made out in the case of AAA. They stated:

In the case of Asbat al-Ansar (AAA) the most recent engagement in terrorist activities alleged in the Statement of Reasons occurred in mid-2007, almost 2 years ago. There is reference to charges brought in January 2008 against a person 'believed to be associated with AAA' but even those charges pertain to activity that allegedly occurred in 2002 and 2003. The Statement of Reasons refers to an attack on Lebanese armed forces in June 2008 by Jund al-Sham but it indicates that AAA has distanced itself from that kind of activity and there is no suggestion that AAA was involved in that attack in any way. There is, therefore, nothing in the Statement of Reasons to suggest engagement in, preparation for, planning of, assisting in or fostering of a terrorist act on the part of AAA at the present time.

Ideology and links to other terrorist groups/networks

Ideology

- 3.21 AAA is a Sunni extremist group, composed mainly of Palestinians. It is based in the Safsaf neighbourhood of Ayn al-Hilwah, the largest of the 12 Palestinian refugee camps in Lebanon.¹⁷ Ansar al-Asbat translates as League of Partisans. AAA follows an extremist version of Islam that justifies violence against civilians for political ends.¹⁸
- 3.22 Jane's states that AAA's main objective is the establishment of an Islamic state in Lebanon and the rest of the Muslim lands elsewhere. It opposes Christian, secular and Shia institutions in the country, and aims to use Lebanon as a launching pad to defeat and destroy Israel, establish a

16 Jane's Terrorism and Insurgency Centre, *Ansar al-Asbat*, 11 December 2008, www.jtic.janes.com

17 Jane's Terrorism and Insurgency Centre, *Ansar al-Asbat*, 11 December 2008, www.jtic.janes.com

18 Jane's Terrorism and Insurgency Centre, *Ansar al-Asbat*, 11 December 2008, www.jtic.janes.com

radical Islamist Palestinian state and 'liberate' Jerusalem for the Muslim world.¹⁹

Links to other terrorist groups/networks

- 3.23 AAA maintains close links with Al-Qa'ida and openly supports the Sunni insurgencies in Iraq and Afghanistan. However the statement of reasons indicates that AAA does not support Al-Qa'ida's operations in Saudi Arabia, Yemen, Algeria and Syria.²⁰
- 3.24 Jane's states that Asbat al-Ansar appears to have no foreign sponsor, but may have received assistance from Al-Qa'ida in the past. It is thought to have enjoyed tactical cooperation with the Syrian military intelligence, to facilitate the transfer from Lebanon to Iraq of volunteers for the Iraqi insurgency.²¹
- 3.25 Jane's also notes that AAA allies in Lebanon include Jund al-Sham and elements of Fatah al-Islam, a jihadist salafist group. The group's closet ally is the Harakat Islamiyya Mujahidda (the Islamic strugglers Movement) led by Sheikh Jamal Khattab, who is a leading Salafist Jihadist figure in the Ayn al-Hilwah refugee camp.²²

Links to Australia

- 3.26 There is no information on any direct funding or support links with Australia in the statement of reasons.

Threats to Australian Interests

- 3.27 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 AAA's support for the insurgency in Iraq.

Proscription by the UN or like-minded countries

- 3.28 AAA is listed by the United Nation's 1267 Committee's consolidated list and as a proscribed organisation by the governments of Canada, the United Kingdom, the United States and Russia.

19 Jane's Terrorism and Insurgency Centre, *Ansar al-Asbat*, 11 December 2008, www.jtic.janes.com

20 Statement of reasons, *Submission 1*, Appendix C.

21 Jane's Terrorism and Insurgency Centre, *Ansar al-Asbat*, 11 December 2008, www.jtic.janes.com

22 Jane's Terrorism and Insurgency Centre, *Ansar al-Asbat*, 11 December 2008, www.jtic.janes.com

Engagement in Peace and Mediation processes

- 3.29 There is no mention in the statement of reasons of this organisation's engagement in peace or mediation processes. The Committee has no information to indicate this organisation is engaged in peace or mediation processes.

Recommendation 2

The Committee does not recommend the disallowance of the regulation, made under the Criminal Code section 102.1, to list Asbat al-Ansar (AAA) as a terrorist organisation.

Islamic Army of Aden (IAA)

3.30 The statement of reasons is attached at Appendix D.

Engagement in terrorism

- 3.31 Based in Yemen, in the southern governates of Aden and Abyan, the IAA has engaged in terrorist attacks against Yemeni and Western interests since its formation in 1996. The statement of reasons states that between 2003 and 2006, counter-terrorism operations by Yemeni authorities have reduced the size of this group and limited its operational effectiveness.²³
- 3.32 The statement of reasons states that the last recorded incidence of terrorist activity was the March/April 2006 arrest of IAA members suspected of travelling to Iraq to fight foreign forces. However this incident appeared in the previous statement of reasons provided to the Committee for its June 2007 review of this organisation.
- 3.33 The statement of reasons contains no new incidences of terrorist activity and no arrests of members since the last re-listing of this organisation. Within the statement of reasons, the only information that the IAA has intent to commit terrorist acts is via statements reported on BBC Monitoring Global News in July²⁴ 2008, which contained a London based independent website, *Al-Quds al-Arabi*, interview with IAA's leader, Khalid Abd al-Nabi. Whilst he made no explicit call for a return to violence, his comments contained nothing to suggest the IAA has departed from their intention to engage in terrorist attacks.²⁵ Other than referring to this interview, the statement of reasons contains no new evidence that this organisation is engaged in preparing, planning, assisting or fostering the doing of a terrorist act.
- 3.34 In its private hearing on 21 April 2009, the Committee heard evidence from the Federation of Community Legal Centres (Vic) Inc that the statutory criteria has not been adequately made out in respect of the Islamic Army of Aden. They provided evidence to the Committee that this concern was due to the fact that the only information provided in the statement of reasons to indicate terrorist activity was information on an arrest of Islamic Army of Aden members in March and April 2006:

²³ Statement of reasons, *Submission 1*, Appendix D.

²⁴ The statement of reasons states that this interview took place in June 2008.

²⁵ Statement of reasons, *Submission 1*, Appendix D.

We are concerned, therefore, that some three years after those arrests ASIO are still unable to indicate whether those people were in fact charged subsequent to the arrests and, if so, whether the charges were proven. We raise this concern because apart from those arrests, no terrorist activity by Islamic Army of Aden is alleged to have taken place after October 2003.²⁶

- 3.35 The Committee notes the Federation of Community Legal Centre's concerns that the open source information provided in the public statement of reasons does not contain sufficient evidence of engagement in terrorist activity to satisfy the statutory criteria. At the hearing officers from ASIO assured the Committee that although the IAA has been quiet it is still engaged in terrorist activity:

IAA has been in abeyance and has been fairly quiet for some time, it has not overtly been conducting major terrorist attacks—bombs and so forth—but there is activity that its member are undertaking that [is] terrorist activity, not necessarily with IAA. It is starting to morph into other al-Qa'ida linked groups in the Arabian peninsular. It is still an entity in its own right but increasingly it is being...absorbed by other terrorist organisations in the area.²⁷

- 3.36 It is regrettable that on this occasion the published version of the statement of reasons omitted any advice from the Australian Intelligence Community, corroborating the public source information.
- 3.37 The Committee accepts that whilst in some respects the IAA appears to be disintegrating, with remnants of the group acting as part of other terrorist organisations in the region, some members of the organisation continue to be engaged in terrorist activity in the name of the IAA or similarly aligned groups.

Ideology and links to other terrorist groups/networks

Ideology

- 3.38 The statement of reasons states that the IAA aims to remove Western interests from Yemen and the wider Arabian Peninsula, overthrow the current Yemeni Government and establish an Islamic state. Jane's state that members of the group adhere to Salafi religious beliefs closely related to the extreme Wahhabism theology espoused by Al-Qa'ida.²⁸

26 *Classified Transcript.*

27 *Classified Transcript.*

28 Statement of reasons, *Submission 1*, Appendix D.

Links to other terrorist groups/networks

- 3.39 The statement of reasons states that the IAA has in the past had links with Al-Qa'ida, particularly in reference to their claim of responsibility for the suicide bomb attack on the USS Cole on 12 October 2000 and the MV Limburg on 7 October 2002. Although the statement of reasons confirms that these were Al-Qa'ida operations.²⁹
- 3.40 The statement of reasons notes that the IAA shares the Al-Qa'ida goal of driving Westerners from the region and removing the Yemeni Government so as to establish an Islamic state.³⁰

Links to Australia

- 3.41 There is no information on any direct funding or support links with Australia in the statement of reasons.

Threats to Australian Interests

- 3.42 The statement of reasons lists one incident in 1998, in which the IAA kidnapped 16 Western tourists. Four were killed in the rescue attempt, including an Australian.³¹ The Committee is mindful that this incident occurred 11 years ago.
- 3.43 The statement of reasons contains no other information on this matter. Australian citizens, including ADF personnel and Australian interests may be threatened as a result of IAA's support for the insurgency in Iraq.

Proscription by the UN or like-minded countries

- 3.44 The Islamic Army of Aden (IAA) is listed in the United Nations 1267 Committee's consolidated list and as a proscribed terrorist organisation by the European Union and the governments of the United Kingdom, New Zealand and Canada. The United States has designated the IAA as a terrorist organisation on the Terrorist Exclusion List which is for immigration purposes only.

Engagement in Peace and Mediation processes

- 3.45 The statement of reasons does not indicate any specific engagement in peace and mediation processes by the IAA. It does however point out that

29 Statement of reasons, *Submission 1*, Appendix D.

30 Statement of reasons, *Submission 1*, Appendix D.

31 Statement of reasons, *Submission 1*, Appendix D.

IAA leader, Khalid Abd al-Nabi surrendered to the authorities in 2003 and in return for his cooperation received a Presidential pardon that same year.³²

Recommendation 3

The Committee does not recommend the disallowance of the regulation, made under the Criminal Code section 102.1, to list Islamic Army of Aden (IAA) as a terrorist organisation.

32 Statement of reasons, *Submission 1*, Appendix D.

Islamic Movement of Uzbekistan (IMU)

3.46 The statement of reasons is attached at Appendix E.

Engagement in terrorism

3.47 The statement of reasons states that the IMU is now fighting in support of the Taliban and other Islamic groups against the Afghan Government and international military forces in Afghanistan. In mid-2007, seven heavily armed militants, connected with the IMU, were arrested while planting a mine on a road used by International Security Assistance Forces (ISAF) patrols in northern Afghanistan. The group admitted to carrying out rocket attacks, suicide missions and recruitment activities.³³

3.48 Following this, the statement of reasons provides detail on an incident in May 2008, when 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.³⁴

3.49 The statement of reasons also reports that IMU leader Tahir Yuldashev has stated his support for the Pakistani Taliban in its conflict with Pakistani security forces. It also highlights the fact that the IMU continues to recruit fighters in this region to fight alongside the Taliban and Al-Qa'ida against coalition and Pakistani forces in Afghanistan and Pakistan.³⁵

Ideology and links to other terrorist groups/networks

Ideology

3.50 The statement of reasons states that IMU's initial objective was to overthrow Uzbekistan President Islam Karimov's regime and replace it with a fundamentalist Islamic state. By 2000 the IMU had broadened its goals to establish an Islamic caliphate in Turkestan, from the Caspian Sea to China's Xinjiang Province and including the current central Asian nations. The statement of reasons also adds that Turkestan was the collective name used by the Russians for the old Central Asian feudal states, including Uzbekistan.³⁶

33 Statement of reasons, *Submission 1*, Appendix E.

34 Statement of reasons, *Submission 1*, Appendix E.

35 Statement of reasons, *Submission 1*, Appendix E.

36 Statement of reasons, *Submission 1*, Appendix E.

Links to other terrorist groups/networks

- 3.51 The statement of reasons states that the IMU has close ties with Al-Qa'ida and the Taliban, with senior IMU leaders holding positions in the Al-Qa'ida hierarchy and IMU members receiving training in camps in Pakistan. Jane's concurs, stating that since IMU leader, Tahir Yuldashev's arrival in Pakistan, he has closely aligned the IMU with Al-Qa'ida and pro-Taliban militants, with reports that he sits on Al-Qa'ida's global shura council.³⁷
- 3.52 According to Jane's, IMU presence has been reported in Pakistan's autonomous tribal areas but this is heavily contingent on forging relationships with local power brokers who could gravely threaten the IMU if interests diverge or conflict arises.³⁸
- 3.53 Jane's also notes that one of the principle functions of the IMU was to act as drug couriers for opium taken from the Taliban controlled areas in Afghanistan and smuggle it northwards. In 2000-2001, this trade expanded between Al-Qa'ida, the IMU and criminal drug syndicates in Tajikistan and Moscow.³⁹
- 3.54 The statement of reasons also states that the IMU has attracted support from a variety of ethnic groups, principally Uzbeks, Kyrgyz, Tajiks, Chechens, and Uighurs from Western China. The strength of the IMU is approximately 500 with members located in South Asia, Central Asia, and Iran.⁴⁰

Links to Australia

- 3.55 There is no information on any direct funding or support links with Australia in the statement of reasons.

Threats to Australian Interests

- 3.56 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.

37 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, 10 March 2009, www.jtic.janes.com

38 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, 10 March 2009, www.jtic.janes.com

39 Jane's Terrorism and Insurgency Centre, *Islamic Movement of Uzbekistan*, 10 March 2009, www.jtic.janes.com

40 Statement of reasons, *Submission 1*, Appendix E.

Proscription by the UN or like-minded countries

- 3.57 The IMU is listed by the United Nation's 1267 Committee's consolidated list and as a proscribed organisation by the governments of Canada, the United Kingdom and the United States.

Engagement in Peace and Mediation processes

- 3.58 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 4

The Committee does not recommend the disallowance of the regulation, made under the Criminal Code section 102.1, to list Islamic Movement of Uzbekistan (IMU) as a terrorist organisation.

Lashkar-e-Jhangvi (LeJ)

3.59 The statement of reasons is attached at Appendix F.

Engagement in terrorism

- 3.60 Janes offers no information on terrorist acts beyond those listed in the statement of reasons.
- 3.61 The statement of reasons indicates that since its establishment in 1996, the LeJ has established a reputation as the most violent Sunni extremist organisation in Pakistan. The group has reportedly killed hundreds of Shia doctors, lawyers, teachers, politicians, lobbyists and scholars and has also targeted Westerners, with the most infamous being the brutal abduction and murder of U.S. journalist Daniel Pearl in 2002.
- 3.62 Since the last re-listing of LeJ, there have been a number of terrorist attacks committed with LeJ involvement and also arrests of many of its members by Pakistani authorities. The most notable attack, in which LeJ involvement was suspected, was the 8 September 2008 suicide bombing of the Marriott hotel in Islamabad. It is clear that LeJ still maintains a commitment to carrying out terrorist acts.

Ideology and links to other terrorist groups/networks

Ideology

- 3.63 Lashkar-e Jhangvi (LeJ) is a Sunni Deobandi Islamic terrorist group based primarily in Pakistan's Punjab region and the city of Karachi. The group was formed in 1996 by Akram Lahori, Malik Ishaque, and Riaz Basra of the radical sectarian organisation, the Sipah-e-Sahaba Pakistan (SSP), who accused the SSP's leadership of deviating from the ideals of its co-founder, Maulana Haq Nawaz Jhangvi.

Links to other terrorist groups/networks

- 3.64 Janes lists no particular alliances that LeJ belong to.⁴¹ The statement of reasons states that LeJ can rely on the assistance of other Pakistani terrorist groups, such as Lashkar-e-Tayyiba, Harakat ul-Mujahideen, Harakat ul-

41 Jane's Terrorism and Insurgency Centre, *Lashkar-e-Jhangvi (LeJ)*, 10 August 2006, www.jtic.janes.com

Jihad al-Islami, Jaish-e-Mohammad, all of which are members of Usama bin Laden's International Islamic Front and that LeJ also has an extremely 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.⁴²

Links to Australia

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

Threats to Australian interests

3.66 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

3.67 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 and Pakistan.

Engagement in peace/mediation processes

3.68 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 5

The Committee does not recommend the disallowance of the regulation, made under the Criminal Code section 102.1, to list Lashkar-e Jhangvi (LeJ) as a terrorist organisation.

42 Statement of reasons, *Submission 1*, Appendix F.

Jaish-e-Mohammad (JeM)

3.69 The statement of reasons is attached at Appendix G.

Engagement in terrorism

- 3.70 The statement of reasons indicates that the JeM operates primarily in Indian Administered Kashmir (IAK) and has been responsible for attacking Indian security forces (military and police), government installations, and civilians in the disputed territories of this region.
- 3.71 However the statement of reasons also notes that there has been a recent shift in JeM's operational focus to join the Taliban movement in attacks against government and Coalition forces in Afghanistan. Since the last re-listing of this group, and particularly since 2008, the statement of reasons also states that the threat to Coalition forces in Afghanistan is said to have increased, due mainly to the added onslaught of Pakistani jihadist groups such as JeM.
- 3.72 The statement of reasons also lists six attacks claimed by JeM since the last re-listing and a number of arrests of JeM members.
- 3.73 Jane's highlights an attack in November 2007, in which a number of bombs were detonated in the Pakistani cities of Faizabad, Kucknow and Varanesi, targeting court buildings and killing 13 people.
- 3.74 Jane's also concurs with the statement of reasons stating that according to Pakistani military reports, since December 2007, JeM has been linked with an upturn in militant activity in the Swat Valley and that they have been involved in recruiting suicide bombers

Ideology and links to other terrorist groups/networks

Ideology

- 3.75 Established in 2000, JeM was founded by the radical Islamic scholar and jihadist leader, Maulana Masood Azhar.
- 3.76 JeM's stated objective is to unite the IAK with Pakistan under a radical interpretation of Islamic law, as well as the eradication of Hindu and other non-Muslim presence on the sub-continent. JeM also actively promotes

Jihad against the U.S. and other nations for perceived violations of Muslim rights.

- 3.77 Jane's also states that JeM aims to radicalise the political agenda in Jammu and Kashmir by terrifying local Hindus into leaving and supporting pro-Pakistani groups in the IAK.⁴³

Links to other terrorist groups/networks

- 3.78 The statement of reasons states JeM receives funding from legitimate business interests, including commodity trading and property and through Islamic charities such as the al-Rashid trust (also known as the al Amin Trust) whose accounts were ordered to be frozen by the UN Security Council for suspected links to Al-Qa'ida.
- 3.79 Jane's states that since these accounts have been frozen by the UN, JeM has subsequently found additional means of funding by channelling resources through other countries, notably Bangladesh and Nepal, as well as making use of the Hawala informal network of money transfer.⁴⁴
- 3.80 The statement of reasons also reports that JeM operates with other Islamic groups in the IAK such as Lashkar-e-Tayyiba (LeT) and has conducted joint operations in Afghanistan and Pakistan with groups such as Hizb-ul-Mujahideen (HM), Harakat-ul-Jihad-i-Islami (HuJI), Lashkar-e-Jhangvi (LeJ) and Sipah-e-Sahaba Pakistan (SSP). The statement of reasons also notes that JeM have close ties with the Taliban and Al-Qaeda.

Links to Australia

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

Threats to Australian interests

- 3.82 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.

43 Jane's Terrorism and Insurgency Centre, *Jesh-e-Mohammad (JeM)*, 23 September 2008, www.jtic.janes.com

44 Jane's Terrorism and Insurgency Centre, *Jesh-e-Mohammad (JeM)*, 23 September 2008, www.jtic.janes.com

Proscription by the UN or like-minded countries

- 3.83 JeM is listed in the United Nations 1267 Committee's consolidated list and by the governments of the United States, the United Kingdom, Canada, New Zealand, the European Union, India and Pakistan.

Engagement in peace/mediation processes

- 3.84 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 6

The Committee does not recommend the disallowance of the regulation, made under the Criminal Code section 102.1, to list Jaish-e-Mohammad (JeM) as a terrorist organisation.