

Parliamentary Joint Committee on Intelligence and Security

Report by Statement

**A review of regulations re-listing Jama'at Mujahideen
Bangladesh (JMB) and the listing of Neo-Jama'at Mujahideen
Bangladesh (Neo-JMB) as terrorist organisations under the
*Criminal Code Act 1995***

August 2021

Mr President and fellow Senators – I rise today to present a statement of the Parliamentary Joint Committee on Intelligence and Security for the review of regulations re-listing Jama'at Mujahideen Bangladesh (JMB) and the listing of Neo-Jama'at Mujahideen Bangladesh (Neo-JMB) as terrorist organisations under the *Criminal Code Act 1995*.

Regulations that specify an organisation as a terrorist organisation cease to have effect on the third anniversary of the day on which they take effect. Organisations can be re-listed, provided the Minister is satisfied on reasonable grounds that the organisation continues to directly or indirectly engage in terrorism or advocate the doing of a terrorist act.

Jama'at Mujahideen Bangladesh (JMB) was last listed in 2018, and the regulations to re-list them were tabled in Parliament on the 2nd June 2021.

Neo-Jama'at Mujahideen Bangladesh (Neo-JMB) was first listed as an alias of Jama'at Mujahideen Bangladesh in 2018 and following advice from Australian Government Agencies is now considered to be an organisation that operates independently of Jama'at Mujahideen Bangladesh. The regulations to re-list them were tabled in Parliament on the 2nd June 2021.

Mr President, the Committee's review examines the Minister's decision to re-list and list these organisations. Section 102.1A of the *Criminal Code* provides that the Committee may review a regulation which re-lists or lists an organisation as a terrorist organisation and report its comments and recommendations to each House of the Parliament before the end of the applicable 15 sitting day disallowance

period. This statement serves this purpose and is being presented within the required period.

In determining whether the regulations re-listing and listing these organisations should be supported, the Committee reviewed the merits in accordance with the Minister for Home Affairs' explanatory statement and statement of reasons for the organisations, and other publicly available information.

In its deliberations, the Committee determined that:

- Jama'at Mujahideen Bangladesh (JMB) is a Bangladeshi Sunni violent extremist group which aims to remove democracy, liberalism, socialism and secularism and institute an Islamic state in Bangladesh. The group's ideology broadly aligns with al-Qa'ida (AQ)'s global jihadist ideals. Since first listed on 9 June 2018, JMB has continued to conduct terrorist attacks. There are no known direct links between JMB and Australia, and while Australians are unlikely to be directly targeted, they may be incidentally harmed in attacks perpetrated at tourist sites in Bangladesh.
- Neo-Jama'at Mujahideen Bangladesh (Neo-JMB) was first listed as an alias of JMB on 9 June 2018, however the group is operating independently of JMB and has been listed as a terrorist organisation. The group is assessed to be an affiliate of the Islamic State of Iraq and the Levant and subscribes to Islamic State's anti-Western ideology which would consider Australians to be legitimate targets of attack. Neo-JMB has been assessed to have been responsible for a number of terrorist attacks, and in Australia a Bangladeshi student who was reportedly a Neo-Jama'at Mujahideen Bangladesh member

was responsible for lone-actor stabbing attack in Melbourne on 9 February 2018. Neo-JMB favours lone-wolf or small group attacks in which Australians may also be incidentally targeted while overseas.

Mr President, there is evidence that these groups continue to be engaging in, preparing, assisting with or fostering terrorist activities that could potentially and profoundly impact the Australian people.

In examining the evidence that has been provided, the Committee is satisfied with the re-listing processes and considers that they have been followed appropriately for these organisations. The Committee therefore supports the re-listing and listing of JMB and Neo-JMB under Division 102 of the *Criminal Code* in order to protect Australians and Australia's interests, and finds no reason to disallow the regulations.

Senator James Paterson

Chair