



AFPA

Australian Federal
Police Association

Review of the listing of Ansar Allah as a terrorist organisation under the Criminal Code

Submission by the Australian Federal Police Association

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Introduction

The Australian Federal Police Association (AFPA) welcomes the opportunity to make a submission regarding the review, undertaken by the Parliamentary Joint Committee on Intelligence and Security of the listing of Ansar Allah as a terrorist organisation under the *Criminal Code 1995*.

The AFPA thanks the PJCIS for this opportunity and provides permission for the publication of this submission.

The AFPA

The AFPA is a registered organisation and an autonomous sub-branch of the Police Federation of Australia. The AFPA represents the industrial, political, and professional interests of members of the AFP, law enforcement officials in the Australian Criminal Intelligence Commission, and members of the Department of Parliamentary Services.

Our members provide an essential service to Australia. They are the backbone of the Commonwealth's principal law enforcement agency, performing crucial investigative, intelligence and national security functions.

The AFP is responsible for:

- providing community policing services to the Australian Capital Territory and other territories including Christmas Island, Cocos (Keeling) Islands, Norfolk Island and Jervis Bay,
- enforcing Commonwealth laws that combat complex, transnational, serious and organised crime, child exploitation, fraud, corruption, and cybercrime,
- protecting Australians and Australian interests from terrorism and violent extremism,
- removing wealth and property from criminals that have been illegally obtained,
- protecting Commonwealth infrastructure, including designated airports, Parliament House, and embassies,
- protecting domestic and foreign dignitaries, including the Governor-General, Prime Minister, and ambassadors,
- protecting at-risk individuals,
- representing Australian police and law enforcement at an international level, and
- developing unique capabilities and exploiting advanced technology to support Australia's national interests.

Background

A review of the *Criminal Code Act 1995* legislative amendment designating Ansar Allah as a terrorist organisation was commenced on June 25 2024, by the Parliamentary Joint Committee on Intelligence and Security (PJCIS).

According to *Section 102.1A* of the *Criminal Code 1995*, the PJCIS has fifteen (15) sitting days to review a listing that designates an organisation as a terrorist organisation and report its findings and recommendations to each House of Parliament.

For an organisation to be listed as a terrorist organisation under the *Criminal Code*, the Attorney-General must be satisfied on reasonable grounds that the organisation:

- is directly, or indirectly engaged in, preparing, planning, assisting in or fostering the commission of a terrorist act; or
- advocates for the commission of a terrorist act.

The effect of this regulation is that the organisation is confirmed as a terrorist organisation for committing offences listed in *Division 102* of the *Criminal Code 1995*. Examples of these offences include (but are not limited to) directing the activities of a terrorist organisation or recruiting persons to a terrorist organisation.

Position of the AFPA

To protect Australia, its communities and its interests, the AFPA **supports** the designation of Ansar Allah, also known as the Houthis, as a terrorist organisation under the *Criminal Code Act 1995*.

The AFPA strongly recommends that the **PJCIS does not recommend to Parliament to disallow the listing regulation**.

Violent attacks by Ansar Allah in the Gulf of Aden and other areas have resulted in the deaths of civilians, the taking of hostages, and serious disruptions to the freedoms and rights of navigation in the waters surrounding the Arabian Peninsula — jeopardising maritime security and world wealth.

Australian intelligence agencies, including the Australian Federal Police, have provided information to Government to demonstrate Ansar Allah's capabilities to prepare, plan, assist, or foster the commission of terrorist acts.

Ansar Allah has primarily threatened to exact revenge on the United States and the United Kingdom through multiple public pronouncements. Given Australia's open backing for *Operation Prosperity Guardian*, it is not unreasonable to foresee Ansar Allah extending these threats to include Australian interests both in the Middle East or even on Australian soil using drone attacks. Since January 2022, Ansar Allah has been responsible for 16 terrorist acts utilising drone or missile strikes.

Designating groups such as Ansar Allah as terrorist organisations under the provisions of the *Criminal Code* helps to:

- directly increase the prosecution of terrorist-related crimes,
- commensurately grow public awareness of current alerts and threat levels, and
- act as a deterrent to new and existing members of the group, or otherwise disrupt the group's ongoing operations.