Review of the re-listing of al-Shabaab, Hamas' Izz al-Din al-Qassam Brigades (Hamas Brigades), the Kurdistan Workers Party (PKK), Lashkar-e-Tayyiba (LeT) and Palestinian Islamic Jihad (PJ) as terrorist organisations under the Criminal Code

Submission 6

LIBERTY VICTORIA

Victorian Council for Civil Liberties Inc Reg No: A0026497L GPO Box 3161 Melbourne, VIC 3001 t 03 9670 6422 info@libertyvictoria.org.au

> PRESIDENT Jessie E Taylor

SENIOR VICE-PRESIDENT Michael Stanton

> VICE-PRESIDENTS Jamie Gardiner Thomas Kane

IMMEDIATE PAST PRESIDENT George Georgiou SC

PATRON The Hon. Michael Kirby AC CMG

libertyvictoria.org.au

7 September 2018

Committee Secretary Joint Committee on Intelligence and Security

Parliament House **CANBERRA ACT 2600** AUSTRALIA

Email: pjcis@aph.gov.au

Dear Secretary,

Review of the re-listing of the Kurdistan Workers Party (PKK)

- 1. I am the President of Liberty Victoria, one of Australia's oldest human rights organisations. I write with regard to the Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of al-Shabaab, Hamas' Izz al-Din al-Qassam Brigades (Hamas Brigades), the Kurdistan Workers Party (PKK), Lashkar-e-Tayyiba (LeT) and Palestinian Islamic Jihad (PIJ) as terrorist organisations under the Criminal Code (the Review).
- 2. I write on behalf of Liberty Victoria to adopt and endorse the submissions to the Review made by:
 - a. Stary Norton Halphen (on behalf Democratic Kurdish Community Centre of NSW and the Kurdish Democratic Community Centre of Victoria (Submission 4); and
 - b. Dr Vicki Sentas (Faculty of Law, UNSW) (Submission 5).

- 3. Alongside our wholesale endorsement of the submissions, we reiterate the concerns raised in both submissions regarding the quality of the evidence underpinning previous decisions to proscribe the PKK. We join with the authors of the endorsed submissions in urging the Joint Committee to take a measured and evidence-based approach to its review, assessing the criteria for re-listing with a view to satisfying itself that the evidence relied upon is reliable, probative and reasonable. Ultimately, it is our firm view that the PKK ought not be re-listed.
- 4. [If you have any questions regarding this letter, please do not hesitate to contact me

5. We thank the Joint Committee for the opportunity to make this submission.

Kind regards,



Jessie Taylor President, Liberty Victoria