

CONFIRMATION OF FAX

19.4.05



Australian Government

Attorney-General's Department

Security and Critical
Infrastructure Division

Submission No: 9
Date Received: 21-4-05
Secretary:

05/3035

18 April 2005

Ms Margaret Swieringa
Secretary
Parliamentary Joint Committee on ASIO, ASIS and DSD
Parliament House
CANBERRA ACT 2600

Dear Ms Swieringa

Review of listing of terrorist organisations

I refer to the Parliamentary Joint Committee on ASIO, ASIS and DSD's (the Committee) hearing to be held on Monday, 2 May 2005 on the regulations made under section 102.1 of the *Criminal Code Act 1995* listing terrorist organisations.

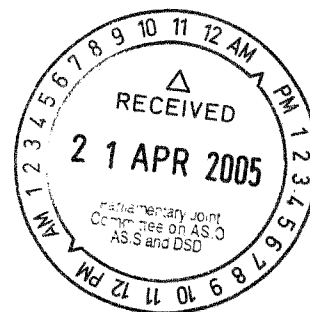
To assist the Committee in conducting this hearing, I enclose information on the process of re-listing the following terrorist organisations:

- Ansar al-Islam
- Asbat al-Ansar
- Egyptian Islamic Jihad
- Islamic Army of Aden
- Islamic Movement of Uzbekistan
- Jaish-e-Mohammad, and
- Lashkar-e Jhangvi

I note that the process of listing al-Zarqawi as a terrorist organisation was forwarded to you on 22 March 2005.

Yours sincerely

Geoff McDonald
Assistant Secretary
Security Law Branch
Telephone: 6250 5423
Facsimile: 6250 5985



Process of re-listing Egyptian Islamic Jihad as a terrorist organisation

The following process was undertaken for the purposes of re-listing Egyptian Islamic Jihad as a terrorist organisation:

1. An unclassified Statement of Reasons was prepared by ASIO detailing the case for re-listing the organisation
2. The Director-General for Security, Mr Dennis Richardson, wrote to the Attorney-General on 10 March 2005 outlining the background, training activities, terrorist activities and relevant statements of the organisation.
3. AGD consulted with DFAT in order to identify issues of relevance with respect to that portfolio. DFAT expressed support for the re-listing of the organisation by email on 14 March 2005. No further detail was provided.
4. Chief General Counsel, Mr Henry Burmester QC provided written confirmation on 10 March 2005 that the Statement of Reasons was sufficient for the Attorney-General to be satisfied on reasonable grounds that the organisation is an organisation directly or indirectly engaged in, preparing planning, assisting in or fostering the doing of a terrorist act, whether or not the terrorist act has occurred or will occur.
5. A submission was provided to the Attorney-General on 14 March 2005 including:
 - a. copies of the Statement of Reasons from ASIO for the organisation
 - b. advice from the Chief General Counsel in relation to the organisation
 - c. letter from the Director-General of Security
 - d. the response from DFAT in relation to the proposed re-listing, and
 - e. regulations and Federal Executive Council documentation
6. Having considered the information provided in the submission, the Attorney-General signed a statement confirming that he is satisfied on reasonable grounds that the organisation is an organisation 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 a regulation in relation to the organisation, and approved associated Federal Executive Council documentation including an explanatory statement, explanatory memoranda, and an executive council minute.
7. On 17 March 2005 the Attorney-General wrote to the Attorneys-General of the States and Territories advising of the decision to re-list the organisation. The following responses were received:

- a. 22 March 2005 from the Minister for Justice and Attorney-General of the Northern Territory advising that he had no opposition to the re-listing of the organisation
- b. 1 April 2005 from the Attorney-General of South Australia noting the information provided and advising that there were no objections to the proposal.
- c. 1 April 2005 from the Attorney-General of Queensland and advising that there was no objection to the proposed re-listing
- d. The Premier of Western Australia wrote to the Prime Minister on 30 March 2005 advising that there was no objection to the re-listing of the organisation and requesting that future requests in relation to re-listings adhere to the provisions of the *Inter-governmental Agreement on Counter-terrorism Laws* (25 June 2004). A copy of this letter was also sent to the Attorney-General.
- e. The Premier of NSW wrote to the Prime Minister on 1 April 2005 and sent a copy of this letter to the Attorney-General. The Premier did not object to the re-listing of the organisation as a terrorist organisation. The Premier requested that in accordance with the *Inter-governmental Agreement on Counter-Terrorism Laws*, he would appreciate all future matters concerning the listing of terrorist organisations being raised directly with the Premier.

The Prime Minister responded to the Premier of NSW and to the Premier of Western Australia by letter dated 4 April 2005 advising that the process adopted by the Government is consistent with the terms of the *Intergovernmental Agreement on Counter-terrorism Laws* and that it is more practical administratively in the case of re-listings to continue the current practice whereby the Commonwealth Attorney-General liaises with his counterparts in the States and Territories.

8. The Attorney-General wrote to the Prime Minister on 23 March 2005 advising of his intention to re-list the organisation.
9. The Leader of the Opposition was advised of the proposed re-listing by letter dated 23 March 2005 and was offered a briefing in relation to the re-listing.
10. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on ASIO, ASIS and DSD on 23 March 2005 advising of his decision to re-list the organisation.
11. The Administrator made the regulation on 7 April 2005.
12. A press release was issued on 7 April 2005 and the Attorney-General's Department National Security website was updated.
13. The Regulation was lodged with the Federal Register of Legislative Instruments (FRLI) on 8 April 2005 [FRLI Reference Number: F2005L00707]

Process of re-listing Lashkar-e Jhangvi as a terrorist organisation

The following process was undertaken for the purposes of re-listing Lashkar-e Jhangvi as a terrorist organisation:

1. An unclassified Statement of Reasons was prepared by ASIO detailing the case for re-listing the organisation
2. The Director-General for Security, Mr Dennis Richardson, wrote to the Attorney-General on 8 March 2005 outlining the background, training activities, terrorist activities and relevant statements of the organisation.
3. AGD consulted with DFAT in order to identify issues of relevance with respect to that portfolio. In this instance, DFAT expressed support for the re-listing of the organisation by email on 9 March 2005. No further detail was provided.
4. Chief General Counsel, Mr Henry Burmester QC provided written confirmation on 10 March 2005 that the Statement of Reasons was sufficient for the Attorney-General to be satisfied on reasonable grounds that the organisation is an organisation directly or indirectly engaged in, preparing planning, assisting in or fostering the doing of a terrorist act, whether or not the terrorist act has occurred or will occur.
5. A submission was provided to the Attorney-General on 14 March 2005 including:
 - a. copies of the Statement of Reasons from ASIO for the organisation
 - b. advice from the Chief General Counsel in relation to the organisation
 - c. letter from the Director-General of Security
 - d. the response from DFAT in relation to the proposed re-listing, and
 - e. regulations and Federal Executive Council documentation
6. Having considered the information provided in the submission, the Attorney-General signed a statement confirming that he is satisfied on reasonable grounds that the organisation is an organisation 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 a regulation in relation to the organisation, and approved associated Federal Executive Council documentation including an explanatory statement, explanatory memoranda, and an executive council minute.
7. On 17 March 2005 the Attorney-General wrote to the Attorneys-General of the States and Territories advising of the decision to re-list the organisation. The following responses were received:

- a. 22 March 2005 from the Minister for Justice and Attorney-General of the Northern Territory advising that he had no opposition to the re-listing of the organisation
- b. 1 April 2005 from the Attorney-General of South Australia noting the information provided and advising that there were no objections to the proposal.
- c. 1 April 2005 from the Attorney-General of Queensland and advising that there was no objection to the proposed re-listing
- d. The Premier of Western Australia wrote to the Prime Minister on 30 March 2005 advising that there was no objection to the re-listing of the organisation and requesting that future requests in relation to re-listings adhere to the provisions of the *Inter-governmental Agreement on Counter-terrorism Laws* (25 June 2004). A copy of this letter was also sent to the Attorney-General.
- e. The Premier of NSW wrote to the Prime Minister on 1 April 2005 and sent a copy of this letter to the Attorney-General. The Premier did not object to the re-listing of the organisation as a terrorist organisation. The Premier requested that in accordance with the *Inter-governmental Agreement on Counter-Terrorism Laws*, he would appreciate all future matters concerning the listing of terrorist organisations being raised directly with the Premier.

The Prime Minister responded to the Premier of NSW and to the Premier of Western Australia by letter dated 4 April 2005 advising that the process adopted by the Government is consistent with the terms of the *Intergovernmental Agreement on Counter-terrorism Laws* and that it is more practical administratively in the case of re-listings to continue the current practice whereby the Commonwealth Attorney-General liaises with his counterparts in the States and Territories.

8. The Leader of the Opposition was advised of the proposed re-listing by letter dated 22 March 2005 and was offered a briefing in relation to the re-listing.
9. The Attorney-General wrote to the Prime Minister on 23 March 2005 advising of his intention to re-list the organisation.
10. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on ASIO, ASIS and DSD on 23 March 2005 advising of his decision to re-list the organisation.
11. The Administrator made the regulation on 7 April 2005.
12. A press release was issued on 7 April 2005 and the Attorney-General's Department National Security website was updated.
13. The Regulation was lodged with the Federal Register of Legislative Instruments (FRLI) on 8 April 2005 [FRLI Reference Number: F2005L00706]

Process of re-listing Islamic Movement of Uzbekistan as a terrorist organisation

The following process was undertaken for the purposes of re-listing Islamic Movement of Uzbekistan as a terrorist organisation:

1. An unclassified Statement of Reasons was prepared by ASIO detailing the case for re-listing the organisation
2. The Director-General for Security, Mr Dennis Richardson, wrote to the Attorney-General on 8 March 2005 outlining the background, training activities, terrorist activities and relevant statements of the organisation.
3. AGD consulted with DFAT in order to identify issues of relevance with respect to that portfolio. In this instance, DFAT expressed support for the re-listing of the organisation by email on 9 March 2005. No further detail was provided.
4. Chief General Counsel, Mr Henry Burmester QC provided written confirmation on 10 March 2005 that the Statement of Reasons was sufficient for the Attorney-General to be satisfied on reasonable grounds that the organisation is an organisation directly or indirectly engaged in, preparing planning, assisting in or fostering the doing of a terrorist act, whether or not the terrorist act has occurred or will occur.
5. A submission was provided to the Attorney-General on 14 March 2005 including:
 - a. copies of the Statement of Reasons from ASIO for the organisation
 - b. advice from the Chief General Counsel in relation to the organisation
 - c. letter from the Director-General of Security
 - d. the response from DFAT in relation to the proposed re-listing, and
 - e. regulations and Federal Executive Council documentation
6. Having considered the information provided in the submission, the Attorney-General signed a statement confirming that he is satisfied on reasonable grounds that the organisation is an organisation 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 a regulation in relation to the organisation, and approved associated Federal Executive Council documentation including an explanatory statement, explanatory memoranda, and an executive council minute.
7. On 17 March 2005 the Attorney-General wrote to the Attorneys-General of the States and Territories advising of the decision to re-list the organisation. The following responses were received:

- a. 22 March 2005 from the Minister for Justice and Attorney-General of the Northern Territory advising that he had no opposition to the re-listing of the organisation
- b. 1 April 2005 from the Attorney-General of South Australia noting the information provided and advising that there were no objections to the proposal.
- c. 1 April 2005 from the Attorney-General of Queensland and advising that there was no objection to the proposed re-listing
- d. The Premier of Western Australia wrote to the Prime Minister on 30 March 2005 advising that there was no objection to the re-listing of the organisation and requesting that future requests in relation to re-listings adhere to the provisions of the *Inter-governmental Agreement on Counter-terrorism Laws* (25 June 2004). A copy of this letter was also sent to the Attorney-General.
- e. The Premier of NSW wrote to the Prime Minister on 1 April 2005 and sent a copy of this letter to the Attorney-General. The Premier did not object to the re-listing of the organisation as a terrorist organisation. The Premier requested that in accordance with the *Inter-governmental Agreement on Counter-Terrorism Laws*, he would appreciate all future matters concerning the listing of terrorist organisations being raised directly with the Premier.

The Prime Minister responded to the Premier of NSW and to the Premier of Western Australia by letter dated 4 April 2005 advising that the process adopted by the Government is consistent with the terms of the *Intergovernmental Agreement on Counter-terrorism Laws* and that it is more practical administratively in the case of re-listings to continue the current practice whereby the Commonwealth Attorney-General liaises with his counterparts in the States and Territories.

8. The Leader of the Opposition was advised of the proposed re-listing by letter dated 22 March 2005 and was offered a briefing in relation to the re-listing.
9. The Attorney-General wrote to the Prime Minister on 23 March 2005 advising of his intention to re-list the organisation.
10. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on ASIO, ASIS and DSD on 23 March 2005 advising of his decision to re-list the organisation.
11. The Administrator made the regulation on 7 April 2005.
12. A press release was issued on 7 April 2005 and the Attorney-General's Department National Security website was updated.
13. The Regulation was lodged with the Federal Register of Legislative Instruments (FRLI) on 8 April 2005 [FRLI Reference Number: F2005L00702]

Process of re-listing Jaish-e-Mohammad as a terrorist organisation

The following process was undertaken for the purposes of re-listing Jaish-e-Mohammad as a terrorist organisation:

1. An unclassified Statement of Reasons was prepared by ASIO detailing the case for re-listing the organisation
2. The Director-General for Security, Mr Dennis Richardson, wrote to the Attorney-General on 8 March 2005 outlining the background, training activities, terrorist activities and relevant statements of the organisation.
3. AGD consulted with DFAT in order to identify issues of relevance with respect to that portfolio. In this instance, DFAT expressed support for the re-listing of the organisation by email on 9 March 2005. No further detail was provided.
4. Chief General Counsel, Mr Henry Burmester QC provided written confirmation on 10 March 2005 that the Statement of Reasons was sufficient for the Attorney-General to be satisfied on reasonable grounds that the organisation is an organisation directly or indirectly engaged in, preparing planning, assisting in or fostering the doing of a terrorist act, whether or not the terrorist act has occurred or will occur.
5. A submission was provided to the Attorney-General on 14 March 2005 including:
 - a. copies of the Statement of Reasons from ASIO for the organisation
 - b. advice from the Chief General Counsel in relation to the organisation
 - c. letter from the Director-General of Security
 - d. the response from DFAT in relation to the proposed re-listing, and
 - e. regulations and Federal Executive Council documentation
6. Having considered the information provided in the submission, the Attorney-General signed a statement confirming that he is satisfied on reasonable grounds that the organisation is an organisation 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 a regulation in relation to the organisation, and approved associated Federal Executive Council documentation including an explanatory statement, explanatory memoranda, and an executive council minute.
7. On 17 March 2005 the Attorney-General wrote to the Attorneys-General of the States and Territories advising of the decision to re-list the organisation. The following responses were received:

- a. 22 March 2005 from the Minister for Justice and Attorney-General of the Northern Territory advising that he had no opposition to the re-listing of the organisation
- b. 1 April 2005 from the Attorney-General of South Australia noting the information provided and advising that there were no objections to the proposal.
- c. 1 April 2005 from the Attorney-General of Queensland and advising that there was no objection to the proposed re-listing
- d. The Premier of Western Australia wrote to the Prime Minister on 30 March 2005 advising that there was no objection to the re-listing of the organisation and requesting that future requests in relation to re-listings adhere to the provisions of the *Inter-governmental Agreement on Counter-terrorism Laws* (25 June 2004). A copy of this letter was also sent to the Attorney-General.
- e. The Premier of NSW wrote to the Prime Minister on 1 April 2005 and sent a copy of this letter to the Attorney-General. The Premier did not object to the re-listing of the organisation as a terrorist organisation. The Premier requested that in accordance with the *Inter-governmental Agreement on Counter-Terrorism Laws*, he would appreciate all future matters concerning the listing of terrorist organisations being raised directly with the Premier.

The Prime Minister responded to the Premier of NSW and to the Premier of Western Australia by letter dated 4 April 2005 advising that the process adopted by the Government is consistent with the terms of the *Intergovernmental Agreement on Counter-terrorism Laws* and that it is more practical administratively in the case of re-listings to continue the current practice whereby the Commonwealth Attorney-General liaises with his counterparts in the States and Territories.

8. The Leader of the Opposition was advised of the proposed re-listing by letter dated 22 March 2005 and was offered a briefing in relation to the re-listing.
9. The Attorney-General wrote to the Prime Minister on 23 March 2005 advising of his intention to re-list the organisation.
10. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on ASIO, ASIS and DSD on 23 March 2005 advising of his decision to re-list the organisation.
11. The Administrator made the regulation on 7 April 2005.
12. A press release was issued on 7 April 2005 and the Attorney-General's Department National Security website was updated.
13. The Regulation was lodged with the Federal Register of Legislative Instruments (FRLI) on 8 April 2005 [FRLI Reference Number: F2005L00703]

Process of re-listing Asbat al-Ansar as a terrorist organisation

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

1. An unclassified Statement of Reasons was prepared by ASIO detailing the case for re-listing the organisation
2. The Director-General for Security, Mr Dennis Richardson, wrote to the Attorney-General on 8 March 2005 outlining the background, training activities, terrorist activities and relevant statements of the organisation.
3. AGD consulted with DFAT in order to identify issues of relevance with respect to that portfolio. In this instance, DFAT expressed support for the re-listing of the organisation by email on 9 March 2005. No further detail was provided.
4. Chief General Counsel, Mr Henry Burmester QC provided written confirmation on 10 March 2005 that the Statement of Reasons was sufficient for the Attorney-General to be satisfied on reasonable grounds that the organisation is an organisation directly or indirectly engaged in, preparing planning, assisting in or fostering the doing of a terrorist act, whether or not the terrorist act has occurred or will occur.
5. A submission was provided to the Attorney-General on 14 March 2005 including:
 - a. copies of the Statement of Reasons from ASIO for the organisation
 - b. advice from the Chief General Counsel in relation to the organisation
 - c. letter from the Director-General of Security
 - d. the response from DFAT in relation to the proposed re-listing, and
 - e. regulations and Federal Executive Council documentation
6. Having considered the information provided in the submission, the Attorney-General signed a statement confirming that he is satisfied on reasonable grounds that the organisation is an organisation 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 a regulation in relation to the organisation, and approved associated Federal Executive Council documentation including an explanatory statement, explanatory memoranda, and an executive council minute.
7. On 17 March 2005 the Attorney-General wrote to the Attorneys-General of the States and Territories advising of the decision to re-list the organisation. The following responses were received:

- a. 22 March 2005 from the Minister for Justice and Attorney-General of the Northern Territory advising that he had no opposition to the re-listing of the organisation
- b. 1 April 2005 from the Attorney-General of South Australia noting the information provided and advising that there were no objections to the proposal.
- c. 1 April 2005 from the Attorney-General of Queensland and advising that there was no objection to the proposed re-listing
- d. The Premier of Western Australia wrote to the Prime Minister on 30 March 2005 advising that there was no objection to the re-listing of the organisation and requesting that future requests in relation to re-listings adhere to the provisions of the *Inter-governmental Agreement on Counter-terrorism Laws* (25 June 2004). A copy of this letter was also sent to the Attorney-General.
- e. The Premier of NSW wrote to the Prime Minister on 1 April 2005 and sent a copy of this letter to the Attorney-General. The Premier did not object to the re-listing of the organisation as a terrorist organisation. The Premier requested that in accordance with the *Inter-governmental Agreement on Counter-Terrorism Laws*, he would appreciate all future matters concerning the listing of terrorist organisations being raised directly with the Premier.

The Prime Minister responded to the Premier of NSW and to the Premier of Western Australia by letter dated 4 April 2005 advising that the process adopted by the Government is consistent with the terms of the *Intergovernmental Agreement on Counter-terrorism Laws* and that it is more practical administratively in the case of re-listings to continue the current practice whereby the Commonwealth Attorney-General liaises with his counterparts in the States and Territories.

8. The Attorney-General wrote to the Prime Minister on 23 March 2005 advising of his intention to re-list the organisation.
9. The Leader of the Opposition was advised of the proposed re-listing by letter dated 23 March 2005 and was offered a briefing in relation to the re-listing.
10. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on ASIO, ASIS and DSD on 23 March 2005 advising of his decision to re-list the organisation.
11. The Administrator made the regulation on 7 April 2005.
12. A press release was issued on 7 April 2005 and the Attorney-General's Department National Security website was updated.
13. The Regulation was lodged with the Federal Register of Legislative Instruments (FRLI) on 8 April 2005 [FRLI Reference Number: F2005L00701]

Process of re-listing Ansar al-Islam as a terrorist organisation.

The following process was undertaken for the purpose of re-listing the organisation:

1. An unclassified Statement of Reasons was prepared by ASIO detailing the case for re-listing the organisation.
2. Chief General Counsel, Mr Henry Burmester QC provided written confirmation on 10 March 2005 that the Statement of Reasons was sufficient for the Attorney-General to be satisfied on reasonable grounds that the organisation is an organisation directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act, whether or not the terrorist act has occurred or will occur.
3. The Director-General for Security, Mr Dennis Richardson, wrote to the Attorney-General on 7 March 2005 outlining the background, training activities, terrorist activities, and relevant statements of the organisation.
4. AGD consulted with DFAT in order to identify issues of relevance with respect to the re-listing of Ansar al-Islam. DFAT provided a response by email dated 9 March 2005 expressing support for the re-listing of Ansar al-Islam.
5. A submission was provided to the Attorney-General on 14 February 2005 including:
 - a. copies of the Statement of Reasons from ASIO for the organisation
 - b. advice from the Chief General Counsel in relation to the organisation
 - c. letter from the Director-General of Security
 - d. response from DFAT in relation to the proposed re-listing, and
 - e. regulations and Federal Executive Council documentation.
6. Having considered the information provided in the submission, the Attorney-General signed a statement confirming that he is satisfied on reasonable grounds that the organisation is an organisation 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 a regulation in relation to the organisation, and approved associated Federal Executive Council documentation including an explanatory statement, explanatory memoranda, and an executive council minute.
7. The Attorney-General wrote to the Prime Minister on 17 March 2005 advising of his intention to re-list the organisation.
8. The Leader of the Opposition was advised of the proposed re-listing by letter on 17 March 2005 and was offered a briefing in relation to the re-listing.

9. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on ASIO, ASIS and DSD on 17 March 2005 advising of his decision to re-list the organisation.
10. On 17 March 2005 the Attorney-General wrote to the Attorneys-General of the States and Territories advising them of the decision to re-list the organisation. To date, the following responses have been received:
 - a. 22 March 2005 from the Minister for Justice and Attorney-General of the Northern Territory advising that he had no opposition to the re-listing of the organisation
 - b. 1 April 2005 from the Attorney-General of South Australia noting the information provided and advising that there were no objections to the proposal.
 - c. 1 April 2005 from the Attorney-General of Queensland and advising that there was no objection to the proposed re-listing
 - d. The Premier of Western Australia wrote to the Prime Minister on 30 March 2005 advising that there was no objection to the re-listing of the organisation and requesting that future requests in relation to re-listings adhere to the provisions of the *Inter-governmental Agreement on Counter-terrorism Laws* (25 June 2004). A copy of this letter was also sent to the Attorney-General.
 - e. The Premier of NSW wrote to the Prime Minister on 1 April 2005 and sent a copy of this letter to the Attorney-General. The Premier did not object to the re-listing of the organisation as a terrorist organisation. The Premier requested that in accordance with the *Inter-governmental Agreement on Counter-Terrorism Laws*, he would appreciate all future matters concerning the listing of terrorist organisations being raised directly with the Premier.

The Prime Minister responded to the Premier of NSW and to the Premier of Western Australia by letter dated 4 April 2005 advising that the process adopted by the Government is consistent with the terms of the *Intergovernmental Agreement on Counter-terrorism Laws* and that it is more practical administratively in the case of re-listings to continue the current practice whereby the Commonwealth Attorney-General liaises with his counterparts in the States and Territories.
11. The Governor-General made the regulation on 23 March 2005.
12. The regulation was registered with the Federal Register of Legislative Instruments on 23 March 2005 [FRLI Reference Number: F2005L00699]
13. A press release was issued on 23 March 2005 and the Attorney-General's Department National Security website was updated.

Process of re-listing Islamic Army of Aden as a terrorist organisation

The following process was undertaken for the purposes of re-listing Islamic Army of Aden as a terrorist organisation:

1. An unclassified Statement of Reasons was prepared by ASIO detailing the case for re-listing the organisation
2. The Director-General for Security, Mr Dennis Richardson, wrote to the Attorney-General on 22 March 2005 outlining the background, training activities, terrorist activities and relevant statements of the organisation.
3. Chief General Counsel, Mr Henry Burmester QC provided written confirmation on 22 March 2005 that the Statement of Reasons was sufficient for the Attorney-General to be satisfied on reasonable grounds that the organisation is an organisation directly or indirectly engaged in, preparing planning, assisting in or fostering the doing of a terrorist act, whether or not the terrorist act has occurred or will occur.
4. AGD consulted with DFAT in order to identify issues of relevance with respect to that portfolio. In this instance, DFAT expressed support for the re-listing of the organisation by email on 23 March 2005. No further detail was provided.
5. A submission was provided to the Attorney-General on 30 March 2005 including:
 - a. copies of the Statement of Reasons from ASIO for the organisation
 - b. advice from the Chief General Counsel in relation to the organisation
 - c. letter from the Director-General of Security
 - d. the response from DFAT in relation to the proposed re-listing, and
 - e. regulations and Federal Executive Council documentation
6. Having considered the information provided in the submission, the Attorney-General signed a statement confirming that he is satisfied on reasonable grounds that the organisation is an organisation 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 a regulation in relation to the organisation, and approved associated Federal Executive Council documentation including an explanatory statement, explanatory memoranda, and an executive council minute.
7. On 31 March 2005 the Attorney-General wrote to the Attorneys-General of the States and Territories advising of the decision to re-list the organisation. These letters were sent by facsimile on 6 April 2005.

8. The Attorney-General wrote to the Prime Minister on 31 March 2005 advising of his intention to re-list the organisation.
9. The Leader of the Opposition was advised of the proposed re-listing by letter dated 31 March 2005 and was offered a briefing in relation to the re-listing.
10. The Attorney-General wrote to the Chairman of the Parliamentary Joint Committee on ASIO, ASIS and DSD on 31 March 2005 advising of his decision to re-list the organisation.
11. The Administrator made the regulation on 7 April 2005.
12. A press release was issued on 7 April 2005 and the Attorney-General's Department National Security website was updated.
13. The Regulation was lodged with the Federal Register of Legislative Instruments (FRLI) on 8 April 2005 [FRLI Reference Number: F2005L00850]