



Appendix D – Statement of Reasons – Hamas’ Izz al-Din al-Qassam Brigades

(Also known as: Ezzedeen Al-Qassam Brigades; and Izz al-Din Al-Qassem Brigades)

The following information is based on publicly available details about Hamas’ Izz al-Din al-Qassam Brigades. To the Australian Government’s knowledge, these details are accurate and reliable and have been corroborated by classified information.

Basis for listing a terrorist organisation

Division 102 of the *Criminal Code* provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied on reasonable grounds that the organisation:

- (a) is directly or indirectly engaged in, preparing, planning, or assisting in or fostering the doing of a terrorist act (whether or not a terrorist act has occurred or will occur); or
- (b) advocates the doing of a terrorist act (whether or not a terrorist act has occurred or will occur).

Details of the organisation

Hamas is a militant Sunni Islamist organisation and political party founded in 1987 in the Palestinian Territories during the first Intifada uprising. Hamas began as a branch of, and retains an ideological affinity with, the Muslim Brotherhood. Like its parent, Hamas is a multifaceted, well organised and relatively moderate organisation renowned for its extensive social service networks in the Palestinian Territories. Since winning a majority of seats in the Palestinian general legislative elections in 2006, and gaining control of Gaza by force in 2007, Hamas has been responsible for the administration and provision of government services including health, education and security to Gaza’s inhabitants.

The Izz al-Din al-Qassam Brigades were officially established in 1991 to provide Hamas with a military capability. Originally, the Brigades were organized secretly, comprising compartmentalized cells that specialized in terrorist attacks, assassinations and kidnappings inside Israel. Since Hamas gained control of Gaza in 2007 and took up a governing role,

the Brigades have been forced to develop, at least partially, into a more traditional military force. The Brigades operate predominantly in Gaza, with limited representation in the West Bank.

Objectives

As Hamas' military wing, the Brigades' objectives are subordinate to Hamas' broad political goals. Their essential aim is the unification of Israel and the Palestinian Territories under Islamic rule – a goal which entails the destruction of Israel as a political entity. Due to the disparity between Israel and Hamas' respective military resources, the Brigades have adopted terrorist tactics in their bid to defeat Israel. Most famously, they adopted the use of suicide bombings, describing them as the "F-16" of the Palestinian people.

The Brigades have never demonstrated any intent to conduct attacks outside of Israel and the Palestinian Territories or to target interests of countries other than Israel.

Leadership and Membership

The size of the Brigades is difficult to determine. International Crisis Group in 2009 described its estimated strength as 7000 – 10 000 full time members, with around 20 000 reserves. The proportion of members assigned to more standard military and security duties, and those assigned to planning terrorist attacks is not known.

Despite being Hamas' military wing and subordinate to Hamas' ideological objectives, the Brigades are structured as a distinct and discrete organisation which can survive the dissolution of Hamas' political structures. Accordingly, the Brigades operate with a significant degree of independence in their decision making.

The leader of the Brigades is Mohammed Deif, who has held the position since 2002.

The Brigades maintain their own website, including an English language version, which publicizes their aims and activities. It is used to claim responsibility for terrorist attacks and to announce the deaths of its members as a result of Israeli airstrikes.

Hamas' funding comes from a range of both official and private sources. Saudi Arabia and Iran have traditionally been the largest sources of financial aid. Hamas collects taxes within Gaza and has limited access to Palestinian Authority funds. The amount of money earmarked specifically for the Brigades is difficult to ascertain.

Terrorist activity of the organisation

Directly or indirectly engaged in the doing of terrorist acts / Directly or indirectly preparing and/or planning terrorist acts

Since their first suicide bombing in 1993, the Brigades are reported to have killed more than 500 people in more than 350 separate terrorist attacks. Since 2005, however, the majority of the terrorist activity conducted by the Brigades has consisted of small-arms fire and rocket and mortar fire directed at Israeli military assets and communities in the vicinity of Gaza. These attacks, sometimes indiscriminate in nature, have caused significant property damage as well as deaths and injuries to military personnel and civilians. Recent terrorist attacks for which responsibility has been claimed by, or is reliably attributed to, the Brigades have included:

- 7 April 2011: an anti-tank missile struck a school bus near the Gaza strip, destroying the bus and resulting in the death of an Israeli teenager. The Brigades took responsibility for the attack, although they claimed they had not intended to target Israeli schoolchildren, and had mistaken the bus for one carrying Israeli military personnel.
- 1 September 2010: a group of Brigades members wounded two Israeli settlers near Ramallah. A subsequent statement by the Brigades threatened a wave of attacks against Israelis.
- 31 August 2010: four Israeli settlers were shot dead by the same members of the Brigades near the West Bank city of Hebron.

Directly or indirectly assisting in the doing of terrorist acts

The Brigades control supply lines to Iran, where it sends fighters for military training. These same supply lines are used by Palestinian Islamic Jihad for procurement and training. With this arrangement the Brigades are indirectly assisting Palestinian Islamic Jihad in committing terrorist acts.

Conclusion

On the basis of the above information, ASIO assesses Hamas’ Izz al-Din al-Qassam Brigades continue to directly and/or indirectly engage in, prepare, plan, assist, advocate or foster the doing of terrorist acts involving threats to life and serious property damage. This assessment is corroborated by information provided by reliable and credible intelligence sources.

In the course of pursuing its objectives Hamas’ Izz al-Din al-Qassam Brigades are known to have committed or threatened action:

- that causes, or could cause, serious damage to property, the death of persons or endanger a person’s life; and
- with the intention of advancing Hamas’ Izz al-Din al-qassam Brigades’ political, religious or ideological causes; and
- with the intention of intimidating the public and sections of the public.

Other Relevant Information*Links to Australia*

There are no known links to Australia.

Level of participation in peace negotiations

There are no current peace negotiations being conducted including the Brigades.

Other designations -

Hamas' Izz al-Din al-Qassam Brigades (the Brigades) are proscribed as a terrorist organisation by the governments of the United Kingdom and New Zealand. Hamas (including the Brigades) has been proscribed as a terrorist organisation by the governments of the United States and Canada. Hamas is also listed by the European Union for the purposes of its anti-terrorism financing measures.

Hamas is also included in the DFAT Consolidated List that refers to United Nations Council Resolution 1373 in relation to countering financing of terrorism.