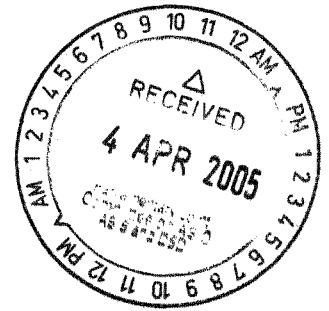




ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP



05/2084

23 MAR 2005

The Hon David Jull MP
Chairman
Parliamentary Joint Committee on ASIO, ASIS & DSD
Parliament House
CANBERRA ACT 2600

I am writing to advise you that a regulation is scheduled to be considered by the Federal Executive Council on 7 April 2005 specifying Egyptian Islamic Jihad as a terrorist organisation for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code). Egyptian Islamic Jihad (also known as: al-Jihad; Jihad Group; Islamic Jihad; Al-Jihad al-Islami; New Jihad Group; Qaeda al-Jihad; Talaa'al al-Fateh; Vanguard of Conquest; al-Takfir; World Justice Group; International Justice Group; Islamic Group) was specified as a terrorist organisation under the *Criminal Code Regulations 2002* with effect from 11 April 2003.

The regulation listing Egyptian Islamic Jihad will cease to have effect on the second anniversary of the day on which it took effect, pursuant to subsection 102.1(3) of the Criminal Code.

The regulation will be made on the basis that I continue to be satisfied on reasonable grounds that Egyptian Islamic Jihad 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).

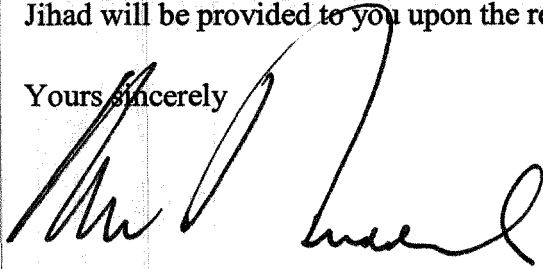
I made the decision to re-list Egyptian Islamic Jihad following careful consideration of unclassified intelligence information provided by the Australian Security Intelligence Organisation (ASIO) in relation to the organisation, as well as legal advice provided to me by the Australian Government Solicitor.

Section 102.1A of the Criminal Code provides that the Parliamentary Joint Committee on ASIO, ASIS and DSD may review the regulation as soon as possible after it has been made, and report the Committee's comments and recommendations to each House of the Parliament before the end of the applicable disallowance period for that House.

To assist the Committee, should it decide to review the regulation, I enclose a copy of the Statement of Reasons provided by ASIO in relation to Egyptian Islamic Jihad, upon which

my decision to re-list the organisation as a terrorist organisation was based. Additional information detailing the procedure followed for the purposes of re-listing Egyptian Islamic Jihad will be provided to you upon the registration of the regulation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philip Ruddock', written in a cursive style.

Philip Ruddock

Egyptian Islamic Jihad

(Also known as: al-Jihad; Jihad Group; Islamic Jihad; Al-Jihad al-Islami; New Jihad Group; Qaeda al-Jihad; Talaa'al al-Fateh; Vanguard of Conquest; al-Takfir; World Justice Group; International Justice Group, Islamic Group)

The following information is based on publicly available details about the Egyptian Islamic Jihad (EIJ). These details have been corroborated by material from intelligence investigations into the activities of the EIJ and by official reporting. ASIO assesses that the details set out below are accurate and reliable.

The EIJ has been proscribed as a terrorist organisation in Australia, and by the United Nations and the governments of the United States, United Kingdom, Canada and Egypt.

Background

The EIJ emerged as a coalition of Sunni Islamic radical groups that split from the Muslim Brotherhood, an Egyptian Islamist political movement, in the late 1970s. The EIJ's goal was to replace the secular Egyptian government with an Islamic state.

Following the EIJ's assassination of Egyptian President Anwar Sadat in 1981, the Egyptian government cracked down on the group, severely restricting its capability within Egypt. In 1987 the EIJ leader Ayman al-Zawahiri moved the base of the EIJ's operations to Afghanistan.

During the 1990s members of the EIJ leadership, including Ayman al-Zawahiri, drew close to al-Qa'ida. On 23 February 1998 a statement was published declaring the founding of the International Islamic Front for Jihad on the Jews and Crusaders. This umbrella organisation drew together elements of the EIJ, al-Qa'ida and other militant groups. The statement was signed by al-Zawahiri as leader of the EIJ. In line with al-Qa'ida's publicly stated aims, elements of the EIJ have increasingly targeted US and Western interests since 1998. However, many EIJ members resisted this alignment on the basis that they wanted the EIJ to maintain its primary focus on attacking Egyptian interests.

ASIO assesses that the EIJ remains active and continues to exist as a separate organisation from al-Qa'ida, despite the membership being dispersed and elements of the EIJ being closely associated with al-Qa'ida.

Objectives

The EIJ aims to replace the Egyptian government with an Islamist state and to attack US, Egyptian and Israeli interests in Egypt and abroad. Since entering into an alliance with al-Qa'ida in 1998, al-Zawahiri's followers have also adopted the internationalist goals of al-Qa'ida.

Leadership and membership

The spiritual leader of the EIJ is considered to be Sheikh Umar Abd al-Rahman who was imprisoned for his involvement in the 1993 World Trade Center bombing, the murder of an extremist rabbi and plots to attack other targets in New York.

Attachment A

As a result of al-Zawahiri's affiliation with al-Qa'ida, the EIJ now comprises two main militant factions: one led by al-Zawahiri, which remains closely allied with Usama bin-Laden and al-Qa'ida; and a larger faction led by Tharwat Salah Shihata, which remains primarily focused on the EIJ's original goal of overthrowing the Egyptian Government. There is no evidence that this has led to the creation of two separate organisations. Both factions share the same core beliefs and remain in contact.

The EIJ originally relied upon the diversion of funds from Muslim charitable causes and clandestine fundraising by supporters. Following the closer alignment with al-Qa'ida, the EIJ relies on the charitable and commercial networks utilised by al-Qa'ida, as well as criminal activity.

The EIJ operates in widely-dispersed small independent cells, with leaders appointed for each cell. The overall membership of the EIJ is currently unknown; available information suggests that in Afghanistan and Pakistan there are approximately 200 core members. The EIJ's network of members and supporters can be found in Egypt, Afghanistan, Lebanon, Pakistan, Sudan, Iran, UK and Yemen. Members have been arrested in Albania, Azerbaijan, Bulgaria, Romania and the United Arab Emirates.

The EIJ has recruited individuals with skills in forgery, military operations and marksmanship. Many EIJ members have received training at camps that also provided training to al-Qa'ida recruits. EIJ members have received training in terrorist related skills including the manufacture, use and smuggling of explosives, and assassinations.

Terrorist activities

Consistent with its primary goals, the EIJ initially conducted armed attacks against high-level Egyptian government personnel and Egyptian facilities. As the EIJ's goals became intertwined with those of al-Qa'ida and the EIJ became frustrated with its inability to overthrow the Egyptian government, the EIJ concentrated on attacks against Egyptian targets outside Egypt and US interests.

Effective security operations have severely restricted the EIJ's capabilities within Egypt. Consequently there have been no recent attacks in Egypt that are attributed to the EIJ. However, on the basis of available information ASIO assesses that EIJ operatives still exist in Egypt: in January 2003, the Egyptian Interior Minister stated that a number of 'sleeper cells' still exist there.

Despite the lull in activities publicly attributed to the EIJ, ASIO assesses that the EIJ, and EIJ members active in the al-Qa'ida network, continue to prepare, plan for and foster acts of violence with a view to furthering its objectives. This assessment is supported by reliable information provided by other intelligence sources. Ayman al-Zawahiri remains a significant symbol and leader of global jihad and is still considered the leader of the EIJ faction based in Afghanistan and Pakistan. He is also widely considered to be second-in-command of al-Qa'ida and spiritual mentor to Usama bin Ladan. On 21 May 2003 and 1 October 2004, al-Zawahiri issued public statements calling for and supporting attacks against Western interests, including Australia.

ASIO assesses that the EIJ will likely resume its campaign against the Egyptian Government if and when the opportunity arises. The close relationship between elements

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of the EIJ leadership and other groups within the al-Qa'ida network means the EIJ may draw upon significant material support in relation to its future activities.

Major terrorist attacks which have been reliably attributed to the EIJ or for which the EIJ has claimed responsibility have included:

- October 1981: assassination of Egyptian President Anwar Sadat;
- August 1993: attempted assassination of Egyptian Interior Minister Al-Alfi;
- November 1993 attempted assassination of Egyptian Prime Minister Ated Sedky;
- June 1995: attempted assassination of Egyptian President Mubarak in Addis Ababa, Ethiopia;
- November 1995: assassination of an Egyptian diplomat in Geneva;
- 19 November 1995: suicide truck-bomb attack against the Egyptian embassy in Pakistan, killing 17 people;

As a member of the al-Qa'ida coalition, the EIJ have been implicated in a number of significant terrorist attacks, including:

- 7 August 1998: bombings of the US embassies in Tanzania and Kenya killing over 200 people;
- 12 October 2000: suicide bomb attack against the *USS Cole*, Aden, Yemen; and
- 11 September 2001: attacks against the World Trade Center and the Pentagon

Conclusion

ASIO assesses that the EIJ continues to prepare, plan and foster the commission of acts involving threats to human life and serious damage to property. These assessments are based on information provided by reliable and credible intelligence sources.

In the course of pursuing its objectives of replacing the Egyptian government with an Islamist state and attacking US and Israeli interests, Egyptian Islamic Jihad is known to have engaged in actions that are:

- are aimed at advancing the EIJ's political and religious causes;
- done with the intention of coercing or influencing by intimidation the governments and people of numerous countries (including Australia);
- intended to, or do, cause serious damage to property, the death of persons or endanger life; and
- intended to cause, or have caused, serious risk to the safety of sections of the public in Egypt and other persons visiting areas in which it operates.

In view of the above information, Egyptian Islamic Jihad is assessed to be directly or indirectly engaged in preparing, planning, and fostering the conduct of terrorist acts. Such acts include actions which are to be done and threats of actions which are to be made with the intention of advancing a political, religious or ideological cause and with the intention of coercing, or influencing by intimidation government and people of Egypt,

Attachment A

the United States and other countries. The actions or threatened actions which Egyptian Islamic Jihad are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.