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**ATTORNEY-GENERAL**  
**THE HON PHILIP RUDDOCK MP**

07/2234 07/2238



**22 MAR 2007**

The Hon David Jull MP  
Chair  
Parliamentary Joint Committee on Intelligence and Security  
Parliament House  
CANBERRA ACT 2600

Dear Mr Jull

I am writing to advise you that I have decided to re-list Asbat al Ansar (AAA) and the Islamic Movement of Uzbekistan (IMU) as terrorist organisations for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code).

AAA was initially listed as a terrorist organisation under the *Criminal Code Amendment Regulations 2003 (No.4)* which took effect on 11 April 2003 and was re-listed as a terrorist organisation under the *Criminal Code Amendment Regulations 2005 (No.6)* which took effect on 11 April 2005.

The IMU was initially listed as a terrorist organisation under the *Criminal Code Amendment Regulations 2003 (No.6)* which took effect on 11 April 2003 and was re-listed as a terrorist organisation under the *Criminal Code Amendment Regulations 2005 (No.4)* which took effect on 11 April 2005.

Pursuant to subsection 102.1(3) of the Criminal Code, the listing of both of these organisations will cease to have effect on 11 April 2007.

I am satisfied on reasonable grounds that AAA is directly or indirectly assisting in or fostering the doing of a terrorist act and the IMU is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not a terrorist act has occurred or will occur).

The re-listing of AAA and the IMU will ensure that the offence provisions under Division 102 of the Criminal Code will apply.

My decision to re-list AAA and the IMU was made following careful consideration of unclassified intelligence information provided by the Australian Security Intelligence Organisation (ASIO) in consultation with the Department of Foreign Affairs and Trade, in relation to these organisations, as well as legal advice provided to me by the Australian Government Solicitor.

61 2 6273 4180

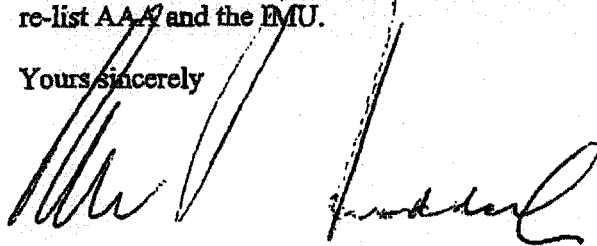
It is proposed that the Governor-General make regulations for the purpose of re-listing Islamic AAA and the IMU at the Federal Executive Council meeting on 29 March 2007.

It is a requirement under subsection 102.1(2A) of the Criminal Code that before the Governor-General makes a regulation specifying an organisation for the purposes of paragraph (b) of the definition of *terrorist organisation* in section 102.1 of the Criminal Code, arrangements must be made for the Leader of the Opposition in the House of Representatives to be briefed in relation to the proposed regulations. I have extended an offer to the Leader of the Opposition for a briefing in relation to the re-listing of AAA and the IMU.

I will also write to the Parliamentary Joint Committee on Intelligence and Security (the Committee) to advise of my intention to make the regulations. Pursuant to section 102.1A of the Criminal Code, the Committee may review the regulations as soon as possible after they have 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.

Under agreed arrangements concerning the interpretation of the Inter-Governmental Agreement with respect to the re-listing of terrorist organisations under the Criminal Code, I will write to the Attorneys-General of the States and Territories advising of my intention to re-list AAA and the IMU.

Yours sincerely



Philip Ruddock

61 2 6273 4180

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**Asbat al Ansar (AAA)**

**(Also known as: League of Partisans; Band of Partisans, Band of Helpers, League of the Followers, Partisans' League, Usbat al-Ansar, Usbat ul-Ansar, Osbat al-Ansar, Isbat al-Ansar, Esbat al-Ansar).**

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

AAA is listed in the United Nation's 1267 Committee's consolidated list and as a proscribed terrorist organisation by the governments of Canada, Russia, the United Kingdom, and the United States.

**Current status of AAA**

AAA is a Sunni Muslim extremist group, largely based in the Ayn al-Hilwah Palestinian refugee camp near Sidon in southern Lebanon. The group has a smaller presence in the Nahr al-Bared camp outside Tripoli in northern Lebanon, and is also active in Sidon, Beirut and the Dinniyeh plateau in northern Lebanon.

AAA's origins can be traced back to the late 1980s. The group became more widely known in the early 1990s following a series of attacks on nightclubs, theatres and liquor stores.

Initially, AAA limited its operations to Lebanon and engaged in a number of low-level attacks against 'un-Islamic' targets. These have included bombings against churches, bars, theatres and casinos, as well as Lebanese forces, elements of the Lebanese government and foreign nationals. AAA has widened its operations to conduct attacks against foreign interests in Lebanon and assassinations of significant religious leaders. AAA's attack methods include rocket-propelled grenades, explosive charges, rockets and car bombs.

AAA maintains links to a number of terrorist organisations, including al-Qa'ida and Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (TQJBR). There is a view that AAA subscribes to bin Laden's ideal of global jihad and is planning to extend its operations into Syria and Israel.

AAA remains active and has shifted its focus to Iraq, sending fighters in support of the insurgency in collaboration with al-Qa'ida. In 2005 and 2006, AAA announced the death or martyrdom of AAA members fighting the 'crusader' forces in Iraq. Due to the activities of AAA and like-minded groups, Lebanon has increasingly become a known transport node and recruitment hub for extremists travelling to Iraq.

AAA leadership continues to make statements supporting attacks conducted by other groups and advocating violent jihad against the West, such as the April 2004 announcement urging Iraqi insurgents to kill Western hostages to avenge the death of Hamas leaders Abdul Aziz Rantisi and Sheikh Ahmed Yassin, and the February 2006 statement praising attacks by angry mobs against the Danish consulates in Beirut and Damascus in response to the Danish cartoons controversy.

AAA primarily receives funding from other terrorist organisations, such as al-Qa'ida.

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61 2 6273 4180

**UNCLASSIFIED****Objectives**

AAA's objectives are to establish a Sunni Islamic state in Lebanon by overthrowing the Lebanese government, eliminating Israel and thwarting anti-Islamic and pro-Western influences in Lebanon.

**Leadership and Membership**

AAA is led by Abu Muhjin (aka Ahmed Abd al-Karim al-Saadi). Abu Muhjin allegedly fled Lebanon in 1999 to continue his activities in secret after being sentenced to death for the 1994 assassination of Sheikh Nizar al-Halabi, the leader of a rival Islamic extremist group. In his absence, Abu Muhjin's brother, Haytham 'Abd Al-Karim Al Sa'di (aka Abu Tariq), has been nominally leading the group.

AAA membership is primarily Palestinian. AAA's membership is estimated to be 100-300 members. AAA members have previously fought in Afghanistan, Chechnya, Kashmir and the Balkans.

**AAA engagement in terrorist activities**

AAA continues to undertake attacks but is also assisting the doing of terrorist acts. On the basis of available information it is assessed AAA operatives are active in Lebanon and it is likely AAA will undertake attacks if and when the opportunity arises. The group's close association with al-Qa'ida means it could draw on significant resources for future activities.

Terrorist attacks and activities which have been claimed by or reliably attributed to AAA include:

- March 2004: two members of AAA were jailed in a Lebanese military court for membership of AAA. One of the men was also found responsible for a 1999 grenade attack on a vegetable market in Ayn al-Hilwah.;
- September 2004: AAA operatives were linked to a planned terrorist operation targeting the Italian Embassy, Ukrainian Consulate General and Lebanese Government offices. The plot was disrupted by Italian, Lebanese and Syrian authorities;
- July 2005: AAA announced one of its members was a martyr in Iraq facing the 'crusaders' forces'; and
- March 2006: AAA announced fighters from South Lebanon were killed during recent al-Qa'ida operations in Iraq.

**Conclusion**

The Criminal Code provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied that:

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

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61 2 6273 4180

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On the basis of the above information, ASIO assesses that AAA is directly engaged in preparing, planning, assisting in or fostering the doing of terrorist acts. It is considered that the acts attributable to AAA are terrorist acts as they:

- (i) are done with the intention of advancing a political cause, namely, the establishment of a radical Sunni Islamic state in Lebanon;
- (ii) are intended to coerce or influence by intimidation the governments of a foreign countries, including Lebanon, and/or intimidate sections of the public; and
- (iii) constitute acts which cause serious physical harm to persons, including death, as well as serious damage to property.

This assessment is corroborated by information provided by reliable and credible intelligence sources.

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61 2 6273 4180

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**Islamic Movement of Uzbekistan (IMU)****(Also known as: Islamic Party of Turkestan, Islamic Movement of Turkestan)**

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

The IMU is listed in the United Nations 1267 Committee's consolidated list and as a proscribed terrorist organisation by the governments of the United Kingdom, United States and Canada.

***Current status of the IMU***

The IMU formed in the late 1990s and is composed of Islamic extremists from Uzbekistan and other Central Asian states. It opposes the current Uzbek regime. The IMU's area of operation includes Uzbekistan, Afghanistan, Tajikistan, Pakistan, Kyrgyzstan and Iran.

In 2001, the group announced that it had changed its name to the Islamic Party of Turkestan. The motivation for this is unclear, although it is probably intended to signal a change in emphasis from anti-Uzbek government activities to a wider radical Islamic agenda. The organisation has, however, continued to be known as the IMU.

On 11 September 2006 - the fifth anniversary of the coordinated attacks in the US - the IMU leadership renewed their commitment to attack the governments of Central Asia and issued personal threats against the Uzbek, Tajik and Kyrgyz Presidents. The statement reinforced the IMU leadership's commitment to al-Qa'ida's ideology of global jihad and continued anti-Western rhetoric.

The IMU has conducted terrorist attacks against civilian, government and foreign targets in Central Asia. The group's tactics include hostage-taking (including foreigners), firearms attack and car bombings. The IMU conducted a bomb attack in June 2005 and in early 2006 was involved in armed attacks against a detention centre and customs and border posts. Kyrgyz and Tajik police operations in April, August and November 2006 discovered numerous weapons and supplies which were attributed to the IMU.

The IMU has close ties with al-Qa'ida and the former Taliban government. Senior IMU leaders have held positions in the al-Qa'ida hierarchy. The IMU receives funding from criminal activities such as drug trafficking, donations from sympathisers and from al-Qa'ida.

The IMU continue to recruit fighters and IMU members fight alongside the Taliban and al-Qa'ida against coalition and Pakistani forces in Afghanistan and northern Pakistan. The Ferghana Valley, where the Uzbek, Kyrgyz and Tajik borders converge, is a fertile recruiting ground for the IMU and the IMU has successfully exploited widespread poverty in its recruitment strategy.

IMU members have received training in camps in Afghanistan, some controlled by al-Qa'ida or the Taliban. IMU training camps continue to exist in Pakistan and Afghanistan. IMU members have been trained in the use of small arms, poisons, explosives (including land mines) and religious ideology.

Despite the IMU's losses in Afghanistan during the US intervention and the movement of fighters from the IMU to the Islamic Jihad Group (IJG) - an IMU

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61 2 6273 4180

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splinter group – the group remains active and continues to have the capability and intent to conduct terrorist attacks.

***Objectives***

The IMU's initial objective was to overthrow the Uzbek regime and replace it with an Islamic state. However, the IMU's goals have broadened to include the establishment of a radical Islamic caliphate in Turkestan, an area stretching from the Caspian region to Xinjiang in western China.

***Leadership and membership***

The IMU was founded by Tohir Yuldashev and Juma Namangani. Tahir Yoldashev is the IMU's political and ideological leader. Military strategist Juma Namangani probably died fighting the US-led coalition in Afghanistan in 2001.

The IMU attracts support from a variety of ethnic backgrounds, principally Uzbeks, Kyrgyz, Tajiks, Kazakhs, Chechens and Uighurs from western China. Estimates of the membership of the IMU vary from 200 to 2000.

***Terrorist activities***

Recent terrorist attacks and activities for which the IMU has claimed responsibility or for which responsibility has been reliably attributed include:

- 31 January 2005: car bomb attack against the Ministry of Emergency Situations in the centre of Dushanbe, Tajikistan;
- 12 June 2005: bomb attack against the Ministry of Emergency Situations in Dushanbe, Tajikistan wounding twelve people;
- 25 January 2006: armed attack on prison in an attempt to free a prisoner resulting in the death of the chief of the detention centre in Kairakum, Tajikistan; and
- 12 May 2006: IMU members were involved in armed attacks on border and customs posts in Kyrgyzstan and Tajikistan.

***Conclusion***

ASIO assesses that the IMU is continuing to prepare, plan and foster the commission of acts involving threats to human life and serious damage to property. Although the organisation suffered significant losses during the Afghanistan conflict, it has attracted recruits from a variety of countries within the region, and has a history of working with other international terrorist organisations from which it may draw support

The Criminal Code provides that for an organisation to be listed as a terrorist organisation, the Attorney-General must be satisfied that:

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

On the basis of the above information, ASIO assesses that the IMU remains active, and is directly preparing, planning, assisting in or fostering the doing of terrorist acts. It is submitted that the acts attributable to the IMU are terrorist acts as they:

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61 2 6273 4180

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- (i) are done with the intention of advancing a political cause, namely, the objective of establishing a radical Islamist caliphate in Turkestan
- (ii) are intended to coerce or influence by intimidation the government of a foreign country, namely the states of Central Asia and/or intimidate sections of the public; and
- (iii) constitute acts which cause serious physical harm to persons, including death, as well as serious damage to property.

This assessment is corroborated by information provided by reliable and credible intelligence sources.

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