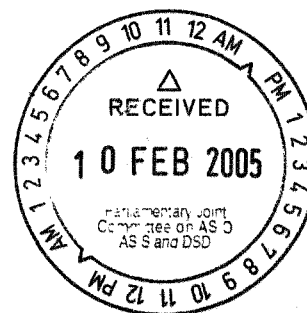




ATTORNEY-GENERAL  
THE HON PHILIP RUDDOCK MP

Submission No:.....1.....  
Date Received: 10-2-05  
Secretary: *M. Jull*



05/1138

- 9 FEB 2005

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

Dear Mr Jull

I am writing to advise you that a regulation is scheduled to be considered by the Federal Executive Council on 24 February 2005 specifying *Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn* (the al-Zarqawi network) as a terrorist organisation for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code).

The regulation will be made on the basis that I am satisfied on reasonable grounds that the al-Zarqawi network 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).

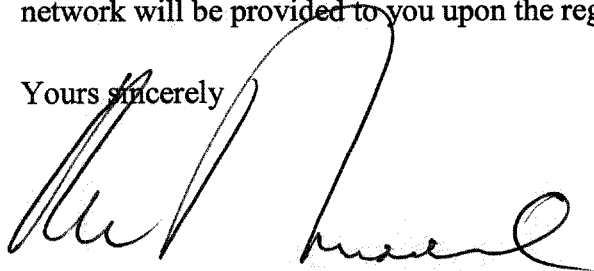
I made the decision to list the al-Zarqawi network following careful consideration of unclassified intelligence information provided by the Australian Security Intelligence Organisation (ASIO) in relation to the organisation, as well as legal advice provided to me by the Australian Government Solicitor.

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 the al-Zarqawi network, upon which my decision to list the organisation as a terrorist organisation was based. Additional

information detailing the procedure followed for the purposes of listing the al-Zarqawi network 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. The signature is positioned to the right of the text 'Yours sincerely'.

Philip Ruddock

### **Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn.**

**Also known as: the al-Zarqawi network; al-Tawhid; Jama'at al-Tawhid wa'al-Jihad; Al-Tawhid and al-Jihad; The Monotheism and Jihad Group; Qaida of the Jihad in the Land of the Two rivers; Al-Qa'ida of Jihad in the Land of the Two Rivers; Al-Qa'ida of Jihad Organization in the Land of the Two Rivers; The Organisation of Jihad's Base in the Country of the Two Rivers; The Organisation Base of Jihad/Country of the Two Rivers; The Organisation Base of Jihad/Mesopotamia; Tanzeem Qa'idat al-Jihad/Bilad al Raafidaini; Kateab al-Tawhid; Brigades of Tawhid; Unity and Jihad Group; Unity and Holy Struggle; Unity and Holy War.**

The following information is based on publicly available details about Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (TQJBR). These details have been corroborated by material from intelligence investigations into the activities of the TQJBR and by official reporting. The Australian Security Intelligence Organisation (ASIO) assesses that the details set out below are accurate and reliable.

TQJBR has been proscribed as a terrorist organisation by the United Nations and the United States Government.

#### ***Background***

TQJBR is a Sunni Islamist extremist network established and led by Abu Mus'ab al-Zarqawi.<sup>1</sup>

The network first emerged as a loose-knit grouping of individuals and organisations under the leadership of al-Zarqawi over a period of several years, following his release from a Jordanian prison in 1999.

On 24 April 2004 it was publicly proclaimed under the name Jama'at al-Tawhid wa'al-Jihad in an internet statement attributed to al-Zarqawi. That name was subsequently changed to TQJBR on 17 October 2004 in a public pledge of allegiance to Usama Bin Laden via an internet posting. A subsequent statement by Usama bin Laden, broadcast on 27 December 2004, welcomed the union and exhorted mujahideen in Iraq to obey al-Zarqawi.

Australia is seen as a legitimate target by TQJBR. This is demonstrated by its claim of responsibility for an attack against an Australian Defence Force convoy in Baghdad on 25 October 2004 and an attack near the Australian Embassy in Baghdad on 19 January 2005.

#### ***Objectives***

The objectives of TQJBR within Iraq are to overthrow the Interim Iraqi Government, expel the Multi-National Forces from the country and establish an Islamic state under Sharia law.

More broadly, TQJBR supports and promotes the global jihadist movement, as espoused by al-Qa'ida, seeks the recovery of Muslim lands perceived as 'lost' at any point in history, and the removal of governments of Muslim nations assessed by the network to be apostate.

---

<sup>1</sup> Also known as Ahmad Fadil Nazal al-Khalayleh; Abu al-Mu'taz; 'Abd al-Karim; Muhunnad; Al-Habib; Al-Muhajer; Garib; Rashid.

### ***Leadership and membership***

TQJBR was established and has been continuously led by al-Zarqawi. Al-Zarqawi was imprisoned in Jordan in 1994 for membership of an extremist organisation. After his release under an amnesty in 1999, he facilitated terrorist training in Afghanistan and later in Iraq. In October 2000 he was sentenced to death in absentia for planning attacks in Jordan.

The strength of the network in Iraq is not known, reported estimates of between 500 and 1000 operatives are consistent with available intelligence. Smaller numbers of operatives have been active in Europe, the Middle East and the Caucasus.

### ***Terrorist activities***

TQJBR has been involved in numerous terrorist attacks in Iraq against Multi-National Forces, Iraqi Security Forces, members of the Interim Iraqi Government, Iraqi and foreign civilians and international facilities. Particular terrorist activities include vehicle bombs, small arms ambushes, kidnappings and executions.

The network has also been linked to terrorist plots outside Iraq. Under the name al-Tawhid, the network planned attacks against American, Israeli and Christian sites in Jordan in 2000, and against Jewish and Israeli interests in Germany in 2001. Under the name Kateab al-Tawhid, the network planned attacks against multiple targets in Jordan in April 2004.

Recent terrorist attacks for which responsibility has been claimed by, or reliably attributed to the TQJBR have included:

- 28 October 2002, assassination of US diplomat Laurence Foley in Amman, Jordan;
- 7 August 2003, vehicle bombing of the Jordanian Embassy in Baghdad;
- 19 August 2003, vehicle bombing of the UN headquarters building in Baghdad killing 22 people including UN envoy Sergio Viera de Mello;
- 29 August 2003, vehicle bombing of the Imam Ali mosque in Najaf killing at least 83 people including Shi'a leader Ayatollah Mohammad Bakr al-Hakim;
- 10 April 2004, kidnap of US civilian contractor Nick Berg. His decapitated body was found on 10 May 2004;
- 24 April 2004, attempted suicide boat bombing of Iraq's Basra oil terminal, killing three US sailors;
- 17 May 2004, suicide car bombing in Baghdad killing Iraqi Governing Council head Izzedin Salim;
- Early June 2004, kidnap of South Korean contractor Kim Sun-II. His decapitated body was found on 22 June 04;
- 24 June 2004, attacks on Iraqi security forces in Baghdad, Baquba, Mosul, Fallujah and Ramadi killing over 100 Iraqis and three US soldiers;

- 27 June 2004, kidnap of Bulgarian truck drivers Georgi Lazov and Ivaylo Kepov. Lazov's decapitated body was found on 13 July. Kepov's decapitated body was found on 22 July;
- 14 July 2004, assassination of the Governor of Mosul, Osama Kashmoula, and his two body guards;
- 16 September 2004, kidnap of US contractors Jack Hensley (killed 21 September) and Eugene Armstrong (killed 22 September) and UK contractor Kenneth Bigley (killed 7 October);
- 24 October 2004, assassination of at least 48 Iraqi Army recruits;
- 25 October 2004, vehicle bombing of an Australian Defence Force convoy in Baghdad, wounding three ADF personnel; and
- 3 December 2004, attacks on a Shi'ite mosque and a police station in Baghdad, killing 30 people.
- 19 January 2005, vehicle bombing near the Australian Embassy, Baghdad, killing two Iraqi nationals and injuring several people including two ADF personnel.

### **Conclusion**

ASIO assesses that the TQJBR is continuing to prepare, plan and foster the commission of acts involving threats to human life and serious damage to property. This assessment is corroborated by information provided by reliable and credible intelligence sources.

In the course of pursuing its objectives of overthrowing the Interim Iraqi Government, expelling the Multi-National Forces from Iraq, establishing a state under Islamic Sharia law, and its broader objectives of supporting and promoting the jihadist cause as espoused by Al-Qa'ida, TQJBR is known to have engaged in actions that are:

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

In view of the above information, TQJBR is assessed to be directly or indirectly 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 of the Government and people of numerous countries, including Australia. The actions or threatened actions which TQJBR are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.