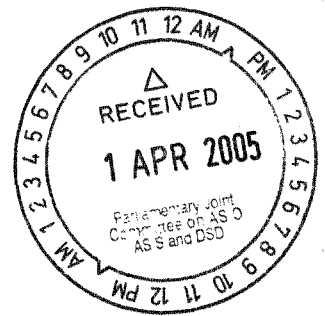




ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP



17 MAR 2005

05/2081

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 23 March 2005 specifying Ansar al-Islam as a terrorist organisation for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code).

Ansar al-Islam (also known as Partisans of Islam, Supporters of Islam, Devotees of Islam, Ansar al Sunna, Jaish Ansar al-Sunna, Ansar al-Sunna Army and Army of Ansar al-Sunn; formerly known as Jund al-Islam and Soldiers of Islam) was specified as a terrorist organisation under the *Criminal Code Regulations 2002* with effect from 27 March 2003.

The regulation listing Ansar al-Islam 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.

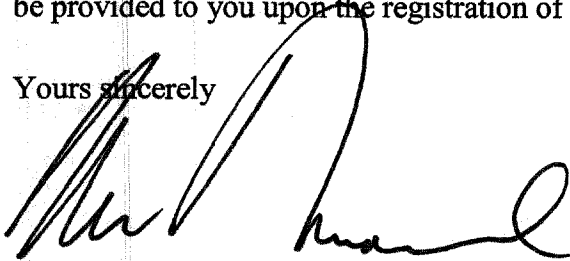
The regulation will be made on the basis that I continue to be satisfied on reasonable grounds that Ansar al-Islam is an organisation directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not the act has occurred or will occur).

I made the decision to re-list Ansar al-Islam 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 Ansar al-Islam, 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 Ansar al-Islam 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

Ansar al-Islam

(Also known as Partisans of Islam, Supporters of Islam, Devotees of Islam, Ansar al-Sunna, Jaish Ansar al-Sunna, Ansar al-Sunna Army, Army of Ansar al-Sunna.)

(Formerly known as Jund al-Islam, Soldiers of Islam.)

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

Ansar al-Islam (including the alias Ansar al-Sunna) has been proscribed as a terrorist organisation in Australia, and by the United Nations and the governments of the United States, Canada and the United Kingdom.

Background

Ansar al-Islam is a Sunni Islamist extremist group which supports a fundamentalist interpretation of Islam and promotes a militant jihadist ideology, as espoused by al-Qa'ida.

Formerly known as Jund al-Islam, the group was established following the merger of several smaller groups in the Kurdish-controlled region of northern Iraq in late 2001.

In March 2003, successful Coalition military operations against Ansar al-Islam strongholds forced many in the group to disperse to other locations, including Iran. But many members have since returned to Iraq and Ansar al-Islam's current operational network extends through northern and central Iraq.

In late 2003, members sought to create an umbrella organization for Islamist Sunni resistance in Iraq and as a result, the formation of Jaish Ansar al-Sunna was declared in a statement issued on an Islamist website on 20 September 2003.

Objectives

Ansar al-Islam supports the global militant jihadist ideology that is espoused by al-Qa'ida, including the re-establishment of the historical Islamic caliphate and the removal of governments of Muslim nations assessed by them to be apostate.

Ansar al-Islam's objectives within Iraq are to overthrow the Interim Iraqi Government, expel Coalition forces from the country and establish an Islamic state under Sharia law.

Leadership and membership

The leadership of Ansar al-Islam is comprised of Kurdish and Arab identities and has included Abu Abdallah al-Shafi'i, Aso Hawleri (now detained) and Mullah Krekar (now dissociated from the group).

Ansar al-Islam's membership is made up of Kurds and Arabs. The current strength of the group in Iraq is not known, but losses incurred through Coalition military action in March 2003 may have been redressed by the recruitment of Iraqi and foreign jihadists since the end of Operation Iraqi Freedom. Reported estimates of between 250 and 750 operatives

in Iraq are consistent with available information and smaller numbers of Ansar al-Islam members and supporters are present in Europe and the Middle East.

Ansar al-Islam is closely affiliated with al-Qa'ida, which has provided financial assistance and training. Ansar al-Islam has maintained close ties to the network of Abu Mus'ab al-Zarqawi and available information suggests that operatives associated with Ansar al-Islam and al-Zarqawi's network have worked together.

Terrorist activities

Since the end of Operation Iraqi Freedom, Ansar al-Islam's operational focus has broadened from attacks against secular Kurdish opponents in northern Iraq to include attacks against Coalition forces in Iraq as well as Iraqi and international interests perceived as collaborating with the Coalition. Ansar al-Islam has been involved in a number of terrorist attacks in Iraq including assassinations, vehicle bombings, suicide bombings, kidnappings and hostage-killing.

Recent terrorist attacks for which responsibility has been claimed by, or reliably attributed to, Ansar al-Islam include:

- April 2002: attempted assassination of the Patriotic Union of Kurdistan's Kurdistan Regional Government Prime Minister Barham Saleh;
- February 2003: suicide bombing at a military checkpoint in northern Iraq, killing the operative and three others;
- February 2003: assassination of Kurdish politician General Shawkat Haji Mushir;
- 23 March 2003: suicide car bomb attack in northern Iraq killing Australian journalist Paul Moran and injuring 10 others;
- 1 February 2004: suicide bomb attacks against the offices of the Patriotic Union of Kurdistan and the Kurdish Democratic Party, killing at least 103 persons and injuring over 130;
- August 2004: kidnap and murder of 12 Nepalese hostages in Iraq; and
- 21 December 2004: suicide bomb attack in a mess tent at Coalition base in Mosul, killing at least 22 persons and injuring over 60.

Conclusion

ASIO assesses that Ansar al-Islam 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 Coalition forces from Iraq, and establishing a Islamic state under Sharia law, Ansar al-Islam is known to have engaged in actions that are:

- aimed at advancing Ansar al-Islam's political and religious or ideological cause;

Attachment A

- 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 other persons in areas in which it operates.

In view of the above information, Ansar al-Islam 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 the Government and people of Iraq. The actions or threatened actions which Ansar al-Islam are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.