



**Australian Government**

**Attorney-General's Department**

**Security and Critical  
Infrastructure Division**

06/2330

2 March 2006

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

**BY FACSIMILE: 6277 2067**

Dear Mr Jull

**Review of the Kurdistan Workers' Party (PKK)**

I refer to the private hearing before the Parliamentary Joint Committee on Intelligence and Security, on Monday 6 February 2006, during its Review into the listing of the Kurdistan Workers' Party (PKK) as a terrorist organisation under the *Criminal Code Act 1995* (the Criminal Code)

I provide the following response to questions taken on notice at the hearing:

- **The diaspora, background and history in Australia of persons who have had relationships or contact in support of the PKK [Reference Transcript page 11 of 38]**

Official statistics do not accurately represent the exact number of Kurds living in Australia as census data is based on country of birth. Kurds would be classified as either Turks, Iraqis, Iranians or Syrians. Varying estimates indicate the total number of Kurds living in Australia to be approximately 10,000.

Based on figures extracted from the 2001 Census, the number of persons who reported Kurdish ancestry by State/Territory are as follows:

New South Wales	2,282
Victoria	1,224
Queensland	241
South Australia	320
Western Australia	353
Tasmania	12
Northern Territory	5
Australian Capital Territory	38
<u>Total</u>	<u>4,475</u>

Any further information concerning Australians who have a relationship or contact with the PKK would be more appropriately provided by the Australian Security Intelligence Organisation.

- **The number of hours taken up by the Attorney-General's office and the Attorney-General's Department in processing the proscription of the PKK [Reference Transcript page 13 of 38]**

Several officers from the Attorney-General's Department were involved in the preparation of documentation necessary for the listing the PKK over a period of time. These duties were undertaken simultaneously with other priority work of the Department. Officers do not keep records of the time spent on particular tasks or projects. Accordingly, it is not possible to provide a meaningful estimate of the number of person hours utilised in processing the proscription of the PKK. The Department is unable to comment on the time dedicated by the Attorney-General's Office to the listing.

- **The number of arrests and charges laid with being members of or associated with a proscribed organisation [Reference Transcript page 14 of 38]**

There have been people charged with terrorist organisation offences under Division 102 of the *Criminal Code Act 1995* (Criminal Code). Of these, 1 person has been convicted of getting funds from a terrorist organisation contrary to section 102.6(1) of the Criminal Code and 1 person has been charged with receiving training from a terrorist organisation contrary to section 102.5(1) of the Criminal Code. The organisations to which these charges relate have been listed by regulations as a terrorist organisation.

Ten people have been charged with offences to do with a terrorist organisation that has not been listed under regulations.

Under Division 102.1 of the Criminal Code a *terrorist organisation* means:

- (a) an organisation that is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not a terrorist act occurs); or
- (b) an organisation that is specified by the regulations for the purposes of this paragraph (see subsections (2), (3) and (4)).

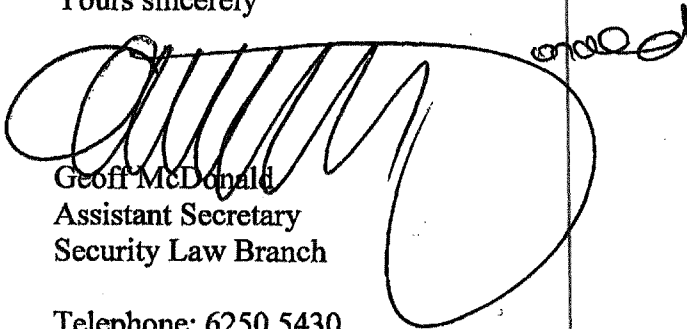
Under the definition of *terrorist organisation* in section 102.1(a) it is possible to charge a person for those offences where it can be proved that the organisation is a terrorist organisation even though the organisation is not listed in the regulations.

No person has been charged with associating with a terrorist organisation, contrary to section 102.8 of the Criminal Code.

SEC LAW & JUSTICE

I trust that these responses assist the Committee. Should you require further information, please contact Annabel Knott on 6250 5423.

Yours sincerely

A large, stylized handwritten signature in black ink, appearing to read 'Geoff McDonald', is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

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