



ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP



07/520

02 MAR 2007

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

Submission No:.....	1
Date Received:.....	13-3-07
Secretary:.....	

Dear Mr Jull

I am writing to advise you that I have decided to re-list Ansar al-Sunna as a terrorist organisation for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code).

Ansar al-Sunna was first listed as a terrorist organisation under the name Ansar al-Islam by the *Criminal Code Amendment Regulations 2003 (No. 2)*, with effect from 27 March 2003. Ansar al-Sunna was last specified as a terrorist organisation under the *Criminal Code Amendment Regulations 2005 (No.2)* under the name Ansar al-Islam, with effect from 27 March 2005. Under subsection 102.1(3) of the Criminal Code the regulations listing this organisation will cease to have effect on 27 March 2007.

I am satisfied on reasonable grounds that Ansar al-Sunna is 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 has occurred or will occur).

The re-listing of Ansar al-Sunna will ensure that the offence provisions under Division 102 of the Criminal Code will apply.

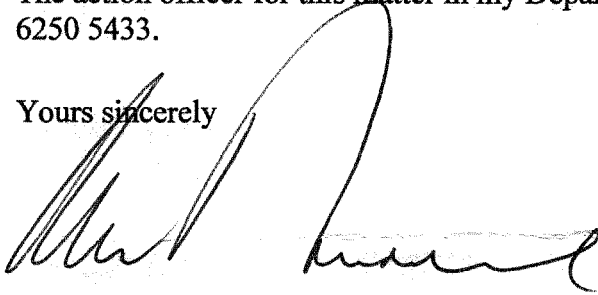
My decision to re-list Ansar al-Sunna was made following careful consideration of unclassified intelligence information provided by the Australian Security Intelligence Organisation (ASIO) in consultation with the Department of Foreign Affairs and Trade, in relation to this organisation, as well as legal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

Section 102.1A of the Criminal Code provides that the Parliamentary Joint Committee on Intelligence and Security 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 regulations, I enclose a copy of the Statement of Reasons provided by ASIO, in relation to Ansar al-Sunna upon which my decision to re-list this organisation was based. Additional information detailing the procedure followed for the purposes of re-listing Ansar al-Sunna will be provided to you upon the registration of the regulations.

The action officer for this matter in my Department is Kirsten Kobus who can be contacted on 6250 5433.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philip Ruddock', written over a horizontal dashed line.

Philip Ruddock

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Attachment A

Ansar al-Sunna

(Also known as Ansar al-Islam, Partisans of Islam, Protectors of Islam, Supporters of Islam, Devotees of Islam, , Jaish Ansar al-Sunna, Ansar al-Sunna Army, Army of Ansar al-Sunna, Jund al-Islam, Soldiers of Islam, Protectors of the Sunna Faith)

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

Ansar al-Sunna is listed as Ansar al-Islam in the United Nations 1267 Committee's consolidated list and by the governments of Canada, the United Kingdom and the United States. Ansar al-Sunna is listed separately by the UK government.

Current status of Ansar al-Sunna

Ansar al-Sunna was initially formed as Ansar al-Islam, a merger of several smaller Kurdish-based Sunni extremist groups within the Kurdish Autonomous Zone (KAZ) of northern Iraq in late 2001. At this stage, Ansar al-Islam focused on the defeat of the secular Kurdish leadership to establish an independent Islamic state in the KAZ.

In March 2003, successful joint Patriotic Union of Kurdistan (PUK) and United States military operations against Ansar al-Islam strongholds forced many in the group to disperse to other locations, including Iran. Ansar al-Islam members regrouped shortly after and returned to Iraq, where they sought, in cooperation with other foreign and Iraqi militants, to create an umbrella organisation for Sunni jihadi resistance to the Coalition presence in Iraq.

As a result, Ansar al-Islam evolved into Ansar al-Sunna with the formation of the group announced in an internet statement on 20 September 2003 calling all jihadists in Iraq to unite under the name Ansar al-Sunna. Following the release of the statement, attacks conducted by Ansar al-Islam operatives have been claimed under the name Ansar al-Sunna. However, many operatives abroad, particularly in the Kurdish immigrant communities in Europe, retain their Ansar al-Islam identity but continue to provide support to Ansar al-Sunna.

Ansar al-Sunna has strong links with al-Qa'ida and historical links to Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (TQJBR), a proscribed terrorist organisation also known as al-Qa'ida in Iraq. Former TQJBR leader Abu Musab al-Zarqawi operated one of the Ansar al-Islam training camps prior to the operations against the group in 2003.

Funding is supplied through radicalised Kurdish communities abroad, al-Qa'ida, criminal hostage taking and a degree of self-sufficiency in extracting funding from local sources in northern Iraq.

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Objectives

Ansar al-Sunna supports the global militant Sunni jihadist ideology that is espoused by al-Qa'ida, including the re-establishment of the historical Islamic caliphate.

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

Leadership and membership

Ansar al-Sunna is organised into small, highly mobile cells. The reported leader of Ansar al-Sunna is Abu Abdullah al Hasan bin Mahmud. Members are recruited from Sunni-based foreign and local sources. Ansar al-Sunna is believed to be divided into six divisions including a military and information division. The precise size of the group is unknown but estimates indicate numbers to be between 500-1000 members.

Ansar al-Sunna's engagement in terrorist activities

Ansar al-Sunna undertakes terrorist attacks each week in Iraq. Ansar al-Sunna's operational focus includes targeting Coalition Forces; Western interests; Iraqi security forces; Iraqi government structures; Iraqis seen as cooperating with Coalition forces; secular Kurdish officials; and increasingly sectarian Shia targets.

Ansar al-Sunna's terrorist activities include suicide attacks, car bombs, emplaced improvised explosive devices (IEDs), kidnappings, executions, assassinations and conventional military attacks. It has also been involved in plans to conduct assassinations in Germany against Iraqi government interests.

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

- 4 May 2005: Suicide bombing at KDP office in Erbil, killing 60 and wounding 150;
- 8 May 2005: Ambush of security contractors, killing 16. Japanese national Akihiko Saito was kidnapped and later died;
- 11 May 2005: Suicide bombing in Tikrit killing 33 labourers;
- 14 June 2005: Suicide attack in Kirkuk, killing 22 and wounding over 85;
- 16 June 2005: Senior Iraqi judge, Salem Mahmoud al-Haj Ali, assassinated in Mosul;
- 22 August 2005: Three military attacks against Iraqi security forces in Mosul and Kirkuk killing an unknown number of security personnel;
- 23 July 2006: Assassinating a Shia political figure in Diyali, sniping two US soldiers in Heet and detonating an IED in al-Miqdadiya damaging a US armoured vehicle;

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- 29 September 2006: Suicide bombing assassination of Director of Police in Kirkuk which also killed a number of other Iraqi officials; and
- 5 December 2006: Rocket launchers and automatic gunfire killed several US service personnel on foot patrol in the al-Haqlaniyah market west of Baghdad.

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).

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

- (i) are done with the intention of advancing a political cause, namely, creating an Islamic caliphate in Iraq;
- (ii) are intended to coerce or influence by intimidation the governments of foreign countries, including Iraq and Coalition countries, and/or intimidate a section 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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