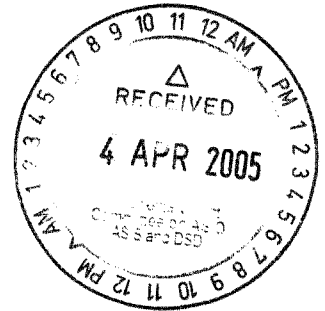




ATTORNEY-GENERAL  
THE HON PHILIP RUDDOCK MP



05/2089

23 MAR 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 7 April 2005 specifying Jaish-e-Mohammad as a terrorist organisation for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code). Jaish-e-Mohammad (Also known as Jaish-i-Mohammad, Jesh-e-Mohammadi, Jaish-e-Mohammad-e-Tanzeem, Tehrik-al-Furgan, Tehrik-al-Furqaan, Khuddam-ul-Islam, Army of Mohammad) was specified as a terrorist organisation under the *Criminal Code Regulations 2002* with effect from 11 April 2003.

The regulation listing Jaish-e-Mohammad 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 the Jaish-e-Mohammad 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).

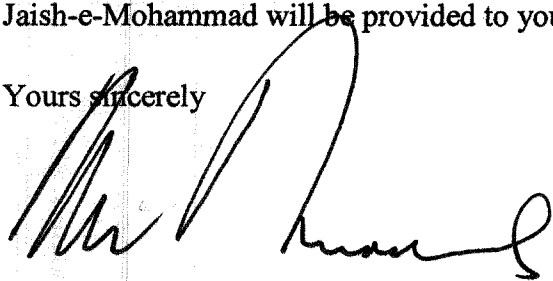
I made the decision to re-list Jaish-e-Mohammad following careful consideration of unclassified intelligence information provided by the Australian Security Intelligence Organisation (ASIO) in relation to the organisation, as well as legal advice provided to me by the Australian Government Solicitor.

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 Jaish-e-Mohammad, upon which my

information detailing the procedure followed for the purposes of re-listing  
Jaish-e-Mohammad 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

### **Jaish-e-Mohammad**

**(Also known as Jaish-i-Mohammad, Jesh-e-Mohammadi, Jaish-e-Mohammad-e-Tanzeem, Tehrik-al-Furgan, Tehrik-al-Furqaan, Khuddam-ul-Islam, Army of Mohammad)**

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

The JeM has been proscribed as a terrorist organisation in Australia, and by the United Nations and the governments of the United States, United Kingdom, Canada, Pakistan and India.

#### ***Background***

JeM is a Sunni Islamist extremist organisation founded in December 1999. It is based in Pakistan, primarily in Peshawar and Muzaffarabad, and it operates mainly in Kashmir. It has, however, staged attacks outside Kashmir in other parts of India.

JeM primarily targets Indian security (military or police) personnel and bases although it has also attacked civilian targets such as the attack on the Indian Parliament building in New Delhi in 2002. In its attacks, JeM typically uses car bombs, grenades, ambushes or landmines. JeM was also involved in the abduction and murder of US journalist Daniel Pearl in January 2002. A member of JeM was later charged with his murder.

JeM draws heavily from Harakat-ul-Mujahideen (HUM, now known as Jamiat ul-Ansar-JuA). Many of its members as well as a range of property (including weapons), business and charitable interests were originally sourced from HUM. In addition to its alliances with other Jihadist groups, JeM is supported by a number of Islamic charitable foundations including the al-Rashid Trust (whose accounts were ordered to be frozen by the UN Security Council for suspected links to al-Qai'da).

#### ***Objectives***

JeM aims to unite Indian-controlled Kashmir with Pakistan and establish a radical Islamist state in Pakistan. It also aims to expel Shias, Christians, Hindus and Jews from Pakistan.

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

JeM is led by Maulana Masood Azhar, who founded the group upon his release from prison in India. He remains the group's Amir and presides over a leadership council. In addition to its close association with HUM, JeM also maintains links to other militant Islamist groups, most notably Lashkar-e-Tayyiba (with whom it has conducted joint operations), Lashkar-e-Jhangvi (LeJ), al-Qai'da, and the Taliban.

JeM has approximately seven hundred members, comprised mostly of Pakistanis and Kashmiris but also includes some Arabs and Afghans. JeM organises recruitment drives

through rallies and political demonstrations. It benefits from training programs that were first created by HUM and has run its own training facilities in Afghanistan, although these were disbanded in 2001. JeM may also have assisted al-Qa'ida in establishing training camps in Yemen and Somalia.

### ***Terrorist activities***

JeM has been involved in a number of terrorist attacks, including kidnapping, car bomb and shooting attacks primarily against Indian military, police and civilian targets, as well as the abduction and murder of US journalist Daniel Pearl in 2002.

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

- December 2003: attempted assassination of Pakistani President Musharraf by car bomb.
- 27 August 2003: exchange of fire between JeM members and Indian troops near Sanzwatri village in Pulwama district in which one militant was killed and one soldier was injured.
- 1 September 2004: bomb attack in a bazaar in Quetta in which 3 people were killed and 7 were injured.
- 25 October 2004: attack on the Divisional Commissioner for the Kashmir Valley.
- 13 November 2004: attack by JeM militants wearing army uniforms on a police picket in Nadimarg.

### **Conclusion**

ASIO assesses that JeM 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 and by official reporting.

In the course of pursuing its objectives of creating a radical Islamist state in Pakistan and unite Indian-controlled Kashmir with Pakistan, the JeM is known to have engaged in actions that:

- are aimed at advancing the JeM's political and religious causes;
- are intended to, or do, cause serious damage to property, the death of persons or endangerment of life;
- done with the intention of coercing or influencing by intimidation the governments and people of numerous countries; and
- are intended to cause, or have caused, serious risk to the safety of sections of the public in Pakistan and India and other persons visiting areas in which it operates.

In view of the above information, JeM 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

**Attachment C**

political, religious or ideological cause and with the intention of coercing, or influencing by intimidation the Government and people of JeM. The actions or threatened actions which the JeM are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.