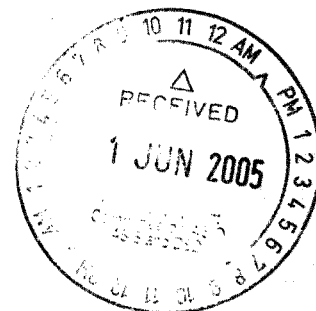




ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP



05/6292, 05/6286, 05/6301, 05/6302

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

Submission No:.....1
Date Received: 1-6-05
Secretary: [Signature]

Dear Mr Jull

I am writing to inform you that individual regulations are scheduled to be considered by the Federal Executive Council on 25 May 2005 specifying Hizballah's External Security Organisation (ESO), HAMAS' Izz al-Din al-Qassam Brigades, Lashkar-e-Tayyiba (LeT) and Palestinian Islamic Jihad (PIJ) as terrorist organisations for the purposes of section 102.1 of the *Criminal Code Act 1995* (the Criminal Code).

Hizballah's ESO was specified under the *Criminal Code Regulations 2002* (the Criminal Code Regulations) as a terrorist organisation for the purposes of section 102.1 of the Criminal Code with effect from 5 June 2003, HAMAS' Izz al-Din al-Qassam Brigades and LeT with effect from 9 November 2003 and PIJ with effect from 3 May 2004. Pursuant to subsection 102.1(3) and 102.1(8) of the Criminal Code, the listing of Hizballah's ESO, HAMAS Izz al-Din al-Qassam Brigades, LeT and PIJ will cease to have effect on the second anniversary of the day on which they took effect.

Although HAMAS' Izz al-Din al-Qassam Brigades and LeT have another 6 months left to run before the second anniversary of their original listing and PIJ another 11 months, I am seeking an early re-listing to ensure that all regulations are being made in a uniform and free standing manner and to ensure that terrorist organisations do not sunset prematurely.

HAMAS' Izz al-Din al-Qassam Brigades and LeT are currently specified as a terrorist organisations in Regulation 4 and Schedule 1A of the Criminal Code Regulations and Palestinian Islamic Jihad (PIJ) is currently prescribed as a terrorist organisation in Item 15 of Schedule 1 of the Regulations. Subsection 102.1(3) of the Criminal Code provides that Regulations for the purposes of paragraph (b) of the definition of *Terrorist organisation* cease to have effect on the second anniversary on which they are made. There is an argument that Regulation 4 of the Criminal Code Regulations is part of the definition of terrorist organisation and that it too will sunset after 2 years, in accordance with s102.1(3).

Regulation 4 was re-made when Hizballah was listed on 5 June 2003 and therefore Regulation 4 (and schedules 1 and 1A) may now sunset on 5 June 2005. On 5 June 2005 HAMAS' Izz al-Din al-Qassam Brigades, LeT and PIJ will remain in Schedule 1 and 1A and it may therefore be argued that they also sunset on that day along with Regulation 4.

I sought legal advice on this issue and I have decided that in order to mitigate any potential problems with terrorist organisations sunsetting prematurely that I will repeal Regulation 4(1) and make separate regulations for each listing and re-listing of a terrorist organisation. By re-listing HAMAS' Izz al-Din al-Qassam Brigades, LeT and PIJ each in separate regulations now, I am ensuring that they do not sunset prematurely.

It is proposed that the Governor-General make regulations for the purposes of listing Hizballah's ESO, HAMAS' Izz al-Din al-Qassam Brigades, LeT and PIJ at the Federal Executive Council meeting on 25 May 2005.

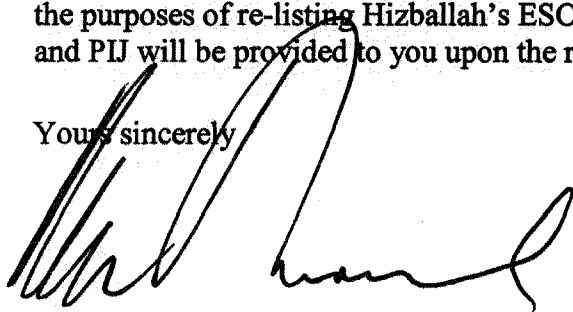
The regulations will be made on the basis that I continue to be satisfied on reasonable grounds that Hizballah's ESO, HAMAS' Izz al-Din al-Qassam Brigades, LeT and PIJ are organisations directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not the act has occurred or will occur).

My decision to re-list Hizballah's ESO, HAMAS' Izz al-Din al-Qassam Brigades, LeT and PIJ was made following careful consideration of unclassified intelligence information provided by the Australian Security Intelligence Organisation (ASIO) in relation to these organisations, 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 copies of the Statement of Reasons provided by ASIO in relation to Hizballah's ESO, HAMAS' Izz al-Din al-Qassam Brigades, LeT and PIJ upon which my decision to re-list the organisations as terrorist organisations was based. Additional information detailing the procedure followed for the purposes of re-listing Hizballah's ESO, HAMAS' Izz al-Din al-Qassam Brigades, LeT and PIJ will be provided to you upon the registration of the regulation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philip Ruddock', is written over the 'Yours sincerely' text.

Philip Ruddock

DRAFT
Hizballah's External Security Organisation (ESO)
(aka: Islamic Jihad Organisation)

The following information is based on publicly available details about the organisation known as Hizballah's External Security Organisation (ESO). These details have been corroborated by material from intelligence investigations into the activities of Hizballah's ESO. ASIO assesses that the details set out below are accurate and reliable.

Hizballah's External Security Organisation has been listed as a terrorist organisation by the UK. Hizballah (including the ESO) has been listed as a terrorist organisation by the US and Canada.

Background

The Shi'a organisation Hizballah (Party of God) was formed in Lebanon in 1982 in the wake of the Iranian revolution and the Israeli invasion of Lebanon. While it began as a militia, the group has evolved into a multi-faceted organisation including political, social and military components. The functions of the organisation include legitimate political and social activities. However, the External Security Organisation (ESO) constitutes a distinct terrorist wing which evolved out of Hizballah's early terrorist activities and which continues to operate.

Hizballah, including the ESO, receives substantial support from Iran, including financial, training, weapons, explosives, political, diplomatic and organisational assistance. Hizballah recently utilised Iranian supplied Unmanned Aerial Vehicles (UAV) over northern Israel. Syria is also a significant supporter, particularly in the provision of diplomatic, political and logistical assistance.

While Hizballah's ESO is based in Lebanon, reliable sources indicate that it has an international infrastructure including cells and business enterprises (both legal and illegal) in the Middle East, Asia, Africa, Europe and South America, from which it derives significant financial support. In the Tri-Border area of South America alone it is estimated that Hizballah has raised hundreds of millions of dollars through activities such as drug and arms smuggling and product piracy. In 2004, US authorities uncovered a number of individuals in the US who were providing material and financial support to Hizballah.

Objectives

Hizballah is committed to armed resistance to the state of Israel and aims to liberate all Palestinian territories and Jerusalem from "Israeli occupation". Ultimately, Hizballah aims to create a Shi'a Islamic state in Lebanon and remove all Western and Israeli influences in the region. The ESO has undertaken terrorist acts in Israel and other countries in support of Hizballah objectives.

Leadership and membership

The current head of the ESO is Imad Mughniyeh, who reports directly to the Secretary General of Hizballah, Sheikh Hassan Nasrallah. Mughniyah is one of the FBI's most wanted terrorists and has been indicted for planning and participating in the highjacking of a commercial aircraft in June 1985.

Hizballah is governed by Sheikh Hassan Nasrallah through a Majlis al-Shura (Consultative Council), which presides over administrative, legislative, executive, judicial, political and military matters in consultation with Iran. The ESO, however, exercises autonomy distinct from the conventional military structure.

The strength of the ESO is thought to be several hundred. Estimates of Hizballah's conventional military strength vary from 3000 to 5000 regular forces with 3000 to 15,000 reserves.

Terrorist activities

Hizballah's ESO is responsible for a series of suicide bomb attacks, aircraft hijackings and kidnappings of Western and Israeli/Jewish targets in Israel, Western Europe and South America dating back to the early 1980s. Major terrorist attacks for which responsibility has been reliably attributed to the ESO include:

- A bomb attack against the Israeli embassy in Buenos Aires in 1992, which killed 28
- A bomb attack on a Jewish cultural centre in Buenos Aires in 1994, which killed 96
- An aborted bomb attack in Bangkok in 1994, probably targeting the Israeli Embassy

Despite a downturn in terrorist attacks directly attributable to the ESO since 1994 reliable information indicates that Hizballah and the ESO maintain their capacity to undertake significant terrorist attacks and continue to engage in contingency planning for attacks against US and Israeli interests.

- Hizballah's ESO has continued efforts to recruit and infiltrate individuals into Israel to conduct acts of terrorism following the commencement of the second intifada in 2000 and has also been involved in at least three major attempts to smuggle arms to Palestinian militants since 2001.
- In October 2000, Hizballah's ESO carried out the kidnapping of Israeli businessman Elhanan Tennenbaum in the UAE, who was only released in January 2004 after negotiations between Hizballah and the Israeli government, which were facilitated by German authorities.
- In south-east Asia a number of Singaporean citizens were recruited by Hizballah's ESO in the late 1990s to carry out pre-attack intelligence on the US and Israeli embassies and regional shipping.

Attachment A

- Hizballah's ESO also attempted to establish networks in the Philippines, and to recruit Malaysian and Indonesian nationals, in the late 1990s.

The significant capabilities of the ESO which existed in 1994 remain extant. The ESO retains the capability to undertake significant terrorist attacks at short notice both in the Middle East and further abroad, in the event of a perceived threat to its interests or the interests of its state sponsors,

The ESO also continues to provide training, operational support and material - including weapons and explosives - to Palestinian extremist groups engaged in terrorist acts inside Israel and the Palestinian Territories, including Palestinian Islamic Jihad and HAMAS Izz al-Din al-Qassam Brigades, both of which have been listed as terrorist organisations by the Australian Government.

Conclusion

ASIO assesses that Hizballah's ESO 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 objective of creating a Shi'a Islamic state in Lebanon and removing all Western and Israeli influences in the region. Hizballah's ESO is known to have engaged in actions that:

- are aimed at advancing the Hizballah's political and religious causes; and
- are intended to cause, or have caused, serious damage to property, the death of persons or endangerment of life.
- are intended to cause, or have caused, serious risk to the safety of sections of the public in Israel and other persons visiting areas in which it operates.

In view of the above information, Hizballah's ESO 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 Israel. The actions or threatened actions which the ESO are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.

HAMAS' Izz al-Din al-Qassam Brigades

The following information is based on publicly available details regarding the Izz al-Din al-Qassam Brigades, the military wing of the Islamic Resistance Movement – more commonly referred to under its Arabic acronym HAMAS. These details have been corroborated by material from intelligence investigations into the activities of the Izz al-Din al-Qassam Brigades. ASIO assesses that the details set out below are accurate and reliable.

The HAMAS' Izz al-Din al-Qassam Brigades have been proscribed by the UK. HAMAS (including the Izz al-Din al-Qassam Brigades) has been listed as a terrorist organisation by the UN, US, Canada and the EU.

Background

The Izz al-Din al-Qassam Brigades are the military wing of HAMAS and are distinct from the civilian functions of HAMAS. HAMAS is a radical Sunni organisation which emerged from the Palestinian branch of the Muslim Brotherhood in late 1987, shortly after the commencement of the first Intifada. The Izz al-Din al-Qassam Brigades were first established in 1989 following an Israeli crackdown on HAMAS leadership.

HAMAS is generally divided into three distinct elements (political, military and communal or welfare activities). The Izz al-Din al-Qassam Brigades represent the military wing of HAMAS.

HAMAS quickly became the dominant Islamic extremist group in the Occupied Territories. Its main presence is in the Gaza Strip and some areas of the West Bank. Co-ordinating with Palestinian Islamic Jihad, the Izz al-Din al-Qassam Brigades conducted a number of suicide bombings in the mid 1990's in an attempt to derail the peace process. The Izz al-Din al-Qassam Brigades and HAMAS have continued their involvement in terrorism, and supported the outbreak of the al-Aqsa Intifada in September 2000.

Funding for HAMAS is largely received from Palestinian expatriates, and private benefactors (particularly in moderate Arab states). Some of the funds collected are channelled into the Izz al-Din al-Qassam Brigades through specific charitable organisations located in the Occupied Territories, which also provide support to the families of HAMAS activists who have died as 'martyrs' or have been arrested for their activities against Israel. Iran provides some direct funding and support for HAMAS, however, HAMAS remains relatively independent from Iran in its political decision making.

Objectives

HAMAS aims to establish an Islamic Palestinian state which would include the territory of the current state of Israel. The Izz al-Din al-Qassam Brigades regularly engage in terrorist acts in support of HAMAS' political objectives. HAMAS has opposed all previous peace negotiations with Israel and refused to give a formal commitment to a Palestinian unilateral ceasefire in 2005. While it signed the Palestinian Authority

brokered Cairo Declaration committing militant groups to a 'period of calm', HAMAS has declared its continuing right to undertake acts of violence and has continued to conduct small scale attacks on Israeli targets.

Leadership and membership

The leadership of the Izz al-Din al-Qassam Brigades is unclear, although they do report directly to the HAMAS political leadership. In order to protect the political leadership, there is a clear separation of the military command and political leadership. Sheikh Ahmed Yassin was the founding leader of HAMAS and spiritual head until his assassination in March 2004, by Israel security forces. He was replaced by Abdel Aziz Rantisi, who was assassinated one month later. Since then Hamas has attempted to hide the identities of its leaders. HAMAS' current leader is believed to be Khalid al-Mashal, who controls operations from Damascus.

Due to the constant mobility of roles and activities between the civilian, military and welfare elements of HAMAS, the Izz al-Din al-Qassam Brigades are able to draw on those visiting HAMAS-sponsored mosques and communal facilities as candidates for terrorist operations.

Terrorist activities

The Izz al-Din al-Qassam Brigades has been responsible for a series of bombings, including suicide bombings, shootings and kidnappings of Israeli/Jewish soldiers and civilians in Israel and the Occupied Territories. The Izz al-Din al-Qassam Brigades do not discriminate between Israeli military and civilian personnel.

HAMAS has coordinated attacks and joint operations with a number of other Palestinian extremist groups, including Palestinian Islamic Jihad, which has been listed as a terrorist organisation by the Australian Government. HAMAS also has ties to Lebanese Hizballah, which through its External Security Organisation (which also has been listed as a terrorist organisation by the Australian Government) provides material support for terrorist operations by the Izz al-Din al-Qassam Brigades.

The Izz al-Din al-Qassam Brigades has not acted outside the Middle East or deliberately targeted Western interests; however, civilians from a number of countries, including the US, have been killed in terrorist attacks conducted by the group. The Izz al-Din al-Qassam Brigades recruited two British Muslims to carry out a suicide bombing of a bar in Tel Aviv on 30 April 2003, in which four people were killed and over 60 injured.

Since its formation the Izz al-Din al-Qassam Brigades has been involved in over 100 terrorist incidents resulting in the deaths of over 500 people and injuries to more than 3000. Attacks conducted by the Izz al-Din al-Qassam Brigades have included:

- suicide bombings on buses and in crowded markets, nightclubs, and other highly populated places;
- drive-by shootings at military check points and of civilians at the roadside;
- abduction and murder of Israeli civilians and off-duty Israeli soldiers; and

Attachment B

- rocket, mortar, small-arms and grenade attacks against civilian targets.

Recent major terrorist attacks for which responsibility has been claimed by, or reliably attributed to, the Izz al-Din al-Qassam Brigades, have included:

- 18 January 2005: One person was killed and six injured when a suicide bomber attacked a security post in Kush Katif.
- 13 August 2004: Sixteen people were killed and up to 100 injured when two buses in Beersheba were attacked within minutes of each other by suicide bombers.
- 14 March 2004: Ten people were killed and 16 injured in a double suicide bombing in the Ashdod Post area.
- 14 January 2004: Four people were killed and 20 injured by a female suicide bomber attack at the Erez Crossing in the Gaza Strip.
- 15 October 2003: Three US nationals were killed and one injured when a bomb demolished an armoured jeep in the Bait Hanoun junction.

Conclusion

ASIO assesses that the Izz al-Din al-Qassam Brigades 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 objective of creating an Islamic Palestinian state, the Izz al-Din al-Qassam Brigades is known to have engaged in actions that:

- are aimed towards advancing its political and religious causes;
- are intended to cause, or have caused, serious damage to property, the death of persons or endangerment of life; and
- are intended to cause, or have caused, serious risk to the safety of sections of the public in Israel, and other persons visiting areas in which it operates.

In view of the above information, the Izz al-Din al-Qassam Brigades 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 Israel. The actions or threatened actions which the Izz al-Din al-Qassam Brigades is assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.

Palestinian Islamic Jihad (PIJ)

(Also known as: Islamic Jihad Palestine (IJP), Islamic Jihad - Palestine Faction, Islamic Holy War)

The following information is based on publicly available details about Palestinian Islamic Jihad (PIJ). These details have been corroborated by material from intelligence investigations into the activities of PIJ. ASIO assesses that the details set out below are accurate and reliable.

PIJ has been listed as a terrorist organisation by the UN, UK, US, Canada and the EU.

Background

PIJ was founded in 1979-80 in Egypt by Palestinian members of the Muslim Brotherhood Movement. However, inspired by the Iranian revolution and disillusioned with the actions of existing Palestinian nationalist movements, the group rejected the Muslim Brotherhood's non-violent position and grew to be one of the main Palestinian Islamic extremist movements.

In August 1988 Israel expelled two primary leaders of PIJ, Fathi Shaqaqi and Abd al-Aziz Odah, to Lebanon where Shaqaqi reorganised the group, developing closer ties with Iranian Revolutionary Guard Corps elements and Lebanese Hizballah. From this time, PIJ increasingly used terrorist actions, including suicide bombings, to promote its cause. Co-ordinating with the HAMAS military wing (Izz al-Din al-Qassam Brigades), PIJ conducted a number of suicide bombings in the mid 1990's in an attempt to derail the peace process. Although the Palestinian Authority (PA) pressured the PIJ to refrain from terrorist activities during the peace process in the lead up to Camp David in 2000, the PIJ continued its involvement in terrorism, and supported the outbreak of the al-Aqsa Intifada in September 2000.

Funding for the group comes primarily from Iran and Syria, but also from sympathisers in the Gulf, Europe and the United States. PIJ relies on training in safe-houses in Gaza and Southern Lebanon, or facilities run by other groups including Lebanese Hizballah.

Objectives

PIJ aims to establish an Islamic Palestinian state which would include the territory of the current state of Israel. It also believes that Palestinian liberation would inspire a wider Islamic revolution across the Arab and Muslim world.

PIJ has opposed all previous peace negotiations with Israel and refused to give a formal commitment to a Palestinian unilateral ceasefire in 2005. While it signed the Palestinian Authority brokered Cairo Declaration committing militant groups to a 'period of calm', PIJ has declared its continuing right to undertake acts of violence and PIJ members conducted a suicide bombing in Tel Aviv on 25 February 2005.

Leadership and membership

PIJ has at times consisted of seven or eight factions; however, following his expulsion to Lebanon in 1988, Shaqaqi took a dominant role in reorganising the group, expanding its political connections with Iran, Syria and Lebanese Hizballah. PIJ is now led by Damascus-based Dr Ramadan Muhammad Abdullah Shalah, who became leader after the October 1995 assassination of Shaqaqi in Malta.

PIJ draws support from a small membership base of approximately 50-200 as well as recruiting suicide bombers from mosques, or heavily screened volunteers. PIJ's main membership base is in the West Bank (particularly Hebron and Jenin), Gaza and South Lebanon. PIJ also has members and supporters throughout the Middle East, US and Europe, and maintains offices in Beirut, Damascus and Tehran.

Terrorist activities

PIJ has been responsible for a series of bombings, including suicide bombings, shootings, kidnappings and stabbings of Israeli/Jewish soldiers and civilians in Israel and the Occupied Territories. The group's favoured tactic is suicide bombings using explosive belts or car bombs. PIJ have at times carried out double suicide bombing attacks at the same location within a short space of time to target bystanders and emergency workers responding to the first attack.

PIJ has coordinated attacks and joint operations with a number of other Palestinian extremist groups, including HAMAS Izz al-Din al-Qassam Brigades, which has been listed as a terrorist organisation by the Australian Government. PIJ also has ties to Lebanese Hizballah, which through its External Security Organisation (which also has been listed as a terrorist organisation by the Australian Government) provides material support for terrorist operations by PIJ.

PIJ has not acted outside the Middle East or deliberately targeted Western interests; however, it has threatened to target the US embassy and its personnel if it moves from Tel Aviv to Jerusalem.

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

- 25 February 2005: a suicide bombing at a nightclub in Tel Aviv which killed five people and injured 50.
- 10 January 2005: PIJ gunmen ambushed an Israeli military vehicle in the Gaza Strip, killing three people.
- 21 November 2004: Gunmen from PIJ and the Popular Front for the Liberation of Palestine (PFPL) ambushed a convoy of Israeli settlers in the Gaza Strip, injuring nine people.
- 8 July 2004: PIJ detonated an explosive device next to an Israeli military jeep in the Gaza Strip, injuring two people.

Conclusion

ASIO assesses the PIJ 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 objective of creating an Islamist Palestinian state and the destruction of the state of Israel, PIJ is known to have engaged in actions that:

- are aimed at advancing PIJ's political and religious causes;
- are intended cause, or have caused, serious damage to property, the death of persons or endangerment of life; and
- are intended to cause, or have caused, serious risk to the safety of the public in Israel and other persons visiting areas in which it operates.

In view of the above information, PIJ is assessed to be 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 Israel. The actions or threatened actions which the PIJ are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.

Lashkar-e-Tayyiba (LeT)

(Also known as: Lashkar-e-Toiba, Lashkar-e-Taiba, Army of the Pure and Righteous, Paasban-e-Kashmir, Paasban-i-Ahle-Hadith, Jamaat-ud-Dawa)

The following information is based on publicly available details about Lashkar-e-Tayyiba (LeT), which is the military wing of Markaz-ud-Dawa-wal-Irshad (MDI). LeT is also known as Paasban-e-Kashmir and Paasban-i-Ahle-Hadith. These details have been corroborated by material from intelligence investigations into the activities of LeT. ASIO assesses that the details set out below are accurate and reliable.

LeT has been listed as a terrorist organisation by the UN, UK, US, Canada and the EU.

Background

LeT is the military wing of Markaz-ud-Dawa-wal-Irshad (MDI). The MDI is a Pakistan based Sunni (Wahabbi) Islamic fundamentalist organisation centred on Muridke, near Lahore, and Muzaffarabad in Pakistan. The MDI was formed in 1987 by Abdullah Azam Saeed (who was killed in 1989), and Zafar Iqbal. Saeed and Iqbal formed LeT as the military wing of the MDI in 1989. After the MDI was banned in India in 2001 and in Pakistan in 2002 it changed its name to Jamaat-ud-Dawa, although this nomenclature is rarely used.

LeT is one of the three largest and best-trained separatist groups operating in Indian-administered Kashmir and is closely associated with a number of militant Islamic groups active in the India/Pakistan region, including Jaish-e-Mohammed (JeM), with whom it was implicated in an attack on the Indian Parliament building in 2001. LeT is led by an Amir with regional commanders being responsible for 'military' districts. It is a highly secretive organisation that often seeks to conceal the identities of its senior members.

LeT operates primarily within Kashmir and India's Jammu region although it has also been implicated in attacks and planned attacks elsewhere in India, including New Delhi. It has used suicide squads to target Indian security forces and police stations.

Funding for LeT is derived from the Pakistani diaspora, particularly in the Persian Gulf and the United Kingdom, through a network of front organisations and charities. Islamic NGOs also provide funding to LeT.

Objectives

LeT aims to liberate Muslims within the Indian states of Jammu and Kashmir and to create an Islamic state, incorporating Pakistan and Kashmir together with other predominantly Muslim areas in north and south India. The Amir of LeT, Hafiz Mohammed Saeed, has called for jihad to create an Islamic state in Pakistan and for jihad to be waged against 'un-Islamic' states, citing Chechnya and Afghanistan as models for an international jihad.

Leadership and membership

Hafiz Mohammed Saeed was a founding member of MDI and later became the leader of LeT. He announced his resignation in December 2001 after the Pakistani Government froze LeT assets in Pakistan. Maulana Wahid Kashmiri was appointed as the new LeT commander, but there is considerable scepticism as to the impact of his 'resignation' and Saeed is still assessed to be the Amir of LeT.

LeT's exact membership is not known; however, it has several hundred members in Pakistan and Pakistan-administered Kashmir and in Indian-administered southern Kashmir. Most LeT members are recruited through madrassas in Pakistan and tend to be Pakistanis and Afghans rather than Kashmiris. LeT runs training camps, some of which are mobile camps, within Pakistan and in Pakistan-controlled areas of Kashmir, and it had trained in Afghanistan until late 2001. LeT trained the Australian, David Hicks, who was captured in Afghanistan allegedly fighting for the Taliban in December 2001.

LeT maintains links with Islamic extremist groups in the Middle East and Chechnya, and cooperates with al-Qa'ida and other Islamic terrorist groups both in training and in undertaking operations.

Terrorist activities

LeT has been responsible for a series of bombings and shootings, including suicide attacks, kidnappings and other attacks against non-Muslim civilians, Indian security forces and Indian Government installations in Kashmir and elsewhere. The LeT routinely conducts attacks on Indian security forces, and LeT members are often arrested by Indian security forces attempting to infiltrate into Indian-administered Kashmir in order to undertake terrorist activities.

Senior members of LeT have advocated the group develop an operational interest beyond its principal theatre of operation in Kashmir and India. In April 2004, an LeT operational commander was captured by British forces in Iraq. In 2003, two alleged members of an LeT cell in Australia were arrested and charged with planning terrorist activities.

LeT has coordinated attacks and other joint activities with a number of other Kashmiri separatist and Islamic extremist groups, including al-Qa'ida and Jaish-e-Mohammed, both of which are listed as terrorist organisations by the Australian Government.

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

- March 2005: a planned suicide attack on a military academy and software companies in Bangalore was interdicted by India police who arrested two LeT and killed a further three in subsequent raids.
- 3 November 2004: LeT members attacked a mosque in the Pulwama District of Jammu and Kashmir, resulting in the death of five people
- 17 October 2004: LeT members attacked Indian security forces in the Kupwara District of Jammu and Kashmir, resulting in the death of five people

Attachment D

- August 2004: a planned bomb attack on a Hindu temple in Secunderabad was interdicted by police, who arrested eight LeT members.
- 25 June 2004: the LeT killed a railway worker abducted several days earlier from the Pulwama District of Jammu and Kashmir
- 10 June 2004: LeT members kill four civilians in an attack in Udampur district of Jammu and Kashmir

Conclusion

ASIO assesses that the LeT 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 objective of creating an Islamic state covering Pakistan and Kashmir, the LeT is known to have engaged in actions that:

- are aimed at advancing the LeT's political and religious causes;
- are intended to cause, or have caused, serious damage to property, the death of persons or endangerment of life; and
- are intended to cause, or have caused, serious risk to the safety of sections of the public in India and other persons visiting areas in which it operates.

In view of the above information, the LeT is assessed to be 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 India. The actions or threatened actions which the LeT are assessed to be involved in would, if successfully completed, cause serious physical harm and death to persons and serious damage to property.