



## The Terrorism Act 2000: Proscribed Organisations

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Section Home Affairs Section

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This note describes the recent history and present status of “proscribed organisations” under anti-terrorism legislation (particularly the Terrorism Act 2000 as amended).

Approximately 60 groups have been proscribed under Schedule 2 to the Terrorism Act 2000.

Additional Standard Notes about the proscription of various international terrorist groups are available from the International Affairs and Defence Section. In particular, notes are currently available on Hizb ut-Tahrir and proscribed organisations (SN/IA/3922); the People’s Mujahiddin of Iran (SN/IA/3822 and SN/IA/05020); and, the military wing of Hezbollah (SN/IA/4791).

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## **1 Proscription prior to the implementation of the Terrorism Act 2000**

The Prevention of Terrorism (Temporary Provisions) Act 1989 (PTA) and the Northern Ireland (Emergency Provisions) Act 1996 (EPA) contained a number of criminal offences relating to membership of, or support for “proscribed organisations”. Proscribed organisations were listed in Schedule 1 of the PTA and Schedule 2 of the EPA. The offences included making contributions of money and other property towards acts of terrorism or the resources of proscribed organisations, assisting in the retention or control of terrorist funds, or failing to disclose knowledge or suspicion that such offences were being committed and, in the case of the 1996 Act, displaying support in public for a proscribed organisation or wearing a hood, mask or other means of concealing identity in public. In particular it was an offence under sections 2(1) (a) of the Prevention of Terrorism (Temporary Provisions) Act 1989, or 30(1)(a) of the Northern Ireland (Emergency Provisions) Act 1996 to belong or profess to belong to a proscribed organisation. The offences, which punishable by up to ten years imprisonment and a fine following conviction on indictment, or six months imprisonment and a £5,000 fine following summary conviction.

The following organisations were proscribed in the UK as a whole under Schedule 1 of the Prevention of Terrorism (Temporary Provisions) Act 1989:

- i) Irish Republican Army (IRA);
- ii) Irish National Liberation Army (INLA).

The following organisations were proscribed in Northern Ireland under Schedule 2 of the Northern Ireland (Emergency Provisions) Act 1996:

- i) The Irish Republican Army (IRA);
- ii) Cumann na mBan;
- iii) Fianna na hEireann;
- iv) The Red Hand Commando;
- v) Saor Eire;
- vi) The Ulster Freedom Fighters (UFF);
- vii) The Ulster Volunteer Force (UVF);
- viii) The Irish National Liberation Army (INLA);
- ix) The Irish People's Liberation Organisation (IPLO);
- x) The Ulster Defence Association (UDA);
- xi) The Loyalist Volunteer Force (LVF);
- xii) The Continuity Army Council
- xiii) The Orange Volunteers
- xiv) The Red Hand Defenders.

Organisations could only be proscribed in the UK as a whole under the PTA if they were concerned in, or promoting or encouraging terrorism connected with the affairs of Northern Ireland. Organisations could only be proscribed in Northern Ireland under the EPA if they were “concerned in terrorism or in promoting or encouraging it”.<sup>2</sup> In practice proscription under the EPA was only applied to organisations concerned in, promoting or encouraging terrorism connected with the affairs of Northern Ireland.

## **2 Proscription under the Terrorism Act 2000**

### **2.1 The list of proscribed organisations**

Library research paper 99/101 on The Terrorism Bill discusses proscription and the provisions of what is now the Terrorism Act 2000 in some detail. The Act came into force on 19 February 2001.

Part II of the Act merged the two separate lists of organisations proscribed under the PTA and EPA into a single list and established a proscription regime that applies across the whole of the UK. It also extended the ambit of proscription by making it possible for organisations concerned with international or domestic terrorism to be proscribed, as well as those concerned with terrorism connected with the affairs of Northern Ireland.

The list of proscribed organisations is set out in Schedule 2 of the 2000 Act. Section 3 of the Act enables the Secretary of State to make orders adding or removing organisations from the list in Schedule 2 or amending the Schedule in some other way. These orders are subject to the affirmative procedure and therefore require the approval of both Houses of Parliament. The debates on such orders may only result in the orders being approved or not approved. The orders themselves cannot be amended during the debates on them.

Under section 3(4) of the 2000 Act the Secretary of State may only exercise his/her power to add an organisation to the list of proscribed organisations under Schedule 2 if he believes that it is concerned with terrorism. “Terrorism” is defined in Section 1, as amended by the Terrorism Act 2006 which provides that:

(1) In this Act "terrorism" means the use or threat of action where-

(a) the action falls within subsection (2),

(b) the use or threat is designed to influence the government or an international governmental organisation or to intimidate the public or a section of the public, and

(c) the use or threat is made for the purpose of advancing a political, religious or ideological cause.

(2) Action falls within this subsection if it-

(a) involves serious violence against a person,

(b) involves serious damage to property,

(c) endangers a person's life, other than that of the person committing the action,

(d) creates a serious risk to the health or safety of the public or a section of the public, or

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<sup>2</sup> Northern Ireland (Emergency Provisions) Act 1996 section 30(3)

(e) is designed seriously to interfere with or seriously to disrupt an electronic system.

(3) The use or threat of action falling within subsection (2) which involves the use of firearms or explosives is terrorism whether or not subsection (1)(b) is satisfied.

(4) In this section-

(a) "action" includes action outside the United Kingdom,

(b) a reference to any person or to property is a reference to any person, or to property, wherever situated,

(c) a reference to the public includes a reference to the public of a country other than the United Kingdom, and

(d) "the government" means the government of the United Kingdom, of a Part of the United Kingdom or of a country other than the United Kingdom.

(5) In this Act a reference to action taken for the purposes of terrorism includes a reference to action taken for the benefit of a proscribed organisation.

Section 3(5) of the 2000 Act provides that an organisation is concerned in terrorism if it

- commits or participates in acts of terrorism,
- prepares for terrorism,
- promotes or encourages terrorism or
- is otherwise concerned in terrorism.

Section 21 of the Terrorism Act 2006 sought to widen the grounds of proscription by inserting new subsections (5A), (5B), and (5C) into section 3 of the 2000 Act. These provisions controversially added the unlawful "glorification" of terrorism to this list:

(5A) The cases in which an organisation promotes or encourages terrorism for the purposes of subsection (5)(c) include any case in which activities of the organisation—

(a) include the unlawful glorification of the commission or preparation (whether in the past, in the future or generally) of acts of terrorism; or

(b) are carried out in a manner that ensures that the organisation is associated with statements containing any such glorification.

(5B) The glorification of any conduct is unlawful for the purposes of subsection (5A) if there are persons who may become aware of it who could reasonably be expected to infer that what is being glorified, is being glorified as—

(a) conduct that should be emulated in existing circumstances, or

(b) conduct that is illustrative of a type of conduct that should be so emulated.

(5C) In this section—

'glorification' includes any form of praise or celebration, and cognate expressions are to be construed accordingly;

'statement' includes a communication without words consisting of sounds or images or both.

Section 22 of the Terrorism Act 2006 inserted new provisions into section 3 of the Terrorism Act 2000 enabling the Secretary of State to make orders specifying alternative names when an organisation listed in Schedule 2 to the 2000 Act is operating under a different name. While orders adding or removing organisations from the list in Schedule 2 are subject to the affirmative procedure and must be approved by both Houses of Parliament, those made under the new provisions relating to changes to the name of a proscribed organisation are subject to the negative procedure.

Sections 21 and 22 of the 2006 Act came into force on 13 April 2006.<sup>3</sup>

Despite the comprehensive nature of these provisions, it has been felt that there is a lack of clarity when it comes to determining criteria against which the Home Secretary will decide whether or not to use his/her discretion to proscribe an organisation.

In response to this, the Home Secretary has recently reiterated the criteria in the Explanatory Memorandum to the most recent Order under the Act, although, they were originally formulated in 2001.<sup>4</sup> The criteria are<sup>5</sup>:

1. The nature and scale of the organisation's activities;
2. The specific threat that it poses to the UK;
3. The specific threat that it poses to British nationals overseas;
4. The extent of the organisation's presence in the UK; and
5. The need to support international partners in fight against terrorism

The Memorandum further states:

"An organisation is proscribed in the UK as soon as the order comes into force. It is a criminal offence for a person to belong to or invite support for a proscribed organisation. It is also a criminal offence to arrange a meeting to support a proscribed organisation or to wear clothing or to carry articles in public which arouse reasonable suspicion that an individual is a member or supporter of the proscribed organisation. Proscription means that the financial assets of the organisation become terrorist property and can be subject to freezing and seizure.

A proscribed organisation, or any person affected by the proscription of the organisation, may apply to the Secretary of State for deproscription and, if the Secretary of State refuses that application, the applicant may appeal to the Proscribed Organisations Appeals Commission [POAC]."<sup>6</sup>

## 2.2 The Real IRA

In May 2004, Mr Justice Paul Girvan dismissed charges against four men accused of membership of a proscribed organisation: he ruled that "the Real IRA" was not proscribed under the 2000 Act. However, following a reference by the Attorney General, the Lord Chief

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<sup>3</sup> SI 2006/1013

<sup>4</sup> See, Walker, C, Blackstone's Guide to the Anti-Terror Legislation, Oxford, 2009, p 40.

<sup>5</sup> Explanatory Memorandum to the Terrorism Act 2000 (Proscribed Organisations) (Amendment Order) 2011.

<sup>6</sup> *Ibid*

Justice of Northern Ireland, Sir Brian Kerr, sitting with Lord Justices Nicholson and Campbell, insisted that Parliament was well aware of the Real IRA when the Act was passed. The High Court in Belfast ruled that it was inconceivable that the legislation did not extend the ban to other illegal IRA groups. The reversal did not affect the four men's acquittal.<sup>7</sup>

In May 2005, the House of Lords dismissed the appeal by one of the accused men against the reversal. Lord Bingham said:

... the existence of two groups, the Official IRA and the Provisional IRA, each claiming to be the true embodiment of the IRA, loyal to its aims and ideals, was a known fact. In designing a proscription regime to counter the formidable threat which terrorism then presented, there was no doubt a choice of legislative techniques, one particular, one general. The particular approach would have proscribed the Provisional but not the Official IRA. The general approach was to proscribe the IRA using a blanket description to embrace all emanations, manifestations and representations of the IRA, whatever their relationship to each other, including the Provisional IRA. One course which would, if considered, have been rejected out of hand would have been to proscribe the IRA, meaning only the original IRA if it still existed or the Official IRA if it did not, since it would have been entirely futile to proscribe a body believed to have foresworn terrorism and omit a body believed to present a potent terrorist threat.

While a case could have been made for what I have called the particular approach, I do not find it hard to understand why (if considered) it was not adopted. The fissiparous nature of republican paramilitarism was already evident. One schism had already occurred. There might be further schisms. Or the separated groups might coalesce. And then perhaps split again. It would be very hard, if not impossible, for the authorities to prove the identity of a particular group or the relationship of one group to another at a given time. They would, to borrow language used by Lord Hewart CJ in a very different context (*Coles v Odhams Press Ltd* [1936] 1 KB 416, 426), be "taking blind shots at a hidden target". So the name IRA, intended to be comprehensive as embracing "any organisation which passes under a name mentioned in [Schedule 2] ... whatever relationship (if any) it has to any other organisation of the same name" (section 19(3) of the 1973 Act), was understandably favoured. There was, no doubt, a risk on this approach that a group within the extended IRA family would be proscribed which was currently non-violent although appearing to be concerned in terrorism or in promoting or encouraging it, but it might well have been thought unlikely that a body bearing the name IRA or any variant of it would be at all friendly to parliamentary democracy.<sup>8</sup>

### **2.3 Additions to the list: March 2001**

On 28 February 2001 the then Home Secretary, Jack Straw, laid a draft order under section 3(3)(a) of the 2000 Act listing 21 international organisations to be added to the list of proscribed organisations set out in Schedule 2 of the Act. The following organisations were listed in the Order:

Al-Qa'ida

Egyptian Islamic Jihad

Al-Gama'at al-Islamiya

Armed Islamic Group (Groupe Islamique Arme) (GIA)

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<sup>7</sup> "Real IRA is declared illegal by the High Court", 1 July 2004, *Daily Telegraph*

<sup>8</sup> *Regina v Z (Attorney General for Northern Ireland's Reference)* [2005] UKHL 35

Salafist Group for Call and Combat (Groupe Salafiste pour la Predication et le Combat) (GSPC)

Babbar Khalsa

International Sikh Youth Federation

Harakat Mujahideen

Jaish e Mohammed

Lashkar e Tayyaba

Liberation Tigers of Tamil Eelam (LTTE)

Hizballah External Security Organisation

Hamas-Izz al-Din al-Qassem Brigades

Palestinian Islamic Jihad--Shaqaqi

Abu Nidal Organisation

Islamic Army of Aden

Mujaheddin e Khalq (otherwise known as the People's Mujahiddin of Iran)

Kurdistan Workers' Party (Partiya Karkeren Kurdistan) (PKK)

Revolutionary Peoples' Liberation Party--Front (Devrimci Halk Kurtulus Partisi--Cephesi) (DHKP-C)

Basque Homeland and Liberty (Euskadi ta Askatasuna) (ETA)

17 November Revolutionary Organisation (N17).

The Home Office press notice of 28 February 2001 announcing the laying of the order which sought to proscribe these organisations included a note setting out the Government's view of the activities of these organisations. This note is reproduced in full in the last section of this standard note.<sup>9</sup> The draft order was debated in the House of Commons on 13 March 2001<sup>10</sup> and in the House of Lords on 27 March 2001.<sup>11</sup> The draft having been approved the order itself was made on 28 March 2001 and came into force the following day.<sup>12</sup>

## **2.4 Additions to the list: November 2002**

On 28 October 2002 the then Home Secretary, David Blunkett laid a draft order under section 3(3)(a) of the 2000 Act listing four organisations with links to the Al-Qaida network, to be added to the list of proscribed organisations. The following organisations were listed in the Order:

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<sup>9</sup> Draft order of organisations to be proscribed under the new *Terrorism Act 2000* published today – Home Office press notice 28.2.2001

<sup>10</sup> HC Deb 13 March 2001 c945-969

<sup>11</sup> HL Deb 27 March 2001 c144-200

<sup>12</sup> *Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2001* SI 2001/1261



Abu Sayyaf Group

Asbat Al-Ansar

Islamic Movement of Uzbekistan

Jemaah Islamiyah.

The note attached to the Home Office press notice announcing the laying of the second order is also reproduced at the end of this standard note. The draft order was debated in both Houses on 30 October 2002.<sup>13</sup> The draft having been approved the order itself was made on 31 October 2002 and came into force the following day.<sup>14</sup>

## **2.5 Additions to the list: October 2005**

On 10 October 2005 the then Home Secretary, Charles Clarke laid a draft order under section 3(3)(a) of the 2000 Act listing fifteen organizations involved in terrorist activities to be added to the list of proscribed organizations. The following organizations were listed in the Order:

Al Ittihad Al Islamia

Ansar Al Islam

Ansar Al Sunna

Group Islamique Combattant Marocain

Harakat-ul-Jihad-ul-Islami

Harakat-ul-Jihad-ul-Islami (Bangladesh)

Harakat-ul-Mujahideen/Alami

Hezb-e Islami Gulbuddin

Jamaar ul-Furquan

Jundallah

Khuddam ul-Islam

Laashkar-e Jhangvi

Libyan Islamic Fighting Group

Sipah-e Sahaba Pakistan

The Home Office press notice of 20 October 2005 announcing the laying of the order to proscribe another fifteen organizations included a note setting out the Government's reasons. This note is reproduced in full in the last section of this standard note.<sup>15</sup> The draft

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<sup>13</sup> HC Deb 30 Oct 2002 col 875, HL Deb 30 Oct 2002 col 252

<sup>14</sup> *Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2002* SI 2002/2724

<sup>15</sup> Home Secretary moves to ban fifteen terror groups. Home Office press notice 10.10.2005

order was debated in both Houses on the 13 October 2005.<sup>16</sup> The draft having been approved the order itself was made on 13 October 2005 and came into force the following day.<sup>17</sup>

## **2.6 Additions to the list: July 2006**

On 17 July 2006 the former Home Secretary, John Reid, laid the first order made under the provisions inserted in section 3 of the Terrorism Act 2000 by section 22 of the Terrorism Act 2006 enabling him to specify alternative names for proscribed organisations. The order<sup>18</sup>, which is subject to annulment under the negative procedure, specifies the following alternative names for the Kurdistan Workers' Party (Partiya Karkeren Kurdistan)(PKK):

Kongra Gele Kurdistan

KADEK

The Explanatory Memorandum accompanying the order states that:

Kongra Gele and KADEK are both alternative names for the PKK which was proscribed in 2001. Recent attacks claimed in the name of Kongra Gele include a car bomb in Semdinli in South Eastern Turkey (November 2005) and the kidnapping of a soldier and local mayor (July 2005) and derailing of trains with explosives (July 2005).

On 17 July 2006 the Home Secretary also laid a draft order<sup>19</sup> adding the following organisations to the list set out in Schedule 2 of the Terrorism Act 2000:

Al-Ghurabaa

The Saved Sect

Baluchistan Liberation Army

Teyrebaz Azadiye Kurdistan

The Explanatory Memorandum accompanying the draft order included summaries of the organisations' activities and the Government's reasons for seeking to proscribe them. The note is reproduced in full in the last section of this standard note. The draft order was debated in the House of Commons on Thursday 20 July.

Press reports noted that the Islamic political party Hizb ut-Tahrir was not included in the latest list of proscribed organisations, although in the immediate aftermath of the London bombings of July 2005 the Prime Minister had said the Government would seek to proscribe it.<sup>20</sup> Information about Hizb ut-Tahrir is available in Library standard note SN/IA/3922 Hizb ut-Tahrir which is available on the intranet.<sup>21</sup>

## **2.7 Additions to the list July 2007**

The following organisations were proscribed pursuant to the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2007

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<sup>16</sup> HC Deb 13 October 2005 c466-483, HL Deb 13 October 2005 c490-496

<sup>17</sup> *Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2005* SI 2005/2892

<sup>18</sup> *The Proscribed Organisations (Name Changes) Order 2006* SI 2006/1919

<sup>19</sup> *Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2006*

<sup>20</sup> "Militant Islamist groups banned under terror law" – *Times* 18 July 2006

<sup>21</sup> <http://intranet.parliament.uk/briefing-papers/SN03922>

Jammat-ul Mujahideen Bangladesh

Tehrik Nefaz-e Shari'at Muhammadi.

The Explanatory Memorandum indicated that:

Tehrik Nefaz-e Shari'at Muhammadi regularly attacks Coalition and Afghan government forces in Afghanistan and provides direct support to Al Qaida and the Taliban. One faction of the group claimed responsibility for a suicide attack on an army training compound on 8 November 2006 in Dargai, Pakistan, in which 42 soldiers were killed.

Jammat-ul Mujahideen Bangladesh first came to prominence on 20 May 2002 when eight of its members were arrested in possession of petrol bombs. The group has claimed responsibility for numerous fatal bomb attacks across Bangladesh in recent years, including suicide bomb attacks in 2005.

## **2.8 Addition to and removal from the list 2008**

On 2 July 2008, the Government laid before Parliament an Order proscribing the military wing of Hezbollah in its entirety, including the Jihad Council and all units reporting to it including the Hizballah External Security Organisation.

The Explanatory Memorandum to the Order states that:

Hizballah is actively involved in terrorist related activities. These activities include, but are not limited to, the provision of training and logistical and financial support to terrorist groups in Iraq and Palestine. The military wing of Hizballah is involved in supporting Shia insurgent groups in Iraq to carry out attacks, including against Coalition forces. In particular it has carried out training and support for Jaish Al-Mahdi (JAM), including in the use of explosively formed projectiles. The military wing of Hizballah has also provided support for Palestinian terrorist organisations such as the Hamas Izz al-Din al-Qassem Brigades and Palestinian Islamic Jihad.

In 2008, the Government also removed the People's Mujahiddin of Iran (otherwise known as the Mujahiddin e Khalq (MEK)) from the list of proscribed organisations. Further information providing a detailed background to the events surrounding the removal of the PMOI can be found in SN/IA/3822 and SN/IA/05020.

## **2.9 Name change - March 2009**

On 11 March 2009, an order (The Proscribed Organisations (Name Change) Order 2009) was laid before Parliament, pursuant to s 3(6) of the Terrorism Act 2000 (as inserted by the Terrorism Act 2006) providing that the name Jama'at ud Da'wa was to be treated as another name for Lashkar e Tayyaba (LeT). This order came into force on 20 April 2009.

## **2.10 Name change – January 2010**

On 11 January 2010, an order (The Proscribed Organisations (Name Changes) Order 2010) was laid before Parliament, pursuant to s 3(6) of the 2000 Act (as inserted by the 2006 Act) providing that the names Al Muhajiroun (ALM), Call to Submission, Islam4UK, Islamic Path and the London School of Sharia should be treated as another name for both Al-Ghurabaa and the Saved Sect. The prohibition of Islam4UK followed news that the group planned a controversial protest in Wootton Bassett.<sup>22</sup>

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<sup>22</sup> [BBC Online, Islamist group plans Wootton March, 2 January 2010](#)

## **2.11 Addition to the list – March 2010**

In March 2010, the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2010 was laid before Parliament. It provided that al Shabaab should be added to the list of proscribed organisations. During the course of debate, the then Security Minister, Lord West, indicated that the group had:

Waged a violent campaign against the Somali Transitional Federal Government and African Union peacekeeping troops in Somalia since the beginning of 2007. A feature of its campaign has been the adoption of terrorist tactics such as suicide operations and roadside bombings. It has mounted numerous such operations since 2007, including, for example, a suicide vehicle-borne improvised explosive device in June 2009 in Beledweyne, one of the largest cities in Somalia, killing the TFG security Minister and around 30 others in the process.

He added that “the group has also launched terrorist attacks outside areas under its control, most notably in October 2008 when five co-ordinated suicide attacks were mounted against targets in Somaliland and Puntland, including the Ethiopian embassy, presidential palace and UN Development Programme compound. In September last year, Al-Shabaab released a video statement in which it pledged allegiance to Osama bin Laden and, on 2 February 2010, members of the group announced their intention to combine the jihad in the Horn of Africa with the global jihad led by AQ.”<sup>23</sup>

The Government stated that the group was already proscribed in the US, Australia and New Zealand.

In the House of Commons, Keith Vaz raised some concerns over the use of proscription powers, querying whether the organisation had been operating in the UK. He noted that “the Minister needs to look very carefully at the effect of the proscription on the wider Somalian community” indicating that the Government “should be aware of the effect that the proscription of al-Shabaab would have on the 45,000 Somalis who live in the United Kingdom”. He argued that:

“When members of the Somalian community wish to hold meetings to discuss the terrible situation in Somalia, they will face a lot of pressure from the police and from the Government of Somalia. They will be told that their meeting is actually in support of al-Shabaab. They might have absolutely no connections or dealings with al-Shabaab; they might, as the Minister has said, have come to this country in order to escape its activities, but the fact that they are holding a meeting to discuss the situation in Somalia will result in police activity and almost certainly in the embassy of Somalia writing to the organisations from which the people wish to book accommodation for their meeting, to prevent those meetings from taking place. How do I know this? I know it because that is precisely what happened to the British Tamils Forum and members of the Tamil community over the past few years, since the Government decided to proscribe the LTTE.”<sup>24</sup>

## **2.12 Addition to the list – January 2011**

In January 2011, the *Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2011* was laid before Parliament. It provided that Tehrik-e Taliban Pakistan should be added to the list of proscribed organisations.

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<sup>23</sup> HL Deb, 4 March 2010, c1635-7

<sup>24</sup> HC Deb, 4 March 2010, c 1046

Tehrik-e Taliban Pakistan has carried out a high number of mass casualty attacks in Pakistan and Afghanistan since 2007. The group have announced various objectives and demands, such as the enforcement of Sharia, resistance against the Pakistani army and the removal of NATO forces from Afghanistan. The group is also known to target and claim responsibility for attacks on Western interests.

### **2.13 Name change – November 2011**

On 10 November 2011, an order (*The Proscribed Organisations (Name Changes) Order 2011*) was laid before Parliament, pursuant to s 3(6) of the 2000 Act (as inserted by the 2006 Act) providing that the name Muslims Against Crusades should be treated as another name for both Al-Ghurabaa and the Saved Sect. The prohibition of Muslims Against Crusades followed news that the group planned a controversial anti-Armistice Day protest (similar to a protest which it held the previous year outside the Royal Albert Hall where a poppy was burnt.<sup>25</sup>). It was reported that members of Muslims Against Crusades were detained outside the US embassy in London on 2 December 2011 although the Metropolitan Police would not confirm this.<sup>26</sup>

## **3 Appeals against proscription**

Under the arrangements which existed before the implementation of the Terrorism Act 2000 decisions to proscribe organisations under the PTA or the EPA could only be challenged through applications for judicial review. The Explanatory Notes for the Bill that became the 2000 Act noted that no proscribed organisation had ever done this.

Sections 4-6 of the Terrorism Act 2000 set out a new procedure to be followed by an organisation which thinks that it should be deproscribed, or an affected individual who is seeking a remedy. The organisation or individual must first apply to the Secretary of State under Section 4, asking him to exercise his power under Section 3 (3)(b) to remove an organisation from the list of proscribed organisations set out in Schedule 2. Sections 4(3) and 4(4) of the 2000 Act enable the Secretary of State to make regulations relating to the procedure for making such applications. The regulations, which must include the giving of reasons, are subject to annulment by either of the Houses of Parliament under the negative procedure. The Proscribed Organisations (Applications for Deproscription) Regulations 2001<sup>27</sup> provide for an application to be made in writing and with a statement of the grounds at any time after the organisation has been proscribed.

Where an application under Section 4 is refused by the Secretary of State, the applicant may appeal to the Proscribed Organisations Appeal Commission, a body established under Section 5 and Schedule 3 of the 2000 Act. Schedule 3 also sets out the procedure to be followed by the Commission in considering appeals, including arrangements for providing representation, by individuals with appropriate legal qualifications, for organisations and individuals appearing before the Commission.

Section 5(3) provides that:

The Commission shall allow an appeal against a refusal to proscribe an organisation if it considers that the decision to refuse was flawed when considered in the light of the principles applicable on an application for judicial review.

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<sup>25</sup> ["Muslims Against Crusades banned by Theresa May"](#), *BBC*, 10 November 2011

<sup>26</sup> ["Over 20 arrested at U.S. embassy protest in London"](#), *Reuters*, 2 December 2011

<sup>27</sup> SI 2001/107

The Explanatory Notes to the Bill that became the 2000 Act made the following comments about this provision:

The reference to "the principles applicable on an application for judicial review" allows that once the Human Rights Act 1998 is fully in force, it will be possible for an appellant to raise points concerning those rights under the European Convention on Human Rights which are "convention rights" under the 1998 Act.

Where the Commission allows an appeal in respect of an organisation it will be able to make to make an order under Section 5(4). Once such an order has been made the Secretary of State will be required to give effect to the Commission's decision. The procedure used will depend on the urgency of the situation. Under the first procedure, the Secretary of State will lay before Parliament a draft order under the affirmative procedure, removing the organisation from the list in Schedule 2. In urgent cases, the Secretary of State will make an order removing the organisation from the list. If the latter procedure, which is provided for under Section 118(4) is used, the order will lapse within 40 days unless a resolution is passed by each of the Houses of Parliament during that period.

Section 6 provides a further avenue of appeal, by enabling appeals on points of law to be made from decisions of the Proscribed Organisations Appeal Commission, to the Court of Appeal in London, the Court of Session in Edinburgh or the Court of Appeal in Northern Ireland, depending on whether the first appeal was heard in England and Wales, Scotland or Northern Ireland. An appeal to any of these courts will require the leave of the Commission or the Court to which the appeal would be brought. The Secretary of State will not be required to take any action under an order issued under Section 5(4) until after the final determination or disposal of an appeal under Section 6, including any subsequent appeal to the House of Lords.

If an appeal to the Proscribed Organisations Appeal Commission is successful and an order is made deproscribing the organisation, Section 7 is intended to enable anyone convicted, in respect of that organisation, of any of a number of specified offences committed after the date of the refusal to deproscribe, to appeal against his conviction to the Court of Appeal.

Section 7(1) of the Human Rights Act 1998 provides that a person who claims that a public authority has acted, or proposes to act, in a way which is unlawful because it is incompatible with a Convention right<sup>28</sup> may bring proceedings against the authority under the 1998 Act in the appropriate court or tribunal, or rely on the Convention right or rights in any legal proceedings. Section 7(2) provides that "appropriate court or tribunal" means such court or tribunal as may be determined in accordance with rules. The Explanatory Notes for the Bill that became the Terrorism Act 2000 stated that the Lord Chancellor intended to make rules under section 7(2) of the 1998 Act so that proceedings under section 7(1) of that Act could be brought before the Proscribed Organisations Appeal Commission. Section 9 of the 2000 Act is designed to apply provisions in Sections 5(4) and (5), Section 6, Section 7 and parts of Schedule 3, which are concerned with appeals to the Commission, to proceedings under the 1998 Act. This will enable the Commission to determine, for example, that an action by the Secretary of State is incompatible with a Convention right. As with Section 5(3), the Act provides, in Clause 9(3), that the Commission should decide proceedings brought before it under the Human Rights Act 1998 "in accordance with the principles applicable on an application for judicial review". An applicant who was dissatisfied with a decision made by

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<sup>28</sup> That is, one of the rights under the European Convention on Human Rights set out in Schedule 1 of the *Human Rights Act 1998*

the Commission in such proceedings would then presumably be able to refer the matter to the courts by making an application for judicial review.

Section 10 of the Terrorism Act 2000 seeks to prevent evidence of anything done in relation to deproscription applications to the Secretary of State and appeals to the Proscribed Organisations Appeal Commission being admitted or used as evidence, except on behalf of the accused, in proceedings for the various terrorist offences set out in Sections 11-13, 15-19 and 56 of the 2000 Act. This is intended to prevent individuals who might seek deproscription, or institute proceedings under the Human Rights Act 1998 in relation to deproscription, from being discouraged by the risk of prosecution for an offence, such as the offence under Section 11 of membership of a proscribed organisation.

Section 22(3) to (7) of the Terrorism Act 2006, which came into force on 13 April 2006, applies the provisions in the Terrorism Act 2000 concerning reviews of and appeals against proscription to orders made under section 3(6) of the 2000 Act requiring a name to be treated as another name for a proscribed organisation.

#### 4 Commentary

In 2008, Nathan Rasiah published an article entitled *Reviewing Proscription under the Terrorism Act 2000*.<sup>29</sup> He indicated that:

Though the concept of proscription is contested by some as a departure from the criminal law paradigm – criminalising association rather than culpable conduct, and placing the power of criminalisation in hands of the Executive – it has existed in UK law in one form or another since 1887; and since its resurrection in the aftermath of the Birmingham bombings in 1974, has remained a fixed feature of the UK Government's counter-terrorism armoury.<sup>30</sup>

He went on to argue that:

Though it has attracted less attention than measures relating to detention without trial, proscription remains an aspect of counter-terrorism strategy with significant constitutional implications.<sup>31</sup> Clayton and Tomlinson's *The Law of Human Rights*<sup>32</sup> notes that:

The most stringent restrictions on the right of association have been the proscription, on the grounds of national security, or membership of or participation in the activities of certain proscribed organisations [...] In *O'Driscoll v Secretary of State for the Home Department* [2003] ACD 35 it was held that provided the organisation was properly proscribed, this offence was not incompatible with Convention rights [N.B. European Convention on Human Rights].<sup>33</sup>

The book also notes that in the case of *R (Kurdistan Workers Party and others) v Secretary of State for the Home Department* [2002] ACD 99 the courts refused claimants the right to bring judicial review proceedings against the Secretary of State to challenge the lawfulness of a proscription decision, indicating that the claimants should avail themselves of the statutory procedure.<sup>34</sup>

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<sup>29</sup> [2008] JR 187

<sup>30</sup> *Ibid*

<sup>31</sup> *Ibid* at 190

<sup>32</sup> Second Edition, Oxford, 2009

<sup>33</sup> *Ibid*, p1573

<sup>34</sup> *Ibid*

Professor Clive Walker has argued that historically:

Proscription has been of marginal utility in combating political violence, to which the survival of the IRA over most of a century bears ample testimony. Paramilitary organisations cannot be abolished by legislative fiat, and proscription actually increases the difficulties of infiltration and monitoring so as to achieve the criminalisation of those members engaged in violence [...] There are also objections in principle. There should be concern about the deployment of special offences when ordinary offences would suffice (they include the possession of weapons or conspiracy to carry out attacks [...] or even more specialist offences (such as those concerning paramilitary displays).<sup>35</sup>

In contrast, during the debate over the 2000 Act, then Home Secretary, Charles Clarke, stated that:

There are three principal reasons why we think proscription is important. First, it has been, and remains, a powerful deterrent to people to engage in terrorist activity. Secondly, related offences are a way of tackling some of the lower-level support for terrorist organisations [...] Thirdly, proscription acts as a powerful signal of rejection by Government – and indeed by society as a whole – of organisations' claims to legitimacy.<sup>36</sup>

In January 2010, the BBC produced a short piece of analysis entitled [“Does banning terror groups really work?”](#)

### **The Report of the Independent Reviewer of Terrorism Legislation, July 2011**

In 2011, David Anderson QC, the current Independent Reviewer of Terrorism Legislation carried out an extensive review of proscription as part of his wider review of legislation in the area. He considered the utility of proscription, the nature of the proscription process and the process of deproscription.

On the utility of proscription, he echoed the views of his predecessor, Lord Carlile, in describing it as:

[A]t best a fairly blunt instrument, especially when compared with the menace that can emerge from the internet”. Laws designed in an age of membership cards and uniforms, and still effective across the Irish Sea in relation to groups “whose names are legends in songs and inscribed on gravestones”, are difficult to apply to the flexible networks of al-Qaeda inspired terrorism in the 21<sup>st</sup> century, let alone to the “lone wolf” who is part of no network at all.

Nevertheless, at least in relation to Al-Qaida and Northern Irish terrorism, the law on proscription was felt to achieve:

[R]eal, if modest, gains in terms of convictions and has the ability to disrupt harmful organisations and to change their behaviour.<sup>37</sup>

On the process itself, he appeared somewhat more critical:

The process of proscription is a convenient one for the executive. Subject only to the assent of Parliament and to consideration of the five discretionary factors set out

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<sup>35</sup> Walker, C, *Blackstone's Guide to the Anti-Terror Legislation*, Oxford, 2002, p 64

<sup>36</sup> HC Deb, Standing Committee D, c56, 18 January 2000

<sup>37</sup> *Ibid*, pg 37.



above, the Secretary of State may proscribe an organisation on the basis of nothing more than a belief that it is, in the broadest possible sense, concerned in terrorism. Neither before nor after the addition of an organisation to Schedule 2 is she required to satisfy a court that it *is* concerned in terrorism. The only legal constraint she faces is the possibility that a proscribed organisation may subsequently seek to discharge the burden of persuading POAC that her decision was flawed on public law grounds.<sup>38</sup>

The deproscription process proved to be an area of concern. Mr Anderson noted that the Home Secretary had never deproscribed any organisation. Moreover, the only organisation to succeed in being deproscribed was the People's Mojahadeen Organisation of Iran (PMOI) and only due to an appeal to the POAC, upheld by the Court of Appeal (see above)

Deproscription required not only considerable time but also considerable financial resources. Mr Anderson QC described having been approached by the International Sikh Youth Federation who felt that their continued proscription was at the behest of the Indian government rather than any threat they pose to the U.K.<sup>39</sup> Whilst they wanted to be deproscribed, they indicated that they were "unwilling to contemplate recourse to what they describe as the "*slow, secretive and costly*" procedure of an appeal to POAC."<sup>40</sup>

Three concerns were identified with the deproscription process:

- a. the relative ease (for the Government) of obtaining proscription
- b. the potential ineffectiveness of annual administrative reviews, conscientious though they may be, to achieve deproscription in the face of what may often be a considerable political incentive to maintain proscription; and
- c. the time and cost that is necessary to mount a claim for deproscription before POAC, exacerbated by the difficulties that proscribed organisations experience – in part, as a consequence of their proscription – in raising money to pay for such proceedings.<sup>41</sup>

By way of solution, he made the following recommendations:

1. That organisations be proscribed for a set length of time, after which the Home Secretary would have to reapply for proscription, if it was considered appropriate. This would also make it less easy for deproscription to be compromised by foreign policy considerations;
2. Organisations which are no longer involved in terrorism should have a realistic chance of achieving deproscription without the need to embark upon POAC proceedings; and
3. The absence of an organisation said to be concerned in Northern Ireland related terrorism from the list of "*specified organisations*" under the Northern Ireland (Sentencing) Act 1998 should be given particular weight when the proscription of such an organisation is reviewed.

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<sup>38</sup> David Anderson QC, Report on the Operation in 2010 of the Terrorism Act 2000 and of Part 1 of the Terrorism Act 2006, July 2011, pg 38 see: [http://terrorismlegislationreviewer.independent.gov.uk/publications/Terrorism\\_Act\\_2000\\_and\\_2006-annual\\_independent\\_review2010.pdf](http://terrorismlegislationreviewer.independent.gov.uk/publications/Terrorism_Act_2000_and_2006-annual_independent_review2010.pdf)

<sup>39</sup> *Ibid*, pg 39

<sup>40</sup> *Ibid*

<sup>41</sup> *Ibid*

At the time of writing, the government have yet to respond to these recommendations.

## **Annex: The Government's assessment of the international organisations which have been added to the list of proscribed organisations under the Terrorism Act 2000**

### **4.1 Additions in 2001<sup>42</sup>**

#### **Al-Qa'ida**

**Aims:** Its aims are the expulsion of Western forces from Saudi Arabia, the destruction of Israel and the end of Western influence in the Muslim world.

**History:** A network or loose organisation of individuals based in Afghanistan and formed after the Soviet-Afghan war. It is inspired and led by Usama Bin Laden.

**Attacks:** In August 1996 the group issued a fatwa to the effect that efforts should be pooled worldwide to kill US nationals (sometimes known as global Jihad). In February 1998, Al-Qa'ida, with other terrorist groups under the title 'World Islamic Front', declared that Muslims should kill Americans and their allies, civilian and military, anywhere in the world. On 7 August 1998 bomb attacks aimed at the US Embassies in Nairobi and Dar es Salaam killed over 200 people and injured around 4000 others. Seventeen people have been charged in the United States with offences relating to the bombings, some of whom are alleged to be members of Al-Qa'ida. Information linking the group to other incidents is less certain but Al-Qa'ida has been associated with the killing of 19 US marines in Somalia in 1993 and the attack on the World Trade Centre in New York as well as attacks in the Middle East.

**Representation/Activities in the UK:** The group has not made any attacks in the UK. Some individuals from the UK have trained with Al-Qa'ida in camps in Afghanistan but there is no overt representation in the UK. Khalid Al Fawwaz, alleged to be a member of Al-Qa'ida, is currently in custody in the UK pending determination of an extradition request by the US concerning his alleged involvement in the East Africa bombings in 1998.

#### **Egyptian Islamic Jihad**

**Aims:** The main aim of the Egyptian Islamic Jihad (EIJ) is to overthrow the Egyptian Government and replace it with an Islamic state. However, since September 1998, the leadership of the group has also allied itself to the 'global Jihad' ideology expounded by Usama Bin Laden and has threatened Western interests.

**History:** The EIJ was established in 1973, by individuals who believed in the use of violence in order to achieve their aims of overthrowing the Egyptian Government.

**Attacks:** The EIJ has mounted a number of high profile terrorist attacks in the last twenty years including the assassination of Egyptian President Anwar Sadat in 1981. The group was also reported to be responsible for the assassination of the Deputy Speaker of the Egyptian Parliament in 1990 and for the car bomb attack on the Egyptian Embassy in Islamabad in 1995, which caused 15 deaths. In addition members of the EIJ were involved in the bombing of the US Embassies in Dar es Salaam and Nairobi in August 1998.

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<sup>42</sup> Draft order of organisations to be proscribed under the new *Terrorism Act 2000* published today – Home Office press notice 28.2.2001

Attacks on UK or Western interests: While the UK has not been directly targeted to date, UK interests have suffered collateral damage from EIJ attacks. The British High Commission residential compound, adjacent to the Egyptian Embassy in Islamabad, suffered extensive collateral damage as a result of the 1995 car bomb attack. The EIJ alliance with Usama Bin Laden indicates that British interests, along with other Western interests, are likely to be targeted in the future.

Representation/activities in the UK: The EIJ has members in the UK though there is no overt representation. Two senior members of the group are currently in custody in the UK pending determination of an extradition request by the US concerning their alleged involvement in the East Africa bombings.

### **Al-Gama'at al-Islamiya**

Aims: The main aim of al-Gama'at al-Islamiya (GI) is through all means, including the use of violence, to overthrow the Egyptian Government and replace it with an Islamic state. Some members also want the removal of Western influence from the Arab world.

History: The GI was established in the early 1980s when it split from the EIJ. Since then, it has focused its campaign of insurgence inside Egypt, carrying out countless attacks against Egyptian government and military targets, and since 1992 against tourists. In March 1999 the GI declared a ceasefire. So far they have adhered to it but there are factions within the group who have publicly advocated a return to violence.

Attacks: The GI has carried out numerous attacks against Egyptian government and military targets, including the 1989 attempted assassination of the Egyptian Interior Minister Zaki Badr. From 1992, it has also actively targeted tourist interests in Egypt, in an attempt to discredit the government and damage the economy. Attacks have included the massacre in Luxor on 17 November 1997. Six assailants attacked tourists, killing 62 people; 58 were tourists, 6 of whom were Britons.

Attacks on UK or Western interests: The GI has not directly targeted British interests. However, its campaign in Egypt has resulted in the deaths of British citizens and threatened collateral damage. While the group is not formally allied with Usama Bin Laden, close links remain and a number within the group favour his policy of directly targeting Western interests.

Representation/activities in the UK: The GI has members in the UK but no overt representation and there is no evidence of current terrorist planning by the group in the UK.

### **Armed Islamic Group (Groupe Islamique Arme) (GIA)**

Aims: The aim of the GIA is to create an Islamic state in Algeria using all necessary means, including violence.

History: Since its emergence in 1992, the GIA has been responsible for a large number of the civilian deaths by terrorist action in Algeria. In September 1998, the leader of the GIA issued a communique which condoned killing women and children. Since then, many supporters of this group in the UK have switched their allegiance from the GIA to the Salafist Group for Call and Combat (GSPC - see following).

**Attacks:** The first GIA attack in Europe took place in 1994, when members of the GIA hijacked an Air France aircraft. In 1995 there was an upsurge in GIA activity within Europe which included a number of bomb attacks in Paris, specifically targeting the Metro. Whilst these were the last attacks to be claimed by the GIA, in May 1998 a small explosive device which had similarities to those used in the 1995 attacks was discovered in Paris.

**Representation/activities in the UK:** The GIA has had members in the UK although some have now joined the GSPC. The group has no overt representation here. Its UK members have provided logistical support for GIA members in Algeria. These activities have included collecting funds and procuring chemicals used in making explosives.

### **Salafist Group for Call and Combat (Groupe Salafiste pour la Predication et le Combat) (GSPC)**

**Aims:** To create an Islamic state in Algeria using all necessary means, including violence.

**History:** (See also GIA) In September 1998, the leader of the GIA issued a communique which condoned killing women and children. Since then, many Algerian extremists in the UK have switched their allegiance from the GIA to the GSPC. The group was also known as the Hassan Hattab (HH) faction of the GIA.

**Attacks:** In March 1998, several individuals assessed to have been members the GSPC were arrested in Brussels. The Belgian authorities believed that these individuals were planning an attack against the World Cup Football Tournament in France. In July 2000, the GSPC issued a communique which warned French authorities against abusing prisoners sympathetic to the group.

**Representation/activities in the UK:** The GSPC has members in the UK but no overt representation. Its UK members have provided logistical support for members of the group in Algeria.

### **International Sikh Youth Federation**

**Aims:** The International Sikh Youth Federation (ISYF) is an organisation committed to the creation of an independent state of Khalistan for Sikhs within India.

**History:** The ISYF was established in the 1980s, and its terrorist activities have continued since then.

**Attacks:** ISYF attacks have included assassinations, bombings and kidnappings, mainly directed against Indian officials and Indian interests. The Special Immigration Appeals Committee (SIAC) found in July 2000 that two ISYF members (MUKHTIAR and PARAMJIT Singh), were a threat to UK national security (although for other reasons they declined to confirm deportation orders against them).

**Attacks on UK or Western interests:** ISYF and its associated factions have never targeted Western interests. There remains a threat of collateral damage from attacks against Indian officials visiting the UK.

**Representation/activities in the UK:** ISYF support is spread across the UK and provides a base for fundraising. As the case of MUKHTIAR and PARAMJIT Singh demonstrated,

there is also evidence that UK based extremists involve themselves in terrorist support activity.

### **Babbar Khalsa**

**Aims:** Babbar Khalsa (BK) is a Sikh movement which aims to establish an independent Khalistan within the Punjab region of India.

**History:** BK was established in 1978 and numerous terrorist attacks have since been attributed to the group.

**Attacks:** Avowed attacks include the murder of Beant Singh, the Chief Minister of the Punjab, in 1995. Two BK members have recently been arrested in Canada for the bombing of Air India flight 182 in 1985 which killed 329 people. A UK based member of BK (Balbir Singh BAINS) was also arrested in India in 1999 on terrorist charges.

**Attacks on UK or Western interests:** BK has never targeted Western interests. There remains however a collateral threat, particularly from attacks against Indian officials visiting the UK.

**Representation/activities in the UK:** BK has had representation in the UK since the 1980s. BK uses the UK as a base for fundraising, recruitment and co-ordination of activists in the Indian sub continent. Some members have been willing to travel to India to participate in terrorist attacks.

### **Harakat Mujahideen**

**Aims:** Harakat Mujahideen (HM), previously known as Harakat Ul Ansar (HuA), seeks independence for Indian administered Kashmir. The HM leadership was also a signatory to Usama Bin Laden's 1998 fatwa, which called for world wide attacks against US and Western interests.

**History:** HuA was established in 1993 and has since carried out a number of terrorist attacks against Indian and Western interests.

**Attacks:** HM/HuA is believed to be responsible for the kidnapping of Western tourists in Delhi and Kashmir in 1994 and 1995. British nationals were amongst those missing and their whereabouts remain unknown. HM has also claimed responsibility for a number of bombing campaigns within India. Media reports indicate that HM was responsible for the hijack of an Indian Airlines flight, in December 1999, which led to the release of several militants by the Indian government to secure the release of the passengers.

**Representation/activities in the UK:** HM has supporters in several areas of the UK.

### **Jaish e Mohammed**

**Aims:** Jaish e Mohammed (JeM) seeks the 'liberation' of Kashmir from Indian control as well as the 'destruction' of America and India. JeM has a stated objective of unifying the various Kashmiri militant groups.

**History:** JeM was established in 2000 by Masud Azhar who remains its leader. The group was formed following Azhar's release from prison in India in response to demands by the hijackers of the Indian Airlines flight in December 1999.

Attacks: JeM carried out a number of terrorist attacks against Indian interests during 2000. It claimed responsibility for a grenade attack in May against Indian government buildings in Kashmir.

Attacks on UK or Western interests: The group has not as yet attacked UK or Western interests.

Representation/activities in the UK: There are indications that JeM is gaining support among militant Kashmiri separatists and that it has a number of supporters in the UK.

### **Lashkar e Tayyaba**

Aims: Lashkar e Tayyaba (LT) seeks independence for Kashmir and the creation of an Islamic state using violent means.

History: LT has a long history of mounting attacks against the Indian Security Forces in Kashmir. These attacks include the use of suicide squads. An LT leader declared a 'Jihad' against American interests in 1998 following the US air strikes on Afghanistan.

Attacks: LT has been blamed for the massacre of 35 Sikhs in Jammu and Kashmir in March 2000. More recently it launched attacks on Srinagar airport and the Red Fort New Delhi. Several people were killed in these attacks.

Attacks on UK or Western interests: An LT leader recently made a public declaration that he wished to expand the conflict with India beyond Kashmir.

Representation/activities in the UK: LT in the UK is mainly represented by Markaz Dawa al Irshad, its political wing.

### **Liberation Tigers of Tamil Eelam (LTTE)**

Aims: The LTTE is a terrorist group fighting for a separate Tamil state in the North and East of Sri Lanka.

History: The LTTE has been fighting since 1983. More than 60,000 people on all sides have been killed in the conflict.

Attacks: The LTTE has mounted both a military assault and a terrorist campaign, the latter mainly in Colombo. Attacks are mostly targeted against Sri Lankan military and leading politicians using suicide bombers. Attempts to assassinate the Sri Lankan President in late 1999 and early 2000 were attributed to the LTTE by the media and the Sri Lankan authorities.

Attacks on UK or Western interests: The LTTE has never targeted Western interests directly, though Westerners have been injured as a result of LTTE attacks in Sri Lanka. The LTTE's only attack outside Sri Lanka was the assassination of Rajiv Gandhi in 1991 in response to India's military support for Sri Lanka.

Representation/activities in the UK: The LTTE's International Secretariat is based in the UK, and is responsible for the group's press releases. The UK is also a source of funds for the LTTE.

### **Hizballah External Security Organisation**

**Aims:** Hizballah is committed to armed resistance to the state of Israel itself and aims to liberate all Palestinian territories and Jerusalem from Israeli occupation. It maintains a terrorist wing, the External Security Organisation (ESO), to help it achieve this.

**History:** Hizballah was formed in 1982 to resist the Israeli occupation of southern Lebanon. In the last 18 years it has grown from a simple militia to a wide-ranging organisation providing welfare to Lebanese Shia Muslims and having political representation in the Lebanese Assembly. Hizballah has distinct military and terrorist wings. The military wing has engaged the Israeli Defence Force (IDF) and the South Lebanon Army (SLA) in guerrilla warfare in south Lebanon.

**Attacks:** The terrorist wing, the ESO (also known as Islamic Jihad) has been responsible for car bombing, hijacking and kidnapping Western and Israeli/Jewish targets in Israel, Western Europe and South America.

**Attacks on UK or Western interests:** Between 1983 and 1984 ESO targeted Western interests, bombing the US Embassy, Beirut (78 killed); the US Marine Barracks, Beirut (241 killed); the French Army Barracks, Beirut (56 killed); the US Embassy, Kuwait; and the US Embassy Annex, Beirut (23 killed). In 1992 and 1994 ESO targeted Israeli interests, bombing the Israeli Embassy, Buenos Aires (29 killed) and the AMIA Building, Buenos Aires (over 100 killed). Between 1984 and 1988 ESO hijacked four aircraft resulting in the deaths of three people. Between 1985 and 1989 ESO held captive citizens from the US, France and the UK, including John McCarthy, Brian Keenan, Terry Waite and Jackie Mann. ESO is believed to have been instrumental in the kidnapping in December 2000 of the Israeli businessman Elhanan Tanenbaum and of Israeli soldiers from the Shaba farms region of Southern Lebanon/Syria.

**Representation/activities in the UK:** There is a small, overt Hizballah presence in the UK with extensive links to Hizballah's Foreign Relations Department (FRD), which is distinct from the ESO. There is some indication of occasional ESO activity in the UK.

### **Hamas Izz al-Din al-Qassem Brigades**

**Aims:** Hamas aims to end Israeli occupation of Palestine and establish an Islamic state.

**History:** Hamas, the Palestinian Islamic Resistance Movement, emerged during the second Intifada during the early 1980s. It was founded by Sheik Ahmad Yassin, who became the Hamas spiritual leader in the mid 1980s. Hamas is a cohesive organisation split into two wings. The internal leadership is based in Gaza and the West Bank: the Political Bureau, or external leadership, which was formerly based in Jordan, now conducts its activities largely from Damascus. The Hamas terrorist apparatus is separate from the overt organisation which operates a large welfare infrastructure in the Middle East, running charitable, health and educational projects. The terrorist apparatus operates under the name the Izz al-Din al-Qassem (IDQ) Brigades.

**Attacks:** The first Hamas IDQ terrorist attacks were undertaken in 1988 and included the kidnapping, stabbing and shooting of Israeli civilians and military personnel. Hamas terrorist activity continued at this level until 1994. In February of that year, a Jewish settler in the Occupied Territories killed 29 Palestinians in the Mosque of Abraham in Hebron. This became known as the Hebron massacre and heralded an increase in violence by Hamas IDQ. Between 1994 and 1996, Hamas IDQ undertook a number of indiscriminate suicide bomb attacks on Israeli public transport and shopping centres. Hamas IDQ



terrorist attacks have decreased since the late 1990s. However, the organisation remains in existence and has the capability to resume terrorist activities.

Attacks on UK or Western interests: Hamas IDQ has not directly attacked UK or Western interests.

Representation/activities in the UK: Hamas IDQ has not operated outside Israel and the Occupied Territories and has no overt representation in the UK. Hamas's political wing is represented by charitable organisations which raise and remit funds for welfare purposes.

### **Palestinian Islamic Jihad - Shaqaqi**

Aims: Palestinian Islamic Jihad (PIJ) is a Shi'a group which aims to end the Israeli occupation of Palestine and create an Islamic state similar to that in Iran. It opposes the existence of the state of Israel, the Middle East Peace Process and the Palestinian Authority.

History: PIJ is a loose coalition of Palestinian Islamic fundamentalist groups formed in the 1970s as a resistance movement following the Israeli occupation of Palestinian lands. It operates within Israel and the Occupied Territories and has fought the Israelis in South Lebanon. Its leadership is based in Damascus. It has close relations with Hizballah and weaker ties with Hamas.

Attacks: PIJ has carried out suicide bombings against Israeli targets in the West Bank, Gaza, and Israel. These include a suicide bomb attack at a bus stop in Netanya, Israel, in January 1995, and a car bomb attack in West Jerusalem in 1998. 21 people were killed in the first attack and 20 wounded in the second. In November 2000 PIJ claimed responsibility for a car bomb attack in Jerusalem in which 2 Israelis died and 10 were injured. Since the end of September 2000 PIJ activity has increased with a number of attacks against Israeli forces.

Attacks on UK or Western interests: PIJ has not acted outside the Middle East and has not targeted UK or Western interests. However, PIJ has threatened to target the US embassy and its personnel if it moves from Tel Aviv to Jerusalem.

Representation/activities in the UK: There is no overt PIJ presence in the UK. There are some individuals in the UK who may maintain links with the group.

### **Abu Nidal Organisation**

Aims: The principal aim of the Abu Nidal Organisation (ANO) is the destruction of the state of Israel. It is also hostile to "reactionary" Arab regimes and states supporting Israel.

History: Fatah - The Revolutionary Council was formed in Iraq in 1974 as a break-away faction of Fatah. It took its popular name, the Abu Nidal Organisation, from the nom de guerre of its founder, Sabri al-Banna.<sup>43</sup> It has opposed all efforts at political reconciliation of the Arab-Israeli conflict and attacked other Palestinian organisations and Arab states which have moderated their opposition to Israel. ANO moved its headquarters to Syria in 1983 and then to Libya in 1987. The Libyan regime effectively ceased sponsorship of ANO in the late 1990s, all ANO personnel were expelled and offices and training facilities

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<sup>43</sup> Abu Nidal was shot dead in August 2002: there has been considerable speculation in the media as to whether he was murdered or committed suicide.

were shut. In recent years, though the organisation has not forsworn violence, it has been seriously weakened by internal factionalism and the ill health of al-Banna.

Attacks: ANO mounted an intensive terrorist campaign between 1974 and 1988 against Israeli and Jewish targets in Europe and the Middle East, "reactionary" Arab regimes, other Palestinian groups, and nations holding ANO operatives in prison. The attacks were ferocious and indiscriminate, and included attacks on airports and public gathering places, aircraft hijacking, bombings, assassinations and kidnaps. Since 1974, ANO has claimed responsibility for over 90 attacks in 20 countries which have killed or injured almost 900 people.

Attacks on UK or Western interests: Many ANO attacks have been on UK or Western interests including,

1974 Egypt Hijack of BA VC10

1982 London Attempted assassination of Israeli Ambassador

1984 Amman Assassination of British Cultural Attache

1984 Beirut Kidnap of British journalist Jonathan Wright

1984 Bombay Assassination of British deputy High Commissioner

1985 Beirut Kidnap of British journalist Alec Collett

1985 Madrid Fatal bomb attack on British Airways office

1985 Rome Fatal attack at airport

1988 Khartoum Fatal attack on hotel and British club

Representation/activities in the UK: Various members of the Palestinian community in the UK have historical allegiance to the ANO but there are no known active members in the UK. Two ANO prisoners are serving terms of imprisonment in the UK.

### **Islamic Army of Aden**

Aims: The Islamic Army of Aden's (IAA) aims are the overthrow of the current Yemeni government and the establishment of an Islamic State following Sharia Law.

History: Some press reporting indicates that the Islamic Army of Aden (IAA) was formed in 1992 (although other reports suggests that it did not take its current form until 1996). During the civil war of 1994, the group fought on the side of the current Yemeni government to overthrow the Yemeni Socialist Party. Later the group opposed the regime and was involved in skirmishes with security forces in the Abyan area in the south west of Yemen.

Attacks: On 23 December 1998, six extremists - including five UK nationals - were arrested by the Yemeni authorities. The Yemenis claimed that the group had links to the IAA and were planning to attack a number of Western targets in the Yemen. On 28 December 1998, six western tourists were taken hostage by a group of armed IAA activists. The IAA then demanded the release of a number of terrorists in Yemeni jails, including the six who had recently been arrested. In an operation to free the hostages by

the Yemeni authorities, four of the hostages were killed - three British and one Australian. Three terrorists were also killed and others were captured.

Representation/Activities in the UK: The IAA has no known direct presence in the UK, although a number of individuals have expressed support for the organisation.

### **Mujaheddin e Khalq (or PMOI)**

Aims: The Mujaheddin e Khalq (MeK) is an Iranian dissident organisation based in Iraq. It claims to be seeking the establishment of a democratic, socialist, Islamic republic in Iran.

History: The MeK fought alongside the supporters of Ayatollah Khomeini to overthrow the Shah of Iran, but after the revolution it broke away from Khomeini and became the main opposition to the regime. It was exiled in 1981, moving to Iraq where it now maintains a standing army of several thousand fighters, supported and armed by the Iraqi regime. The MeK also has offices abroad which raise money, produce and distribute propaganda material, and stage demonstrations.

Attacks: The MeK undertakes cross-border attacks into Iran, including terrorist attacks. It has assassinated senior Iranian officials and launched mortar attacks against government buildings in Teheran and elsewhere. In June 2000 the Iranian government claimed to have foiled an MeK plot to assassinate the former Iranian foreign minister, Ali Akbar Velayati.

Attacks on UK or Western interests: The MeK has not attacked UK or Western interests.

Representation/activities in the UK: There is no acknowledged MeK presence in the UK, although its publication MOJAHED is in circulation here. The National Council for Resistance in Iran undertakes fund-raising in support of the MeK, demonstrates, and produces and distributes anti-regime propaganda in support of MeK objectives. (NB The MeK/PMOI was removed from the list of proscribed organisations in June 2008 – see above).

### **Kurdistan Workers' Party (Partiya Karkeren Kurdistan) (PKK)**

Aims: The PKK is primarily a separatist movement which has sought an independent Kurdish state in south east Turkey.

History: The PKK was formed in 1978 by Abdullah Ocalan. Although active from 1978 it was not until the formation of the group's military wing in 1984 that it became a significant terrorist threat. In February 1999 the PKK's founder and leader Abdullah Ocalan was captured by Turkish security forces in Kenya. During his subsequent trial in Turkey, in June 1999, Ocalan announced a PKK ceasefire and also that the group intended to seek a peaceful resolution to its aspirations. However, although the group is not believed to have undertaken any offensive action since the ceasefire began on 29 August 1999, previous PKK ceasefires have broken down.

Attacks: Since 1984 the PKK has been engaged predominately in a guerrilla campaign in south east Turkey which has resulted in a death toll on all sides estimated to be in excess of 33,000 people.

Attacks on UK or Western interests: In the early 1990s the PKK attempted to bring increased pressure on the Turkish government by undertaking a terrorist campaign aimed

at Western interests and investment in south east Turkey. This campaign initially led to the kidnapping of a number of western tourists, including several British citizens. In 1993/94 the PKK abandoned its kidnapping campaign and began to target Western investment in south east Turkey. As part of this campaign a Shell Oil refinery was attacked. Also in 1993/94 the PKK began an urban bombing campaign aimed at Turkey's tourist resorts and for the first time undertook attacks outside south east Turkey. This campaign resulted in the death of a number of foreign tourists, including a British citizen. Although the PKK appeared to have abandoned this campaign in 1995 it continued annually, until 1999, to threaten attacks against Turkey's tourist resorts.

Representation/activities in the UK: The PKK does not have any overt representation in the UK but operates covertly and has some support among the Kurdish community.

### **Revolutionary Peoples' Liberation Party - Front (Devrimci Halk Kurtulus Partisi - Cephesi) (DHKP-C)**

Aims: DHKP-C aims to establish a Marxist Leninist regime in Turkey by means of armed revolutionary struggle

History: DHKP-C was formed in 1993 following a split in the Marxist Leninist terrorist group Dev Sol (or Revolutionary Left). DHKP-C is indistinguishable from its predecessor Dev Sol in leadership, ideology, objectives and methods of operation.

Attacks: Since 1994 DHKP-C's terrorist activity in Turkey has been sporadic and it has not been able to operate with the same frequency and success as its predecessor Dev Sol. Despite this, DHKP-C has continued to undertake attacks against Turkish police and security forces targets, and in conjunction with these has also undertaken a number of high profile attacks, including the murder of the former Turkish Minister of Justice in April 1994 and the murder of a prominent Turkish businessman in January 1996.

Attacks on UK or Western interests: As with its predecessor Dev Sol, DHKP-C espouses an "anti-imperialist" stance particularly focused against the US and NATO. In the early 1990s, in direct response to the Gulf War, Dev Sol attacked American and British citizens and interests in Turkey, killing Andrew Blake, a British citizen working for a commercial company in Istanbul, on 19 August 1991. In June 1999, two DHKP-C terrorists were killed by Turkish security forces as they attempted to carry out a rocket attack on the US Consulate in Istanbul.

Representation/activities in the UK: DHKP-C has an office in London which is engaged in overt political activity.

### **Basque Homeland and Liberty (Euskadi ta Askatasuna) (ETA)**

Aims: ETA seeks the creation of an independent state comprising the Basque regions of both Spain and France.

History: ETA was established in 1959 by a group of students who supported Basque separatism. ETA's first victim was a police chief, killed in June 1968, and its terrorist campaign has continued since then. ETA has engaged in peace talks a number of times since the early 1990s, and maintained a 14 month ceasefire until November 1999. Since then the group has engaged in an intense campaign of bombing and shooting directed mainly at political and security force targets.

Attacks: ETA has killed over 800 people and carried out about 1600 terrorist attacks since it was formed. Over half of its victims have been members of the Spanish Armed Forces, Security Forces and the Basque Autonomous Police. The attacks have been carried out mainly in the Basque provinces including Navarra and in Madrid, Barcelona and Andalucia.

Attacks on UK or Western interests: ETA has rarely carried out attacks outside Spain, and has never directly attacked UK interests. In the early 1980s it kidnapped and killed two Spanish policemen and a dissident in France, and in 1992 small-scale bomb attacks were carried out against Spanish commercial and state interests in Italy and Germany. There have been a few attacks on French commercial interests in the past, but no recent attacks outside Spain or against any foreign targets. The main risk to UK interests is posed by collateral damage.

Representation/activities in the UK: ETA has no overt representation in the UK, although there may be a small number of sympathisers here. There are, however, long standing links between ETA and Irish republican terrorist groups.

### **17 November Revolutionary Organisation (N17)**

Aims: N17 is a terrorist organisation which aims to highlight and protest at what it deems to be imperialist and corrupt actions, using violence.

History: N17 was formed in 1974 to oppose the Greek military Junta and its stance was initially anti-Junta and anti-US, which it blamed for supporting the Junta. Its first victim was an American diplomat, Richard Welch, who was assassinated on 23 December 1975.

Attacks: N17 has killed 25 people in over 80 attacks in the last 25 years. The group uses three methods of attack: close-quarter assassinations, rocket attacks, and improvised explosive devices. Its close-quarter assassinations have claimed 19 lives. Almost two-thirds of N17's attacks have been against domestic Greek targets but they have also included the murder of a British, 4 US and 2 Turkish diplomats. All N17 attacks have taken place on the Greek mainland in and around Athens.

Attacks on UK or Western interests: N17's first attack on UK interests was during the Gulf War in the early 1990s and attacks resumed in response to the NATO bombing of Serbia in 1999. In June 2000, N17 murdered Brigadier Stephen Saunders, the British Defence Attache in Athens. The group has also carried out numerous small scale attacks in Greece on the interests of EU and NATO members. These included a rocket attack on HMS Ark Royal while it was docked in Piraeus in 1994.

Representation/activities in the UK: There is no indication that N17 has any representation in the UK.

## **4.2 Additions in 2002<sup>44</sup>**

### **Jeemah Islamiyah (JI)**

Aim: JI's aim is the creation of a unified Islamic state in Singapore, Malaysia, Indonesia and the Southern Philippines.

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<sup>44</sup> *Draft order to outlaw four additional terror organisations published today*, Home Office press notice 283/2002, 28.10.2002.

History: Jeemah Islamiyah (JI) is the name of an Islamist extremist group which is based in Indonesia, Malaysia, and the Southern Philippines. JI is estimated to have approximately 200 members. Many of its members have been arrested in Singapore and Malaysia and we judge that the remaining members may have migrated to Indonesia. The top tier of JI leadership comprises two individuals. JI's spiritual leader, Abu Bakar BAA'ASYIR, is based in Indonesia and also leads the Majelis Mujahidin Indonesia, an umbrella organisation for various Islamic groups. JI's operational leader is Riduan Bin ISOMUDDIN alias HAMBALI, who has links with AL Qaida. HAMBALI is wanted by the authorities in Indonesia and Malaysia, and his current whereabouts are unknown.

Attacks: In December 2001 thirteen JI members were arrested in Singapore. They had been planning attacks against several targets in Singapore including the British Council and High Commission and the US, Israeli, and Australian embassies. They planned to attack these targets with vehicle borne incendiary devices. JI is known to have links to Al Qaida. For JI, there is a note included in Schedule 2 to differentiate between this group and a political organisation with the same name which originated in Pakistan. Section 3(2) of the Terrorism Act ensures that only the group to which the note refers to is proscribed and not, as is otherwise the case, to other organisations operating under the same name.

### **Abu Sayyaf Group (ASG)**

Aims: The precise aims of the ASG are unclear, but its objectives appear to include the establishment of an autonomous Islamic state in Mindanao.

History: Abu Sayyaf Group (ASG) is an Islamist extremist group which is based in the Southern Philippine island of Mindanao. The ASG was formed in 1991 by Abdurajak JANJALANI from the most radical elements of the Moro National Liberation Front and the Moro Islamic Liberation Front. Estimates of its numbers of members have ranged from 80 to 1200.

Attacks: The group has committed a number of kidnappings: 21 people of different nationalities were kidnapped from a tourist resort in eastern Malaysia on 23 April 2000; on 28 August 2000, an American citizen was kidnapped by ASG and held captive for eight months; and on 27 May 2001, the ASG conducted an armed raid on a holiday resort taking twenty people hostage and killing two of the American hostages during their captivity. The ASG has killed hostages when ransoms have not been paid. The ASG is known to have links to Al Qaida.

### **Islamic Movement of Uzbekistan (IMU)**

Aims: The primary aim of the IMU is to establish an Islamic state in the model of the Taliban in Uzbekistan. However, the IMU is reported to also seek to establish a broader state over the entire Turkestan area.

History: The IMU was formed in 1998 out of a more general political Islamic resistance to the post-Soviet rule in Uzbekistan. Tahir YULDASHEV and Juma NAMANGANI were its leaders from the beginning. NAMANGANI, who was the military leader, is believed to have been killed in Afghanistan whilst fighting coalition forces. The political leader

YULDASHEV survived the campaign. Prior to the fall of the Taleban, the IMU was based in Afghanistan and was closely affiliated with Al Qaida and the Taleban.

Attacks: In attacks in February 1999, the IMU launched a sophisticated bombing campaign in Tashkent, directed against the Uzbekistan regime. The close ties to Al Qaida and the Taleban meant that they often followed Al Qaida's and the Taleban's agenda rather than their own. Most of their energies were spent fighting the Northern Alliance rather than the Uzbek government. Usama Bin Laden (UBL) is widely reported to have given money and training to the IMU on the understanding that they followed his agenda in Central Asia.

### **Asbat Al-Ansar ('League of Partisans' or 'Band of Helpers')**

Aliases: The Abu Muhjin group/faction, Jama'at Nour

Aims: The group aims to enforce its extremist interpretation of Islamic law within Lebanon, and increasingly further afield.

History: Formed in 1985, Asbat Al-Ansar is a Sunni Muslim terrorist organisation, based primarily in the Lebanese Palestinian refugee camp, Ain Al Hilweh. Recently, leaders of the group have forged links with UBL. Asbat Al-Ansar now subscribes to UBL's aims and objectives. Financial support from UBL has allowed significant development in the group's capability, which increasingly seeks to carry out attacks against western interests.

Attacks: Terrorist action by Asbat Al-Ansar has so far been limited to small-scale bombings and assassinations, always within Lebanon. In August 1995, the leader of Asbat Al-Ansar was sentenced to death in absentia for the assassination of the leader of Al Ashbashi (the Ethiopian Organisation). Asbat Al-Ansar is believed to have been responsible for the murder of four Sidon judges in 1999. In January 2000, in their most significant attack, an Asbat Al-Ansar gunman attacked the Russian embassy in Beirut with rocket-propelled grenades and small arms fire. A bombing attack in August 2002 against the home of a senior Lebanese prison guard is also reported to be the work of Asbat Al-Ansar. However, the group rarely claims responsibility for attacks. Alignment with Al Qaida and its international agenda has not yet led to a large scale Asbat Al-Ansar attack.

## **4.3 Additions in 2005<sup>45</sup>**

### **Libyan Islamic Fighting Group (LIFG)**

Aims: The LIFG seeks the replacement of the current Libyan regime with a hard-line Islamic state. The group is also part of the wider global Islamist extremist movement, as inspired by Al Qaida.

History: The LIFG was formed in the early 1990s in Afghanistan, and formally announced its existence in 1995. The group relocated to Libya where it sought to overthrow Mu'ammar QADHAFI. At this time the LIFG mounted several operations inside Libya including a 1996 attempt to assassinate QADHAFI, but these failed to topple the regime. Following a Libyan government security campaign against LIFG in the mid to late 1990s, the group abandoned Libya and continued its activities in exile.

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<sup>45</sup> Home Secretary moves to ban fifteen terror groups. Home Office press notice 10.10.2005

Attacks: The LIFG's key operational period within Libya was 1995-6. The group's involvement with the global jihadist network implicates it, primarily indirectly, in further attacks in more recent years.

Attacks on UK or Western interests: Such attacks would be consistent with the group's Al Qaida-inspired agenda. The group is reported to pose an increasing threat to the West.

Representation/activities in the UK: Some members live in the UK.

### **Groupe Islamique Combattant Marocain (GICM)**

Aims: The GICM's traditional primary objective has been the installation of a governing system of the caliphate to replace the governing Moroccan monarchy. The group also has an Al Qaida-inspired global extremist agenda.

History: The GICM emerged clearly in the mid to late 1990s but originated in Afghanistan earlier. Its presence in Morocco was likely undermined by the wide-ranging arrests following the May 2003 Casablanca suicide bombings. The group is reported to have a presence in a number of European countries.

Attacks: It is unclear to what extent the GICM were involved in the Casablanca bombings, still less the March 2004 Madrid train bombings, both of which have been attributed to the group in parts of the media.

Attacks on UK or Western interests: As above regarding alleged involvement in the Casablanca and Madrid bombings. Attacks against the West are within the group's remit but it is not clear whether they retain the necessary capability.

### **Ansar al Islam**

Ansar al Islam (AI) is a radical Sunni Salafi group, formed in 2001 in northeast Iraq around Halabja. The group is anti-Western, opposes the influence of the US in Iraqi Kurdistan and the relationship of the KDP and PUK to Washington. The group is believed to comprise a mixture of Iraqis and non-Iraqi elements, mainly Arabs and Kurds. The group is believed to operate a facilitation network in Iran. There has been some reporting to suggest that AI has extended facilitation networks into Europe: it is likely these are support actions in Iraq.

AI has been involved in operations against Multi-National Forces-Iraq (MNF-I), Iraqi Security Forces (ISF) and the Kurdish security apparatus. The group is highly mobile and resilient, fighting in small units and undertaking assassinations of key figures. The group has links to Al Qaida (AQ) and the PUK had claimed that AQ has provided funds to the group.

AI remains closely associated with the insurgency and terrorism occurring in Iraq. The group had little difficulty in purchasing weapons or munitions and there is evidence to suggest that a facilitation network operates in Iran.

### **Al Ittihad Al Islamia (AIAI)**

Aims: The main aims of AIAI are to establish a radical Sunni Islamic state in Somalia, and to regain the Ogaden region of Ethiopia, which is populated by ethnic Somalis, as Somali territory via an insurgent campaign. However, some militant elements within AIAI are also



suspected of having aligned themselves with the 'global jihad' ideology of Al Qaida (AQ), and to have operated in support of AQ in the East Africa region.

History: AIAI was formed between 1991-2 as an Islamist force, militarily and politically, following the collapse of the Siad Barre regime in Somalia. AIAI gained territory in Somalia through military operations, but the organisation's strongholds were fractured by the Ethiopian bombardment of Somalia in 1996-7. It is believed that the organisation lives on in several political and military manifestations, most notably in the existence of armed factions. These factions are believed to maintain training camps in Somalia that may be used to train operatives in terrorist tactics.

Attacks: AIAI have been implicated in several attacks against Ethiopian targets inside Ethiopia.

Attacks on UK or Western interests: Militants aligned to AIAI are believed to have been involved in a series of attacks against Western non-governmental organisation employees operating in northern Somalia between 2003-4. These incidents included the murder of two British teachers and an Italian nun, and an attack against a German aid worker that resulted in the death of a Kenyan colleague. The victims may have been singled out because of their ethnicity or nationalities. Elements within AIAI are also suspected of having acted in support of previous AQ attacks against Western/Israeli targets in East Africa.

Representation/activities in the UK: There is no overt AIAI representation in the UK.

### **Islamic Jihad Union - formerly known as Islamic Jihad Group**

Aims: IJU's primary strategic goal is the elimination of the current Uzbek regime. Unlike most Islamist groups, the IJU accepts that replacing the Karimov regime with an Islamic caliphate is unrealistic. Rather, the IJU would expect that following the removal of Karimov, elections would occur in which Islamic-democratic political candidates would pursue goals shared by the IJU leadership.

History: The IJU was formed in March 2002 by former members of the Islamic Movement of Uzbekistan. The group was both founded by, and remains led by ethnic Uzbeks and Uzbek nationals but membership includes other Central Asian ethnicity and nationals.

Attacks: On 28 March 2004 an accidental explosion occurred at a terrorist safehouse in Bukhara, Uzbekistan killing nine IJU associates involved in the construction of portable improvised explosive devices (IEDs). Over the following three days a series of shootouts and suicide bombings were carried out in Tashkent and Bukhara, Uzbekistan leaving approximately 25 dead and 35 wounded.

Attacks on UK or Western Interests: A Kazakhstan-based IJU cell mounted operations on 30 July 2004 against the US and Israeli Embassies and the State Prosecutor's Office in Tashkent in which three suicide operatives detonated IEDs carried in briefcases killing at least three.

Representation/activities in the UK: The extent of IJU presence in the UK is unknown. However, we assess that there is little or no active presence in the UK and there are no indications of IJU using the UK as a fundraising or recruitment base.

### **Ansar al Sunna (AS) ("Devotees of the Sunna")**

Associated names: Jaish Ansar al Sunna Ansar al Sunnah Jaish Ansar al Sunnah

#### Ansar al Islam (AI)

**Aims:** AS is a fundamentalist Sunni Islamist extremist group based in Central Iraq and what was the Kurdish Autonomous Zone (KAZ) of Northern Iraq. The group aims to expel all foreign influences from Iraq and create a fundamentalist Islamic state. AS is consequently fighting a Jihad (holy war) against the occupying forces in Iraq. In this respect, AS' ideology closely resembles that of the Takfiri sect of Sunni Islam. Significant elements of the group are believed to have aligned themselves with the 'global jihad' ideology of Al Qaida.

**History:** AS evolved from Ansar Al Islam (AI). AI was created in late 2001 from a group of 'Arab Afghan' veterans who established a presence in an isolated area of northeast Iraq adjacent to the Iranian border and outside of government control. In early October 2003, senior AI figures announced the creation of AS.

**Attacks:** AS has been responsible for, and claimed, a wide range of attacks on Multi-National Forces - Iraq (MNF-I), Iraqi and Kurdish targets. Particularly notable attacks include: 1 February 2004: suicide attacks against the Patriotic Union of Kurdistan (PUK) and the Kurdish Democratic Party (KDP) headquarters in Irbil 22 December 2004: suicide bomb attack on the MNF-I base in Mosul, Forward Operating Base (FOB) Marez which killed 22 people, 18 of them US personnel, and represented, at the time, the biggest loss of American life in a single attack since Multi-National Forces (MNF-I) entered Iraq in 2003 11 May 2005: a suicide operative detonated his vest in a queue of police recruits in Irbil. AS claimed the attack which killed over 60 recruits.

**Representation/activities in the UK:** There is no overt AS representation in the UK although individuals here have links to the movement in Iraq.

#### **Hezb-e Islami Gulbuddin (HIG)**

**Aims:** HIG desires the creation of a fundamentalist Islamic State in Afghanistan and is anti-Western. HIG is opposed to the current Afghan government led by President Karzai and the presence of ISAF/Coalition forces in Afghanistan. Gulbuddin HEKMATYAR is, in particular, very anti-American.

**History:** Hezb-e Islami (Party of Islam), a fundamentalist faction of the Afghan mujahideen, was formed in 1975 by Gulbuddin HekmatyAR while he was in Pakistan. The initial intention of the group was to counter "modernist trends and leftists" in Afghanistan. In 1979, Mulavi Younas KHALIS split with HEKMATYAR and formed his own Hezb-e Islami faction, known as Hezb-e Islami KHALIS (HIK). The Hezb-e Islami faction led by HEKMATAR is Hezb-e Islami Gulbuddin (HIG).

**Attacks:** While HIG have never publicly claimed responsibility for attacks and it is difficult to attribute specific attacks in Afghanistan, since the fall of the Taleban, there are indications that HIG has conducted guerrilla/terrorist attacks against Western and Afghan targets.

**Representation/Activities in the UK:** HIG is believed to have some UK-based supporters but the group has no official representation here.

#### **Harakat-ul-Mujahideen/Alami (HuM/A) and Jundallah**

**Aims:** Rejection of democracy of even the most Islamic-oriented style, and to establish a caliphate based on Sharia law, in addition to achieving accession of all Kashmir to Pakistan.

**History:** HuM/A was formed in 2002 and is a splinter group of Harakat-ul Mujahideen (HuM) HuM is focused on Kashmir whereas HuM/A has a broader anti-Western and anti-MUSHARRAF agenda rather than a Kashmir focus. Jundallah first appeared in reporting in 2004.

**Attacks:** HuM/A is reportedly capable of attacking various targets including Pakistani VIPs, Pakistani official, military and police, Western official and Western non-official targets. Jundallah targets the Western presence in Karachi and security/police officials in the city. There is considerable overlap between attacks claimed by Jundallah and those claimed by HuM/A and they may in fact be the same group. Jundallah arrests in mid-2004 may have disrupted the group and diminished their capability to mount attacks.

**Attacks on UK or Western interests:** HuM/A and Jundallah pose a threat to Western, including British, interests in Pakistan. HuM/A and Jundallah have been implicated in attacking Western targets.

**Representation/activities in the UK:** HuM/A is believed to have some UK-based supporters but the group has no official representation here.

**Sipah-e Sahaba Pakistan (SSP) @ Millat-e Islami Pakistan[3] (MIP) and Splinter group: Lashkar-e Jhangvi (LeJ)**

**Aims:** The aim of both SSP and LeJ is to transform Pakistan, by violent means, into a Sunni state under the total control of Sharia law. Another objective of SSP and LeJ is to have all Shia declared Kafirs[4] and to participate in the destruction of other religions, notably Judaism, Christianity and Hinduism.

**History:** SSP was founded in the early 1980s mainly in reaction to the 1979 Shia theocratic revolution in Iran and subsequent Shia proselytising to Muslims elsewhere. SSP has operated as a political party in the past but as it is banned by the Government of Pakistan (GoP) it can no longer operate politically. LeJ was formed in 1996 by a breakaway group of radical sectarian extremists of SSP.

**Attacks:** Given the close links between SSP and LeJ it is almost impossible to differentiate one group from the other when determining responsibility for an attack. Though predominantly an anti-Shia organisation, SSP/LeJ is also prepared to target Hindus, Christians and Jews. SSP/LeJ have been responsible for a string of attacks on Shia targets, police officers, religious leaders, diplomats, Christians, priests and worshippers.

**Attacks on UK or Western interests:** Given that SSP and LeJ are hostile to Westerners, we assess that these groups are capable of turning their attention from sectarian attacks towards targeting Western interests. LeJ have been implicated in attacking Western targets.

**Representation/activities in the UK:** Both SSP and LeJ are believed to have some UK-based supporters but neither group has any official representation here.

**Khuddam ul-Islam (KuI) and Splinter group: Jamaat ul-Furquan (JuF)**

**Aims:** To unite Indian administered Kashmir with Pakistan. To establish a radical Islamist state in Pakistan. The “destruction” of India and the US. To recruit new jihadis. The release of imprisoned Kashmiri militants.

**History:** Following its proscription by Pakistan in 2001, Jaish-e Mohammed (JeM) changed its name to Tehrik ul-Furqan (TuF) but the group continued to be referred to as JeM. In 2003, TuF split into two factions. The rump of it became Khuddam ul-Islam (KuI), and a splinter group formed calling itself Jamaat ul-Furqan (JuF). KuI and JuF are often referred to as JeM.

**Attacks:** The groups have concentrated in targeting the Indian military and civilians.

**Attacks on UK or Western interests:** Both KuI and JuF pose a major terrorist threat to India, Pakistani and Western targets. The groups are well known for their anti-Western ideology and they represent a threat to Western, including British, interests in Pakistan. They have been implicated in attacking Western targets.

**Representation/activities in the UK:** Both KuI and JuF are believed to have some UK-based supporters but neither group has any official representation here.

### **Harakat-UI-Jihad-AI-Islami (HUJI)**

**Aims:** to achieve accession of all Kashmir to Pakistan by violent means and to spread terror throughout India.

**History:** HUJI was originally formed in order to fight the Soviets in Afghanistan. Two Pakistan-based Deobandi religious bodies – the Jamaat-ul-Ulema-e-Islam (JuI) and the Tabligh-i-Jamaat (TiJ) – set up HUJI in 1980. HUJI and Harakat-UI Mujahideen (HuM) operated together as Harakat-ul Ansar (HuA) between 1993 and 1997. HuA reverted back to HuM after they were proscribed in 1997.

**Attacks:** HUJI has targeted Indian security positions in Kashmir and conducted operations in India proper.

**Attacks on UK or Western interests:** HUJI (when it was HuA) conducted kidnappings of foreigners, including Westerners (some Britons), some of whom were murdered. HUJI is well known for its anti-Western ideology and they represent a threat to Western, including British, interests in Pakistan. HUJI have been implicated in attacking Western targets.

**Representation/activities in the UK:** HUJI is believed to have some UK-based supporters but the group has no official representation here.

### **Harakat-UL-Jihad-AI-Islami-Bangladesh (HUJI-B)**

**Aims:** The main aim of HUJI-B is the creation of an Islamic regime in Bangladesh modelled on the former Taliban regime in Afghanistan.

**History:** HUJI-B was reportedly formed in 1992 as a separate organisation to its Pakistan-based parent organisation Harakat-UI-Jihad-AI-Islami (HUJI) by Bangladeshis who had fought with mujahiden against the Soviets in Afghanistan.

**Attacks:** HUJI is suspected of being involved in a series of violent incidents directed at the Hindu minorities and moderate Bangladeshi Muslims after the present government came to power in October 2001. It targets progressive intellectuals and secular politicians who

ideologically challenge the path of the radical Islamists. It also criticises NGO activity as un-Islamic because these organisations are involved in spreading Western ideas of women empowerment and social transformation.

Attacks on UK or Western interests: HUJI-B has the potential to target Western, including British, interests.

Representation/activities in the UK: HUJI-B is believed to have some UK-based supporters but the group has no official representation here.

#### **4.4 Additions in 2006<sup>46</sup>**

##### **Al Ghurabaa & Saved Sect (AG and SS)**

AG and SS are believed to be splinter groups of Al-Muhajiroon. Al-Muhajiroon was formed in 1996 by Omar Bakri Mouhammad with the aim of creating a world-wide Islamic state and encouraging Muslims to support the Mujahidin who undertake violent jihad. After dissolving Al-Muhajiroon in October 2004, Bakri left for the Lebanon and was excluded from returning from the UK.

##### **Al Ghurabaa (AG)**

The AG website is registered at the same address and shares the same contact number as that used by Al-Muhajiroon. The internet is AG's key medium and is used as a means of mobilising support as well as disseminating its ideas. AG courts publicity and makes deliberately provocative and controversial statements expressing extremist views. It is considered that material produced and disseminated by AG falls within section 21 of the Terrorism Act 2006.

##### **Saved Sect (SS)**

The SS website disseminates extremist material which it is considered falls within section 21 of the Terrorism Act 2006. It is believed that SS and AG websites are working in tandem to disseminate an Islamist message under the umbrella of Ahl Us-Sunnah Wal-Jammaa'ah described as a sect within Islam.

##### **Baluchistan Liberation Army (BLA)**

The BLA are comprised of tribal groups based in the Baluchistan area of Eastern Pakistan. The overall aim for the group is an independent nation encompassing the Baluch dominated areas of Pakistan, Afghanistan and Iran. The group has claimed responsibility for, or are the prime suspects in, a number of terrorist attacks dating back to at least 2004. These include the murder of Chinese engineers working on the Sindh/Baluchistan border (February 06), nine bombings at railway stations during 2005, a powerful bomb in Karachi (November 05), "bicycle bombings" in Lahore (September 05), the murder of Pakistani soldiers (August 05) and an attack on Chinese workers near the Gwadar port facility (May 04). Reporting indicates that the BLA continues to plan attacks and has tried to conduct fund raising in the UK.

##### **Teyrebaz Azadiye Kurdistan (TAK)**

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<sup>46</sup> Explanatory Memorandum to the Terrorism Act 2000 (Proscribed Organisations)(Amendment) Order 2006

TAK has claimed a series of attacks in Istanbul and tourist resorts dating from summer 2004. These include a bomb attack in Mersin (Feb 06), a bomb attack on an internet cafe in Istanbul (Feb 06) and a car bomb in an Istanbul suburb (July 05). TAK are also suspected to have carried out a minibus bombing in July 2005 that killed 5 people including 1 British and 1 Irish national. In a statement in late June 2005, the group announced a broadening of its operations to include industrial, commercial and tourist sites, warning tourists that they would no longer be safe in Turkey.

#### **4.5 Additions in 2007<sup>47</sup>**

##### **Jammat-ul Mujahiden Bangladesh**

Jammat-ul Mujahideen Bangladesh first came to prominence on 20 May 2002 when eight of its members were arrested in possession of petrol bombs. The group has claimed responsibility for numerous fatal bomb attacks across Bangladesh in recent years, including suicide bomb attacks in 2005.

##### **Tehrik Nefaz-e Shari'at Muhammadi**

Tehrik Nefaz-e Shari'at Muhammadi regularly attacks Coalition and Afghan government forces in Afghanistan and provides direct support to Al Qaida and the Taliban. One faction of the group claimed responsibility for a suicide attack on an army training compound on 8 November 2006 in Dargai, Pakistan, in which 42 soldiers were killed.

#### **4.6 Additions in 2011<sup>48</sup>**

##### **Tehrik-e Taliban Pakistan**

In January 2011, , the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2011 was laid before Parliament. It provided that Tehrik-e Taliban Pakistan. should be added to the list of proscribed organisations.

Tehrik-e Taliban Pakistan has carried out a high number of mass casualty attacks in Pakistan and Afghanistan since 2007. The group have announced various objectives and demands, such as the enforcement of sharia, resistance against the Pakistani army and the removal of NATO forces from Afghanistan. While the majority of attacks are against Pakistani military and government targets, the group is also known to target and claim responsibility for attacks on Western interests. The organisation has also been involved in attacks in the West, such as the attempted Times Square car-bomb attack in May 2010. It has recently been designated by the US and is also proscribed by Pakistan.

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<sup>47</sup> Explanatory Memorandum to the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2007

<sup>48</sup> Explanatory Memorandum to the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2011