

**EXPLANATORY MEMORANDUM TO THE
TERRORISM ACT 2000 (PROSCRIBED ORGANISATIONS)
(AMENDMENT) ORDER**

2005 No.

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 The Order amends Schedule 2 to the Terrorism Act 2000 by adding 15 groups to the list of proscribed terrorist groups.

2.2 The groups are

Libyan Islamic Fighting Group

Groupe Islamique Combattant Marocain

Ansar Al-Islam

Al Ittihad Al Islamia

Islamic Jihad Union

Ansar Al Sunna

Hezb-e Islamia Gulbuddin

Harakat ul Muhajideen/Alami

Jundallah

Sipah-e Sahaba Pakistan

Lashkar-e Jhangvi

Khuddam u-Islam

Jamaat ul Furquan

Harakat ul Jihad ul Islami

Harakat ul Islami (Bangladesh)

2.3 Summaries of their activities are as follows

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.

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 Iraqi 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 Pakistan¹ (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 Kafirs² 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.

¹ SSP was renamed MIP in April 2003 but is still referred to as SSP

² Non believers: literally, one who refused to see the truth. LeJ does not consider members of the Shia sect to be Muslim, hence they can be considered a 'legitimate' target

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-Furquan (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-Ul-Jihad-Al-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-Ialsm (JuI) and the Tabligh-I-Jamaat (TiJ) – set up HUJI in 1980. HUJI and Harakat-Ul 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-Al-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-Ul-Jihad-Al-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.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

- 4.1 Part 2 of the Terrorism Act 2000 allows the Secretary of State to make an order adding a group to the list of proscribed organisations in Schedule 2 to the Act. Two Orders have been laid previously in February 2001 and October 2002.

5. Extent

- 5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

- 6.1 The Minister of State, Hazel Blears, has made the following statement regarding Human Rights:

“In my view the provisions of the Terrorism Act 2000 (Proscribed Organisations) (Amendment Order 2005 are compatible with the Convention rights”.

7. Policy background

- 7.1 Under Part II of the Terrorism Act 2000 the Secretary of State, has the power to proscribe any organisation, which he believes “*is concerned in terrorism*” .An organisation “*is concerned in terrorism*” if it commits or participates in acts of terrorism, prepares for terrorism, promotes or encourages or is otherwise concerned in it.

- 7.2 Proscription means that an organisation is outlawed in the UK and that it is illegal for it to operate here. The Terrorism Act 2000 makes it a criminal offence to belong to, support, or display support for a proscribed organisation. The Terrorism Act also allows the police to seize all property of a proscribed organization.

8. Impact

- 8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies

- 8.2 There is no impact on the public sector