

## STATEMENT OF CASE TO RENEW THE DESIGNATION OF JAISH AL-ADL AS A TERRORIST ENTITY

### PURPOSE

1. This paper sets out the case demonstrating **Jaish Al-Adl** (JAA), formerly designated under description Jundallah<sup>1</sup>; also known as Jaish ul-Adl (JuA), Jaysh al-Adl, Jeysh al-Adl, Army of Justice, Peoples' Resistance Movement of Iran (PRMI), Jonbesh-I Moqavemat-i-Mardom-I Iran, Popular Resistance Movement of Iran, Soldiers of God, Fedayeen-e-Islam, Former Jundallah of Iran, Jundullah, Jondullah, Jondollah, Jondallah, Army of God (God's Army), and Baloch Peoples' Resistance Movement (BPRM), meets the statutory criteria for the renewal of its designation as a terrorist entity within New Zealand pursuant to the Terrorism Suppression Act 2002 (TSA).

### STRUCTURE OF THIS PAPER

2. This paper sets out updated information about JAA's continued involvement in terrorist activity and covers any relevant changes or developments to the organisation since its original designation in September 2011<sup>2</sup>, and renewals in July 2014<sup>3</sup>, July 2017<sup>4</sup>, and June 2020<sup>5</sup>, including JAA's objectives, structure, weapons and tactics and includes recent attacks which meet the definition of a terrorist act under the TSA.
3. This updated information, together with the information contained in the original designation paper and previous renewal papers, provide the basis for the conclusion that JAA meets the legal criteria for renewal of its designation as a terrorist entity under the TSA.

### STATUTORY CRITERIA FOR DESIGNATION RENEWAL UNDER THE TSA

4. Section 35(1) of the TSA provides that a designation of a terrorist entity expires three years after the date of designation unless it is earlier renewed by the Prime Minister. The original designation is made pursuant to s 22 of the TSA, which provides that the Prime Minister may designate an entity as a terrorist entity if the Prime Minister believes on reasonable grounds that the entity has knowingly carried out, or has knowingly participated in the carrying out of, one or more terrorist acts. Carrying out a terrorist act includes the planning, preparation or credible threat to carry out the act, whether it is actually carried out or not (ss 5 and 5A) and also includes an attempt to carry out the act (s 5A(1)(c)).
5. The Prime Minister may renew that designation for a further three years under s 35(2) if satisfied that there are still reasonable grounds as set out in s 22 for the entity to be designated under that section.
6. Before the expiry of an order made under s 35(2), the Prime Minister may make another order under s 35(3) renewing the designation concerned for a further three years. The Prime Minister may make any number of orders under s 35(3) in respect of the same designation (s 35(5)).

## **CREDIBILITY OF SOURCES**

7. This paper has been prepared using open or unclassified sources which have a reputation for careful and unbiased reporting. These include Al Jazeera and Reuters.
8. A range of think tanks were referred to including Critical Threats, the Jamestown Foundation, Middle East Centre for Reporting and Analysis, European Foundation for South Asian Studies, and the Counter Terrorism Guide.
9. A range of regional news sources were also referred to including Anadolu Agency, Al Arabiya, Arab News, Bulgaria Military, NDTV, and Radio Farda.
10. Other sources utilised include US Department of State, and National Security and Investment.

## **EVIDENCE TO SUPPORT DESIGNATION RENEWAL UNDER THE TSA**

### **Continued involvement in terrorist activity**

11. Since its most recent renewal of designation in June 2020, JAA has continued to engage in terrorist activity, including:
  - 11.1. On 30 June 2020, JAA claimed responsibility for planting two roadside bombs on the course of an Iranian military convoy; one of the bombs detonated, injuring one person.<sup>6</sup>
  - 11.2. On 19 August 2021, JAA took responsibility for a sound bomb explosion in Zahedan, the capital of Sistan-Baluchestan province. Four police officers were injured in the attack.<sup>7</sup>
  - 11.3. In February 2021, JAA reportedly ambushed Islamic Revolutionary Guard Corps (IRGC) vehicles in the town of Bam-Posht in Sistan-Baluchestan province.<sup>8</sup>
  - 11.4. On 30 September 2022, JAA launched armed assaults on three police stations in the city of Zahedan, southeast Iran. Approximately 19 people were killed and 20 injured in the attack. Extensive damage to local infrastructure was also reported.<sup>9</sup> JAA claimed responsibility for the attack.<sup>10</sup>
  - 11.5. On 20 October 2022, JAA published a video threatening to conduct attacks in Iran and overthrow the regime.<sup>11</sup>
  - 11.6. On 5 November 2022, JAA released a statement calling for protestors to organise armed resistance against the Iranian regime.<sup>12</sup>

### **Ideology and objectives**

12. JAA is an ethnic Baluchi and faith-motivated violent extremist group fighting for independence in Sistan and Baluchestan, Iran. JAA's stated goals are to secure recognition of Balochi cultural, economic, and political rights from the Government of Iran, and to spread awareness of the plight of the Baloch people.<sup>13</sup>

13. JAA primarily operate around the Iran-Pakistan border and regularly target Iranian security forces, primarily the Iranian National Police Force, the Iran Border Guard Police, and the IRGC.<sup>14 15</sup>

### **Organisation and structure**

14. JAA continues to be led by Abdolrahim Mullahzadeh (also known as Adul Rahim Millazadeh, Salah al-Din Farooqi or Salah-ul Din Farooqi).<sup>16</sup>
15. JAA has maintained organisational continuity with its predecessor Jundullah, and allowed operational autonomy to subunits whilst also having a central leader.<sup>17</sup> JAA is reported to have three military branches across southeast Iran.<sup>18</sup>
16. While exact membership numbers remain unknown, a video released by JAA in October 2022 depicted approximately 200 to 300 armed fighters<sup>19</sup>, and in December 2022, JAA claimed recruitment had increased in recent months.<sup>20</sup>
17. Several JAA members and high-ranking leaders have been killed or executed since 2019, including:
  - 17.1. On 3 January 2021, Hassan Dehvari and Elias Qalandarzehi were executed by Iranian authorities on charges of working for JAA, abduction, bombing, and murder of security forces and civilians.<sup>21</sup>
  - 17.2. On 30 January 2021, Iranian officials hanged former leader of JAA, Javid Dehghan. Dehghan was convicted of killing two IRGC members in 2016.<sup>22</sup>
  - 17.3. In August 2021, prominent JAA leader, Amir Naroui, was killed during armed conflict with the Taliban in Afghanistan. Naroui travelled to Afghanistan to engage in discussion with the Taliban when conflict broke out between both groups.<sup>23</sup>
  - 17.4. In November 2022, two members of JAA were executed by Iranian authorities for the killing of four border guards and wounding of several others in 2016.<sup>24</sup>
18. JAA have made no public statements regarding the above losses, however these have likely affected the group's organisational structure and membership numbers.
19. It remains unclear how JAA raises funds. According to the SITE Intelligence and security tracker, JAA have historically received donations from an unidentified Saudi Arabian philanthropist.<sup>25</sup> Furthermore, the Iranian Government suspects the group is supported by foreign countries, however, no tangible links have been identified.<sup>26</sup>

### **Weapons, tactics and capability**

20. JAA primarily targets Iranian Security personnel but have also historically targeted government officials and Shia civilians. Tactics include ambush, assassination, assault, kidnappings and vehicle-borne/improvised explosive devices.<sup>27</sup> There is little evidence to indicate JAA engage in organised or rigorous combat training.<sup>28</sup>
21. JAA is reported to utilise conflict in Iran to release propaganda to gain support from individuals not supportive of the Iranian regime.<sup>29</sup>

## **LAW OF ARMED CONFLICT (LOAC)**

22. Section 5(4) of the TSA provides that an act does not constitute a terrorist act for the purposes of the TSA if the act occurs in a situation of armed conflict and is, at the time and place that it occurs in accordance with rules of international law applicable to the conflict. The sporadic violence against the Iranian military has not reached a level of intensity or continuity on the part of JAA which would bring the situation in Iran within the meaning of “armed conflict”. The cases where JAA have targeted police are breaches of the LOAC principle of distinction. Accordingly, the exemption in s 5(4) cannot apply, and JAA attacks are properly characterised as terrorist acts.

## **CONCLUSION**

23. On the evidence set out above, this paper concludes that there are still reasonable grounds as set out in s 22 of the TSA for JAA to be designated under that section.
24. Since its designation in September 2011 and renewals in July 2014, July 2017, and June 2020, JAA has continued to carry out activities which meet the definition of terrorist acts in ss 5 and 5A of the TSA (paragraphs 11). Accordingly, given there are still reasonable grounds to believe JAA has knowingly carried out terrorist acts as set out in s 22 of the TSA, JAA meets the legal criteria for renewal of its designation as a terrorist entity under s 35.
25. The designation must be renewed by 30 June 2023 to be effective.

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- <sup>1</sup> The New Zealand Gazette Issue No. 75 dated 27/07/2017 detailing the description change can be accessed at: [https://www.gazette.govt.nz/assets/pdf-cache/2017/final/2017-07-27\\_Gazette\\_75.pdf](https://www.gazette.govt.nz/assets/pdf-cache/2017/final/2017-07-27_Gazette_75.pdf).
- <sup>2</sup> The statement of case, dated 11 September 2011 can be accessed at: [https://www.police.govt.nz/sites/default/files/publications/statement-of-case-jundallah-terrorist-entity-12-sept-2011\\_0.pdf](https://www.police.govt.nz/sites/default/files/publications/statement-of-case-jundallah-terrorist-entity-12-sept-2011_0.pdf)
- <sup>3</sup> The statement of case, dated 20 July 2014 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/jundallah-renewal-september-2014.pdf>
- <sup>4</sup> The statement of case, dated 13 July 2017 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/renew-jaish-al-adl-terrorist-entity-27july2017.pdf>
- <sup>5</sup> The statement of case, dated 30 June 2020 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/renew-jaish-al-adl-terrorist-entity-30june2020.pdf>
- <sup>6</sup> “Foreign Terrorist Organizations”, *Country Report on Terrorism*, accessed via Country Reports on Terrorism 2021 - United States Department of State on 5/04/2023.
- <sup>7</sup> Explosion in southeast Iran Injures Four Policemen”, *Alarabiya News*, accessed via <https://english.alarabiya.net/News/middle-east/2020/08/05/Explosion-in-southeast-Iran-injures-four-policemen> on 27/4/2023.
- <sup>8</sup> Militants ambush Iranian Guards Unit in Sistan-Baluchestan, *The Arab Weekly* accessed via <https://the arabweekly.com/militants-ambush-iranian-guards-unit-sistan-baluchestan> on 27/04/2023.
- <sup>9</sup> 1/10/2022 “Protests enter 15th day in Iran amid lingering internet curbs”, *Al Jazeera*, accessed via <https://www.aljazeera.com/news/2022/10/1/protests-enter-15th-day-in-iran-amid-lingering-internet-curbs> retrieved on 3/03/2022.
- <sup>10</sup> 1/10/2022 “2nd Iran Revolutionary Guards Colonel Killed in Clashes: Report”, *NDTV*, accessed via <https://www.ndtv.com/world-news/2nd-iran-revolutionary-guards-colonel-killed-in-clashes-report-3394599> retrieved on 9/03/2023.
- <sup>11</sup> 20/10/2022 “Iran Crisis Update, October 20”, *Critical Threat*, accessed via <https://www.criticalthreats.org/analysis/iran-crisis-update-october-20> retrieved on 6/03/2023.
- <sup>12</sup> 7/11/2022 “Iran Crisis Update, November 7”, *Critical Threats*, accessed via [https://www.criticalthreats.org/analysis/iran-crisis-update-november-7#\\_edn6e8d199078f9aa16415a36a1be56f6c28](https://www.criticalthreats.org/analysis/iran-crisis-update-november-7#_edn6e8d199078f9aa16415a36a1be56f6c28) retrieved on 3/03/2023.
- <sup>13</sup> 06/2020 “Country Reports on Terrorism 2019”, *United States Department of State*, accessed via <https://www.state.gov/reports/country-reports-on-terrorism-2019/#jaish-al-Adl> retrieved on 6/03/2023.
- <sup>14</sup> 03/2020 “A Strategic Analysis of Violent Extremist Organizations in the United States Central Command Area of Responsibility”, *National Security and Investment*, accessed via [https://nsiteam.com/social/wp-content/uploads/2020/03/UNO\\_B7\\_CENTCOM-VEO-Threats\\_FINAL.pdf](https://nsiteam.com/social/wp-content/uploads/2020/03/UNO_B7_CENTCOM-VEO-Threats_FINAL.pdf) retrieved on 6/03/2023.
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- <sup>16</sup> 10/2022 “JAYSH AL-ADL (FORMERLY JUNDALLAH)”, *Counter Terrorism Guide*, accessed via [https://www.dni.gov/nctc/ftos/jaa\\_fto.html](https://www.dni.gov/nctc/ftos/jaa_fto.html) retrieved on 6/03/2023.
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