

## **STATEMENT OF CASE TO RENEW THE DESIGNATION OF JAMAAH ANSHROUT DAULAH AS A TERRORIST ENTITY**

### **PURPOSE**

1. This paper sets out the case demonstrating Jamaah AnshROUT Daulah (also known as JAD, Jemaah Anshorut Daulah, Jamaah Ansharut Daulat, Jamaah Ansharut Daulah, Jemaah Ansharut Daulah, Jemaah Anshar Daulah, Jamaah Ansharud Daulah, The Partisans of the State Group, Jamaah Anshar Daulah Khilafah Nusantara, Jemaah Anshar Daulah Khilafah Nusantara (JADKN) and Jamaah Ansharut Khalifah Daulah Nusantara (JAKDN))) 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 JAD's continued involvement in terrorist activity and covers any relevant changes or developments to the organisation since its original designation in March 2018,<sup>1</sup> and subsequent renewal in 2021,<sup>2</sup> including SP'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, provide the basis for the conclusion that JAD 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 29(B)(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.
5. The Prime Minister may renew that designation for a further three years under s 29(B) 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 22, the Prime Minister may make another order under s 29(B)(3) renewing the designation concerned for a further three years. The Prime Minister may make any number of orders under s 29(B)(5) in respect of the same designation.

### **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 The Diplomat, BBC News, RNZ, Voice of America (VOA) and Reuters.

## EVIDENCE TO SUPPORT DESIGNATION RENEWAL UNDER THE TSA

### Continued involvement in terrorist activity

8. On 28 March 2021, two Jema'ah Ansharut Daulah (JAD) suicide bombers detonated pressure cooker IED's outside the Sacred Heart of Jesus Cathedral in Makassar, South Sulawesi.<sup>3</sup> The two suicide bombers were killed, and 20 people injured in the explosion.
  - a. The explosion occurred around 10:30 local time (03:30 GMT) during the end of the service for Palm Sunday – the first day of Holy Week before Easter.<sup>4</sup> A destroyed motorbike was found at the scene along with the bodies of the two suicide bombers, and witnesses stated they saw two people riding motorbikes and attempting to enter the compound before the explosion.<sup>5</sup>
  - b. In the aftermath of the explosion, the Local Police arrested 32 suspected individuals – 18 of which were suspected JAD members.<sup>6</sup>
9. From 28 May 2021, an alleged terrorist plot to attack Police stations and the Archbishop of Merauke in Papua Province, Indonesia was discovered, and a series of arrests were conducted by the counter-terrorism unit Detachment 88 (Densus 88).<sup>7</sup> The Police reported they had been alerted to the alleged plot by a Priest and Nun, and the suspects had entered the Church looking to target the Archbishop but left when they could not locate him.
  - a. The Densus 88 head of operations, Aswin Azhar Siregar reported the plot appeared to be more focused on attacking security forces. Densus 88 stated that air rifles, sharp weapons and arrows were located during the arrests, as well as un-disclosed chemicals – however investigations were still on-going. Police reported the 12 suspects arrested were affiliated with the JAD group.<sup>8</sup>
10. On 7 December 2022, a suicide bomber believed to be affiliated with JAD set off a bomb attack at a Police station in Bandung, Indonesia which killed 1 other person, and injured at least 10.<sup>9</sup> The suicide bomber, identified as Agus Sujatno, was previously arrested for terrorism charges, and released in 2021. Police believe a blue motorbike found at the scene was used by the attacker. The Police Chief in Bandung reported investigators found dozens of documents that protested the country's new criminal code at the scene of the attack. Police believe the attack was likely planned as a rejection of the new laws<sup>10</sup> that targets the dissemination of beliefs that oppose or counter the state's ideology.<sup>11</sup>
11. In October 2023, the Densus 88 unit arrested a total of 59 suspects who they believed were planning to disrupt an upcoming election on 17 February 2024.<sup>12</sup> 40 of the individuals arrested were suspected to be loyalists of the JAD group plotting attacks to disrupt the presidential and legislative elections.<sup>13</sup> The Densus 88 head of operations Aswin Siregar reported guns and chemicals to manufacture bombs were confiscated during the detainment of the suspected JAD members.<sup>14</sup>

### Ideology and objectives

12. Aman Abdurrahman, also known as Oman Rochman, is the leader and founder of JAD. Abdurrahman is currently imprisoned in Indonesia and has received a death sentence for his role in inciting 2016 terror attacks.<sup>15</sup>
13. Abdurrahman and the operational leadership of JAD pledged allegiance to the Islamic State (ISIL) in 2015.<sup>16</sup> As leader Abdurrahman stressed three points: the importance of bringing faith

and practice of Indonesian ISIL supporters into line with the new caliphate and daulah; the obligation to move to Syria for those who could; and the obligation to undertake jihad operations in Indonesia for those who could not.

14. With the military defeat of ISIL in Syria and restricted travel to the region the ideological objectives of JAD cells turned focus back to jihad within Indonesia.<sup>17</sup> The primary characteristics of this jihad were: indoctrination in *manhaj*, ISIL's interpretation of Islam; *I'dad*, or essential military preparation for attacks; and eventual migration to a place where Islamic law was applied in full.
15. JAD members primarily conduct attacks targeting Indonesian police personal and headquarters, and non-Muslim religious groups in Indonesia. A number of JAD cells almost certainly have the intent and capability to conduct attacks, including against high-profile targets, such as churches and police headquarters. The group is considered to pose extensive risk by the Indonesian authorities, because they are not geographically confined. Their hardest hit provinces have been Central Java, West Java and East Java. Indonesian National Police have attributed the majority of terrorist attacks in Indonesia since 2016 to JAD.

### **Organisation and structure**

16. Following sustained police counterterrorism pressure, JAD has largely disbanded as a formal organisation. JAD members instead maintain loosely organised networks in their local areas of operation. These networks are usually based on kinship bonds, educational ties built through religious boarding schools, and relationships established while incarcerated.<sup>18</sup>

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

17. JAD's ideological adherence of *i'dad* requires regular training sessions in fitness, self-defence, and archery, a pattern observed across distinct JAD cells.<sup>19</sup>
18. JAD-aligned individuals possess basic capabilities, including bladed and blunt-force weapons. Some JAD adherents may also be involved in attempting to manufacture explosives, but technical capability is generally low.<sup>20</sup>

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

19. The acts committed by JAD can be considered to be terrorist acts in accordance with section 5(2) of the TSA. The sporadic violent activity by JAD has not reached a level of intensity and continuity which would bring the situation within the meaning of "armed conflict". Consequently, the acts do not meet the exemption in section 5(4) of the TSA. If there were to be any contention as to whether the acts have occurred within an armed conflict, the exemption would still not apply, as it is clear the acts have not occurred in accordance with the applicable rules of international law; specifically, the targeting of political leaders, as well as religious and civilian objects.

### **CONCLUSION**

20. 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 JAD to be designated under that section.
21. Since its last renewal in March 2021, JAD has continued to carry out activities which meet the definition of terrorist acts in ss 5 and 25 of the TSA. Accordingly, given there are still reasonable

grounds to believe JAD has knowingly carried out terrorist acts as set out in s 22 of the TSA, JAD meets the legal criteria for renewal of its designation as a terrorist entity under s 35.

22. The designation must be renewed by 21 March 2024 to be effective.

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<sup>1</sup> The statement of case, dated 21 March 2018 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/statement-of-case-jamaah-anshrout-daulah-jad-21-march-2018.pdf>

<sup>2</sup> The statement of case, dated 20 March 2021 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/renew-jad-terrorist-entity-20-march-2021.pdf>

<sup>3</sup> JAD and the 2021 Makassar Mobing: Disconnected cells Interconnected Families, *The Diplomat*, 07/04/2021. Retrieved from <https://thediplomat.com/2021/04/jad-and-the-2021-makassar-bombing-disconnected-cells-and-interconnected-families/>

<sup>4</sup> Indonesia bombing: Worshippers wounded in Makassar church attack, *BBC News*, 28/03/2023. Retrieved from <https://www.bbc.com/news/world-asia-56553790>

<sup>5</sup> *Ibid*

<sup>6</sup> JAD and the 2021 Makassar Mobing: Disconnected cells Interconnected Families, *The Diplomat*, 07/04/2021. Retrieved from <https://thediplomat.com/2021/04/jad-and-the-2021-makassar-bombing-disconnected-cells-and-interconnected-families/>

<sup>7</sup> Papua: arrests over alleged plot to attack archbishop and police, *RNZ*, 2/06/2021. Retrieved from <https://www.rnz.co.nz/international/pacific-news/443910/papua-arrests-over-alleged-plot-to-attack-archbishop-and-police>

<sup>8</sup> *Ibid*

<sup>9</sup> Indonesian suicide bomber leaves note criticising new criminal code, *Reuters*, 8/12/2022. Retrieved from <https://www.reuters.com/world/asia-pacific/indonesia-investigating-explosion-bandung-police-station-media-2022-12-07/>

<sup>10</sup> *Ibid*

<sup>11</sup> Explainer: Why is Indonesia's new Criminal code so controversial?, *Reuters*, <https://www.reuters.com/world/asia-pacific/why-is-indonesias-new-criminal-code-so-controversial-2022-12-06/>

<sup>12</sup> Indonesia Arrests Militants Suspected of Plotting to Disrupt Election, *Voice of America (VOA)*, 31/10/2023. Retrieved from <https://www.voanews.com/a/indonesia-arrests-militants-suspected-of-plotting-to-disrupt-election/7334089.html>

<sup>13</sup> *Ibid*

<sup>14</sup> *Ibid*

<sup>15</sup> (22/06/2018) Wahyudi Soeriaatmadja, "Indonesian cleric Aman Abdurrahman sentenced to death for inciting terror attacks", *The Straits Times*, accessed via <https://www.straitstimes.com/asia/se-asia/indonesian-cleric-aman-abdurrahman-sentenced-to-death-for-inciting-terror-attacks> on 20/01/2021.

<sup>16</sup> (22/06/2018) Mukti Suhartono and Richard C. Paddock, "Indonesia Sentences ISIS Recruiter to Death", *The New York Times*, accessed via <https://www.nytimes.com/2018/06/22/world/asia/indonesia-isis-aman-abdurrahman.html> on 20/01/2021.

<sup>17</sup> "The Decline of ISIS in Indonesia and the emergence of new cells", *Institute for Policy Analysis*, Report number 69, 21/01/2021, pp.3-4.

<sup>18</sup> (29/05/2023), Indonesia Threat Assessment, Combined Threat Assessment Centre (CTAG), 23-110A-TA.

<sup>19</sup> "The Decline of ISIS in Indonesia and the emergence of new cells", *Institute for Policy Analysis*, Report number 69, 18/10/2018, p.5.

i. (13/06/2019) Telly Nathalia, "Central Kalimantan Police Arrest Several Suspects Planning Suicide Bombing in Jakarta", *Jakarta Globe*, accessed via <https://jakartaglobe.id/news/central-kalimantan-police-arrest-several-suspects-planning-suicide-bombing-in-jakarta/> on 2/02/21.

ii. "The Surabaya bombings and the future of ISIS in Indonesia", *Institute for Policy Analysis*, Report number 51, 21/01/2021, p.5

<sup>20</sup> (29/05/2023), Indonesia Threat Assessment, Combined Threat Assessment Centre (CTAG), 23-110A-TA.