

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 2018,¹ 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 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 (s 25(1)(a) and (b)) and also includes an attempt to carry out the act (s 25(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 The Straits Times, The Guardian, Al Jazeera, The New York Times, and Associated Press.
8. A range of think tanks were referred to including Institute for Policy Analysis and the International Centre for Counter-Terrorism.
9. Regional news sources were also referred to including the Jakarta Globe.

EVIDENCE TO SUPPORT DESIGNATION RENEWAL UNDER THE TSA

Continued involvement in terrorist activity

The 2018 Surabaya and Sidoarjo bombings

10. In October 2017 three radicalised Surabaya-based families began preparation for a planned series of bombings.²

- 10.1. On 13 May 2018 three bombings targeted churches in the city of Surabaya, Indonesia.³ These attacks injured 44 people, killed 13, and affected three churches; the Santa Maria Church, the Surabaya Pentecostal Church, and the GKI Diponegoro Church. The bombings were claimed by ISIL, and were linked to JAD by Indonesia Police.

The first bomb was carried by two brothers (aged 15 and 17) who carried a bomb on a motorcycle to the Santa Maria Church around 6.30am. The second bomb was carried by the mother of the family, who was also accompanied by her two daughters (aged 9 and 12), and targeted the GKI Diponegoro Church around 7.15am. The final bomb was driven by the father and targeted the Surabaya Pentecostal Church around 7.50am. An Indonesian Police chief told media the attackers had received instruction from ISIL to carry out the bombings in retaliation for the imprisonment of Aman Abdurrahman and the arrest in 2017 of Zainal Ansori (head of the East Java chapter of JAD).⁴

- 10.2. On the same evening a bomb exploded in an apartment building in Sidoarjo, a city outside Surabaya, when a JAD-linked man apparently mishandled high explosives killing his wife, and one of their three children.⁵ He was later shot dead by police.

- 10.3. On 14 May 2018 a further suicide bombing targeted the Police headquarters in Surabaya. In this case a family of five approached the headquarters on two motorcycles and detonated explosives. Four of the family were killed, but an 8 year old child was thrown clear and later treated for her injuries. Four police officers and 6 civilians were also injured in the blast.⁶

11. The bombings were notable as the first known Indonesian attacks to have used female suicide bombers and children.⁷ In total, 25 people were killed and 55 injured in the series of bombings.⁸

2019 Stabbing of Chief Security Minister

12. On 10 October 2019 Indonesian chief security minister Wiranto was stabbed twice while exiting a vehicle in western Java to be welcomed by a local police chief.⁹ The two assailants were a married couple linked to JAD. The husband was able to stab Wiranto twice, while the wife attempted to stab the police chief.¹⁰

13. The Indonesian national police spokesman Brig. Gen. Dedi Prasetyo stated that there were suspicions that the male attacker had been radicalised, but there was insufficient evidence of preparatory or similar behaviour to warrant earlier intervention.¹¹ Prasetyo also indicated that the attackers may have been mobilised by the arrest of the local JAD leader and the attacker's concern that he and his wife would also be arrested.

Ideology and objectives

14. 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.¹²
15. Abdurrahman and the operational leadership of JAD pledged allegiance to the Islamic State (ISIL) in 2015.¹³ 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.
16. 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.¹⁴ The primary characteristics of this jihad were: indoctrination in *manhaj*, ISIL's interpretation of Islam; *I'dad*, or essential military preparation for attacks; eventual migration to a place where Islamic Law was applied in full.
17. One contributing factor to the radicalisation and mobilisation of the Surabaya bombers was apocalyptic prophesy of the end of times by the local 'study leader' Dita Oepriarto.¹⁵ Dita, the driver of the vehicle used to bomb the Surabaya Pentecostal Church, believed that the world would end in 2018 when a meteor struck Earth and decimate the world's population.¹⁶ This belief was based on a hadith that required the families to migrate to the world's only safe zone, Syria, but travel to the region was too difficult. In order to secure their entry to heaven the families chose martyrdom.¹⁷

Organisation and structure

18. Formed in 2015 following the merger of several groups, JAD rose to prominence in Indonesia but was in disarray by mid-2018 following extensive law enforcement action.¹⁸ This deteriorating situation led to a dispersed leadership structure and local leaders taking decisions on their own. By early 2021 many provincial branches of the organisation have become inactive, and some cells have adopted a policy of 'leaderless resistance' (i.e. self-direction by smaller cells with no direct link to a centralised organisation, commonly adopted by terrorist groups to avoid making centralised leaders complicit in attacks or attack planning).¹⁹
19. This leaderless structure was evident in the radicalisation and training of the families conducting the Surabaya Church bombing of 2018. The families were friends, they radicalised as a unit under their own interpretation of ISIL ideologies, and chose to act in unison independent of formal JAD leadership – Abdurrahman is recorded as condemning the use of women and children in attacks.²⁰

Weapons, tactics and capability

20. JAD's ideological adherence of *i'dad* requires regular training sessions in fitness, self-defence, and archery, a pattern observed across distinct JAD cells.²¹
21. JAD attacks have primarily used small arms, readily-accessible weapons such as knives, and home-made explosives such as TATP – the explosive used in the Surabaya bombings.²² Training in this material was provided to families in Surabaya by another JAD member, and eventually taken up by locals when the member moved to Syria.²³

22. Capability among JAD is uncertain and likely to be unevenly distributed. For example returning foreign terrorist fighters most commonly join JAD, but their ability to do so has been limited by the decreasing number of cells since post-2018 crackdowns.²⁴

LAW OF ARMED CONFLICT (LOAC)

23. 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

24. 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.
25. Since its designation in March 2018, JAD has continued to carry out activities which meet the definition of terrorist acts in ss 5 and 25 of the TSA (paragraphs 11–13 above. 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.
26. The designation must be renewed by 21 March 2021 to be effective.

-
- ¹ The statement of case, dated 17 July 2017 can be accessed at: <https://www.police.govt.nz/sites/default/files/publications/statement-of-case-jamaah-anshrout-daulah-jad-21-march-2018.pdf>
- ² “The Surabaya bombings and the future of ISIS in Indonesia”, *Institute for Policy Analysis*, Report number 51, 21/01/2021, pp.5-6.
- ³ (14/05/2018) Wahyudi Soeriaatmadja, “Family of six carried out bombings at three Indonesia churches, killing 13 people”, *The Straits Times*, accessed via <https://www.straitstimes.com/asia/se-asia/attack-on-indonesia-church-leaves-one-dead-several-injured> on 21/01/2021.
- ⁴ (15/05/2018) Wahyudi Soeriaatmadja, “Surabaya police HQ attack: Family of five, including 8-year-old child, carried out suicide bombing”, *The Straits Times*, accessed via <https://www.straitstimes.com/asia/se-asia/explosion-at-surabaya-police-headquarters> on 21/02/20.
- i. (13/05/2018) Kate Lamb, “Indonesia church bombings: police say one family and their children behind attacks”, *The Guardian*, accessed via <https://www.theguardian.com/world/2018/may/13/deaths-bomb-attacks-churches-indonesia-surabaya> on 21/01/2021/.
- ⁵ (15/05/2018) “Four children become orphans in Surabaya, Sidoarjo bombings”, *The Straits Times*, accessed via <https://www.straitstimes.com/asia/se-asia/four-children-become-orphans-in-surabaya-sidoarjo-bombings> on 21/01/2021.
- ⁶ (14/05/2018) Hannah Ellis-Petersen and Kate Lamb, “Surabaya blast: family of five carried out bomb attack on Indonesia police station”, *The Guardian*, accessed via <https://www.theguardian.com/world/2018/may/14/indonesia-car-bomb-surabaya-police-station-attacked> on 21/01/2021.
- ⁷ (14/05/2018) Wahyudi Soeriaatmadja, “Indonesia's first female suicide bomber a mum of 4”, *The Straits Times*, accessed via <https://www.straitstimes.com/asia/se-asia/indonesias-first-female-suicide-bomber-a-mum-of-4-0> on 21/01/2018.
- ii. (14/05/2018) Wahyudi Soeriaatmadja, “Family of six carried out bombings at three Indonesia churches, killing 13 people”, *The Straits Times*, accessed via <https://www.straitstimes.com/asia/se-asia/attack-on-indonesia-church-leaves-one-dead-several-injured> on 21/01/2021.
- ⁸ (14/05/2018) Hannah Ellis-Petersen and Kate Lamb, “Surabaya blast: family of five carried out bomb attack on Indonesia police station”, *The Guardian*, accessed via <https://www.theguardian.com/world/2018/may/14/indonesia-car-bomb-surabaya-police-station-attacked> on 21/01/2021.
- ⁹ (10/10/2019) “Indonesia's security minister Wiranto hurt after stabbing attack”, *Al Jazeera*, accessed via <https://www.aljazeera.com/news/2019/10/10/indonesias-security-minister-wiranto-hurt-after-stabbing-attack> on 22/01/2021.
- i. (10/10/2019) Kate Lamb, “Indonesia security minister stabbed by suspected Isis radical”, *The Guardian*, accessed via <https://www.theguardian.com/world/2019/oct/10/indonesia-security-minister-wiranto-stabbed-by-suspected-isis-radical> on 22/01/2021.
- ¹⁰ (11/10/2019) “Suspects in stabbing of Indonesia's chief security minister Wiranto from terror group linked to ISIS: Official”, *The Straits Times*, accessed via <https://www.straitstimes.com/asia/suspects-in-wiranto-stabbing-from-terror-group-linked-to-isis> on 22/01/2021.
- ¹¹ (12/10/2019) Jim Gomez, “Indonesia: Minister's attacker was under police surveillance”, *AP*, accessed via <https://apnews.com/article/34ad368c2c494d1b87d9c2d1e55170c0> on 22/01/2019.
- ¹² (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.
- ¹³ (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.
- ¹⁴ “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.
- ¹⁵ “The Surabaya bombings and the future of ISIS in Indonesia”, *Institute for Policy Analysis*, Report number 51, 21/01/2021, p.5.
- ¹⁶ *ibid.*, p.6.
- ¹⁷ *ibid.*, p.6.
- ¹⁸ “The Decline of ISIS in Indonesia and the emergence of new cells”, *Institute for Policy Analysis*, Report number 69, 21/01/2021, pp.5-6.
- ¹⁹ *ibid.*, p.7.
- ²⁰ (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.
- ²¹ “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
- ²² TATP, or *triacetone triperoxide*, has been used in a wide range of different bomb and suicide attacks worldwide. It is attractive for terrorist attacks because it is easily prepared from common commercial and household products.
- ²³ “The Surabaya bombings and the future of ISIS in Indonesia”, *Institute for Policy Analysis*, Report number 51, 21/01/2021, pp.3-4
- ²⁴ (17/02/2020) Dr. Daveed Gartenstein-Ross, Dr. Colin P. Clarke, Samuel Hodgson, “Foreign Terrorist Fighters from Southeast Asia: What Happens Next?”, *International Centre for Counter-Terrorism*, accessed via <https://icct.nl/publication/foreign-terrorist-fighters-from-southeast-asia-what-happens-next/> on 22/01/2021.