

STATEMENT OF CASE TO DESIGNATE JUNDALLAH AS A TERRORIST ENTITY

PURPOSE

1. The purpose of this paper is to set out the case demonstrating that Jundallah (also known as Peoples' Resistance Movement of Iran (PRMI), Jonbesh-I Moqavemat-i-Mardom-I Iran, Popular Resistance Movement of Iran, Soldiers of God, Fedayeen-e-Islam, also, 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 designation as a terrorist entity within New Zealand pursuant to the Terrorism Suppression Act 2002 ("TSA").
2. The paper concludes that Jundallah meets the criteria for designation as a terrorist entity under the TSA.

STRUCTURE OF THIS PAPER

3. This paper sets out background information about Jundallah covering various aspects of the group's history, objectives, structure, tactics, weapons and involvement in terrorism, before detailing three case studies which meet the definition of "terrorist acts" under the TSA.
4. The discussion preceding the case studies provides background about Jundallah, which helps inform the analysis of the case studies. The events detailed in the case studies represent actual attacks attributed to, and claimed by, Jundallah. It is these events that have been analysed as meeting the definition of "terrorist acts" under s 5 of the TSA, and which provide the basis for the paper's conclusion that Jundallah meets the legal criteria for designation as a "terrorist entity" under the TSA.

STATUTORY CRITERIA FOR THIS DESIGNATION UNDER THE TSA

5. The Prime Minister has the power under the TSA to designate individuals or groups as terrorist entities. Section 22 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.
6. A "terrorist act" is defined in s 5 of the TSA. A number of different acts fall within this definition. The s 5 criteria relevant to this paper are those which deem an act to be a "terrorist act" if that act:
 - 6.1 Is intended to cause the death of, or serious bodily injury to, one or more persons;
 - 6.2 Is carried out for the purpose of advancing an ideological, political, or religious cause; and
 - 6.3 Is intended to either:
 - 6.3.1 Induce terror in a civilian population; or
 - 6.3.2 Unduly compel or force a government or an international organisation to do or abstain from doing any act; and

- 6.4 Is not an act that occurs in a situation of armed conflict and is, at the time and in the place that it occurs, in accordance with rules of international law applicable to the conflict.

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: Jane's World Insurgency & Terrorism; the Christian Science Monitor; the BBC; Agence France Press (AFP) and Al Jazeera. The paper also utilises public information from the US Department of State, as well as a range of international journals, organisations and think tanks including Stratfor, GlobalSecurity.org and the Longwar Journal, international and regional media sources including the LA Times, Radio Free Europe, the Tehran Times and the Dawn, and material from the website of Jundallah.

BACKGROUND

Establishment and History of Jundallah

8. Jundallah, not to be confused with the Pakistani group of the same name operating in the Pakistani province of Baluchistan¹, is a radical Sunni militant group based in the Sistan-Baluchistan region of Iran. The group was founded by Abdolmalek Rigi in 2003, though is thought to have only become operational in 2005 when it kidnapped and killed an officer of the Iranian Revolutionary Guards Corps (IRGC).²
9. Little is known about how or why the group was formed, whether it emerged from the Baluchi militant groups sponsored by Iraq during the Iran/Iraq war, or whether it is a splinter from one of several Pakistani-based Baluchi separatist groups. It has been suggested by one Jundallah member, however, that the group formed after two members of the Rigi family were killed by the Iranian authorities.³
10. What has become clear from public statements made by Jundallah is that it opposes perceived government discrimination against the Baluchis, who are Sunni Muslims, and purports to fight to improve the poor socio-economic conditions in Sistan-Baluchistan Province.⁴ Since 2005 Jundallah has been responsible for the deaths of more than 200 civilians and security personnel.⁵

Designation of Jundallah by partners

11. Iran designated Jundallah as a terrorist entity in 2005, shortly after its first attack against the IRGC. Iran has for many years accused the US of supporting Jundallah to undermine the regime of President Mahmoud Ahmadinejad. However, the US recently designated the group (November 2010) and has been vocal in its condemnation of Jundallah's terrorist activities.

Ideology and objectives

12. Jundallah's stated objective is "the elimination of state discrimination against ethnic Baluchis and Sunni Muslims in Iran." While Abdolmalek Rigi previously claimed that the group is open to negotiations with the Iranian government, during a May 2006 interview he stated that "an armed campaign is the most constructive way for Iran's Baluchi population to gain the level of representation they seek."⁶

13. Rigi also previously claimed that Jundallah was not a separatist group. More recent statements by the group suggest, however, that it does seek at least some form of autonomy for the Baluchi people. In July 2010, Jundallah released a statement claiming responsibility for a double suicide bombing in Zahedan, in which it said, “May the devoted children who had vowed to fight till the last drop of blood in their veins rest in peace and be protected by the Lord above, so that the Muslim people of Baluchestan can rule over themselves.”⁷

Organisation and structure

14. Until Abdolmalek Rigi’s execution by the Iranian authorities in June 2010, the Rigi family is thought to have been in full control of Jundallah. However, several of his brothers have also recently been killed and it is unclear to what extent the Rigi family will maintain control over the group: Abdolghafoor Rigi reportedly carried out a suicide bomb attack against an IRGC headquarters in Saravan on 29 December 2008⁸; Abdolhamid Rigi was executed by the Iranian authorities in May 2010; and two other Rigi family members were responsible for the double suicide attack in Zahedan in July 2010 that killed 27 people.⁹
15. Al-Hajj Mohammed Dhahir Baluch was named as leader shortly after Abdolmalek’s execution in June 2010. Another of Abdolmalek’s brothers, Abdolrauf, continues to act as Jundallah’s spokesperson.
16. Jundallah recruits mostly ethnic Iranian Baluchis, of which there are approximately two million. Al Jazeera has suggested that the group has around 1,000 fighters, though according to Jane’s there may be fewer than 100.¹⁰

Weapons and Tactics

17. Jundallah fighters are known to use knives, AK-47 assault rifles and other small arms, and explosives (both for remote detonation and suicide vests).¹¹
18. Between 2005 and 2008 Jundallah’s primary tactics were hostage taking and executions. In several instances the group threatened to kill hostages in order to persuade the government to cede to Jundallah’s demands. Several hostages were also beheaded on film as public threats to anyone supporting the Iranian government.¹²
19. Since 2008 Jundallah has employed the use of mass casualty suicide attacks, with five major attacks in Saravan, Zahedan (two attacks), Pishin and Chabahar (three of which are outlined in the case studies below).
20. Jundallah’s preferred targets are purportedly IRGC officers, however the group has also previously kidnapped and killed police officers, civil servants, border guards, a judge, and has shown a willingness to attack Iranian Shia civilians.¹³ Jundallah has also been linked to the attempted assassinations of President Mahmood Ahmadinejad in December 2005 and the Governor of Sistan-Baluchistan Province in March 2006.¹⁴

Recent events

21. Since Abdolmalek Rigi’s execution in June 2010, Jundallah has launched two major retaliatory attacks in Zahedan in July 2010 and in Chabahar in December 2010 (these are outlined in the case studies below). On 20 December, five days after the

Chabahar attack, 11 Jundallah members being held in a prison in Zahedan were executed for their role in the July bombings.¹⁵ Based on Jundallah's previous actions, further attacks in retaliation for these executions may well occur in 2011.

CASE STUDIES

1. Suicide bombing at the Amir al-Mohini mosque in Zahedan, Sistan-Baluchistan Province, 28 May 2009

The facts

22. On 28 May 2009 a suicide bomber detonated his explosives outside the Shiite Amir al-Mohini mosque in Zahedan, Sistan-Baluchistan province, killing around 25 people and wounding more than 100 others.¹⁶ The explosion occurred during evening prayers on a public holiday marking the death of Fatima, the daughter of the Prophet Mohammad.¹⁷ The mosque was crowded with worshippers at the time of the attack.¹⁸ According to Ali Mohammad Azad, the Provincial Governor, a second bomb was defused at the scene. He also said part of the mosque was destroyed by the blast.¹⁹
23. The Saudi based Al-Arabiya news station said Jundallah claimed responsibility for the attack, which came less than three weeks before the Presidential elections.²⁰ The group claimed that IRGC members were meeting at the mosque to discuss election strategy.²¹ According to FARS news agency, however, the attack "was carried out by a group wanting to start a war between Shiite and Sunni Muslims".²²
24. Three men were publicly executed on 30 May 2009, two days after the attack, for illegally bringing explosives into the country and supplying them to the bomber.²³

The act meets the TSA criteria for designation

25. The suicide bombing at the mosque in Zahedan is consistent with the definition of a terrorist act under s 5 of the TSA.
26. The nature, location and timing of the attack clearly show an intention to cause the death of, or serious bodily injury to, those in the vicinity of the mosque (s 5(3)(a) TSA). Suicide bombings are, by their nature, terrorising. This attack specifically targeted the mosque at evening prayer time, and resulted in large numbers of deaths and injuries. Together, these factors clearly demonstrate an intention to induce terror in the civilian population (s 5(2)(a) TSA).
27. Jundallah's statement that it deliberately targeted an election meeting at the mosque, is consistent with the group's wider intention of forcing the Iranian government to recognise their claims for representation and autonomy through an armed campaign [see paragraphs 12-13 above] (s 5(2)(b) TSA). This bombing attack was therefore also carried out with the purpose of advancing Jundallah's own ideological/political objective of self-rule in Iran for the Sunni Muslims of Baluchistan [see paragraph 13 above] (s 5(2) TSA).

2. Double suicide bombing at the Jamia mosque in Zahedan, Sistan-Baluchistan Province, 15 July 2010

The Facts

28. At 2120hrs on 15 July 2010²⁴, two successive suicide bombings against Shia worshippers at the Jamia mosque in Zahedan, Sistan-Baluchistan province, killed 27 people and injured 270 others. The bombings occurred during celebrations for the anniversary of the birthday of the grandson of the Prophet Mohammad, Imam Hussein, and also on a day set aside by the state to honour the IRGC.²⁵
29. The initial blast took place behind a military checkpoint near the mosque. The bomber, dressed as a woman, attempted to get through the checkpoint and into the mosque, but detonated his explosive vest when stopped by IRGC soldiers. The second blast occurred less than 20 minutes later as dozens of people arrived on the scene to help those injured in the first blast.²⁶
30. Jundallah claimed responsibility for the attack in an email to the Al-Arabiya news station, saying it was in response to the execution of its leader Abdolmalek Rigi in June 2010.²⁷ The following is the full statement released by a Jundallah spokesperson:

“Jundallah or the People’s Resistance Movement of Iran (PRMI) hereby announces to the people of Baluchistan and Iran that tonight two devoted and immortal children, in an unparalleled operation were able to send tremors into the heart of the Revolutionary Guards inside the Zahedan Hosseiniyeh (a club and library for the devout) where the Revolutionary Guard day gathering was being held and where more than a hundred Revolutionary Guards, servants of the Party of the Devil (Hezb al-Shaytan) were sent to the eternal burning fires of hell.

The two precious young men, Mohammad Rigi and Abdol-Baaset Rigi took charge of this operation and taught a lesson to the evil tyrants, showing them that they will pay for their crimes and diabolical methods.

In the first part of this operation the eminent Abdol-Baaset Rigi placed himself in the middle of the Revolutionary Guard ceremonies and by killing himself, was able to also slay tens of the intelligence and disciplinary forces who have taken over and snatched power. Then following that, the martyr Mohammad Rigi was able to complete the mission by reaching the same group and delivering the second blow.

This operation is a response to the continued crimes of the Iranian regime in Baluchistan, where they thought that by murdering our righteous leader, Abdol-Malek, our operations will cease. But the two young men who sacrificed themselves to destroy the dreams of the overlords and tyrants and by giving up their lives proved that this struggle will continue till the day that the violators and criminals are no longer.

May the devoted children who had vowed to fight till the last drop of blood in their veins rest in peace and be protected by the Lord above, so that the Muslim people of Baluchistan can rule over themselves.”²⁸

The act meets the TSA criteria for designation

31. The double suicide bombing at the mosque in Zahedan is consistent with the definition of a terrorist act under s 5 of the TSA.
32. The nature, location and timing of the attack, as well as the subsequent public statement by Jundallah, clearly show an intention to cause the death of, or serious bodily injury to, those in the vicinity of the mosque (s 5(3)(a) TSA). Suicide

bombings are, by their nature, terrorising. At least one of the bombers was in disguise. The attack specifically targeted a busy Shia mosque, and deliberately aimed for maximum casualties through the use of two separate suicide bombers. In their public statement, Jundallah also threatened further attacks. Together, these factors clearly demonstrate an intention to induce terror in the civilian population (s 5(2)(a) TSA).

33. Jundallah's statement that it carried out the attack as "a response to the continued crimes of the Iranian regime" is consistent with the group's wider intention of forcing the Iranian government to recognise their claims for representation and autonomy through an armed campaign [see paragraphs 12-13 above] (s 5(2)(b) TSA). This bombing attack was therefore also carried out with the purpose of advancing Jundallah's own ideological/political objective of self-rule in Iran for the Sunni Muslims of Baluchistan [see paragraph 13 above] (s 5(2) TSA).

3. Suicide bombing at the Imam Hossein mosque in Chabahar, Sistan-Baluchistan Province, 15 December 2010

The Facts

34. At 1000hrs on 15 December 2010 a suicide bomber detonated an explosive device "next to some Red Crescent Ambulances" outside the Imam Hossein Mosque in the southern port city of Chabahar, killing at least 39 Shia pilgrims and injuring more than 50 others.²⁹ The attack occurred during a procession of worshippers on the eve of Ashura, an important Shia day of mourning during the month of Moharram, which marks the anniversary of the death of Hussein, the third Shiite Imam and grandson of the Prophet Mohammad.³⁰
35. According to Ali Mohammad Azad, Governor of Sistan-Baluchistan Province, the bomber detonated his explosive vest when he was spotted by police. A second potential bomber was killed by police officers, his device detonating but not causing significant damage, and a third captured as he tried to flee across the border into Pakistan.³¹
36. Jundallah claimed responsibility for the attack in a statement on its website, stating that the attack was in response to the execution of its former leader Abdolmalek Rigi and other members of the group in 2010.³² Jundallah claimed that "tens of guards (members of the elite Revolutionary Guards) and mercenaries have been killed", and that "the operation was carried out to expose the aggressors in Baluchistan."³³ A number of the dead and injured were, however, women and children.³⁴

The act meets the TSA criteria for designation

37. The suicide bombing at the mosque in Chabahar is consistent with the definition of a terrorist act under s 5 of the TSA.
38. The nature, location and timing of this attack clearly show an intention to cause the death of, or serious bodily injury to, those in the vicinity of the mosque (s 5(3)(a) TSA). Suicide bombings are, by their nature, terrorising. This attack specifically targeted a public procession of worshippers. The bombing resulted in many deaths and injuries and numbers could have been much greater, given there were supposed to be three separate suicide bombings. Together, these factors clearly demonstrate an intention to induce terror in the civilian population (s 5(2)(a) TSA).

39. Jundallah's statement that it carried out the attack in response to the execution of its former leader and other members is consistent with the group's wider intention of forcing the Iranian government to recognise their claims for representation and autonomy through an armed campaign [see paragraphs 12-13 above] (s 5(2)(b) TSA). This bombing attack was therefore also carried out with the purpose of advancing Jundallah's own ideological/political objective of self-rule in Iran for the Sunni Muslims of Baluchistan [see paragraph 13 above] (s 5(2) TSA).

LAW OF ARMED CONFLICT

40. Section 5(4) of the TSA provides that an act does not constitute a terrorist act for the purposes of the TSA if two conditions are met. The first condition is that there must be a situation of armed conflict in those areas in which the Jundallah conducts its operations, at the time the act occurs. Secondly, the acts must accord with the law of armed conflict ("LOAC"). If one of these conditions is not met, the exemption does not apply.

Is there an armed conflict in Iran and do members of Jundallah conduct themselves as combatants?

41. There are two kinds of armed conflict:
- 41.1 An international armed conflict exists where there is a conflict between the armed forces of two states³⁵; where there is a military occupation of one state by the armed forces of another³⁶; or where the peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their self-determination³⁷.
 - 41.2 A non-international armed conflict exists where the conflict is fought within a State between government forces and opposing non-state forces; or between or amongst armed groups, none of whom qualify as a legitimate government³⁸. LOAC makes a key distinction between armed conflict and other internal disturbances or tensions such as riots; and isolated and sporadic acts of violence³⁹. Protocol II Additional to the Geneva Conventions 1949 (1977) adopts a higher threshold, requiring insurgent forces fighting the government to operate under responsible command; to control territory such that it would be able to carry out sustained and concerted military operations; and to implement the LOAC obligations arising out of Protocol II⁴⁰.
42. The case studies detailed herein do not reach the threshold of armed conflict. Although neither duration nor casualties alone are determinative, most authorities do not regard limited political demonstrations of force of this nature to be an armed conflict. The aim of the violence was limited and the normal structures of the State remained in place.
43. Only combatants have the right to conduct attacks in accordance with LOAC⁴¹. This generally means members of armed forces; however irregular forces can still qualify provided they distinguish themselves from the civilian population while engaged in an attack or operations preparatory to an attack.
44. It is unclear whether Jundallah members generally:

- 44.1 wear a uniform or some form of distinctive emblem recognisable at a distance;
 - 44.2 distinguish themselves during individual attack; or
 - 44.3 carry arms openly⁴².
45. In respect of the case studies, Jundallah does not appear to meet the criteria for combatant status, including as a dissident armed force, because it does not sufficiently distinguish itself from the civilian population during the attacks nor did they conduct the attacks according to LOAC⁴³.
46. The question of compliance with LOAC in respect of Jundallah's means and methods of combat is dealt with further below. Occasional breaches of LOAC could not be used to disqualify an otherwise qualifying force, but there must at least be evidence of a chain of command that enforces respect for LOAC. While this paper indicates that Jundallah may have a command structure of sorts, it is not clear that this is a responsible command structure for the purposes of LOAC⁴⁴; there is no evidence that there is an internal disciplinary system that enforces compliance with the LOAC⁴⁵.
47. Given that there was no situation of armed conflict, the exemption in s 5(4) TSA cannot apply to the Jundallah actions detailed in the case studies.

Were the acts carried out in accordance with the applicable rules of LOAC?

48. Having failed to meet the threshold of a combatant in an armed conflict, it is not necessary to go further to examine whether the actions of Jundallah depicted in the case studies would have been in accordance with that law. However, it is noted that even if it were considered that there was a current armed conflict, the second threshold for applying LOAC is also not met.
49. The attacks detailed in the case studies are incidents where it has been stated that IRGC soldiers were the targets. Even if that were the case, the attacks appear indiscriminate as any military advantage gained would appear to be disproportionate to the incidental injury to or death of civilians, and the incidental damage to civilian objects⁴⁶. If in fact the actual targets were the cultural property and civilians, this would breach the LOAC principle of distinction. That principle provides that while attacks on enemy combatants and military objectives are lawful, attacks on the civilian population and civilian objects are not⁴⁷. It is specifically prohibited to target cultural objects and places of worship⁴⁸.
50. Thus, the acts depicted in the case studies could be properly categorised as terrorist acts under s 5 TSA.

¹ Pakistani Jundallah is a militant Sunni group based in the Baluchistan region of Pakistan. It was established in 2003 in Karachi by Attaur Rehman, an activist with Jamaat-e-Islami (JI), and is believed in its early days to have comprised members of the militant group Lashka-e-Jhangvi (LeJ). It is believed to have developed ties to Al

Qaida through Sheikh Khalid Mohammad Sheikh, Al Qaida's chief operational planner during the early 2000s, who was based in Karachi at the time and who has claimed personal responsibility for the beheading of Daniel Pearl in 2002. The groups ideology appears to be largely aligned with that of Al Qaida- hatred for the West, suspicion of the Pakistani government for 'collaborating' with the West and a belief in a very radical interpretation of Deobandi Sunni Islam.

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- i. 'Jondollah', Jane's World Insurgency and Terrorism, January 2011, <http://defence.janes.com>, last accessed 12 January 2011;
- ii. 'Junadallah: Iran's Sunni rebels', Al Jazeera English, 20 June 2010, <http://english.aljazeera.net>, last accessed 11 January 2011; and
- iii. 'Jundallah: Profile of a Sunni Extremist Group', Radio Free Europe, 20 October 2009, <http://www.rferl.org>, last accessed 26 January 2011.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

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- i. 'Update 3: Bombing in the Baluch city of Zahedan claims 30; Jundallah claims responsibility', Planet Iran, 15 July 2010, <http://planet-iran.com>, last accessed 10 January 2011.
- ii. More than 8 million Baluchis live on the Iranian Plateau. Around 60 percent are concentrated in Pakistan's Baluchistan Province, where for the past half century they have sought autonomy both through the political process, and through a number of secular insurrections. In southwestern Afghanistan, there are approximately 1 million Baluchis. As they generally subscribe to the Hanafi school of Sunni Islam, however, they are able to co-exist in relative peace with the dominant Pashtun ethnic group in the region. By contrast, approximately 1.5 million Baluchis live in Iran's Sistan-Baluchistan Province. Iranian Baluchis have been discriminated against for two main reasons: they are predominantly Sunni Muslim in a Shia Muslim State, and they speak Baluchi rather than Persian (Farsi). Therefore, "despite living along strategic trade routes atop a wealth of untapped hydrocarbon and mineral deposits, members of ...[the] Baluchi minority have found it difficult to emerge from poverty and repression." 'Jundallah: Profile of a Sunni Extremist Group', Radio Free Europe, 20 October 2009, <http://www.rferl.org>, last accessed 26 January 2011.

⁸ 'Jundollah, Iran's Sunni Muslim rebels', Khaleej Times, 16 July 2010, <http://www.khaleejtimes.com>, last accessed 26 January 2011.

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- i. 'Jondollah', Jane's World Insurgency and Terrorism, January 2011, <http://defence.janes.com>, last accessed 12 January 2011;
- ii. 'Junadallah: Iran's Sunni rebels', Al Jazeera English, 20 June 2010, <http://english.aljazeera.net>, last accessed 11 January 2011; and
- iii. 'Jundallah: Profile of a Sunni Extremist Group', Radio Free Europe, 20 October 2009, <http://www.rferl.org>, last accessed 26 January 2011.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ See for example:

- i. 'Iran vows to retaliate after rebels kill 16 police', Dalje, 6 December 2008, <http://dalje.com/en-world/>, last accessed 26 January 2011;
- ii. 'Jundallah responsible for Saravan bombing', Tehran Times, 30 December 2008, <http://www.tehrantimes.com>, last accessed 26 January 2011;
- iii. 'Jundallah claims suicide attack at Iranian Mosque', Long War Journal, 15 December 2010, <http://www.longwarjournal.org>, last accessed 26 January 2011.

¹⁴

- i. 'Jondollah', Jane's World Insurgency and Terrorism, January 2011, <http://defence.janes.com>, last accessed 12 January 2011;
- ii. 'Junadallah: Iran's Sunni rebels', Al Jazeera English, 20 June 2010, <http://english.aljazeera.net>, last accessed 11 January 2011; and
- iii. 'Jundallah: Profile of a Sunni Extremist Group', Radio Free Europe, 20 October 2009, <http://www.rferl.org>, last accessed 26 January 2011.

¹⁵ Ibid.

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- i. 'Three agents involved in Zahedan bombing executed', Tehran Times, 31 May 2009, <http://www.tehrantimes.com>, last accessed 10 January 2011; and
 - ii. 'Iran executes men convicted of mosque bombing', Welt Online, <http://www.welt.de/english-news>, last accessed 10 January 2011.
- ¹⁷ 'Iran: Many die in Zahedan mosque bombing', BBC News, 28 May 2009, <http://www.bbc.co.uk>, last accessed 10 January 2011.
- ¹⁸ 'Iran Official accuses US over mosque bomb', BBC News, 29 May 2009, <http://www.bbc.co.uk>, last accessed 3 February 2011.
- ¹⁹ Ibid.
- ²⁰ 'Iran executes men convicted of mosque bombing', Welt Online, <http://www.welt.de/english-news>, last accessed 10 January 2011.
- ²¹ 'Gunmen attack' south Iran election office', BBC News, 29 May 2009, <http://www.bbc.co.uk>, last accessed 3 February 2011.
- ²² 'Iran says 20 killed in mosque bombing', LA Times, 29 May 2009, <http://www.latimes.com>, last accessed 3 February 2011.
- ²³ 'Three agents involved in Zahedan bombing executed', Tehran Times, 31 May 2009, <http://www.tehrantimes.com>, last accessed 10 January 2011.
- ²⁴ 'UN Chief condemns Zahedan Bombings', 17 July 2010, <http://www.kuwaitasamachar.com>, last accessed 10 January 2011.
- ²⁵ 'Iran mosque 'suicide bombers' kill 27', BBC News, 16 July 2010, <http://www.bbc.co.uk>, last accessed 10 January 2011.
- ²⁶
- i. 'Jundallah claims deadly Iran blasts', Al Jazeera English, 16 July 2010, <http://english.aljazeera.net>, last accessed 10 January 2011;
 - ii. 'Iran mosque 'suicide bombers' kill 27', BBC News, 16 July 2010, <http://www.bbc.co.uk>, last accessed 10 January 2011.
- ²⁷ 'Update 3: Bombing in the Baluch city of Zahedan claims 30; Jundallah claims responsibility', Planet Iran, 15 July 2010, <http://planet-iran.com>, last accessed 10 January 2011.
- ²⁸ Ibid.
- ²⁹
- i. 'Suicide bomber kills 33 at Iran procession', Agence France Presse, 15 December 2010, <http://www.afp.com>, last accessed 11 January 2011;
 - ii. 'Iran suicide bombing: Chabahar mosque hit by attack', BBC News, 15 December 2010, <http://www.bbc.co.uk>, last accessed 11 January 2011;
 - iii. 'Obama denounces Chabahar terror bombings, stands with Iran, which blames the US anyway', LA Times, 15 December 2010, <http://latimesblogs.latimes.com>, last accessed 11 January 2011.
- ³⁰ 'Suicide bombing outside Iran mosque kills dozens', Christian Science Monitor, 15 December, <http://www.csmonitor.com>, last accessed 11 January 2011.
- ³¹
- i. 'Suicide bomber kills 33 at Iran procession', Agence France Presse, 15 December 2010, <http://www.afp.com>, last accessed 11 January 2011;
 - ii. 'Update: Jundallah claims responsibility for suicide bombing; 33 dead', Public Broadcasting Service: Tehran Bureau, 15 December 2010, <http://www.pbs.org>, last accessed 11 January 2011;
 - iii. 'Obama denounces Chabahar terror bombings, stands with Iran, which blames the US anyway', LA Times, 15 December 2010, <http://latimesblogs.latimes.com>, last accessed 11 January 2011.
- ³²
- i. 'Suicide bomber kills 33 at Iran procession', Agence France Presse, 15 December 2010, <http://www.afp.com>, last accessed 11 January 2011;
 - ii. 'Iran suicide bombing: Chabahar mosque hit by attack', BBC News, 15 December 2010, <http://www.bbc.co.uk>, last accessed 11 January 2011.
- ³³ 'Suicide bomber kills 33 at Iran procession', Agence France Presse, 15 December 2010, <http://www.afp.com>, last accessed 11 January 2011.
- ³⁴ 'Iran suicide bombing: Chabahar mosque hit by attack', BBC News, 15 December 2010, <http://www.bbc.co.uk>, last accessed 11 January 2011.
- ³⁵ Article 2 (Common) of the Geneva Conventions of 1949; Article 1(3) of Protocol I Additional to the Geneva Conventions of 1949 (1977).
- ³⁶ Ibid.
- ³⁷ Article 1(4) of Protocol I Additional to the Geneva Conventions of 1949 (1977).
- ³⁸ Article 3 (Common) of the Geneva Conventions of 1949; Article 1 of Protocol II Additional to the Geneva Conventions of 1949 (1977).
- ³⁹ Article 2(2) of Protocol II Additional to the Geneva Conventions of 1949 (1977).

⁴⁰ Article 43(2) of Protocol I Additional to the Geneva Conventions of 1949 (1977). While it is noted that Iran is not a state party to Additional Protocol I; the Protocol is still a legitimate consideration in a consideration of whether the TSA s. 5(4) exemption applies.

⁴¹ Article 44(3) of Protocol I Additional to the Geneva Conventions of 1949 (1977).

⁴² Ibid.

⁴³ Article 43(1) of Protocol I Additional to the Geneva Conventions of 1949 (1977).

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Article 51(5)(b) of Protocol I Additional to the Geneva Conventions of 1949 (1977).

⁴⁷ Article 43(1) of Protocol I Additional to the Geneva Conventions of 1949 (1977).

⁴⁸ Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954; *ibid.* Article 52 of Protocol I Additional to the Geneva Conventions of 1949 (1977); Article 16 of Protocol II Additional to the Geneva Conventions of 1949 (1977).