

**PREMIER'S BRIEFING NOTE**

Policy

Tracking Folder No. TF/21/12287

Document No. DOC/21/131672

To: THE PREMIER  
Date: 8 JUL 2021  
Subject: Parliamentary Crime and Corruption  
Committee Five-Year Review of Crime and  
Corruption Committee's Activities

Approved / Not Approved / Noted  
Premier *15 advised* *15/7/21*  
Date *15/7/21*  
Date Action Required by: ...../...../.....  
Requested by: .....  
(if appropriate)

• RECOMMENDATION

It is recommended that you:

- **note** the information in this brief about the Parliamentary Crime and Corruption Committee's (PCCC) report on the five-year review of the Crime and Corruption Commission's (CCC) activities.

• KEY ISSUES

- The PCCC delivered its report on its five-year statutory review of the CCC on 30 June 2021 (the PCCC Review).
- The PCCC's report makes detailed findings across a range of issues, with 30 recommendations to improve the CCC's functions (**Attachment 1**).
- Significant findings and recommendations include:
  - o the Government to consider appointing under legislation the CCC Chairperson and Ordinary Commissioners for a single, non-renewable term, with a legislated maximum of seven years
  - o requiring the PCCC Chairperson to be a member of the Opposition and one PCCC member to be nominated by the Leader of the Opposition (by legislative amendment)
  - o requiring that at least two of the three Ordinary Commissioners have experience in community affairs, to address concerns the CCC is too legalistic (legislative amendment)
  - o clarifying the distinction between a CCC 'assessment' and 'investigation' (legislative amendment)
  - o reviewing the CCC's use of coercive powers, and disclosure of evidence obtained by the CCC in coercive or closed hearings
  - o the Government to consider allowing surveillance devices to be covertly placed in lawyers' homes and cars, not just their offices, and review other police legislation regarding surveillance device warrants
  - o introducing information-sharing protocols for the dissemination of information held by the CCC about the conduct of Members of Parliament
  - o reviewing the definition of money laundering
  - o enhancing the CCC's training and prevention functions to combat corruption
  - o addressing implications for the CCC from the *Human Rights Act 2019*.
- The three Opposition members of the PCCC signed a statement of reservation regarding the PCCC Review, which they say did not adequately respond to feedback raised in several submissions that the CCC should have 'funding independence' from Government, to ensure the impartiality of the CCC.

- Early media coverage of the PCCC Review has focused on the funding issues raised by Opposition members, as well as the CCC's governance arrangements, coercive powers, and human rights issues.

**Recommendations about processes used in 2019 investigation**

- The PCCC also resolved to incorporate into its 2021 five-year review the matters raised in the 2019 inquiry about allegations made against you and the former Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships, Ms Jackie Trad.
- No new findings are made regarding these matters, but the PCCC Review makes recommendations to improve the processes involved in those investigations, including what is included in media releases and how matters are referred to the Parliamentary Ethics Committee.

**PCCC review of CCC's handling of Logan City Council fraud allegations**

- The PCCC has resolved to investigate the concerns raised by the Local Government Association of Queensland about the conduct of the CCC in Logan City Council employment matters through a separate public inquiry and will report on these matters by 30 November 2021.

**Government response to the PCCC 2021 Review**


- Under the *Parliament of Queensland Act 2001* the Attorney-General must table a response to the report within three months of the report being tabled or, if a final response cannot be provided within this timeframe, an interim response must be tabled within three months and a final response within six months.
- It is understood that DJAG will be recommending that an interim response be provided by 20 September 2021, with the final response provided by 30 December 2021, given the breadth and complexity of the PCCC's recommendations, as well as the timing of the PCCC's related review on the CCC's handling of the Logan City Council matters.

**• CONSULTATION**

- Department of Justice and Attorney-General

**• BACKGROUND**

- The previous review of the CCC was finalised in June 2016 and made 29 recommendations. The PCCC Review recommends that three outstanding 2016 recommendations should no longer be pursued (14, 16, and 22) and was silent on the remaining five outstanding 2016 recommendations.

  
Rachel Hunter  
Director-General

Comments (Premier or DG)

**PREMIER'S BRIEFING NOTE**

Policy

Tracking Folder No. TF/21/12575  
Document No. DOC/21/132844

To: **THE PREMIER**  
Date: **9 JUL 2021**  
Subject: **Progress on Path to Treaty**

Approved / Not Approved / Noted  
Premier / CoS.....  
Date ...../.../.....  
Date Action Required by: ...../.../.....  
Requested by: .....  
(if appropriate)

**• RECOMMENDATION**

It is recommended that you:

- **sign** the letter (**Attachment 1**) to the Honourable Craig Crawford MP, Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships, advising that progressing the Path to Treaty is a Queensland Government priority and requesting he provide you with an implementation plan.

**• KEY ISSUES**

- In August 2020, the Queensland Government committed to a treaty making process with First Nations peoples in Queensland and accepted or accepted in-principle all recommendations from an Eminent Panel established to guide Queensland's Path to Treaty.
- The key recommendations of the Eminent Panel included:
  - o establishment of a First Nations Treaty Institute, including functions such as development of a treaty negotiation framework and capacity and readiness building of Aboriginal and Torres Strait Islander peoples and the broader community;
  - o establishment of a First Nations Treaty Future Fund;
  - o a truth telling and healing process.
- A Treaty Advancement Committee (TAC), co-chaired by Dr Jackie Huggins and Mr Mick Gooda, was established on 12 February 2021 to provide advice to the Queensland Government on options to implement the Eminent Panel recommendations on the Path to Treaty.
- Throughout 2021, the TAC has been engaging with Queensland communities on: Treaty consultations and the Queensland Government response to the Eminent Panel's recommendations; building broad community support for the Path to Treaty; and working on a report to the Queensland Government advising of options for implementation of the recommendations. The TAC is expected to deliver its report by August 2021.
- The 2021–22 Budget established a \$300 million Path to Treaty Fund, with an expected \$10 million per annum return on investment dedicated to supporting Queensland's Path to Treaty over the next 10 years.
- While treaty-making processes are complex and will take time, timely progress and a focus on maintaining momentum is important.
- While the specifics will be dependent on the advice from the TAC, the general process and expected timelines for progressing the next steps on the Path to Treaty should be known now, for example, Cabinet approvals to establish policy and legislation.

Action Officer: Marilyn Ooi  
Area: Social Policy  
Telephone: 300 39374

Approved by Mark Cridland, Deputy Director-General  
Policy Division  
Telephone: 300 39408 Approved on:

*[Signature]*  
9/7/21

R

**PREMIER'S BRIEFING NOTE**  
*Policy*

Tracking Folder No. TF/21/12575  
Document No. DOC/21/132844

- Accordingly, a letter to Minister Crawford is attached (**Attachment 1**) stressing the importance of timely action and requesting that he arrange for preparation of an implementation plan mapping out the process for your consideration.
- The implementation plan should include estimated timelines for Cabinet and Cabinet Budget Review Committee submissions, release of the Queensland Government response to the TAC report, and the legislative process to further the Path to Treaty.

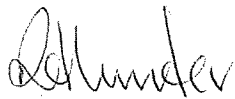
• **ELECTION / CABINET / PUBLIC COMMITMENTS**

- In 2020, the Queensland Government gave a commitment to establish a Treaty Advancement Committee (GEC 2062).

• **BACKGROUND**

- On 10 August 2020, the Queensland Government released the Treaty Statement of Commitment and response to recommendations made by the Eminent Panel set up on 22 August 2019 to guide conversations with Queenslanders around a treaty. Four recommendations were accepted, including establishment of the Treaty Advancement Committee, and 62 recommendations were accepted in-principle.

Comments (Premier or DG)



Rachel Hunter  
Director-General



Premier of Queensland  
Minister for Trade

For reply please quote: *Soc Pol/MO – TF/21/12575 – DOC/21/132846*

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The Honourable Craig Crawford MP  
Minister for Seniors and Disability Services and  
Minister for Aboriginal and Torres Strait Islander Partnerships  
[sdsatsip@ministerial.qld.gov.au](mailto:sdsatsip@ministerial.qld.gov.au)

Dear Minister

With the recent announcement of the \$300 million Path to Treaty Fund and the impending receipt of the report from the Treaty Advancement Committee (TAC), it is timely to consider the next steps in progressing the Path to Treaty.

As you know, Path to Treaty is a priority for the Government and it is important that we progress the process without delay. I am acutely aware that there is a lot to be done as Queensland moves towards a Treaty and I am keen to start mapping out the process as soon as possible.

While the advice from the TAC will guide the specific actions for the Path to Treaty, the process to set us on the pathway will remain the same. Accordingly, I request that you arrange for the preparation of an implementation plan for my consideration that steps out the process to be followed, including indicative timelines, for guiding us through the Cabinet and legislative and other implementation processes after we receive the TAC's advice in August 2021. This should also include a timeframe for publicly responding to the August TAC report.

I am aware that many Queenslanders, including Aboriginal and Torres Islander Queenslanders, have high expectations of us as a Government to make Treaty a reality for Queensland and it is important that we maintain momentum as we work through implementation.

I thank you and your Department for your work to date and ask that you ensure your Department continues to work closely with mine on this important issue.

Yours sincerely

**ANNASTACIA PALASZCZUK MP  
PREMIER OF QUEENSLAND  
MINISTER FOR TRADE**

**PREMIER'S BRIEFING NOTE**

Policy

Tracking Folder No. TF/21/13298

Document No. DOC/21/137061

To: THE PREMIER  
Date: 8 JUL 2021  
Subject: Intergovernmental Agreement on data sharing between Commonwealth and State and Territory governments

Approved / Not Approved / Noted
Premier / CoS..... <i>IMH</i> .....
Date <i>12.7.21</i>
Date Action Required by: ...../...../.....
Requested by: ..... (if appropriate)

• RECOMMENDATION

It is recommended that you:

- note you will be asked to sign the *Intergovernmental Agreement (IGA) on Data Sharing between Federal and State and Territory Governments* at the 9 July 2021 National Cabinet
- sign the IGA, when offered at National Cabinet.

*Sign by Premier at National Cabinet on 9/7/21 JAM 12/7.*

• KEY ISSUES

- At National Cabinet on 9 July 2021, you will be asked to sign the IGA on data sharing (**Attachment 1**). A hardcopy version of this document will be provided to you in the room for your signature.

Sch3(2)

- On 31 May 2021, Minister Enoch wrote to you advising she had provided support for the IGA on data sharing (**Attachment 2**) to the Data and Digital Ministers' Meeting out of session.

• BACKGROUND

- The IGA outlines the process with which jurisdictions can request and share data, with an underlying 'best endeavours' approach reflecting the non-legally binding nature of the agreement and limiting the potential resource burden from data sharing requests.
- The IGA does not contain funding or resource commitments. Jurisdictions will make sovereign decisions on resourcing, and use 'best endeavours' to allocate resources to data sharing priorities.
- The IGA incorporates safeguards to mitigate potential risks associated from data sharing such as the risk of misuse of the state's data. The Department of Communities, Housing and Digital Economy has indicated the safeguards in the IGA are sufficient to address issues previously canvassed to Queensland's Cabinet.
- The IGA will be supported by an 'opt out' Data Sharing Work Program which is currently in development.

*R Hunter*  
Rachel Hunter  
Director-General

Comments (Premier or DG)  
*Premier  
We will have a copy for you to sign in the room tomorrow. RH*

# Intergovernmental Agreement on data sharing between Commonwealth and State and Territory governments

An Agreement to share data across jurisdictions as a default position, where it can be done securely, safely, lawfully and ethically.

## Parties

This Agreement is between

- the Commonwealth of Australia; and
- the States and Territories, being
  - The State of New South Wales
  - The State of Victoria
  - The State of Queensland
  - The State of South Australia
  - The State of Western Australia
  - The State of Tasmania
  - The Australian Capital Territory
  - The Northern Territory of Australia.

## Preliminaries

Access to data is critical for policy, service delivery, and government decision making. Data held by one government can be valuable to another government in delivering its activities.

Responsibly, securely and seamlessly sharing data between governments is an efficient use of resources and will help drive economic value, innovation, improve services, and deliver better outcomes for Australians.

All jurisdictions agree to share data across jurisdictions as a default position, where it can be done securely, safely, lawfully and ethically. Data will be shared in accordance with established privacy standards.

Data sharing is occurring effectively in some areas and requires improvement in others. To maximise the benefits for all Australians, all governments will improve data sharing processes and practices between jurisdictions.

This Agreement builds on Data and Digital Ministers' efforts to share data, in support of targeting emergency and recovery measures during the pandemic. Data and Digital Ministers will continue their strategic oversight role in developing data sharing systems to improve outcomes for Australians.

Portfolio Ministers will remain responsible for data sharing activities within their portfolio responsibilities, and will collaborate with Data and Digital Ministers to identify and progress national priority data areas.

This Agreement governs the sharing of public sector data, which is data collected and held by Commonwealth, State and Territory governments.

## Operative provisions

The parties agree:

### 1. Objective and scope of this Agreement

- a) The objective of this Agreement is to improve outcomes for Australians by:
  - i) committing all governments to use best endeavours to share data between jurisdictions as a default position; where it can be done securely, safely, lawfully and ethically;
  - ii) focusing efforts on nationally significant data sharing priorities for the benefit of Australians; and
  - iii) reforming data sharing systems from design to delivery.
- b) Data will be shared in the public interest, for the purposes of:
  - i) informing policy decisions;
  - ii) designing, delivering, and evaluating programs;
  - iii) tracking implementation; and/or
  - iv) improving service delivery outcomes.
- c) This Agreement recognises data as a shared national asset. All jurisdictions commit to maximising the value of data to deliver outstanding policies and services for Australians.

### 2. Interpretation

- a) This Agreement establishes national data sharing priorities and also seeks to improve business as usual data sharing.
- b) The mechanism for identifying and monitoring national priority data areas is set out at Schedule A to this Agreement.
- c) Default data sharing refers to the expectation governments will work collaboratively, be responsive to data requests and share data unless there is a legitimate reason not to (see Schedule B).



- d) Data types in scope of this Agreement include the following, where sharing is permitted by or under law:
  - i) Routine administrative data (de-identified and aggregated) which informs policy, program and service design, delivery, and other business as usual government functions;
  - ii) Statistics and reference data, including metadata;
  - iii) De-identified and identifiable data for response and recovery purposes for emergencies, and natural and other disasters and hazards;
  - iv) Identifiable data for joined up services shared with customer consent;
  - v) De-identified and identifiable data for data integration projects and cohort needs analysis; and
  - vi) Data and information which supports existing intergovernmental agreements where needed.
- e) This Agreement is not intended to create legal relations between the Parties. Notwithstanding this, the Parties intend to comply with all provisions in this Agreement.
- f) This Agreement should be read in conjunction with, and does not override or supersede, all relevant and related legislative obligations, agreements, frameworks and policies.

### 3. Guiding principles for this Agreement

- a) Value – The use and re-use of public sector data will be optimised through sharing by default between jurisdictions, in a way that promotes reciprocity and mutual benefit;
- b) Quality – Cooperate to improve data quality and ability to derive insights, with best endeavours to ensure data is reliable, robust, verifiable and fit-for-purpose;
- c) Secure – Appropriate standards of privacy and security will be upheld to protect shared data to ensure individual and commercial confidentiality and national security;
- d) Trusted – Jurisdictions will build trust with Australians when sharing data by adhering to the Data and Digital Ministers’ Trust Principles (Schedule C);
- e) Ethical – Appropriate standards of ethics will be applied when sharing data, including that sharing is in the public interest;
- f) Lawful – Data sharing has a legal basis, with due diligence undertaken and legal and policy requirements upheld;
- g) Pragmatic – Parties adopt a practical approach to data sharing, recognising all jurisdictions retain decision-making rights on sharing data under the Agreement, including on cost, benefit and risk assessments;
- h) Discoverable – Parties recognise the benefits of new data sharing and data management systems supporting discoverability, interoperability, data and information accessibility, and cost effective access to data;
- i) Enabling – Parties recognise the benefits of shared infrastructure and practices to enable data sharing;
- j) Contemporary methods – Where required, and possible, shared data will be made available in real time through automated processes, Application Programming Interfaces (APIs) and secure data access environments; and

- k) Accountable – Any decision to decline access to data (non-exhaustive examples are outlined in Schedule B) must be clearly articulated, well substantiated and communicated to the requester as a priority, and as soon as practicable.

#### 4. Governance

- a) Data and Digital Ministers will:
  - i) oversee implementation of this Agreement;
  - ii) seek advice from senior officials and relevant Portfolio Ministers to identify national priority data areas for the National Data Sharing Work Program (Work Program, see Schedule A);
  - iii) maintain the Work Program to ensure strong action is taken to address national priority data areas and reform initiatives for data sharing, provide it to National Cabinet on request (in accordance with Schedule A), and assess performance against the Work Program;
  - iv) Seek advice from their senior officials on implementation of this Agreement and Work Program and task senior officials as necessary to give effect to this Agreement;
  - v) assess the effectiveness of this Agreement and the Work Program; and
  - vi) issue guidance to support implementation, including on the Agreement's interactions with other data sharing initiatives as needed.
- b) Commonwealth, State and Territory Portfolio Ministers will:
  - i) collaborate with Data and Digital Ministers to identify and progress national priority data areas for data sharing; and
  - ii) advance and action data sharing activities within their portfolio responsibilities.
- c) This Agreement will not override or supersede the data sharing provisions of other formal intergovernmental agreements or memoranda of understanding, which will remain the responsibility of the lead Portfolio Ministers for those agreements.

#### 5. Roles and responsibilities

The Parties to this Agreement have the following roles and responsibilities to:

- a) where possible, use this Agreement to facilitate cross-jurisdictional data sharing;
- b) share data in accordance with the Data Sharing Principles (see Schedule D);
- c) guide data requesters and data custodians to meet the minimum information requirements (see Schedule E);
- d) use best endeavours to allocate adequate resources to data sharing priorities identified in the Work Program and business as usual data sharing, acknowledging each jurisdiction will make sovereign decisions on resourcing;
- e) identify and remove restrictions unnecessarily impeding lawful data sharing, including potential regulatory and administrative barriers;
- f) respond to government requests for data access in a consistent and timely manner;

- g) ensure that relevant Commonwealth, state and territory protective security requirements continue to apply to any Commonwealth, state and territory information shared under this Agreement; and
- h) ensure any shared identifiable data is handled in accordance with applicable Commonwealth, state and territory privacy laws, including the *Privacy Act 1988* (Cwth).

The Commonwealth has responsibility for:

- i) the operation of the Agreement within the Australian Public Service; and
- j) the design and oversight of nationally consistent data sharing policy.

The States and Territories have responsibility for:

- k) the operation of the Agreement within their jurisdictions; and
- l) working with other jurisdictions to identify and align common data requests where appropriate.

## 6. Commencement

This Agreement will commence as soon as the Agreement is signed by the Commonwealth and one other jurisdiction and will operate for all signatories unless revoked by the Parties.

## 7. Review of this Agreement

Two years after commencement, Data and Digital Ministers will undertake a review of this Agreement to assess the effectiveness and efficiency of national data sharing activity, performance against objectives in this Agreement, and its value in improving government services delivered to Australians. The review will determine whether amendments to this Agreement are required.

## 8. Variation/Amendment

This Agreement may be amended at any time by the unanimous decision of Parties. Any amendment must be made in writing and executed by Parties and will include the date on which the amendment will come into force.

## 9. Delegation

Data and Digital Ministers are authorised to amend Schedules to this Agreement.

## 10. Withdrawal

A Party may withdraw from this Agreement by sending written notice to all other Parties. The withdrawal will become effective three months after the notice was sent. A Party may revoke its withdrawal at any time prior to it becoming effective. If a Party withdraws from this Agreement, this Agreement will continue in force with respect to the remaining Parties.

## 11. Dispute resolution

Any Party may give notice to other Parties of a dispute under this Agreement. Officials of relevant Parties will take action to resolve any dispute in the first instance.

If a dispute related to a national priority data area (as agreed in the Work Program) cannot be resolved by officials, it may be escalated to Data and Digital Ministers. Data and Digital Ministers may seek external expertise to inform their advice.

## 12. Definitions

- a) Application Programming Interfaces (APIs)
- A tool that allows developers and product teams to re-use parts of existing systems when designing and building new products.
- Used to build services across government that talk to each other and provide access to data or functionality in ways that are secure, and efficient.
- b) Best endeavours
- The mutual obligation of all jurisdictions to work together in good faith to meet the intent and spirit of the Agreement, whilst acknowledging the right of each jurisdiction to make decisions in their best interests.
- c) Data de-identification
- Personal information is de-identified if the information is no longer about an identifiable individual or an individual who is reasonably identifiable.
- d) Data and Digital Ministers Meeting (DDMM)
- The regular, ongoing meeting of Commonwealth and state and territory Ministers with responsibility for data and digital matters under Australian federal relations architecture.
- e) DDMM National Data Sharing Work Program
- The Work Program which supports this Agreement by documenting national data sharing priorities.
- f) Identifiable data
- Data consisting of personal information, where an individual is identified or reasonably identifiable.
- g) Metadata
- Information about how data is defined, structured and represented.
- h) National priority data areas
- A data sharing proposal or topic which meets the eligibility criteria at Schedule A.
- i) Public interest
- Activities that have a consideration of the potential benefits and risks to the economy, public health, the environment, and overall social wellbeing. The evaluation also has to pay attention to the risks and benefits for individuals and businesses as well as population groups, including vulnerable communities.
- j) Public sector data
- Data that is collected, created or held by a Commonwealth, State or Territory Government, or on its behalf.
- k) Social licence
- Broad public acceptance and/or ongoing approval of an activity.

# Signatures

The Parties have confirmed their commitment to this Agreement as follows:

*Signed for and on behalf of the Commonwealth of Australia by*

\_\_\_\_\_  
**The Honourable Scott Morrison MP**  
Prime Minister of Australia

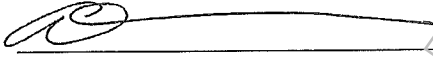
Date

*Signed for and on behalf of the State of New South Wales by*

\_\_\_\_\_  
**The Honourable Gladys Berejiklian MP**  
Premier of New South Wales

Date

*Signed for and on behalf of the State of Queensland by*

  
\_\_\_\_\_  
**The Honourable Anastacia Palaszczuk MP**  
Premier of Queensland

Date 9.7.21

*Signed for and on behalf of the State of South Australia by*

\_\_\_\_\_  
**The Honourable Steven Marshall MP**  
Premier of South Australia

Date

*Signed for and on behalf of the Australian Capital Territory by*

\_\_\_\_\_  
**The Honourable Andrew Barr MLA**  
Chief Minister of the Australian Capital Territory

Date

*Signed for and on behalf of the State of Victoria by*

\_\_\_\_\_  
**The Honourable Daniel Andrews MP**  
Premier of Victoria

Date

*Signed for and on behalf of the State of Western Australia by*

\_\_\_\_\_  
**The Honourable Mark McGowan MLA**  
Premier of Western Australia

Date

*Signed for and on behalf of the State of Tasmania by*

\_\_\_\_\_  
**The Honourable Peter Gutwein MP**  
Premier of Tasmania

Date

*Signed for and on behalf of the Northern Territory by*

\_\_\_\_\_  
**The Honourable Michael Gunner MLA**  
Chief Minister of the Northern Territory

Date

## Schedules:

- A. Mechanism to develop the National Data Sharing Work Program
- B. Examples of legitimate reasons to decline a data request
- C. Data and Digital Ministers' Trust Principles
- D. Data Sharing Principles
- E. Data request minimum information requirements

Released under RTI - DPC

# Schedule A – Mechanism to develop the National Data Sharing Work Program

## 1. Purpose

The purpose of this Schedule is to identify how specific timelimited national priority data areas will be agreed for focused national effort.

## 2. Eligibility criteria

A national priority data area may be added to the Work Program if it meets each of the following criteria:

- a) It is a national strategic priority, including for example consideration by National Cabinet or a Ministers' Meeting;
- b) Public benefit (or a public cost to be reduced or removed) outweighs the costs and risks of sharing;
- c) There are current barriers preventing or limiting effective data sharing which requires a cross-jurisdictional response; and
- d) The nomination is endorsed by a minimum of one Commonwealth portfolio Minister and a relevant portfolio Minister from at least two States and/or Territories.

## 3. Prioritisation process

- a) Data and Digital Ministers will seek advice from responsible Portfolio Ministers from all jurisdictions to seek the nomination of national priority data areas for the Work Program.
- b) Data and Digital Ministers will apply the eligibility criteria to determine the forward Work Program.
- c) Data and Digital Ministers reserve the right to decide not to add a nominated national priority data area to the Work Program and may apply additional eligibility criteria to national priority data area nominations as required.
- d) Deliverables and timeframes for each national priority data area will be identified in the Work Program.

## 4. Progress and review

- a) Where multiple Portfolio Ministers are responsible for a national priority data area, multiple data sharing agreements may be used to initiate and progress data sharing.
- b) Portfolio Ministers, with support from Data and Digital Ministers as needed, will identify key projects under each priority data area.
- c) Data and Digital Ministers will review Work Program progress every six months in consultation with Portfolio Ministers.
- d) Resolved priorities will be removed from the Work Program.

## 5. Opt-out process

- a) Any jurisdiction may decide to opt-out of, or withdraw, their participation in any individual national priority data area in the Work Program.

- b) The relevant Portfolio Minister should notify Data and Digital Ministers of the decision and outline the reasons for it in writing.
- c) Participating jurisdictions for each national priority data area will be noted in the Work Program.

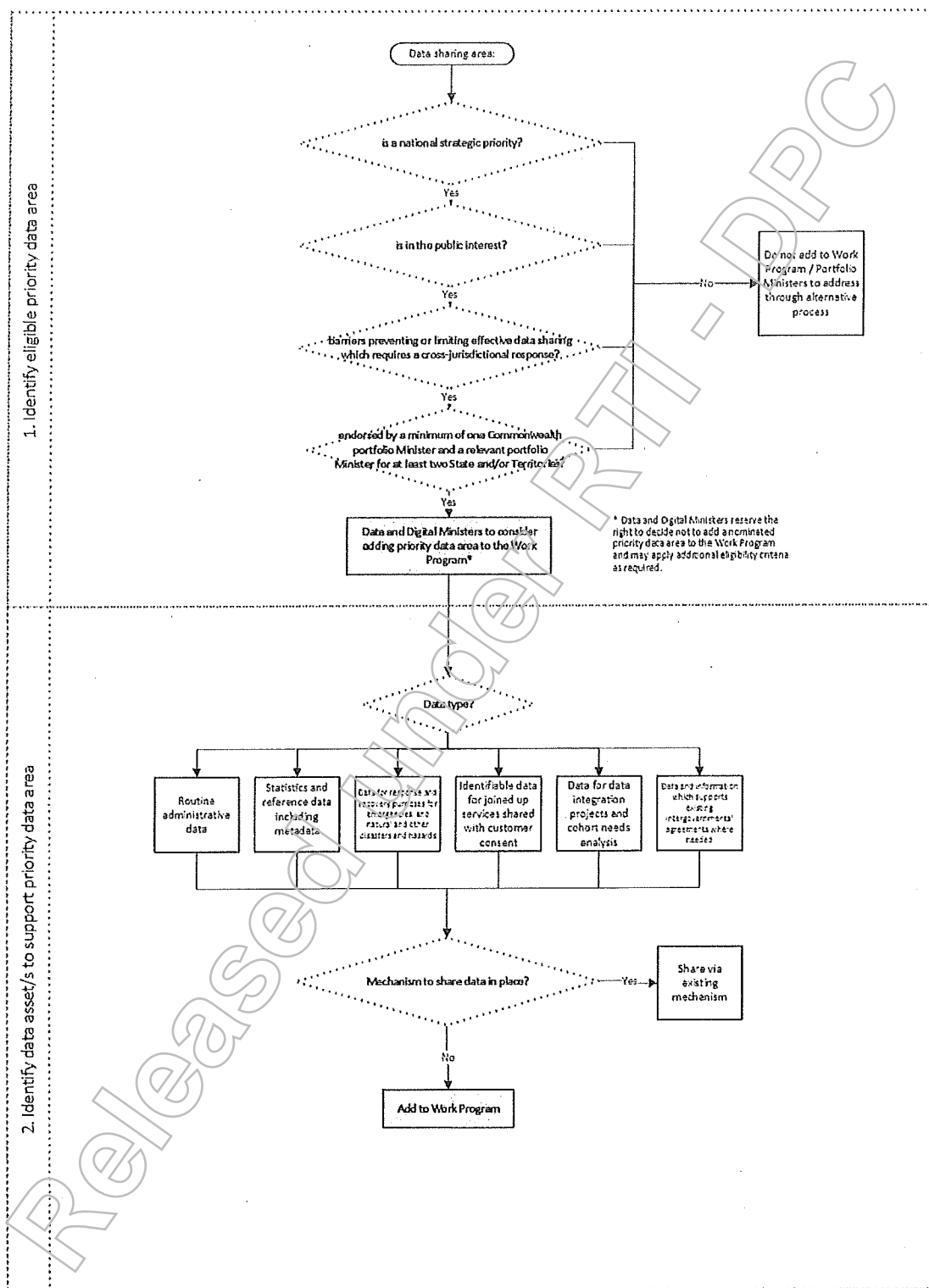
#### 6. System reforms

Based on lessons learnt through the COVID-19 period, the Commonwealth and States and Territories have identified foundational reform activities required to support better data sharing and continued improvements in data maturity. These reform activities will be built into the Work Program.

Released under RTI - DOC



## 7. Work Program prioritisation flowchart



## Schedule B – Examples of Legitimate Reasons to Decline a Data Request

A legitimate reason to decline a data request includes where the sharing would, or could reasonably be expected to:

- contravene a law (such as a privacy or data protection obligation or a secrecy provision), contractual obligation or right (such as intellectual property rights), legal professional privilege or equitable obligation of confidence, an order of a court or tribunal;
- prejudice an investigation, inquiry or legal proceeding; or
- be likely to endanger an individual's health, safety or wellbeing.

A request may also be refused if:

- the requested data is readily available through other sources (e.g. is published)
- the requested data is not collected or does not exist in a sharable form;
- the proposed sharing arrangement does not satisfy the Data Sharing Principles (under Schedule D); or
- sharing is inappropriate from a data ethics and social licence perspective, despite the proposed public interest.

These reasons are not exhaustive and Parties may consider other sensitivities or obligations that prevent from data being shared.

Where resourcing is a genuine constraint, Parties agree to use best endeavours to determine how resourcing should be dealt with in light of the proposed public interest.

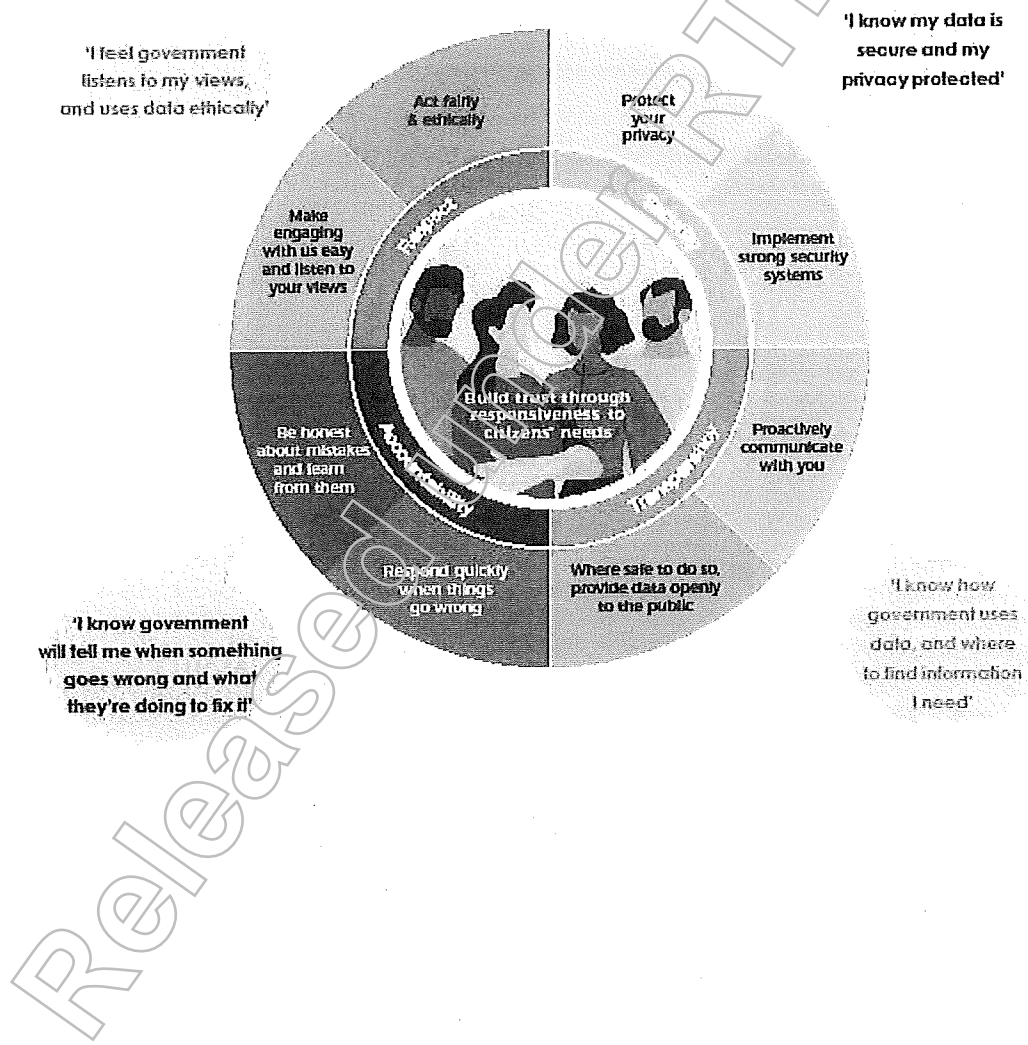
The 'responsibility to share' is also found in the National Best Practice Guide to Applying Data Sharing Principles published by the Office of the National Data Commissioner.

# Schedule C – Data and Digital Ministers Meeting’s Trust Principles

To make sure citizens’ needs are front of mind and governments earn the trust of Australians when sharing data, jurisdictions will observe the Data and Digital Ministers’ agreed Trust Principles. There are four principles, containing eight commitments.

These principles and their associated commitments will govern data sharing under this intergovernmental agreement and the Work Program.

Baseline request and response requirements will describe how Trust Principles and Commitments will be met (see Schedule E).



## Schedule D – Data Sharing Principles

The Parties agree to apply the Office of the National Data Commissioner (ONDC) Best Practice Guide to Applying Data Sharing Principles, as updated from time to time.

The Data Sharing Principles are based on the Five Safes Framework, which is an internationally recognised approach to disclosure risk management.

The five Data Sharing Principles are:

- a) Project – data is shared for an appropriate purpose that delivers a public benefit.
- b) People – the user has the appropriate authority to access the data.
- c) Settings – the environment in which the data is shared minimises the risk of unauthorised use or disclosure.
- d) Data – Appropriate and proportionate protections are applied to the data.
- e) Outputs – the output from the data sharing arrangement is appropriately safeguarded before further sharing or release.

Different levels of controls should be applied under each of the principles depending on the context of the data sharing and its sensitivity.

## Schedule E – Data request minimum information requirements

The following minimum information requirements will assist data requesters and custodians to make and action data requests, and identify appropriate controls using the Data Sharing Principles in Schedule D.

A data sharing agreement can be used to ensure the arrangement is appropriately authorised and governed. A data sharing agreement should always be used where identified data or de-identified data is proposed to be shared.

Data type	Requester information requirements	Custodian information provision
Routine administrative data (de-identified and aggregated)  Statistics and reference data  Emergency data (de-identified and identifiable)  Identifiable data for joined up services  Data and information to support existing IGAs	<b>Baseline request requirements</b> <ul style="list-style-type: none"> <li>Confirmation requested data is not readily available from other sources</li> <li>Contact information of parties to the data request</li> <li>Purpose(s) for use of data, with use case examples</li> <li>Intended public interest from purported use</li> <li>Data breakdown (e.g. variables needed by geography, cohort), where known</li> <li>Timing information - dataset time periods, duration of need, critical delivery date</li> <li>Advice on intended outputs</li> <li>Advice on how DDMM Trust Principles (Schedule C) will be met under the data request</li> <li>Proposed data transfer mechanism and security</li> <li>Proposed data storage and access arrangements</li> <li>Anticipated internal and external users, and on-sharing requirements</li> <li>Data archiving and disposal plan</li> </ul>	<b>Baseline response requirements</b> <ul style="list-style-type: none"> <li>Contact information for data custodian and data request approval processes</li> <li>Advice on any legislative requirements relevant to the data request</li> <li>Advice on the need for a Privacy Impact Assessment and/or a Security Impact Assessment</li> <li>Advice on the need for formal ethics approval</li> <li>Advice on dataset characteristics, including variables collected and any available metadata and definitions</li> <li>Advice on how DDMM Trust Principles (Schedule C) will be observed in meeting the data request</li> <li>Timeframe for approval and access</li> <li>Advice on permissible and non-permissible uses of shared data</li> <li><i>(If the data request is rejected)</i> Reasoning for decision</li> </ul>
Data for integration projects and cohort needs analysis (de-identified and identifiable)	<b>Baseline request requirements plus:</b> <ul style="list-style-type: none"> <li>+ Endorsement from an accredited integration authority/accredited data service provider</li> <li>+ Evidence of engagement with affected communities (optional)</li> </ul>	Baseline response requirements



Minister for Communities and Housing  
Minister for Digital Economy  
Minister for the Arts

Our reference: MN03479-2021

31 MAY 2021

The Honourable Anastacia Palaszczuk  
Premier and Minister for Trade  
thepremier@premiers.qld.gov.au

1 William Street  
Brisbane Queensland  
GPO Box 506 Brisbane  
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T: +617 3719 7170  
E: communitiesandhousing@ministerial.qld.gov.au

Dear Premier

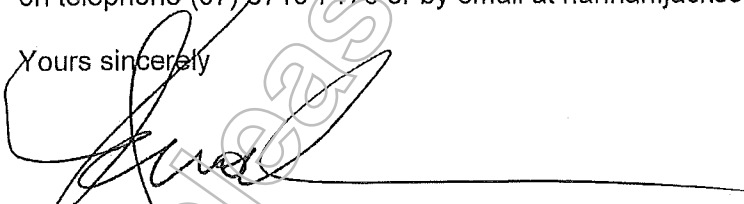
I am writing to provide you with an update on the Intergovernmental Agreement (IGA) on Data Sharing, as committed to by National Cabinet in April 2021.

Sch3(2)

The IGA will support Queensland Government agencies to discover and access a greater range of cross-jurisdictional data that can be used to advance the policy objectives of the State. I look forward to keeping you updated on the progress and outcomes of the IGA and Work Program

If your office requires further information, please contact my Chief of Staff, Ms Hannah Jackson, on telephone (07) 3719 7170 or by email at hannah.jackson@ministerial.qld.gov.au.

Yours sincerely

  
Leeanne Enoch MP  
Minister for Communities and Housing  
Minister for Digital Economy and Minister for the Arts

Encl. (Attachment 1 – Copy of letter to DDMM Chair)

PREMIER'S BRIEFING NOTE

Policy

Tracking Folder No. TF/21/13560

Document No. DOC/21/140695

To: THE PREMIER  
Date: 14 JUL 2021  
Subject: Options to recognise and honour the achievement of women in Queensland

Approved / Not Approved / Noted  
Premier / CoS.....  
Date 23/8/21.....  
Date Action Required by: ...../...../.....  
Requested by: .....  
(if appropriate)

• RECOMMENDATION

It is recommended that you:

- **approve** the public release of Consultation for a new Queensland Women's Strategy Discussion Paper (Discussion Paper) consulting on a new Queensland Women's Strategy beyond 2021 (**Attachment 1**)
- **note** the options to publicly recognise the achievements of women and girls that have been proposed by the department
- **sign** the letter to the Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence, the Honourable Shannon Fentiman MP (**Attachment 2**), requesting that the Discussion Paper canvases options to broaden the recognition of the achievements of women and girls for inclusion in the new Queensland Women's Strategy, to be released by the end of 2021.

• KEY ISSUES

- On 9 July 2021, the Attorney-General wrote to you (**Attachment 3**) seeking approval to release a Discussion Paper for consultation on a new Queensland Women's Strategy.
- The Discussion Paper notes gender inequality continues to persist across women's economic security, leadership, social participation, safety and wellbeing, and seeks responses to questions to inform the Queensland Women's Strategy beyond 2021.
- The Discussion Paper identifies Queensland Government achievements and actions to achieve gender equality under the current *Queensland Women's Strategy 2016-21* and notes recent changes to ensure more women and girls are recognised in public spaces through monuments and memorials on State land.

Government Framework for memorials and recognition of women

- On 8 September 2020, an e-petition was tabled which called for a law to be created 'that requires 50 per cent of statues, pictures and plaques in public places in Queensland to depict real women' (**Attachment 4**).
- On 11 December 2020, the Attorney-General wrote to you enclosing her formal response to the petition and proposing that a review of the *Queensland Government Framework for Considering Proposals to Establish Memorials and Monuments of Significance* (the Framework) to consider how it remains consistent with the Queensland Government's commitment to diversity and inclusion (**Attachment 5**).
- In March 2021, you responded to the Attorney-General (**Attachment 6**), approving amendments to the Framework (**Attachment 7**) to require submissions for a proposed monument or memorial to consider 'inclusion and diversity principles'.
- In March/April 2021, the Attorney-General wrote to all Queensland Mayors to encourage local governments to commit to improving gender representation and diversity in public spaces, with several Mayors from the regions expressing an interest in being involved (**Attachment 8**).
- To facilitate the above, in June 2021, the Attorney-General again wrote to Mayors (**Attachment 9**) advising them that Gambling Community Benefit Fund (GCBF) grants have been increased from \$35,000 to \$100,000 from 2022, and that the 'Investing in Queensland Women' grants also support community groups across Queensland to develop and deliver initiatives that align with the Queensland Government's strategic priorities for women and girls.

Action Officer: Bernice Manickam  
Area: Social Policy  
Telephone: s73(2) irrelevant

Approved by Mark Cridland, Deputy Director-General  
Policy Division  
Page 85  
Telephone: 300 39408 Approved on: 13/7/21

R

Broadening options for recognising women's achievements


- Given the limitations in the Framework regarding the people who can nominate or be considered under it, the Department of the Premier and Cabinet (DPC) considers a broader range of options could be considered to recognise women's achievements and this could be implemented as part of the refreshed Queensland Women's Strategy.
- Further, recognition through establishing memorials and monuments is likely to be more costly than other options, and not necessarily the preferred form of recognition.
- Options for recognition could include public art, plaques, gardens or the naming of public spaces after significant women, for example:
  - o roads, bridges, bikeways, walkways, pathways in hospitals and universities
  - o facilities and buildings (including jetties, pontoons, park and ride facilities, community halls, ovals, pavilions, courts and university facilities)
  - o parks, gardens and reserves.
- Further options and considerations could include: conducting public activities and programs in honour of particular individuals or groups of women – for example, a walk, with small plaques that identify particular individuals and actions of women; an annual portrait prize honouring Queensland women (akin to the Archibald Prize); the sponsoring of a media award highlighting issues affecting women, or showcasing other cultural activities, such as music events and plays (with or without a competition for best play or musical score about Queensland women).
- Your response to the Attorney-General approves the Discussion Paper, subject to stakeholder views also being sought on options to publicly recognise the achievements of women and girls for inclusion in the new Queensland Women's Strategy.

Implementation of broader options

- GCBF and the Investing in Queensland Women grants program identified by the Attorney-General could be promoted as options to access funding to support community initiatives that recognise women more broadly.
- Guidelines for assessing proposals to recognise women will need to be developed in consultation with local councils and relevant mainstream agencies, as there are a number of existing processes and naming conventions.
- In consultation with the Office of Women, a page on [www.premiers.qld.gov.au](http://www.premiers.qld.gov.au) could provide community information on how applicants can submit proposals to recognise women and funding options under the new Queensland Women's Strategy.

**• CONSULTATION**

- Strategy and Engagement, DPC.



Rachel Hunter  
Director-General

**Comments** (*Premier or DG*)





Premier of Queensland  
Minister for Trade

For reply please quote: SocPol/BM – TF/21/13560 – DOC/21/140696  
Your reference: 595746/1, 5661601

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Email ThePremier@premiers.qld.gov.au  
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28 July 2021

The Honourable Shannon Fentiman MP  
Attorney-General and Minister for Justice,  
Minister for Women and  
Minister for the Prevention of Domestic and Family Violence  
attorney@ministerial.qld.gov.au

Dear Attorney-General

Thank you for your letter of 9 July 2021 seeking approval to release a Discussion Paper for consultation on a new Queensland Women's Strategy beyond 2021.

I would like to acknowledge and thank you for the work you are progressing with Mayors throughout Queensland encouraging local governments to improve representation and diversity in public spaces, especially to recognise the representation of women and girls in memorials and monuments in Queensland.

While I support the release of this Discussion Paper Sch3(2)

I would like to request that further options for public consultation are included in the Discussion Paper.

The amendments I made to the *Queensland Government Framework for Considering Proposals to Establish Memorials and Monuments of Significance* are intended to increase the representation of women and girls in memorials and monuments in Queensland. However, I think the next Queensland Women's Strategy provides a distinct opportunity to build on this work and provide other platforms to recognise the achievements of Queensland women and girls.

I consider there are a range of options to publicly recognise and honour the achievements of significant women in Queensland, including public art, plaques, gardens, or the naming of public spaces after significant women, such as roads, bikeways, bridges, facilities (jetties, pontoons, park and ride facilities), parks, gardens and reserves.

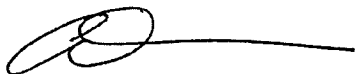
Further options could include conducting public activities and programs in honour of particular individuals or groups of women. There are a range of ways we could do this, for example a walk, with small plaques that identify particular individuals and actions of women, an annual portrait prize honouring Queensland women (akin to the Archibald Prize), sponsoring of a media award to shine a light on issues affecting women or recognise the cultural contributions of women, including through music, events and theatre.

As part of your work in consulting on the new Queensland Women's Strategy, I ask that you incorporate options into the Discussion Paper seeking views on how we can best publicly acknowledge and recognise significant women's contribution to the community. In this regard, I appreciate your department's continued collaboration with my department on this important work.

Subject to the outcomes of consultation, I would appreciate your including the preferred options and actions identified for increasing the public recognition of women in the new Queensland Women's Strategy. I look forward to Sch3(2)  
 and the next Queensland Women's Strategy.

Again, thank you for your commitment to advocating for gender equality and to making a positive difference to the lives of women and girls in Queensland.

Yours sincerely



**ANNASTACIA PALASZCZUK MP  
PREMIER OF QUEENSLAND  
MINISTER FOR TRADE**

Released under RTI - DRG



Attorney-General and Minister for Justice  
Minister for Women and Minister for the Prevention of  
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Our ref: 595746/1, 5661601

9 JUL 2021

The Honourable Anastacia Palaszczuk MP  
Premier and Minister for Trade  
Member for Inala  
[thepremier@premiers.qld.gov.au](mailto:thepremier@premiers.qld.gov.au)

Dear Premier

I seek your approval for the release of a Discussion Paper for consultation on a new Queensland Women's Strategy (QWS).

I am delighted to again have responsibility for driving the QWS 2016-21 which I was proud to release in my previous term as Minister for Women. While great progress has been made under the QWS, it is now time to consult with the women and girls of Queensland to identify priority areas for action as we respond to the new health, economic and social conditions brought about by the COVID-19 pandemic (the pandemic).

I would like to commend you for the work you have done through raising the issue of gender inequality at a national level. Tackling gender inequality requires the commitment of all levels of Australian Governments and it is great to see Queensland leading that commitment. I look forward to collaborating with you on the proposed Women's Summit later this year.

As highlighted in the recently released 2020 Gender Equality Report Cards, examples of gender inequality persist, predominantly in the areas of economic security and safety. For example, women, compared with men, continue to be more likely to work part-time, have lower superannuation in every age group, and represent most primary carers and the majority of public rental housing tenants. Women also remain more likely than men to be killed by a partner and to be victims of sexual assault in all age groups. Emerging evidence shows the pandemic has exposed and exacerbated many of these trends.

The recently released Queensland Budget 2020-21 Women's Budget Statement contains numerous measures to help women overcome these inequalities and support their economic participation and resilience. It has never been more important to focus on supporting women and promoting and protecting their rights, interests and wellbeing. We need to seize the opportunity to build a stronger future for Queensland with women front and centre of our plans.

I also propose to establish an informal advisory group to assist in promotion and value-adding to consultation activities, review and analysis of consultation feedback; and provide feedback on development of the new strategy. Please find enclosed a list of the proposed representative groups.

(2)

I am confident all sectors of the Queensland community will provide valuable feedback for incorporation into a new QWS that will continue our work towards achieving gender equality and ending all types of violence against women in Queensland.

If your officers have any questions in relation to the above, I invite them to contact my Acting Chief of Staff, Michael Kely, on (07) 3719 7400 or at [michael.kely@ministerial.qld.gov.au](mailto:michael.kely@ministerial.qld.gov.au).

Yours sincerely



**Shannon Fentiman MP**

Attorney-General and Minister for Justice

Minister for Women and Minister for the Prevention of Domestic and Family Violence

Member for Waterford

Enc.

Released under RTI - DP

Proposed invitees to participate on the QWS Consultation Advisory Group

Non-government Organisations	Representative / contact details
National Aboriginal and Torres Strait Islander Women's Alliance	Sandra Creamer, CEO ceo@natsiwa.org.au www.natsiwa.org.au
Of One Mind	Cathy Hunt Executive Producer - WOW Australia cathy@wowaustralia.com.au
Queensland Rural Regional and Remote Women's Network	Tracey Martin President QRRRWN president@QRRRWN.org.au s73(2) irrelevant
QCOSS	Aimee McVeigh. CEO aimee@qcross.org.au
NAWIC	Ms Sheree Taylor, President National Association of Women in Construction Queensland or Ms Penny Cornah, Vice President penny.cornah@mpaq.com.au NAWIC Queensland
YWCA	Michelle Phillips CEO yes2026@ywca.org.au Brisbane 07 3230 3410
Multicultural Australia	Christine Castley Chief Executive Officer Brisbane Multicultural Centre 28 Dibley Street Woolloongabba QLD 4102 07 3337 5400
QCU	Jacqueline King Assistant General Secretary 16 Peel Street South Brisbane QLD 4101
Queenslanders with Disability Network	Paige Armstrong Chief Executive Officer 338 Turbot Street Spring Hill QLD 4000
Techgirls Movement Foundation	Dr Jenine Beekhuyzen OAM info@techgirlsmovement.org PO Box 8167 Sunnybank Queensland 4019

Queensland LGBTIQ Roundtable nominee	Via the Secretariat, Department of Communities, Disability and Seniors <a href="mailto:LGBTI@communities.qld.gov.au">LGBTI@communities.qld.gov.au</a>
Women's Health Queensland	Emma Iwinska Chief Executive Officer <a href="mailto:Emmal@womenshealth.org.au">Emmal@womenshealth.org.au</a>
YFS	Nadia Saeed R4Respect Youth Ambassador s73(2) irrelevant
Queensland Women in Business	Karen Phillips, Executive Director <a href="mailto:ed@wibaa.com.au">ed@wibaa.com.au</a>
AI Group	Rebecca Andrews <a href="mailto:Rebecca.andrews@aigroup.com.au">Rebecca.andrews@aigroup.com.au</a>
CCIQ	Amanda Rohan General Manager <a href="mailto:arohan@cciq.com.au">arohan@cciq.com.au</a>
Deloitte	Natasha Doherty Partner <a href="mailto:ndoherty@deloitte.com.au">ndoherty@deloitte.com.au</a>

Released under RTI - DPC





Attorney-General and Minister for Justice  
Minister for Women and Minister for the Prevention of  
Domestic and Family Violence

11 DEC 2020

Our ref: 595721/1; 5449265

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Email [attorney@ministerial.qld.gov.au](mailto:attorney@ministerial.qld.gov.au)

The Honourable Anastacia Palaszczuk MP  
Premier and Minister for Trade  
PO Box 15185  
CITY EAST QLD 4002  
[Premier@ministerial.qld.gov.au](mailto:Premier@ministerial.qld.gov.au)

Dear Premier

I am writing to you in relation to the representation of women in Queensland's memorials and monuments.

As you may be aware, on 8 September 2020 an e-petition, initiated by eight-year-old Malia Knox, was tabled in the Legislative Assembly calling for stronger representation of women and girls in public spaces in Queensland and Australia. Specifically, the petition, which received 791 signatures, called for the development of a law requiring 50 per cent of statues, pictures and plaques in public places in Queensland to depict real women and claimed that there are currently only three statues of real women in Brisbane (Petition 3351-20). My formal response to the petition was tabled on 8 December 2020 (**enclosed**).

As foreshadowed in my response to the petition, I am writing to propose that a review be undertaken of the *Queensland Government Framework for Considering Proposals to Establish Memorials and Monuments of Significance* (Framework) and consider how the Framework, and its operation remain consistent with this Government's commitment to diversity and inclusion. In particular, the review could consider options to ensure that our public memorials and monuments are contemporary and reflect the communities we live in.

This is an opportunity to build on this Government's already strong record in relation to diversity and inclusion as evidenced by the achievement of the target of 50 per cent representation of women on Government Bodies, our work towards ending domestic and family violence in Queensland, and our ongoing implementation of the *Queensland Women's Strategy 2016-21*.

I know you share my commitment to diversity, and I look forward to working closely with you towards our vision of promoting and protecting the rights, interests and wellbeing of all Queenslanders.

If you require any further information or assistance in relation to this matter, please do not hesitate to contact my Chief of Staff, Laura Fraser Hardy on 07 3719 7400.

Yours sincerely

**Shannon Fentiman MP**  
Attorney-General and Minister for Justice  
Minister for Women and Minister for the Prevention of Domestic and Family Violence

Enc.





Attorney-General and Minister for Justice  
Minister for Women and Minister for the Prevention of  
Domestic and Family Violence

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Our ref: 595721/1; 5432119

Your ref: A600539

8 DEC 2020

Mr Neil Laurie  
Clerk of the Parliament  
Parliament House  
Cnr of George and Alice Streets  
BRISBANE QLD 4000

Dear Mr Laurie

I refer to Petition 3351-20 tabled in the Legislative Assembly on 8 September 2020 regarding *Gender representation in public spaces*.

The Palaszczuk Government's vision for women and girls is that the Queensland community respects women, embraces gender equality and promotes and protects the rights, interests and wellbeing of women and girls. This is reflected in the *Queensland Women's Strategy 2016-21*, launched in 2016.

The strategy provides a framework for government, the private sector and the wider Queensland community to take action to achieve gender equality in Queensland under four priorities: participation and leadership; economic security; safety; and health and wellbeing.

Recent key achievements by the Palaszczuk Government include:

- increased representation of women on Government Bodies from 31 per cent in 2015 to 54 per cent in 2020, thereby delivering on the Towards Gender Parity: Women on Boards Initiative of achieving 50 per cent gender equity targets by 2020;
- delivery of all 140 recommendations made in the Special Taskforce on Domestic and Family Violence report, *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland*; and
- successfully delivering Queensland Women's Week in 2018, 2019 and 2020, with the provision of over \$470,000 provided in grants to facilitate more than 170 local events, activities and initiatives.

The petition requests that a law be created that requires 50% of statues, pictures and plaques in public places in Queensland to depict real women.

The Palaszczuk Government's policy in this space is the *Queensland Government Framework for Considering Proposals to Establish Memorials and Monuments of Significance* (Framework) and is a whole-of-government framework for assessing and actioning proposals



(2)

to establish memorials or monuments of significance. The Framework provides guidance about the process for considering a proposal for certain types of memorials and monuments.

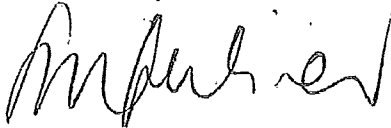
While I recognise more needs to be done, I am confident that together with the whole Queensland community, can continue to make a positive difference to the lives of women and girls in Queensland.

As you would be aware, the Premier is very committed to promoting and protecting the rights and wellbeing of women and girls by implementing meaningful policies that affect positive change. This is evidenced by the number of women who sit in the Premier's cabinet, the number of female Labor Members in our Parliament and the Premier's commitment to increasing the number of women on boards in the public, private and not-for-profit sectors.

Given that it may be timely to review the operation of the Framework to ensure that it remains in step with the Palaszczuk Government's commitment to gender equality, I will consider writing to the Honourable Anastacia Palaszczuk MP, Premier and Minister for Trade, to propose that the Framework be reviewed.

I am proud of the Palaszczuk Government's achievements as we continue to work with the community towards achieving gender equality in Queensland. We know gender equality leads to better social and economic outcomes for all, but it can only be achieved when women and men across all parts of the community work together. I trust the information provided is of assistance to the petitioners.

Yours sincerely



**Shannon Fentiman MP**  
Attorney-General and Minister for Justice  
Minister for Women and Minister for the Prevention of Domestic and Family Violence  
Member for Waterford

Released under RIPA



Premier of Queensland  
Minister for Trade

For reply please quote: *PIE/MP – TF/20/33146 – DOC/20/265362*  
Your reference: *595721/1; 5449265*

- 5 MAR 2021

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The Honourable Shannon Fentiman MP  
Attorney-General and Minister for Justice  
Minister for Women and  
Minister for the Prevention of Domestic and Family Violence  
[attorney@ministerial.qld.gov.au](mailto:attorney@ministerial.qld.gov.au)

Dear Minister

Thank you for your letter regarding representation of women in Queensland's memorials and monuments.

As noted in your formal response to Petition 3351-20 tabled on 8 December 2020, I am very committed to implementing meaningful policies that affect positive change for women and girls and promote better social and economic outcomes for Queensland.

My Government can be proud of the successes achieved to date, including equal representation for women on government boards, as we continue to strive to deliver our vision for Queensland women and girls as set out in the *Queensland Women's Strategy 2016-21* (the Strategy).

As outlined in the Strategy, my Government is dedicated to removing barriers preventing women and girls achieving their goals either at work or in the community.

Consistent with your proposal that memorials and monuments reflect the contemporary Queensland community, I have approved an amendment to the *Queensland Government Framework for Considering Proposals in Establish Memorials and Monuments of Significance* (the Framework) to request proponents include in their submission for a proposed monument or memorial, a response advising their consideration of inclusion and diversity principles.

Again, thank you for raising this important matter with me and for your commitment to advocating for gender equality. I join you in your belief and expectation that the Queensland community can continue to work together to make a positive difference to the lives of girls and women in Queensland.

Yours sincerely

**ANNASTACIA PALASZCZUK MP  
PREMIER OF QUEENSLAND  
MINISTER FOR TRADE**

# QUEENSLAND GOVERNMENT FRAMEWORK FOR CONSIDERING PROPOSALS TO ESTABLISH MEMORIALS AND MONUMENTS OF SIGNIFICANCE

## A OVERVIEW

This document provides a whole-of-government framework for assessing and actioning proposals to establish memorials or monuments of significance, such as war memorials, which may require approval or assistance from State Government. The framework has been developed to assist government in considering such proposals and should not inhibit communication between government, proponents and other stakeholders as required.

The general framework:

- Provides a consistent and coordinated whole-of-government approach for assessing and actioning proposals for the construction and maintenance of memorials.
- Defines the roles and responsibilities of key State Government agencies in assessing and actioning proposals, e.g. Department of the Premier and Cabinet (DPC), Department of Energy and Public Works (DEPW), Department of Resources (DoR), Department of Environment and Science (DES), and the Department of Justice and Attorney-General (JAG).
- Facilitates government's consideration of potentially sensitive consular or political concerns, and
- Permits input, where appropriate, from other key stakeholders, such as the Brisbane City Council (BCC), Returned and Services League (RSL) and the Commonwealth Government.

## B DEFINITION

A memorial/monument of *significance* is defined as one that reflects all of the following attributes:

- the proposal has been forwarded from a high-ranking official such as a Head of Government, Ambassador, Honorary Consul to Australia;
- the proposal is on behalf of a nation, organisation or group that has made an important and historically significant contribution to Australia, for example during a time of war; and
- the Premier of Queensland or Director-General, DPC has clearly indicated support for the project.

## C FRAMEWORK

- Proposals to establish a memorial/monument of significance are referred to Protocol and International Engagement, DPC.
- If required, Protocol and International Engagement requests the proponent provide the information outlined in the attached checklist.

- Protocol and International Engagement investigates the proponent's supporting evidence and documentation and may consider the potential impact of the proposal from a number of viewpoints including:
    - consular or political issues at the local, state and/or national level
    - the potential significance as a tourist attraction, and
    - the potential financial implications of the proposal on the community or government.
- 4 Should Protocol and International Engagement consider the proposal viable and worthy, copies of the proposal are forwarded to representatives in relevant key agencies including DEPW, DoR, DES, JAG and BCC. Where applicable, other agencies may be asked to consider the implications of the proposal, such as:
- RSL
  - Native Title Services
  - Multicultural Affairs Queensland
  - Queensland Parks and Wildlife Service
  - Queensland Treasury
  - Commonwealth Government, e.g. Department of the Prime Minister and Cabinet, Department of Foreign Affairs and Trade, Department of Veterans Affairs, Department of Defence, Office of Australian War Graves, Australian War Memorial
  - Indigenous people's organisations or groups, and
  - Other community organisations
- 5 Client's proposal is considered by key agencies:
- DEPW:
    - confirm the proponent's construction and maintenance cost estimates
    - confirm the proposed structure complies with State Government building legislation/regulations including public health and safety issues
  - DoR:
    - undertake land title search of possible suitable sites, in liaison with local government if necessary such as BCC
  - BCC:
    - identify potential sites for the proposed memorial where BCC is trustee over park or reserve
    - analyse proposal against BCC urban development plans, relevant building and other legislation/regulations, etc
    - consider BCC funding and maintenance requirements for the proposed memorial.
  - JAG:
    - undertake review of proposal looking through the lens of inclusion and diversity principles
- 6 If necessary, an Inter-Agency Working Group is convened to discuss the outcome of key agency analysis of the proponent's requirements. The Committee should comprise representatives from Protocol and International Engagement, DEPW, DES, DoR, JAG and other agencies as required such as BCC.

The purpose of the Committee will be to consider the feasibility of the proposal and the capacity of government(s) to meet the client's requirements including

identification of a mutually agreeable site, aesthetic and general quality of the proposed structure, and funding and maintenance arrangements.

The Committee may consider seeking an upfront payment from the proponent to be deposited in trust for the future maintenance of the memorial.

- 7 Inter-Agency Committee decides on a final recommendation for consideration by the Director-General, DPC.
- 8 Protocol and International Engagement prepares advice for the Director-General, DPC which includes the Committee's recommendation to support/not support the client's proposal and letters to the proponent, Directors-General, DEPW and DoR, BCC and other stakeholders advising on the decision of the government
- 9 The Premier, as advised by the Director-General, DPC signs off on the final recommendation. Endorsement by the Premier would in effect give approval for further collaboration between the proponent and relevant agencies to progress the matter.

**GUIDELINES FOR SUBMISSION  
PROPOSAL TO CONSTRUCT A MEMORIAL/MONUMENT OF  
SIGNIFICANCE**

Submissions from individuals/organisations will be considered by a review committee established by Protocol and International Engagement, Department of the Premier and Cabinet Queensland.

Prior to consideration by the review committee all of the following information should be provided by the nominating organisation/individual.

The assessment process will commence upon receipt of all of the following information:

1. The nation, sovereign state, organisation/group/society proposing the memorial.
2. Evidence and documentation of the historical significance of the client community's contribution to Australia.
3. Evidence of consultation with and endorsement for the proposed memorial from community members and evidence of support from other relevant stakeholders and authorities such as RSL, Department of Veterans Affairs, local Council e.g. letters of support, minutes of community consultation meetings.
4. Information on how the proposal has considered inclusion and diversity principles.
5. Information on the dimensions (height, length, width, total ground area) concept, design, inscribed text and materials of the memorial. Detailed drawings and/or photographs of the proposed memorial.
6. Details of memorial designers and manufacturers including organisation, address and contact numbers.
7. Estimated total cost of the proposed memorial and ongoing maintenance costs. Details of how construction and maintenance of the proposed memorial will be funded?
8. Details of existing funds for the memorial, including copies of statements from financial institutions of funds raised and letters of commitment for grants.
9. Details of how the memorial will be maintained and repaired? (In collaboration with local government, RSL, community groups where applicable).
10. Preferred sites/locations and their significance for the proposed memorial, e.g. preferred parks/reserves, maximum distance from Central Business District.
11. Details of similar memorials elsewhere in Australia erected to honour the contributions of the same group of people. Information on the nature of the memorial, location, year of establishment and other relevant information. Please outline why there is a requirement for the erection of a similar memorial specifically in Queensland.
12. Annual timetable of ceremonies/commemorations that will occur at the site of the proposed memorial.



Attorney-General and Minister for Justice  
Minister for Women and Minister for the Prevention of  
Domestic and Family Violence

1 William Street Brisbane Q 4000  
GPO Box 149 Brisbane Q 4001  
Telephone +61 7 3719 7400  
Email [attorney@ministerial.qld.gov.au](mailto:attorney@ministerial.qld.gov.au)

Our ref: 595746/1, 5488512, DJ085-2021

The Right Honourable, the Lord Mayor of Brisbane, Councillor Adrian Schrinner  
Lord Mayor  
Brisbane City Council  
[lordmayor@brisbane.qld.gov.au](mailto:lordmayor@brisbane.qld.gov.au)

Dear Lord Mayor

*Adrian*

I am writing to you in relation to the representation of women in Queensland's memorials and monuments.

As you may be aware, on 8 September 2020 an e-petition, initiated by eight-year-old Ms Malia Knox, was tabled in the Legislative Assembly calling for stronger representation of women and girls in public spaces in Queensland and legislation to support this (Petition 3351-20).

Malia was motivated to take action after noticing that on her visits to the park she could only see statues, pictures and plaques of men. She knew of many amazing women who had accomplished remarkable things for our country, but was disheartened that she could not find statues honouring these women.

The petition, which received 791 signatures, highlights that while representation of strong female role models is essential for gender equity and justice, there is overwhelmingly unequal gender representation in public places in Queensland and Australia.

I wrote to the Premier on 11 December 2020 about Malia's inspiring story to see what could be done to improve diversity and gender equality in Queensland. I also proposed a review of the *Queensland Government Framework for Considering Proposals to Establish Memorials and Monuments of Significance* to make sure that our public memorials and monuments are contemporary and reflect the communities we live in.

While this is an opportunity to build on the Government's already strong record in relation to gender equality, we cannot do this alone. The Queensland Government plays a limited role in the establishment of memorials and monuments in public places, which is why I would like to encourage Local Governments to also commit to improving gender representation and diversity in public spaces.

By committing to increasing the representation of real women and girls in memorials and monuments in Queensland, we are continuing to make a positive difference to the lives of women and girls in Queensland, such as Malia.



(2)

I am confident that together we, the whole Queensland community, can ensure a Queensland community which respects women, embraces gender equality and promotes and protects the rights, interests and wellbeing of all Queenslanders.

If you have any questions in relation to the above, I invite you to contact my Chief of Staff, Laura Fraser Hardy, on (07) 3719 7400 or at [laura.fraserhardy@ministerial.qld.gov.au](mailto:laura.fraserhardy@ministerial.qld.gov.au).

Yours sincerely



**Shannon Fentiman MP**

Attorney-General and Minister for Justice

Minister for Women and Minister for the Prevention of Domestic and Family Violence

Member for Waterford

Released under RTI + DPC



Attorney-General and Minister for Justice  
Minister for Women and Minister for the Prevention of  
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Our ref: 595746/1, 5655335

18 JUN 2021

Cr George Seymour  
Mayor  
Fraser Coast Regional Council  
[mayor@frasercoast.qld.gov.au](mailto:mayor@frasercoast.qld.gov.au)

Dear Cr Seymour

Thank you for your correspondence on 22/04/2021 regarding our ongoing work to address representation of women's and girls in Queensland's memorials and monuments.

I wish to extend my sincere thanks to yourself and all other Mayors who have engaged positively with me on this issue, your leadership is to be commended. It is my sincere hope that we can work together on projects that will demonstrate that we are making a positive difference to the lives of women and girls and embracing gender equality in Queensland.

To facilitate this, I wish to draw your attention to upcoming funding opportunities available through the Department of Justice and Attorney-General.

The Gambling Community Benefit Fund (GCBF) is Queensland's largest one-off grants program, distributing approximately \$59 million per year to Queensland communities. The program allocates funding of between \$500 and \$35,000 to projects delivered by not-for-profit community groups and I'm pleased to announce that in 2022, the GCBF will move to four funding rounds per year with one of these rounds allocating grants up to \$100,000. Local Government are encouraged to apply for the GCBF either in their own right, or as a sponsor of a community group.

Eligible applications are assessed by the GCBF, responsible for making recommendations on awarding grant funding in line with government priorities. Our current priorities encourage a focus on supporting local councils and organisations seeking to address gender equality and domestic and family violence in Queensland. Full details on eligibility, how to apply and the latest funding round dates are available on the website or the GCBF can be contacted by phone on 1800 633 619 or by email on [cbf@justice.qld.gov.au](mailto:cbf@justice.qld.gov.au).

The Investing in Queensland Women grant program also supports community groups across Queensland to develop and deliver initiatives that align with the Queensland Government's strategic priorities for women and girls. One-off funding of up to \$15,000 (excluding GST) is available through two grant rounds released in January and July each year, with a total full allocation of funds of \$270,000 (excluding GST) per round. Full details on eligibility, how to apply and the latest funding round dates are available at: <https://www.justice.qld.gov.au/initiatives/grants-for-queensland-women>

(2)

I trust this information is of assistance in delivering on our shared commitment to ensuring a Queensland community which respects women, embraces gender equality and promotes and protects the rights, interests and wellbeing of all Queenslanders.

If you have any questions in relation to the above, I invite you to contact my Chief of Staff, Laura Fraser Hardy, on (07) 3719 7400 or at [laura.fraserhardy@ministerial.qld.gov.au](mailto:laura.fraserhardy@ministerial.qld.gov.au).

Yours sincerely



**Shannon Fentiman MP**

Attorney-General and Minister for Justice

Minister for Women and Minister for the Prevention of Domestic and Family Violence

Member for Waterford

Released under RTI - DPC

**PREMIER'S BRIEFING NOTE**  
*Corporate and Government Services*

Tracking Folder No. TF/21/13921  
Document No. DOC/21/142234

**To: THE ACTING PREMIER**  
**Date:**  
**Subject: Governor's Absence – 22 July 2021**

Approved / Not Approved / Noted  
Premier / CoS.....  
Date ...../...../.....  
Date Action Required by: 19/7/2021  
Requested by: .....  
(if appropriate)

• **RECOMMENDATION**

It is recommended that you **sign** the Commissions at **Attachment 1** for the appointment of the Honourable Catherine Ena Holmes AC, Chief Justice of Queensland as Deputy Governor to allow for the Governor to delegate his powers during the Governor's absence from Brisbane on Thursday 22 July 2021.

• **KEY ISSUES**

- The Governor will be absent from Brisbane on official travel to Deception Bay from 11.00am until 1.00pm on Thursday 22 July 2021.
- The Office of the Governor has advised the Department of the Premier and Cabinet (DPC) that the Chief Justice is available to act as Deputy Governor from 11.30am until 12.30pm, during the Governor's temporary absence from the seat of government (**Attachment 2**).
- The Commission delegates all of the Governor's powers to the Chief Justice and will enable the Chief Justice to preside over the Executive Council meeting on 22 July 2021 as Deputy Governor.
- Your approval is requested by close of business Monday 19 July 2021 to provide sufficient time for DPC to arrange for the Governor to sign the Commissions and deliver to the Chief Justice before the arrangement commences.

• **CONSULTATION**

- Office of the Governor.

• **BACKGROUND**

- Section 40 of the *Constitution of Queensland 2001* provides that the Governor may delegate any or all of the Governor's powers to a Deputy Governor during any or all periods the Governor is temporarily absent for a short period from the seat of Government.
- The Governor's powers may be delegated to the Lieutenant-Governor; or the Chief Justice if there is no Lieutenant-Governor in the State; or the next most senior judge of the Supreme Court of Queensland who is in the State and able to act if the Chief Justice is not able to act.

Comments (Acting Premier or DG)

Rachel Hunter  
Director-General

R

Queensland



*Constitution of Queensland 2001*

To the Honourable **CATHERINE ENA HOLMES AC**, Chief Justice of Queensland.

I, **PAUL de JERSEY AC CVO**, Governor, acting under section 40 of the *Constitution of Queensland 2001*, delegate all of the powers of Governor to you, **CATHERINE ENA HOLMES AC**, Chief Justice of Queensland, to exercise as Deputy Governor for the short period from 11.30am until 12.30pm on Thursday, 22 July 2021 during my temporary absence from the seat of government.



*Paul de Jersey*

Signed and sealed with the Public Seal of the State on 20 JUL 2021

*By Command*



*RECORDED in the Register of Patents, No. 52, Page 56, on 20 July 2021*



Clerk of the Executive Council





GOVERNMENT HOUSE  
QUEENSLAND

Mr Stuart Busby  
General Manager  
Government Services  
Department of the Premier and Cabinet  
PO Box 15185  
CITY EAST QLD 4002

Dear Mr Busby

I am writing to advise that His Excellency the Honourable Paul de Jersey AC CVO, Governor of Queensland, will be absent from Brisbane from 11.00am to 1.00pm on Thursday, 22 July 2021.

The Honourable Chief Justice Catherine Holmes AC has agreed to undertake the role of Deputy Governor from 11.30am to 12.30pm on Thursday, 22 July 2021, to preside at the Executive Council Meeting at 11.45am at 1 William Street, Brisbane.

A copy of the letter of confirmation will be forwarded as soon as available.

Yours sincerely

**Kate Hastings**  
Official Secretary

12 July 2021

**PREMIER'S BRIEFING NOTE**

Policy

Tracking Folder No. TF/21/14598

Document No. DOC/21/147987

To: THE PREMIER  
Date: 22 JUL 2021  
Subject: Relisting of al-Shabaab, Hamas' Izz al-Din al-Qassam Brigades, Kurdistan Workers' Party, Lashkar-e-Tayyiba and Palestinian Islamic Jihad terrorist organisations

Approved / Not Approved / Noted  
Premier / CoS.....  
Date 22/7/21  
Date Action Required by: 21/07/21

**• RECOMMENDATION**

It is recommended that you sign the letter to the Honourable Karen Andrews MP, Federal Minister for Home Affairs (**Attachment 1**), supporting her decision to relist al-Shabaab, Hamas' Izz al-Din al-Qassam Brigades, Kurdistan Workers' Party, Lashkar-e-Tayyiba and Palestinian Islamic Jihad as terrorist organisations.

**• KEY ISSUES**

- An organisation can be listed as a terrorist organisation via a regulation made under the *Criminal Code Act 1995* (Cth), which in turn enables criminal liability to be imposed on persons connected or associated with the organisation.
- The Intergovernmental Agreement on Counter-Terrorism Laws (June 2004) requires that states and territories be consulted before an organisation is listed, or relisted, as a terrorist organisation. A regulation listing a terrorist organisation will not be made if the majority of states and territories object to its making.
- Minister Andrews wrote to you on 1 July (**Attachment 2**) seeking your approval or objections, by 21 July 2021, to the proposed relisting of these terrorist organisations.

Al-Shabaab

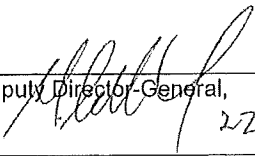
- Al-Shabaab has been continuously listed as a terrorist organisation since 22 August 2009.
- Al-Shabaab is a religiously motivated violent extremist organisation based in Somalia. The group is an officially recognised affiliate of al-Qa'ida, adhering to al-Qa'ida's global anti-western jihadist narrative. Currently, al-Shabaab controls territory in southern Somalia and is fighting for the overthrow of the Somali Transitional Federal Government and for Sharia law to be installed in Somalia.
- While al-Shabaab has no known intent to conduct an attack in Australia, on 5 June 2017, al-Shabaab-trained Australian citizen, Yacqub Khayre, shot and killed Kai Hao in Brighton, Victoria, and later fired on Victoria police, injuring three officers before being fatally shot. Yacqub Khayre claimed the attack for Islamic State, rather than al-Shabaab.
- A Statement of Reasons (**Attachment 3**) supporting the relisting of al-Shabaab was prepared by the Department of Home Affairs (DHA).

Hamas' Izz al-Din al-Qassam Brigades

- Hamas' Izz al-Din al-Qassam Brigades has been continuously listed as a terrorist organisation since 5 June 2005.
- The Hamas' Izz al-Din al-Qassam Brigades is the paramilitary wing of Hamas, an ideologically and religiously motivated violent extremist organisation and political party, which fuses Palestinian nationalist and Sunni Islamist objectives. Hamas' overarching goal is to 'liberate Palestine' by establishing an independent Palestinian state comprising Gaza, the West Bank and Israel.

Action Officer: Brad Smith  
Area: Social Policy  
Telephone: s73(2) irrelevant

Approved by Mark Cridland: Deputy Director-General,  
Policy Division  
Page 18 of 18 Telephone: 300 39408

  
22/7/21

R

## PREMIER'S BRIEFING NOTE

Policy

Tracking Folder No. TF/21/14598

Document No. DOC/21/147987

- The Hamas' Izz al-Din al-Qassam Brigades exist within the overall organisational structure of Hamas and they operate with a significant degree of independence from their political leadership, and have adopted terrorist tactics in their efforts to defeat Israel, including indiscriminate rocket attacks, suicide bombings and kidnappings against Israeli military and civilian targets.
- This relisting will not prescribe all of Hamas as a terrorist organisation, just its paramilitary wing – Hamas' Izz al-Din al-Qassam Brigades.
- A Statement of Reasons (**Attachment 4**) supporting the relisting of Hamas' Izz al-Din al-Qassam Brigades was prepared by DHA.

### Kurdistan Workers' Party

- The Kurdistan Workers' Party has been continuously listed as a terrorist organisation since 17 December 2005.
- The Kurdistan Workers' Party is an ideologically motivated violent extremist organisation. The group was founded by Abdullah Ocalan in 1978 as a nationalist and revolutionary organisation, based on Marxist Leninist ideals. While its ideology encompasses the rights of Kurds to maintain their Kurdish ethnic identity, the Kurdistan Workers' Party aims to monopolise Kurdish political power, including by attacking the interests of rival Kurdish political parties. However, the Kurdistan Workers' Party primarily conducts attacks against the Turkish Government and security forces.
- Recent terrorist attacks included a roadside improvised explosive device detonated in south-east Turkey that killed seven civilians and injured 10 more. The Kurdistan Workers' Party subsequently claimed responsibility for the attack, stating they were targeting 'spies'.
- The Kurdistan Workers' Party does not currently pose a direct threat to Australian interests. However, Australians could be incidentally harmed in attacks targeting tourist locations in Turkey, or in Iraq and Syria. In May 2019, the New South Wales Supreme Court sentenced Renas Lelikan to a three-year Community Corrections Order for being a member of the Kurdistan Workers' Party.
- A Statement of Reasons (**Attachment 5**) supporting the relisting of Kurdistan Workers' Party was prepared by DHA.

### Lashkar-e-Tayyiba

- Lashkar-e-Tayyiba has been continuously listed as a terrorist organisation since 5 June 2005.
- Lashkar-e-Tayyiba is a Pakistan-based Sunni violent extremist organisation that uses violence in pursuit of its stated objective of uniting Indian administered Kashmir with Pakistan under a radical interpretation of Islamic law. Its broader objectives include the establishment of Islamic Caliphate across the Indian subcontinent.
- Lashkar-e-Tayyiba has planned and undertaken numerous terrorist attacks against both Afghan and Indian security forces, Indian Government and transport infrastructure, and civilians.
- A Statement of Reasons (**Attachment 6**) supporting the relisting of Lashkar-e-Tayyiba was prepared by DHA.




Palestinian Islamic Jihad

- Palestinian Islamic Jihad has been continuously listed as a terrorist organisation since 5 June 2005.
- Palestinian Islamic Jihad is a religiously and ideologically motivated violent extremist organisation. Palestinian Islamic Jihad's ideology fuses Sunni Islamic and Palestinian nationalist objectives, which are intertwined and not easily distinguishable.
- Palestinian Islamic Jihad's goal is the establishment of a sovereign Islamic state within the historic borders of Palestine. Palestinian Islamic Jihad promotes the military destruction of Israel as the only viable means to attain this goal, rejects a two-state solution, and advocates the use of terrorist attacks in its public messaging.
- Palestinian Islamic Jihad engages in operations with the Hamas' Izz al-Din Al-Qassam Brigades, including the shared use of tunnel networks and launching of rockets into Israel.
- A Statement of Reasons (**Attachment 7**) supporting the relisting of Palestinian Islamic Jihad was prepared by DHA.
- Based on the information provided by DHA and advice from the Queensland Police Service (QPS), the Department of the Premier and Cabinet considers that all five organisations satisfy the necessary criteria to be listed as terrorist organisations, that is, there are reasonable grounds to believe the organisations are directly or indirectly engaged in preparing, planning, assisting in, or fostering the doing of, a terrorist act, or in advocating the doing of a terrorist act.

• **CONSULTATION**

- QPS supports the relisting of al-Shabaab, Hamas' Izz al-Din al-Qassam Brigades, Kurdistan Workers' Party, Lashkar-e-Tayyiba and Palestinian Islamic Jihad as terrorist organisations.

  
Rachel Hunter  
Director-General

Comments (Premier or DG)



Premier of Queensland  
Minister for Trade

For reply please quote: *SocPol/BS – TF/21/14598 – DOC/21/147985*  
Your reference: *MS21-001217*

11 AUG 2021

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The Honourable Karen Andrews MP  
Minister for Home Affairs  
[karen.andrews.mp@aph.gov.au](mailto:karen.andrews.mp@aph.gov.au)

Dear Minister *Karen*

Thank you for your letter of 1 July 2021 regarding the Federal Government's proposal to relist al-Shabaab, Hamas' Izz al-Din al-Qassam Brigades, Kurdistan Workers' Party, Lashkar-e-Tayyiba and Palestinian Islamic Jihad as terrorist organisations under the *Criminal Code Act 1995* (Cth).

Following consideration of the Statement of Reasons prepared by the Department of Home Affairs in relation to each organisation, I can confirm that the Queensland Government has no objection to the proposed relisting of al-Shabaab, Hamas' Izz al-Din al-Qassam Brigades, Kurdistan Workers' Party, Lashkar-e-Tayyiba and Palestinian Islamic Jihad as terrorist organisations.

Again, thank you for consulting me in relation to this matter.

Yours sincerely

**ANNASTACIA PALASZCZUK MP  
PREMIER OF QUEENSLAND  
MINISTER FOR TRADE**



**THE HON KAREN ANDREWS MP  
MINISTER FOR HOME AFFAIRS**

Ref No: MS21-001217

Hon Anastacia Palaszczuk MP  
Premier of Queensland  
PO Box 15185  
CITY EAST QLD 4002

Dear Premier

I write on behalf of the Prime Minister, the Hon Scott Morrison MP, to consult you on the proposed re-listing of al-Shabaab, Hamas' Izz ai-Din al-Qassam Brigades, Kurdistan Workers' Party, Lashkar-e-Tayyiba and Palestinian Islamic Jihad as terrorist organisations under the *Criminal Code Act 1995* (the Criminal Code),

The listings will ensure that the offence provisions under Division 102 of the Criminal Code will apply to conduct in relation to these five organisations.

Under subsection 102.1(2) of the Criminal Code, before an organisation is listed as a terrorist organisation, I must be satisfied on reasonable grounds that the organisation is directly or indirectly engaged in preparing, planning, assisting in or fostering the doing of a terrorist act, or advocates the doing of a terrorist act.

Following careful consideration of information provided by the Department of Home Affairs in consultation with national security agencies, and after receiving legal advice from the Australian Government Solicitor, I am satisfied that these five organisations meet that legal threshold.

I attach a copy of the Statements of Reasons prepared by the Department with respect to these five organisations. Each Statement of Reasons provides information on the history, ideology, leadership and activities of each organisation, and is the basis upon which I am satisfied that these five organisations meet the legal threshold for listing.

Subclause 3.4(2) of the June 2004 *Intergovernmental Agreement on Counter-Terrorism Laws* (IGA) provides that a regulation specifying an organisation as a terrorist organisation will not be made if a majority of the states and territories object to its making within a timeframe nominated by the Commonwealth, and provide reasons for their objections.

In accordance with the IGA, I would ask that you provide advice as to whether you approve or object to the proposed listings, including reasons for any objections, by 21 July 2021.

I have written in similar terms to other First Ministers.

Subclause 3.4(4) of the IGA also provides an offer of an oral briefing by the Director-General of Security. Should your office require a briefing, please contact the office on 02 6277 7860.

Yours sincerely



KAREN ANDREWS

117/2021

Released under RTI - OPC



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## Statement of Reasons

### Listing of al-Shabaab as a terrorist organisation under the *Criminal Code Act 1995*

This Statement of Reasons is based on publicly available information about al-Shabaab. To the Australian Government's knowledge, this information is accurate, reliable and has been corroborated by classified information where available.

#### Legislative basis for listing a terrorist organisation

Division 102 of the *Criminal Code Act 1995* (the *Criminal Code*) provides that for an organisation to be listed as a terrorist organisation, the AFP Minister (the Minister for Home Affairs), must be satisfied on reasonable grounds that the organisation:

- a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act; or
- b) advocates the doing of a terrorist act.

For the purposes of listing a terrorist organisation under the *Criminal Code*, the doing of a terrorist act includes the doing of a specific terrorist act, the doing of more than one terrorist act and the doing of a terrorist act, even if a terrorist act does not occur.

#### Background to this listing

Al-Shabaab was first listed as a terrorist organisation under the *Criminal Code* on 22 August 2009. Al-Shabaab was re-listed on 18 August 2012, 11 August 2015 and 4 August 2018.

#### Details of the organisation

##### *Name of the organisation*

al-Shabaab

##### *Known aliases*

- Al-Shabaab al-Islaam
- Al-Shabaab al-Islamiya
- Al-Shabaab al-Jihaad
- Al-Shabab
- Ash-Shabaab
- Harakat al-Shabaab al-Mujahideen
- Harakat Shabab al-Mujahidin
- Harakatul Shabaab al-Mujaahidiin
- Hisb'ul Shabaab
- Hizbul Shabaab
- Mujaahidiin Youth Movement

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- Mujahideen Youth Movement
- Mujahidin al-Shabaab Movement
- Mujahidin Youth Movement
- Shabaab
- The Popular Resistance Movement in the Land of the Two Migrations
- The Unity of Islamic Youth
- The Youth
- Ugus
- Young Mujahideen Movement
- Young Mujahideen Movement in Somalia
- Youth Wing

### ***Organisational overview and objectives***

Al-Shabaab is a religiously motivated violent extremist organisation based in Somalia. The group is an officially recognised affiliate of al-Qa'ida, adhering to al-Qa'ida's global anti-Western jihadist narrative and promotion of sectarian violence against those who do not agree with its extreme religious interpretation. Al-Shabaab's primary local objective is the establishment of an Islamist state in the Horn of Africa based on Sharia law and the elimination of secular and foreign influence, including through violent means.

Currently, al-Shabaab controls territory in southern Somalia. However, this is fluid and frequently changes depending on United Nations African Mission in Somalia (AMISOM) counter-terrorism activity and troop movements.

### ***Organisation history***

In 2006, al-Shabaab emerged as the most prominent militia group within the militant wing of the Council of Islamic Courts. The Council of Islamic Courts was a group of Sharia courts in Somalia who united to form a rival administration, but was ousted in December 2006 by the Somali Transitional Federal Government and Ethiopian forces.

Following this, al-Shabaab established itself as an oppositionist government and insurgency fighting for the overthrow of the Somali Transitional Federal Government and for Sharia law to be installed in Somalia.

Between January 2009 and 2011, al-Shabaab controlled the majority of Somalia. In 2011, al-Shabaab was forced from Mogadishu and much of southern and central Somalia through renewed military intervention by both Kenyan and Ethiopian forces.

### ***Leadership***

Al-Shabaab has a centralised command structure and is currently led by Sheikh Ahmed Umar (also known as Ahmed Diriye) who took over as leader following the September 2014 death of long-time emir, Ahmad Abdi Aw Muhammad Godane.

### ***Membership and recruitment***

Al-Shabaab members range from those focused on the domestic insurgency in Somalia to elements that support al-Qa'ida's global jihadist ideology. The number of al-Shabaab members vary from 5,000 to 14,000.

Most members are ethnic Somalis from Somalia and Kenya. However, a small number of members are from other countries, including Western nations.

Al-Shabaab recruits widely within Somali society, predominantly spreading its message through Radio al-Andalus. Al-Shabaab also recruits internationally from within the Somali diaspora using propaganda

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campaigns, which are often in video format. Al-Shabaab has posted increasingly sophisticated videos online, including videos with English subtitles—most via its al-Kata'ib media platform.

### **Financing**

Al-Shabaab derives some of its financing from taxing communities in areas it controls, and private fundraising activities outside of Somalia. Al-Shabaab also demands protection money from Somali-based businesses, and conducts its own business activities.

### **Links to other terrorist organisations**

Al-Shabaab is an officially recognised affiliate al-Qa'ida, which is a listed terrorist organisation under Australia's *Criminal Code*.

On 9 February 2012, a publicly released video by al-Shabaab leader Mukhtar Abu al-Zubair pledged al-Shabaab's allegiance to al-Qa'ida. In the video, al-Qa'ida leader, Ayman al-Zawahiri, also announced al-Shabaab had joined al-Qa'ida. On 6 September 2014, al-Shabaab officially reiterated its allegiance to al-Qa'ida and al-Zawahiri.

While al-Shabaab largely operates independently, al-Qa'ida senior leadership has previously supported some al-Shabaab activities.

### **Directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts**

In the past 12 months, al-Shabaab has conducted attacks and engaged in attack planning against Western, Jewish, Somali, Kenyan, and Ethiopian interests. To our knowledge, al-Shabaab is assessed as responsible or can be reasonably assessed as responsible for conducting at least 1,630 attacks in the last 12 months and at least 3,630 attacks in the last three years. Significant examples include:

- On 10 April 2021, an al-Shabaab member conducted a suicide bombing outside a hotel in Baidoa, Somalia killing, at least three people.
- On 4 April 2021, an al-Shabaab member conducted a suicide bombing at a tea shop in Mogadishu, Somalia, killing five people.
- On 3 April 2021, al-Shabaab conducted mortar attacks on Bariire and Awdhigle military bases in Southern Somalia, killing at least nine soldiers.
- On 6 March 2021, al-Shabaab conducted a suicide vehicle bombing at a restaurant near Mogadishu, Somalia, killing at least 10 people.
- On 17 August 2020, an al-Shabaab member detonated a suicide vest on a military base in Gofgadud Burey District, Somalia, killing at least seven soldiers and officials.
- On 16 August 2020, al-Shabaab conducted a suicide vehicle bombing at the Elite Hotel in Mogadishu, Somalia, killing at least 16 people.
- On 8 August 2020, al-Shabaab conducted a vehicle bomb attack on a military base in Mogadishu, Somalia, killing nine people.
- On 5 January 2020, al-Shabaab attacked the joint United States (US)-Kenyan airbase in Lamu, Kenya, destroying six aircraft and killing one US military service member and two US contractors.
- On 28 December 2019, al-Shabaab attacked a Turkish convoy with a vehicle bomb in Mogadishu, Somalia killing 87 people, including at least two Turkish contractors.
- On 30 September 2019, al-Shabaab attacked the joint US-Somali Base at Baledogle in southern Somalia with a vehicle bomb and firearms, killing at least 12 Somali soldiers.
- On 14 July 2019, al-Shabaab attacked a meeting of government election officials at the Asasey Hotel in Kismayo, Somalia, killing 26 people, including two Americans and one British journalist.

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- On 23 March 2019, al-Shabaab conducted a suicide vehicle bombing and raid on a government building in Mogadishu, Somalia, killing five people including Somalia's deputy labour minister, Saqar Ibrahim Abdala.
- On 5 February 2019, al-Shabaab conducted a vehicle bomb attack in Mogadishu, Somalia, killing at least 11 people.
- On 4 February 2019, al-Shabaab conducted an assassination of a senior manager of P&O Ports in Puntland, Somalia as well as a vehicle bombing in Mogadishu, Somalia that killed 11 people.
- On 15 January 2019, al-Shabaab attacked the DusitD2 Hotel in Nairobi, Kenya, with a suicide bomb and firearms, killing 21 people, including an American and a British-South African dual national.
- On 22 December 2018, al-Shabaab detonated a vehicle bomb at a checkpoint near the Somali presidential palace in Mogadishu, Somalia, killing 16 people, including three staff from the London-based Universal TV station.
- On 22 November 2018, al-Shabaab kidnapped an Italian non-governmental organisation aid worker in Kilifi, Kenya, and held her captive for 18 months. She was released in May 2020 after a ransom of 1.5 million Euros was reportedly paid.

On the basis of these examples, al-Shabaab is responsible for directly or indirectly engaging in, preparing, planning, assisting in or fostering the doing of terrorist acts.

### **Advocates the doing of a terrorist act**

Al-Shabaab publicly advocates terrorist attacks against Western interests, including:

- In a 30 March 2021 video released on the al-Shabaab al-Kataib official website, al-Shabaab's leader called for attacks against US and French interests in Djibouti. The video also reiterated that al-Shabaab members had the responsibility to attack all foreigners in Djibouti and Somalia.
- In a 28 January 2021 video celebrating the anniversary of the 5 January 2020 attack on the joint US-Kenya airbase in Lamu, Kenya, al-Shabaab reiterated the duty of its members to attack US and foreign forces in Africa, and elsewhere if necessary, to protect Islam and ensure that Jerusalem is not controlled by Jewish people.
- In January 2020, al-Shabaab released a statement calling on its jihadists to make US interests in Kenya their primary targets as well as tourists. The statement also said Kenya 'should never be safe again'.

On the basis of these examples, al-Shabaab advocates the doing of terrorist acts.

### **Other considerations**

#### ***Links to Australia and threats to Australian interests***

Al-Shabaab has no known intent to conduct an attack in Australia. Al-Shabaab has not made statements specifically threatening Australians or Australian interests. However, it is possible Australians or Australian interests could be harmed in future attacks carried out by al-Shabaab.

Al-Shabaab has issued statements threatening Westerners and Western interests and has attacked locations known to be popular with Westerners, including shopping malls and cafes. Al-Shabaab spreads propaganda to inspire followers worldwide to conduct terrorist attacks, using its websites and social media accounts.

Historical examples of al-Shabaab's connections to Australia and Australians include:

- In September 2013, Australian-British dual national Ross Langdon was killed during an al-Shabaab attack on a shopping complex in Nairobi, Kenya.



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- Some individuals convicted of terrorist offences in Australia have had links to al-Shabaab. On 5 June 2017, al-Shabaab-trained Australian citizen, Yacqub Khayre, shot and killed Kai Hao, a receptionist at the Buckingham International Serviced Apartments in Brighton, Victoria. He also took an escort hostage and called Channel Seven reportedly stating 'this is for ISIL' and 'this is for al-Qa'ida'. Khayre later fired on Victoria Police Special Operations Group officers—injuring three—before police responded by fatally shooting him.
- In late 2011, al-Shabaab-linked Australian citizens Wissam Fattal, Saney Edow Aweys and Nayef El Sayed were found guilty in the Victorian Supreme Court of conspiring to do acts in preparation for a terrorist act contrary to Section 11.5 and 101.6(1) of the *Criminal Code*. They were linked to Australian al-Shabaab member, Hussein Hashi Farah, who was arrested in Kenya in 2010 for his involvement in coordinating plans to attack the Holsworthy Army Base near Sydney.

### **Listings by likeminded countries or the United Nations**

Al-Shabaab is listed in the United Nations 1267 Committee's consolidated list and is proscribed as a terrorist organisation by the governments of Canada, New Zealand, the United Kingdom and the United States.

### **Engagement in peace or mediation processes**

Since it was last listed, al-Shabaab is not known to have participated in peace or mediation processes despite Federal Government of Somalia and AMISOM appeals to the group to disarm and join the Somali peace process.

### **Conclusion**

On the basis of the information above, the Australian Government assesses that al-Shabaab is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts, and advocates the doing of terrorist acts.

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## Statement of Reasons

### Listing of Hamas' Izz al-Din al-Qassam Brigades as a terrorist organisation under the *Criminal Code Act 1995*

This Statement of Reasons is based on publicly available information about Hamas' Izz al-Din al-Qassam Brigades. To the Australian Government's knowledge, this information is accurate, reliable and has been corroborated by classified information where available.

#### Legislative basis for listing a terrorist organisation

Division 102 of the *Criminal Code Act 1995* (the *Criminal Code*) provides that for an organisation to be listed as a terrorist organisation, the AFP Minister (the Minister for Home Affairs), must be satisfied on reasonable grounds that the organisation:

- a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act; or
- b) advocates the doing of a terrorist act.

For the purposes of listing a terrorist organisation under the *Criminal Code*, the doing of a terrorist act includes the doing of a specific terrorist act, the doing of more than one terrorist act and the doing of a terrorist act, even if a terrorist act does not occur.

#### Background to this listing

The Australian Government first listed Hamas' Izz al-Din al-Qassam Brigades as a terrorist organisation under the *Criminal Code* on 9 November 2003. It was re-listed on 5 June 2005, 7 October 2005, 8 September 2007, 8 September 2009, 18 August 2012, 11 August 2015 and 4 August 2018.

#### Details of the organisation

##### **Name of the organisation**

Hamas' Izz al-Din al-Qassam Brigades

##### **Known aliases**

- Ezzedeen Al-Qassam Brigades
- Izz al-Din Al-Qassem Brigades

##### **Organisational overview and objectives**

The Izz al-Din al-Qassam Brigades (the Brigades) were officially established in 1991 as the paramilitary wing of Hamas, an ideologically and religiously motivated violent extremist organisation and political party, which fuses Palestinian nationalist and Sunni Islamist objectives. In recent years, Hamas has prioritised its nationalist orientation—probably due to political pragmatism where an inflexible adherence to religious principles is seen as detrimental to the group's political objectives.

Hamas' overarching goal is to 'liberate Palestine' by establishing an independent Palestinian state—comprising Gaza, the West Bank and Israel—guided by Islamic principles and destroying Israel as a political entity in the process. Islam is Hamas' 'frame of reference', the lens through which its 'principles, objectives and means' are determined. Hamas supports the strategy of armed resistance in pursuit of its goals.

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The Brigades undertake military activity on behalf of Hamas and have adopted terrorist tactics in their efforts to defeat Israel, including indiscriminate rocket attacks, suicide bombings and kidnappings against Israeli military and civilian targets. Organised terrorist activities associated with Hamas can be reliably attributed to the Brigades.

The Brigades exist within the overall organisational structure of Hamas, subordinate to its political leadership, but structured as a distinct military wing. While decisions of the political leadership probably take precedence, the Brigades operate with a significant degree of independence and are unlikely to seek approval from the political leadership for operational activities. Historically, the Brigades have predominantly operated in Gaza, with limited representation in the West Bank.

The Brigades have not demonstrated intent to conduct attacks outside of Israel and the Palestinian Territories, or to target interests of countries other than Israel. The Brigades' website describe its operations as limited to within the borders of historic Palestine. However, the founder of Hamas, Sheikh Yassin, has stated the Brigades act against the Zionist enemy wherever it may be.

The Brigades maintain their own website, including an English-language version, which publicises their aims and activities. The website is used to commemorate events, condemn perceived Israeli crimes, praise anti-Israel protest and announce the death of Brigades members killed in Israeli counter-terrorism actions.

### ***Organisation history***

Hamas itself was founded in 1987 during the first intifada. It began as a branch of, and retains an ideological affinity with, the Muslim Brotherhood. Since the 2006 Palestinian legislative election, Hamas has been the governing body in Gaza, largely responsible for the administration and provision of government services, including health, education and security to Gaza's inhabitants.

### ***Leadership***

The leader of the Brigades, Mohammed Deif, has held the position since 2002. Deif has survived a number of assassination attempts by Israel and has been described by Israeli media as Israel's most wanted man. Deif's deputy, Marwan Issa, serves as the Brigades' representative in Hamas' political bureau.

### ***Membership and recruitment***

The size of the Brigades is difficult to determine. The Brigades restrict knowledge of membership numbers to their leadership; however, estimates range from several thousand to 30,000 men. The proportion of members assigned to more standard military and security duties, and those involved in planning terrorist attacks is unknown.

### ***Financing***

The amount of money allocated to the Brigades by Hamas is difficult to ascertain. While Iran is known to fund the Brigades, Hamas' funding comes from a range of official and private sources including states, corporations, individuals, and charities. As at April 2021, Hamas has continued to collect taxes within Gaza.

### ***Links to other terrorist organisations***

The Brigades have been known to engage and operate with other violent extremist organisations. This includes coordinating operations with listed terrorist organisation Palestinian Islamic Jihad (PIJ).

### ***Directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts***

Since 2005, the majority of the Brigades' activities have consisted of small-arms, rocket and mortar fire at Israel and communities in the vicinity of Gaza. These attacks have caused property damage, as well as deaths and injuries to both Israel military personnel and civilians.

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The following activities are reliably attributed to the Brigades:

- From 10-21 May 2021, Palestinian militants, including from the Brigades, launched over 4,000 rockets into Israel from Gaza. The Brigades' official spokesperson claimed its responsibility for multiple strikes against Israel during this period.
- On 29 December 2020, Palestinian militant groups, including the Brigades, launched rockets into the Mediterranean Sea off Gaza during joint military drills. According to an official Brigades statement, the exercises aimed to simulate expected threats posed by Israel and to develop the capability of Palestinian resistance fighters for conflict.
- Throughout August 2020, Palestinian militants in Gaza launched hundreds of incendiary and explosive balloons and at least 16 rockets into Israel before a ceasefire between Israel and Hamas was reached on 31 August. The Brigades probably supported some of these attacks.
- From 1-2 July 2020, the Brigades fired 24 rockets and 20 large-calibre mortars towards the sea from Gaza. An anonymous Hamas official told media that Hamas' rocket tests aim to improve its military capabilities to counter any Israeli plan to attack the Palestinian people.
- On 6 May 2019, the Brigades spokesperson posted on social media that the Brigades had 'succeeded in overcoming the so-called Iron Dome by adopting the tactic of firing dozens of missiles in one single burst' which caused 'great losses and destruction to the enemy'. The Israel Defense Forces (IDF) confirmed Hamas and PIJ had repeatedly fired at a specific location, although few rockets had penetrated the system. At least 690 projectiles were fired in total.
- On 30 May 2018, the Brigades and PIJ issued an official joint statement claiming their responsibility for 'targeting occupation settlements and military sites near Gaza Strip with tens of projectiles and mortars'.

The firing of rockets from Gaza into Israel, during the escalation of violence in April 2021, can be reasonably attributed to the Bridges as well as PIJ.

On the basis of these examples, the Brigades is assessed as responsible for directly or indirectly engaging in, preparing, planning, assisting in or fostering the doing of terrorist acts.

### **Other considerations**

#### ***Links to Australia and threats to Australian interests***

There are no known direct links between the Brigades and Australia. The Brigades have not made statements specifically threatening Australians or Australian interests. However, Australians could be incidentally harmed in attacks.

On 9 August 2001, an Australian-American dual national was incidentally killed in the Sbarro pizzeria suicide bombing in Jerusalem, attributed to the Brigades.

#### ***Listings by likeminded countries or the United Nations***

The governments of the United Kingdom and New Zealand proscribe the Brigades as a terrorist organisation. The governments of Canada and the United States proscribe Hamas (including the Brigades) as a terrorist organisation.

Hamas is also included in the Department of Foreign Affairs and Trade's Consolidated List maintained under the *Charter of the United Nations Act 1945*, which implements Australia's obligations under United Nations Security Council Resolution 1373 in relation to countering the financing of terrorism. The European Union lists Hamas for the purposes of its anti-terrorism financing measures.

#### ***Engagement in peace or mediation processes***

The Brigades agreed to a ceasefire with Israel following the May 2021 escalation in the Israeli-Palestinian conflict involving the firing of rockets from Gaza into Israel.

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In 2017, Hamas engaged in reconciliation negotiations with its rivals, the Fatah-led Palestinian Authority. This included a 12 October 2017 agreement to restore Palestinian Authority control to the Gaza strip; however, it did not address the future of the Brigades which, as of June 2021, have not disarmed. Hamas has been involved in other ceasefire agreements, including in August 2020. Recently, Hamas has engaged in reconciliation negotiations with Fatah.

### Conclusion

On the basis of the information above, the Australian Government assesses that the Hamas Brigades are directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts.

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## Statement of Reasons

### Listing of the Kurdistan Workers' Party as a terrorist organisation under the *Criminal Code Act 1995*

This Statement of Reasons is based on publicly available information about the Kurdistan Workers' Party. To the Australian Government's knowledge, this information is accurate, reliable and has been corroborated by classified information where available.

#### Legislative basis for listing a terrorist organisation

Division 102 of the *Criminal Code Act 1995* (the *Criminal Code*) provides that for an organisation to be listed as a terrorist organisation, the AFP Minister (the Minister for Home Affairs) must be satisfied on reasonable grounds that the organisation:

- a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act; or
- b) advocates the doing of a terrorist act.

For the purposes of listing a terrorist organisation under the *Criminal Code*, the doing of a terrorist act includes the doing of a specific terrorist act, the doing of more than one terrorist act and the doing of a terrorist act, even if a terrorist act does not occur.

#### Background to this listing

The Kurdistan Workers' Party was first listed as a terrorist organisation under the *Criminal Code* on 17 December 2005. The Kurdistan Workers' Party was re-listed on 28 September 2007, 8 September 2009, 18 August 2012, 11 August 2015 and 4 August 2018.

#### Details of the organisation

##### **Name of the organisation**

Kurdistan Workers' Party

##### **Known aliases**

- Freedom Brigade
- Hezan Parastina Gel
- HPG
- KADEK
- Kongra Azadi u Demokrasiya Kurdistan
- Kongra Gel Kurdish
- Kongra Gele Kurdistan
- Kurdish Freedom Falcons
- Kurdistan Freedom and Democracy Congress
- Kurdistan Freedom Brigade
- Kurdistan Freedom Hawks

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- Kurdistan Halk Kongresi
- Kurdistan Labor Party
- Kurdistan Ozgurluk Sahinleri
- Kurdistan People's Congress
- Liberation Hawks
- New PKK
- Partiya Karkeren Kurdistan
- People's Congress of Kurdistan
- People's Defence Force
- PKK
- TAK
- Teyrbazên Azadiya Kurdistan

### **Organisational overview and objectives**

The Kurdistan Workers' Party is an ideologically motivated violent extremist organisation. The group was founded by Abdullah Ocalan in 1978 as a nationalist and revolutionary organisation, based on Marxist-Leninist ideals.

Specifically, the Kurdistan Workers' Party's nationalist ideology encompasses the rights of Kurds to maintain their Kurdish ethnic identity. Further to its nationalist objectives, the Kurdistan Workers' Party aims to monopolise Kurdish political power, including by attacking the interests of rival political parties. However, the Kurdistan Workers' Party primarily conducts attacks against the Turkish government and security forces.

### **Leadership**

The Kurdistan Workers' Party founder and leader, Abdullah Ocalan, is currently serving life imprisonment in Turkey. Day-to-day affairs are run by Murat Karayilan.

The Kurdistan Workers' Party's operational command consists of a three person executive committee, including Murat Karayilan, Cemil Bayik and Fehman Huseyin. This executive committee manages the Kurdistan Workers' Party from its base in the Qandil Mountains in northern Iraq.

### **Membership, recruitment and funding**

The precise strength of the Kurdistan Workers' Party is unknown. The majority of the Kurdistan Workers' Party militants are based in northern Iraq.

Most Kurdistan Workers' Party members are recruited from Kurdish areas in south-east Turkey. The group also recruits from the Kurdish population in Iraq, Syria, Iran, and the Kurdish diaspora in Europe. The group recruits both men and women for all its activities, and recent recruiting strategies have focused on youth. In urban areas and in Europe, a network of Kurdistan Workers' Party members and sympathisers reportedly manage financing, propaganda and recruitment processes.

Financing for the group has historically been obtained through fundraising among Kurds in Turkey and the European Kurdish diaspora. Additional sources of funding include criminal activity, such as narcotics smuggling and extortion.

### **Links to other terrorist organisations**

The Kurdistan Workers' Party is not known to maintain formal links with any other listed terrorist organisations. However, the group maintains ties with other pro-Ocalan Kurdish violent extremist organisations across Turkey, Iraq, Syria and Iran.

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The Turkish government makes little or no distinction between the Kurdistan Workers' Party and the Syria-based Kurdish People's Protection Units (YPG). The current level of interconnectivity between the Kurdistan Workers' Party and YPG is unclear.

### **Directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts**

The Kurdistan Workers' Party has claimed responsibility for a number of attacks mainly targeting Turkish authorities and infrastructure in Turkey's south-east, and can be reasonably assessed as responsible for the following terrorist attacks and actions:

- On 28 October 2020, the Kurdistan Workers' Party attacked and destroyed the Botas oil pipeline in Turkey's Mardin province. There were no injuries or deaths reported. The Kurdistan Workers' Party claimed responsibility for the attack the next day.
- On 31 March 2020, a suicide bombing damaged a natural gas pipeline between Turkey and Iran near the city of Barzagan, Agri province, eastern Turkey. The Kurdistan Workers' Party claimed responsibility, stating it had killed at least 30 Turkish soldiers who were guarding the pipeline.
- On 12 September 2019, seven civilians were killed and 10 were injured when a roadside improvised explosive device detonated in Kulp District, Diyarbakir province, south-east Turkey. The Kurdistan Workers' Party subsequently claimed responsibility for the attack, stating they were targeting 'spies'.

On the basis of these examples, the Kurdistan Workers' Party is assessed as being responsible for directly or indirectly engaging in, preparing, planning, assisting in or fostering the doing of terrorist acts.

### **Other considerations**

#### ***Links to Australia and threats to Australian interests***

The Kurdistan Workers' Party does not currently pose a direct threat to Australian interests. However, Australians could be incidentally harmed in attacks targeting tourist locations in Turkey, or in Iraq and Syria.

One Australian has been charged with being a member of the Kurdistan Workers' Party. In May 2019, the NSW Supreme Court sentenced Renas Lelikan to a three-year Community Corrections Order for being a member of the Kurdistan Workers' Party. Mr Lelikan had earlier pleaded guilty to being a member of the Kurdistan Workers' Party between April 2011 and August 2013.

#### ***Listings by likeminded countries or the United Nations***

The Kurdistan Workers' Party is proscribed as a terrorist organisation by the governments of Canada, New Zealand, the United Kingdom and the United States.

#### ***Engagement in peace or mediation processes***

The Kurdistan Workers' Party has engaged in ceasefires and peace talks with the Turkish government at various stages throughout its history.

The Kurdistan Workers' Party's terrorist activities slowed significantly during its most recent ceasefire (2012-2015), though its members continued to conduct occasional attacks against civilian, military and other government targets in Turkey. Following the breakdown of peace talks in June 2015, Kurdistan Workers' Party attacks increased to pre-ceasefire rates but have since dropped significantly.

### **Conclusion**

On the basis of the information above, the Australian Government assesses that the Kurdistan Workers' Party is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts.





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## Statement of Reasons

### Listing of Lashkar-e-Tayyiba as a terrorist organisation under the *Criminal Code Act 1995*

This Statement of Reasons is based on publicly available information about Lashkar-e-Tayyiba. To the Australian Government's knowledge, this information is accurate, reliable and has been corroborated by classified information where available.

#### Legislative basis for listing a terrorist organisation

Division 102 of the *Criminal Code Act 1995* (the *Criminal Code*) provides that for an organisation to be listed as a terrorist organisation, the AFP Minister (the Minister for Home Affairs), must be satisfied on reasonable grounds that the organisation:

- a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act; or
- b) advocates the doing of a terrorist act.

For the purposes of listing a terrorist organisation under the *Criminal Code*, the doing of a terrorist act includes the doing of a specific terrorist act, the doing of more than one terrorist act and the doing of a terrorist act, even if a terrorist act does not occur.

#### Background to this listing

Lashkar-e-Tayyiba was first listed as a terrorist organisation under the *Criminal Code* on 9 November 2003. Lashkar-e-Tayyiba was re-listed on 5 June 2005, 7 October 2005, 8 September 2007, 8 September 2009, 18 August 2012, 11 August 2015 and 4 August 2018.

#### Details of the organisation

##### **Name of the organisation**

Lashkar-e-Tayyiba

##### **Known aliases**

- al Mansoorien
- al Mansoorian
- Army of Medina
- Army of the Pure
- Army of the Pure and Righteous
- Army of the Righteous
- Falah-e-Insaniyat Foundation
- Idara Khidmat-e-Khalq
- Jama'at ul-Da'awa
- Jama'at al-Dawa
- Jamaat ud-Daawa

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- Jamaat ul-Dawah
- Jama'at-i-Dawat
- Jamaati-ud-Dawa
- Jama'at-ud-Da'awa
- Jama'at-ud-Da'awah
- Jamaat-ud-Dawa
- Jamaat-ul-Dawa
- Jamaiat-ud-Dawa
- JuD
- JUD
- Lashkar-e-Taiba
- Lashkar-e-Tayyaba
- Lashkar-e-Toiba
- Lashkar-i-Tayyaba
- Lashkar-i-Toiba
- Lashkar-Tayyiba
- LeT
- LT
- Milli Muslim League
- Paasban-e-Ahle-Hadis
- Paasban-e-Kashmir
- Paasban-i-Ahle-Hadith
- Party of Preachers
- Party of the Calling
- Pasban-e-Ahle-Hadith
- Pasban-e-Kashmir
- Soldiers of the Pure
- Tehreek
- Tehreek-e-Taharuz Qibla Awal
- The Resistance Front
- TRF

### **Organisational overview and objectives**

Lashkar-e-Tayyiba is a Pakistan-based Sunni violent extremist organisation that uses violence in pursuit of its stated objective of uniting Indian administered Kashmir (IaK) with Pakistan under a radical interpretation of Islamic law. Lashkar-e-Tayyiba's broader objectives include establishing an Islamic Caliphate across the Indian subcontinent. To this end, Lashkar-e-Tayyiba intends to pursue the 'liberation' of all India's Muslim population, even in areas where they do not form a majority.

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Lashkar-e-Tayyiba has declared that democracy is antithetical to Islamic law and that its jihad requires work to turn Pakistan itself into an Islamic state. The Global Terrorism Index 2020 listed Lashkar-e-Tayyiba as one of the most active groups in the Jammu and Kashmir region.

Action taken by the Pakistani Government to combat financial assistance for terrorism have put a degree of pressure on Lashkar-e-Tayyiba's operations in Pakistan. Despite this, and the arrest of senior members of Lashkar-e-Tayyiba, the organisation remains operational in Pakistan, Afghanistan, and the Jammu and Kashmir region.

### **Organisation history**

Lashkar-e-Tayyiba was formed in 1989 as the military wing of the Pakistan-based Islamic fundamentalist movement Markaz al-Dawa was Irshad (MDI—meaning, the Centre for Religious Learning and Propagation, and also known as the Jamaat al-Dawa). Originally formed to wage militant jihad against the Soviet Union for its occupation of Afghanistan, Lashkar-e-Tayyiba shifted its focus to the insurgency in IaK in the 1990s after Soviet troops withdrew from Afghanistan.

Lashkar-e-Tayyiba has also operated under the alias Jamaat ud-Dawa (JuD), which was ostensibly created as a charitable organisation by Lashkar-e-Tayyiba founder Hafiz Muhammad Saeed immediately prior to Lashkar-e-Tayyiba being banned by the Pakistani Government in 2002. JuD functions as a front organisation for Lashkar-e-Tayyiba to mask its activities and solicit funds. Lashkar-e-Tayyiba and JuD are indistinguishable for the purpose of listing as a terrorist organisation.

### **Leadership**

Hafiz Muhammad Saeed is the founder and Emir of Lashkar-e-Tayyiba. Saeed continues to provide leadership to Lashkar-e-Tayyiba despite his 2019 arrest by Pakistani authorities on terrorism financing charges and subsequent sentencing in 2020 to five and a half years in prison.

Zaki ur Rehman Lakhvi is Lashkar-e-Tayyiba's chief of operations. On 7 December 2009, Lakhvi was arrested, along with several other Lashkar-e-Tayyiba members, for his alleged role in the 2008 Mumbai attacks. Lakhvi is yet to stand trial for his alleged role. Lakhvi was released on bail in 2015, but was again arrested in January 2021 for his alleged involvement in terrorism financing activity.

In 2021, other seconds in command, Yahya Mujahid and Zafar Iqbal were each sentenced to a total of 15 years imprisonment on terrorism financing charges.

### **Membership, recruitment and funding**

The exact size of Lashkar-e-Tayyiba's membership base is unknown. However, the United Nations reported Lashkar-e-Tayyiba had close to one thousand members operating in Afghanistan alone in May 2020. Lashkar-e-Tayyiba's members are mostly Afghan and Pakistani citizens.

As of April 2020, media were reporting Lashkar-e-Tayyiba operated 16 training camps, the majority of which were in Pakistan-claimed Kashmir, but also in the Khyber Pakhtunkhwa and Punjab Provinces of Pakistan.

Lashkar-e-Tayyiba receives funding from donors in the Middle East—mainly Saudi Arabia—and through charitable donations collected from sympathisers in Pakistan. Private donations from across South Asia, Gulf states and Europe also contribute to Lashkar-e-Tayyiba's finances.

As of June 2020, Pakistani Government measures have not halted Lashkar-e-Tayyiba financing. This indicates a level of sophistication in the group's funding methods and diversification of its financial interests. In September 2020, Pakistan authorities 'froze' 611 properties belonging to Lashkar-e-Tayyiba, including schools, colleges, mosques, dispensaries, hospitals, boats and buildings. The mosques, schools and colleges in particular provide Lashkar-e-Tayyiba with broad access to the Pakistan population for recruitment purposes.

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### ***Links to other terrorist organisations***

Lashkar-e-Tayyiba maintains links to a variety of violent extremist groups including the Afghan Taliban, Harkat ul Jihad al Islami, and listed terrorist organisations al-Qa'ida and Jaish-e-Mohammad.

Lashkar-e-Tayyiba receives support from, and provides support to, domestic based terrorist groups and networks in India—most notably the Indian Mujahideen and the Students Islamic Movement of India—as well as militant groups in Kashmir.

Lashkar-e-Tayyiba is reportedly known to have previously collaborated with the Haqqani Network.

Lashkar-e-Tayyiba has also reportedly been involved in conflicts involving Muslims outside South Asia, including those in Bosnia, Chechnya and Kosovo.

### **Directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts**

Lashkar-e-Tayyiba has planned and undertaken numerous terrorist attacks against both Afghan and Indian security forces, Indian government and transport infrastructure, and civilians. Recent attacks which can be reliably attributed to Lashkar-e-Tayyiba include:

- On 14 May 2020, Afghan authorities stated Lashkar-e-Tayyiba collaborated with the Haqqani Network to conduct a truck-borne improvised explosive device attack in Gardez, Paktia Province, Afghanistan, killing five and wounding 19 people.
- On 24 April 2020, two Lashkar-e-Tayyiba militants abducted an Indian police officer from his home in IaK. A counter-terrorism operation to recover the police officer was conducted by Indian security forces, killing the two militants and injuring the police officer.
- On 13 May 2019, Indian forces arrested two Lashkar-e-Tayyiba militants in South Kashmir who were planning targeted killings in IaK to spark tensions.
- On 1 April 2019, Lashkar-e-Tayyiba militants injured four Indian security forces personnel in a gunfight in Pulwama, IaK.
- On 30 August 2018, two Lashkar-e-Tayyiba militants were killed when Indian security forces discovered them in northern Kashmir with large quantities of arms and ammunition, likely in preparation to attack Indian positions on the Line of Control (LoC).
- On 7 August 2018, Lashkar-e-Tayyiba militants killed four Indian Army soldiers as they attempted to cross into IaK from Pakistan-claimed Kashmir in Gurez, Bandipora.
- On 4 August 2018, Lashkar-e-Tayyiba militants engaged in a gun battle with the Indian Army in South Kashmir during which one civilian was killed and 12 were injured.

On the basis of these examples, Lashkar-e-Tayyiba is responsible for directly or indirectly engaging in, preparing, planning, assisting in or fostering the doing of terrorist acts.

### **Other considerations**

#### ***Links to Australia and threats to Australian interests***

While Lashkar-e-Tayyiba does not specifically target Australian interests, Australians could be harmed in Lashkar-e-Tayyiba attacks directed at others—particularly mass casualty attacks against soft targets such as hotels, transport infrastructure and tourist sites. This occurred, for example, in Lashkar-e-Tayyiba's 2008 Mumbai attacks, which killed two Australians.

Australians with links to Lashkar-e-Tayyiba members have also planned attacks in Australia. In 2007, a French court convicted French national Willie Brigitte, for planning terrorist attacks in Australia in 2003 in conjunction with Lashkar-e-Tayyiba suspected chief of external operations, Sajid Mir. Brigitte's Australian

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associate, Faheem Khalid Lodhi, was also convicted of planning acts of terrorism in June 2006. In June 2008, Lodhi lost an appeal in the High Court of Australia to have his case overturned.

### ***Listings by likeminded countries or the United Nations***

Lashkar-e-Tayyiba is listed in the United Nations 1267 Committee's consolidated list and proscribed as a terrorist organisation by the governments of Canada, the United Kingdom and the United States.

### ***Engagement in peace or mediation processes***

Lashkar-e-Tayyiba is not engaged in any peace or mediation processes with the Pakistani or Indian Governments.

### **Conclusion**

On the basis of the information above, the Australian Government assesses that Lashkar-e-Tayyiba is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts.

Released under RTI/DPC





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## Statement of Reasons

### Listing of Palestinian Islamic Jihad as a terrorist organisation under the *Criminal Code Act 1995*

This Statement of Reasons is based on publicly available information about Palestinian Islamic Jihad. To the Australian Government's knowledge, this information is accurate, reliable and has been corroborated by classified information where available.

#### Legislative basis for listing a terrorist organisation

Division 102 of the *Criminal Code Act 1995* (the *Criminal Code*) provides that for an organisation to be listed as a terrorist organisation, the AFP Minister (the Minister for Home Affairs), must be satisfied on reasonable grounds that the organisation:

- a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act; or
- b) advocates the doing of a terrorist act.

For the purposes of listing a terrorist organisation under the *Criminal Code*, the doing of a terrorist act includes the doing of a specific terrorist act, the doing of more than one terrorist act and the doing of a terrorist act, even if a terrorist act does not occur.

#### Background to this listing

Palestinian Islamic Jihad was first listed as a terrorist organisation under the *Criminal Code* on 3 May 2004. Palestinian Islamic Jihad was re-listed on 5 June 2005, 7 October 2005, 8 September 2007, 8 September 2009, 18 August 2012, 11 August 2015 and 4 August 2018.

#### Details of the organisation

##### *Name of the organisation*

Palestinian Islamic Jihad

##### *Known aliases*

- al-Quds Brigades
- Harakat al-Jihad al-Islami fi Filistin
- Islamic Jihad
- Islamic Jihad Palestine
- Islamic Jihad—Palestine Faction and Islamic Holy War
- PIJ
- Saraya al-Quds
- The Jerusalem Brigades

##### *Organisational overview and objectives*

Palestinian Islamic Jihad is a religiously and ideologically motivated violent extremist organisation. Palestinian Islamic Jihad's ideology fuses Sunni Islamic and Palestinian nationalist objectives, which are

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intertwined and not easily distinguishable. Ultimately, Palestinian Islamic Jihad's goal is the establishment of a sovereign Islamic state within the historic borders of Palestine. Palestinian Islamic Jihad promotes the military destruction of Israel as the only viable means to attain this goal, and rejects a two-state solution.

Palestinian Islamic Jihad focuses almost exclusively on militant activities that further its objectives. As such, Palestinian Islamic Jihad's military wing, the al-Quds Brigades, and the organisation as a whole are indistinguishable. The al-Quds Brigades claim responsibility for attacks on behalf of Palestinian Islamic Jihad, and its statements are disseminated via the al-Quds Brigades-run website or Palestinian Islamic Jihad-affiliated media outlets.

Palestinian Islamic Jihad primarily operates in Gaza, but has offices elsewhere in the Middle East, including in Syria and Lebanon.

### **Leadership**

Palestinian Islamic Jihad was founded in Gaza in 1981 by Dr Fathi abd al-Aziz Shaqaqi and Shayk Abd al-Aziz Awda. While both were originally members of the Muslim Brotherhood—a transnational Sunni organisation—they believed the group was too moderate and created Palestinian Islamic Jihad as a radical militant alternative focused on the liberation of Palestine.

The current Secretary-General of Palestinian Islamic Jihad is Ziyad al-Nakhleh—who took over from Dr Ramadan Abdullah Shallah in 2018 after Shallah's hospitalisation. Nakhleh oversees Palestinian Islamic Jihad's leadership council, which is responsible for directing Palestinian Islamic Jihad operations via regional commands.

### **Membership and recruitment**

The exact size of Palestinian Islamic Jihad's membership is unclear, with estimates ranging from less than a thousand, up to 8,000 members.

Due to its secretive nature, Palestinian Islamic Jihad's current approach to recruitment is unclear; however, Palestinian Islamic Jihad has previously used targeted selection and recruitment strategies. This has included recruitment of students for protest activities; suicide bombers including women for attacks; and children to ensure ongoing support for the Palestinian resistance into the next generation.

### **Financing**

Despite being a Sunni group, Palestinian Islamic Jihad supports, and receives the majority of its funding from Iran.

### **Links to other terrorist organisations**

Despite being a Sunni group, Palestinian Islamic Jihad remains ideologically supportive of, and maintains close ties with Hizballah, whose External Security Organisation is a listed terrorist organisation under the *Criminal Code*.

Palestinian Islamic Jihad has engaged in operations, including shared use of tunnel networks, with Hamas' Izz al-Din Al-Qassam Brigades (Hamas' Brigades), which is a listed terrorist organisation under the *Criminal Code*.

### **Directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts**

Palestinian Islamic Jihad continues to conduct attacks and engage in attack planning against Israel, and is assessed as responsible or can be reasonably assessed as responsible for the following terrorist attacks and actions:

- From 10-21 May 2021, Palestinian militants, including from Palestinian Islamic Jihad, launched over 4,000 rockets into Israel from Gaza. Palestinian Islamic Jihad's al-Quds Brigades have publicly claimed responsibility for launching rockets, mortar shells and rocket-propelled grenades against Israel during this period.

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- In March 2021, Palestinian Islamic Jihad published a video showing its members preparing to fire rockets. This coincided with the launch of a rocket towards Be'er Sheva, Israel around the time Israeli Prime Minister, Benjamin Netanyahu, was scheduled to visit the area.
- On 24 August 2020, four Palestinian Islamic Jihad members were killed in an apparent bomb-making incident at an al-Quds Brigades compound in Gaza. Palestinian Islamic Jihad announced that its fighters were killed during 'preparations to remove the criminal entity from our occupied lands'. By 'criminal entity', Palestinian Islamic Jihad is almost certainly referring to the state of Israel.
- Tensions between Palestinian Islamic Jihad and Israel escalated in February 2020:
  - On 23 February 2020, the Israel Defense Forces (IDF) claimed it had fired at two Palestinian Islamic Jihad militants, killing one, as they attempted to plant an explosive device along the Gaza perimeter fence east of Khan Younis in Gaza. The IDF accused the militants of being part of a Palestinian Islamic Jihad cell that had planted at least two other explosive devices along the perimeter fence in recent months. Palestinian Islamic Jihad confirmed the deceased militant was a Palestinian Islamic Jihad member and threatened 'the blood of martyrs will not be in vain'.
  - From 23-24 February 2020, Palestinian Islamic Jihad fired a barrage of rockets and mortar rounds into Israel in response to its member's death and Israeli air strikes on its positions in Gaza and Syria. According to the IDF, Palestinian Islamic Jihad fired 80 rockets, although most were intercepted by Israeli air defence systems.
- From 3-5 May 2019, tensions between Palestinian Islamic Jihad and Israel escalated in response to the deaths of several Palestinian protestors during confrontations along the Israel-Gaza perimeter fence and the wounding of two Israeli soldiers in sniper fire from Gaza. Palestinian Islamic Jihad and the Hamas' Brigades fired over 700 rockets into Israel, killing at least four civilians and injuring dozens of others.

On the basis of these examples, Palestinian Islamic Jihad is responsible for directly or indirectly engaging in, preparing, planning, assisting in or fostering the doing of terrorist acts.

### **Advocates the doing of a terrorist act**

Palestinian Islamic Jihad encourages Palestinians to attack Israel and to celebrate violent resistance against Israel, and advocates the use of terrorist tactics in their public messaging. Palestinian Islamic Jihad maintains an Arabic website, which is used to celebrate Jihadist operations, memorialise martyrs, and promote anti-Israeli propaganda.

- On 7 February 2020, Palestinian Islamic Jihad spokesperson, Abu Hamza, publicly called on Palestinians to attack Israeli military checkpoints and settlements in response to the US 'deal of the century' Middle East peace plan. Hamza stated on Twitter: 'we call for comprehensive and direct conflict' and 'heroic operations in Jerusalem and the West Bank are a response of our people, emphasized with blood and weapons, that are against the "deal of the century" and the Judaization of the holy places'.

On the basis of these examples, Palestinian Islamic Jihad advocates the doing of a terrorist act.

### **Other considerations**

#### ***Links to Australia and threats to Australian interests***

There are no known direct links between Palestinian Islamic Jihad and Australia. Palestinian Islamic Jihad has not made statements specifically threatening Australians or Australian interests. However, Australians could be incidentally harmed in attacks.

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### ***Listings by likeminded countries or the United Nations***

Palestinian Islamic Jihad is proscribed as a terrorist organisation by the governments of Canada, New Zealand, the United Kingdom and the United States.

### ***Engagement in peace or mediation processes***

Palestinian Islamic Jihad agreed to a ceasefire following the May 2021 escalation in the Israeli-Palestinian conflict involving the firing of rockets from Gaza into Israel.

However, Palestinian Islamic Jihad leadership had previously publicly committed to maintaining a ceasefire brokered with Hamas and Israel in 2014, where all parties were understood to have breached the ceasefire in the intervening period. Palestinian Islamic Jihad also engaged in ceasefire agreements in November 2019 and February 2020.

### **Conclusion**

On the basis of the information above, the Australian Government assesses that Palestinian Islamic Jihad is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of terrorist acts, and advocates the doing of a terrorist act.

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