

**EXPLANATORY MEMORANDUM TO
THE TERRORISM ACT 2000 (PROSCRIBED ORGANISATIONS) (AMENDMENT)
ORDER 2006**

2006 No. 2016

1. This explanatory memorandum has been prepared by The Home Office and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order amends Schedule 2 to the Terrorism Act 2000 by adding four groups to the list of proscribed organisations concerned in terrorism.

2.2 The Groups are:

Al-Ghurabaa

The Saved Sect

Baluchistan Liberation Army

Teyrebaz Azadiye Kurdistan

Summaries of their activities are as follows:

Al Ghurabaa & Saved Sect (AG and SS)

AG and SS are believed to be splinter groups of Al-Muhajiroon. Al-Muhajiroon was formed in 1996 by Omar Bakri Mouhammad with the aim of creating a world-wide Islamic state and encouraging Muslims to support the Mujahidin who undertake violent jihad. After dissolving Al-Muhajiroon in October 2004, Bakri left for the Lebanon and was excluded from returning from the UK.

Al Ghurabaa (AG)

The AG website is registered at the same address and shares the same contact number as that used by Al-Muhajiroon. The internet is AG's key medium and is used as a means of mobilising support as well as disseminating its ideas. AG courts publicity and makes deliberately provocative and controversial statements expressing extremist views. It is considered that material produced and disseminated by AG falls within section 21 of the Terrorism Act 2006.

Saved Sect (SS)

The SS website disseminates extremist material which it is considered falls within section 21 of the Terrorism Act 2006. It is believed that SS and AG websites are working in tandem to disseminate an Islamist message under the umbrella of Ahl Us-Sunnah Wal-Jammaa'ah described as a sect within Islam

Baluchistan Liberation Army (BLA)

The BLA are comprised of tribal groups based in the Baluchistan area of Eastern Pakistan. The overall aim for the group is an independent nation encompassing the Baluch dominated areas of Pakistan, Afghanistan and Iran. The group has claimed responsibility for, or are the prime suspects in, a number of terrorist attacks dating back to at least 2004. These include the murder of Chinese engineers working on the Sindh/Baluchistan border (February 06), nine bombings at railway stations during 2005, a powerful bomb in Karachi (November 05), “bicycle bombings” in Lahore (September 05), the murder of Pakistani soldiers (August 05) and an attack on Chinese workers near the Gwadar port facility (May 04). Reporting indicates that the BLA continues to plan attacks and has tried to conduct fund raising in the UK.

Teyrebaz Azadiye Kurdistan (TAK)

TAK has claimed a series of attacks in Istanbul and tourist resorts dating from summer 2004. These include a bomb attack in Mersin (Feb 06), a bomb attack on an internet café in Istanbul (Feb 06) and a car bomb in an Istanbul suburb (July 05). TAK are also suspected to have carried out a minibus bombing in July 2005 that killed 5 people including 1 British and 1 Irish national. In a statement in late June 2005, the group announced a broadening of its operations to include industrial, commercial and tourist sites, warning tourists that they would no longer be safe in Turkey.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 Part 2 of the Terrorism Act 2000 allows the Secretary of State to make an Order adding to the list of proscribed organisations in Schedule 2 to the Act. Three Orders have been laid previously in February 2001, October 2002 and in 2005. Section 21 of the Terrorism Act 2006 extended the grounds for proscription to include those organisations which glorify the commission or preparation of terrorism.

5. Extent

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 The Home Secretary, John Reid, has made the following statement regarding Human Rights:

6.2 In my view the provisions of the Terrorism Act (Proscribed Organisations) (Amendment) Order 2006 are compatible with the Convention rights.

7. Policy background

7.1 Section 3 of the Terrorism Act 2000 provides a power to proscribe by order an organisation which commits or participates in acts of terrorism, prepares for, promotes

or encourages terrorism or is otherwise concerned with terrorism. Section 21 of the Terrorism Act 2006 amended the grounds for proscription to include organisations which glorify terrorism.

7.2 Additional criteria were issued by the Home Office in 2001 on deciding whether or not to proscribe an organisation. These are:

- The nature and scale of the organisation's activities
- The specific threat that it poses to the UK
- The specific threat that it poses to British nationals overseas
- The extent of the organisation's presence in the UK
- The need to support international partners in fight against terrorism

7.3 Proscription means that an organisation is outlawed in the UK as soon as the order comes into force. It is a criminal offence for a person to belong to or encourage support for a proscribed organisation. It is also a criminal offence to arrange a meeting in support of a proscribed organisation or to wear clothing or to carry articles in public which arouse reasonable suspicion that they are a member or supporter of a proscribed organisation. Proscription means that the financial assets of the organisation become terrorist property and can be subject to freezing and seizure. Organisations that are proscribed can appeal to the Secretary of State for de-proscription.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 There is no impact on the public sector.

9. Contact

David Ford at the Home Office: Tel: 020 7035 6821 or e-mail: David.Ford@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.