

Answers to Question Notice from public hearing held 28 November 2022, Canberra

United Action for Iran

Q1 – Pg 14

CHAIR: Has your organisation or representatives of your organisation been given a specific contact or a liaison officer within the AFP or other authorities to report these concerns to?

Mr Maghami: The short answer is no. I think Ms Rafiee made it clear that the UIA is a collective of about 19 organisations. The UIA is not an independent organisation itself. It's a collective of 19 Iranian Australian organisations and about 700 individuals. I would have to take that on notice and come back with a firm answer. As I understand my instructions this morning, the answer is no, we haven't.

Answer to Q on notice: No. no specific contact or a liaison provided

Q2 – Pg 15

Senator CICCONE: I will pick up on the chair's line of questioning. It goes to your knowledge around the AFP. Has the Department of Home Affairs been in contact?

Mr Maghami: Again, that's a matter that I should take on point and come back to you, if you will allow me. The short answer is that there are individuals we are aware of. I should put in parentheses for a moment that I'm a barrister and Ms Rafiee is a solicitor, so we get contacted by members of the UIA saying, 'What can we do?' I can from personal experience say that I have been contacted multiple times by Iranian Australians who have said, 'I've received a message.' I will quote one: 'We're going to put you in a body bag and send you home.' This was a lady in a relatively senior commercial banking position in Sydney. To answer your question, there are aspects, but I don't think there are specific contacts with Home Affairs.

Senator CICCONE: My understanding is that there is a community network and they are engaging with the community and, I believe, the various states and territories. Could you take that on notice?

Mr Maghami: Of course.

Answer to Q on notice: As above. No specific contact or a liaison with the organisations within the UAI that we have been able to identify.

Q3 – pp.15–16

Senator CICCONE: From the committee's point of view, what do you think we should consider in how we respond to these concerns? No doubt when we table our report to the parliament, you will get to see what our recommendations are. Given you are here today, I will turn that question around to you. What would you like us to do in terms of our recommendations not just to government but also to others in the community? What are you expecting out of this process?

Mr Maghami: Is the question posed on a general basis or specifically in relation to threats?

Senator CICCONE: Take it as you want.

Mr Maghami: Sure.

Senator CICCONE: The threats as well.

Mr Maghami: The submission of the UAI—I suspect you have a copy in front of you—talks about the position of the Magnitsky style sanctions and the declaration of the IRGC. Can I touch on them very quickly?

Senator CICCONE: Sure, yes.

Mr Maghami: I'm happy to either come back to you in writing with further material or otherwise. I have always advocated for the path of least resistance when it comes to this sort of thing. I understand that diplomacy is best done behind closed doors. But the path of least resistance—that is, what the Australian government can do today without any legal controversy—is the position of

targeted sanctions under the Magnitsky legislation, which came in in November 2021, as I am reminded. It came in I don't want to say for the Russians but due to what happened between Russia and the Ukraine. I will make this point clear. The security agencies of this country can readily identify bad actors. We have no doubt they can do that once those bad actors are identified. The question for the minister is whether or not sanctions should be applied to those individuals. When I say the path of least resistance, I mean that in the legalistic sense—that is, once identification has been had in relation to a particular person, who might be, in fact, covered under the diplomatic immunity functions because they work for the Iranian regime in the embassy. Once those individuals are identified, obviously there needs to be a briefing. It is the decision of the minister to in fact impose those sanctions, which then allows the government to take actions, including the freezing of assets or otherwise.

Senator CICCONE: I appreciate that. Thank you.

Answer to Q on notice: Nothing further to add – I think our submissions cover the field as to what 'recommendations' is advocated for.