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Submission to the Parliamentary Joint Committee on Intelligence and Security

Review of the Listing of the Islamic Revolutionary Guard Corps (IRGC) as a State Sponsor of Terrorism under the Criminal Code

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Capacity: Individual submission

1. Purpose of Submission

This submission supports the continued listing of the Islamic Revolutionary Guard Corps (IRGC) as a state sponsor of terrorism under Division 110 of the *Criminal Code*. The listing remains legally justified, necessary, and proportionate based on the IRGC's ongoing conduct, organisational structure, and risk profile.

This submission further urges the Committee to recommend that the listing be implemented with precision and fairness, including a clear distinction between IRGC commanders, officers, employees, and voluntary members on the one hand, and individuals compelled into short-term service through Iran's system of mandatory conscription on the other. A credible counter-terrorism framework requires firmness against genuine perpetrators while avoiding unintended injustice.

1.1 Standing, First-Hand Experience, and Professional Expertise of the Author

The writer has direct, first-hand experience of the conduct and operations of the IRGC, having been arrested and imprisoned on multiple occasions in Iran by IRGC-controlled authorities due to political activity and opposition to the Iranian regime between 1999 to 2004. Through these arrests and periods of detention and later investigating, studying the IRGC, the writer acquired direct knowledge of IRGC practices, including arbitrary arrest, coercive interrogation, intimidation, their involvement in business, drug trafficking, money laundering, and the central role of IRGC intelligence units in suppressing dissent in the absence of judicial independence or due process.

This understanding is not abstract or second-hand, but grounded in lived experience of the IRGC's repression apparatus. In addition, the writer has been actively involved for more than a decade in campaigns and advocacy efforts calling for the designation of the IRGC in Canada and elsewhere,

engaging with parliamentarians, government officials, civil-society organisations, lawyers, and affected communities. This engagement long predates recent geopolitical developments and reflects a consistent, principled position based on the IRGC's institutional role in repression and terrorism.

That comparative experience also provides insight into the practical consequences of IRGC listings, including lessons learned in Canada where the absence of early, explicit safeguards for conscripts resulted in humanitarian harm and misallocation of security resources. Finally, the writer is an Australian lawyer trained in statutory interpretation and evidence-based legal analysis. This submission is therefore advanced with a clear understanding of the legal threshold under Division 110 of the *Criminal Code* and the distinction between institutional responsibility and individual culpability.

2. Legal Framework

Under subsection 110.3(3) of the *Criminal Code*, an entity may be specified as a state sponsor of terrorism where it is a foreign state entity that has directly or indirectly engaged in, assisted, fostered, or advocated terrorist acts targeted at Australia. The framework is conduct-based and risk-based. It does not turn on diplomatic considerations or symbolic judgments, but on whether the entity's conduct and associated risk persist.

3. Continued Satisfaction of the Statutory Threshold

The IRGC is constitutionally embedded within the Iranian state, reports directly to the Supreme Leader, and operates as an arm of state power. This element of the statutory test is uncontested.

The original listing was supported by ASIO-assessed findings that the IRGC directed and fostered terrorist attacks on Australian soil, including antisemitic attacks against civilian targets. Since the listing, no evidence has emerged that diminishes or contradicts those findings. However, the IRGC's reliance on proxies, intermediaries, and plausible deniability remains central to its operational doctrine. Under Australian law, indirect assistance or fostering of terrorist activity is sufficient to satisfy the statutory threshold.

4. Terrorism as a Method of Governance and Exported State Policy

The IRGC does not engage in isolated or episodic violence. It uses terror systematically as a method of governance. Domestically, it continues to lead mass repression campaigns involving lethal force against civilians, torture, enforced disappearances, collective punishment, and prolonged information blackouts. These actions constitute systematic terrorisation of the civilian population rather than lawful policing or military activity.

Internationally, the IRGC has exported this model by supporting repressive governments engaged in mass violence against their own populations. Its decisive role in sustaining the Syrian regime under **Bashar al-Assad**, including the coordination of foreign militias and provision of intelligence and military support during mass civilian killings, illustrates that terrorism is deliberately exported to advance ideological and strategic objectives beyond Iran's borders.

5. Transnational Terrorism and High-Profile IRGC Operations on Foreign Soil

The IRGC's activities extend well beyond Iran and include direct involvement in terrorist operations, assassination plots, and attempted mass-casualty attacks on foreign soil. These activities are documented through criminal prosecutions, court judgments, and official findings by democratic governments.

In the United States, authorities uncovered and prosecuted a plot in 2011 to assassinate the Saudi Ambassador in Washington, D.C., a plan that contemplated a bombing in a public venue with a high risk of mass civilian casualties. Prosecutors described the operation as state-directed and linked it to Iranian military and intelligence structures. More recently, U.S. law-enforcement agencies have disclosed and prosecuted IRGC-linked plots targeting Iranian-American journalists and dissidents, including alleged murder-for-hire schemes involving criminal intermediaries and senior IRGC officials.

In Europe, the IRGC's operational reach was exposed through a thwarted 2018 bomb plot targeting a large Iranian opposition gathering near Paris. A serving Iranian diplomat was later convicted and sentenced in Belgium for facilitating the attempted attack, underscoring the use of official state cover to execute terrorist operations abroad. European governments have also publicly acknowledged additional IRGC-linked surveillance, intimidation, and assassination plots targeting dissidents.

In Latin America, the 1994 bombing of the AMIA Jewish community centre in Buenos Aires, which killed 85 people, remains one of the clearest examples of state-directed terrorism carried out abroad through an IRGC-backed proxy. Argentine judicial findings have concluded that the attack was directed by Iranian state authorities and executed via Hezbollah.

Taken together, these cases demonstrate that the IRGC is a transnational terrorist actor with a sustained history of executing or attempting lethal operations abroad, targeting civilians, dissidents, religious sites, and mass gatherings across multiple continents.

6. Targeting and Attempted Elimination of Named Iranian Activists Abroad

Beyond large-scale plots and proxy attacks, the IRGC has engaged in systematic targeting of specific Iranian activists, journalists, and opposition figures living in foreign jurisdictions, treating lawful political expression abroad as grounds for intimidation or elimination.

The writer of this submission has personally been among those targeted by the IRGC in Canada due to political activism and opposition to the Iranian regime. This experience is consistent with a broader and well-documented pattern of IRGC conduct.

In the United States, federal authorities have publicly disclosed and prosecuted plots targeting **Masih Alinejad**, an Iranian-American journalist based in New York, involving surveillance, kidnapping plans, and alleged assassination efforts linked to IRGC-associated operatives. Similarly, **Ahmad Batebi**, a prominent Iranian activist residing in Washington, D.C., has been publicly identified as a target of Iranian regime-linked threats and intimidation.

IRGC targeting has also extended to journalists working for independent Persian-language media outlets, including **Iran International TV**. Public reporting has identified journalists such as **Fardad Farahzad** as targets of Iranian regime-linked surveillance, intimidation, and attempted elimination outside Iran.

These cases illustrate a consistent pattern of transnational repression. The IRGC seeks not only to silence dissent domestically, but to export terror internationally, using criminal intermediaries, covert surveillance, intimidation, and attempted assassinations in democratic states. This conduct confirms that foreign sovereign territory is treated as an operational theatre for coercion and terrorism.

7. Influence Operations, Front Organisations, and Economic Networks

The IRGC funds and directs ostensibly non-governmental organisations, cultural bodies, and front entities to expand regime ideology, influence public discourse, and pressure foreign governments. These entities operate as part of an integrated ecosystem that facilitates fundraising, legitimises violence, suppresses dissident voices, and advances the IRGC's broader terrorist and foreign-interference objectives.

The IRGC also exercises extensive control over key sectors of the Iranian economy and operates through front companies and intermediaries outside Iran to move funds internationally. These financial networks enable the financing of militant proxies and radical actors, sustain influence operations abroad, and evade sanctions and scrutiny. Economic power is therefore a core enabler of the IRGC's terrorist capacity.

8. Mandatory Conscription and a Security-Screened Exemption Framework

The Islamic Republic of Iran enforces mandatory military conscription of approximately 18 to 24 months. Some conscripts are assigned by the national draft authority to IRGC-controlled units. These individuals cannot choose their placement, undergo no IRGC recruitment or ideological vetting, and face severe penalties for refusal, including imprisonment, travel bans, and exclusion from education and employment. Most conscripts do not wish to serve in IRGC-controlled units and comply solely under legal coercion.

The continued listing of the IRGC is both necessary and appropriate. However, conscripts should not be treated as exempt by default, nor automatically captured by the listing. Instead, they should be explicitly distinguished from IRGC commanders, officers, employees, and voluntary members, and assessed on an individualised basis.

A principled approach would allow former conscripts to be exempt from adverse consequences of the listing **subject to robust security, intelligence, and criminal background checks**, including assessment of whether the individual had any meaningful or voluntary role in IRGC operations, repression, or overseas activities. This ensures that individuals who had no command authority, ideological commitment, or participation in criminal or terrorist conduct are not penalised solely due to coerced service.

Such an approach preserves the government's full ability to exclude or take action against any person for whom credible security or criminal concerns exist, while preventing unnecessary family separation and humanitarian harm. Many former conscripts have spouses, children, or close family members lawfully

residing in Australia. Allowing those who pose no security risk to reunite with their families and to travel for legitimate purposes is consistent with Australia's national security interests and rule-of-law values.

9. Australian National Security Implications

Maintaining the listing disrupts IRGC financing and operations, deters facilitation within Australia, aligns Australia with trusted intelligence partners, and reassures affected communities. A security-screened exemption framework for conscripts strengthens, rather than weakens, the integrity and credibility of the designation regime.

10. Absence of Any Basis for Delisting

There has been no renunciation of terrorism, no dismantling of proxy networks, and no structural reform of the IRGC. The organisation continues to engage in repression, transnational intimidation, and ideological expansion. Delisting would therefore be legally indefensible.

11. Conclusion and Recommendation

The IRGC remains a foreign state entity that systematically engages in terrorism, repression, transnational operations, and the export of radical ideology.

The Committee is urged to recommend that the IRGC remain listed as a state sponsor of terrorism and to recommend explicit, security-screened safeguards distinguishing coerced conscripts from IRGC commanders and voluntary members. This approach ensures that Australia's counter-terrorism framework remains both robust and just. Additionally, the senior members and commanders of IRGC as well as their agents be identified and removed from Australia.

Respectfully Submitted by

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