

## QUESTION TAKEN ON NOTICE

**SUPPLEMENTARY BUDGET ESTIMATES HEARING: 1 November 2005**

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

### **(170) Output 1.3: Enforcement of Immigration Law**

Senator Ludwig asked:

1. Did the Department request an investigation of the Bakhtiyari family's claims by the ICU?
2. Was the Department aware of any other investigations the ICU was doing in relation to the Bakhtiyari family?
3. Was the Department aware of the ongoing investigation into the Afghani nationality of the Bakhtiyari family at the time of their removal from Australia?
4. Has this investigation since concluded?

If so, what was the outcome of the investigation if it was communicated to the Department?

If not, when is it expected to conclude?

5. Was it reported to the government that the Bakhtiyari family were Afghans?

*Answer:*

1. The department did request that the Afghan Government's Identity Checking Unit (IDCU) investigate the claimed identity of the Bakhtiyari family.

2. The IDCU is an agency of the Afghan Government that provides identity verification services for the Afghan Government. The Afghan Embassy advises the department of its findings in relation to identity investigations, but does not provide it with the IDCU reports.

3 & 5. DIMIA has not received any formal notification from the Afghan Government that any of the Bakhtiyari family are citizens of Afghanistan.

Even if the Afghan Government were to issue a Statement of Identity for members of the Bakhtiyari family it would still not change the fact that they have been found by the Government of Pakistan to be nationals of Pakistan.

On 22 December 2004, the Afghan Embassy released a press release stating that the findings of Mrs Bakhtiyari's identity were inconclusive and require further investigation. This was reiterated in a letter from the Afghan Ambassador to the Minister on 27 December 2004, which stated that the taskers submitted to the IDCU by Mr Bakhtiyari and his brother were counterfeit and that Mrs Bakhtiyari's identity investigation was inconclusive and ongoing.

4. The department has not received advice from the IDCU and the Afghan Embassy in relation to what is happening with the ongoing investigations into Mrs Bakhtiyari's identity.

While the family claims to have ties to Afghanistan, the Afghan Embassy has not been able to substantiate this, and if these ties do exist it does not change the fact that they were found by the Government of Pakistan to be nationals of Pakistan.

5. See answer to question 3 above.