



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

SENATE

FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION
COMMITTEE

Estimates

(Public)

THURSDAY, 16 FEBRUARY 2023

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FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE

Thursday, 16 February 2023

Members in attendance: Senators Antic, Birmingham, Brockman, Cadell, Canavan, Chandler, Ciccone, Colbeck, Cox, Faruqi, Fawcett, Green, McLachlan, Rennick, Reynolds, Roberts, Steele-John, Van and White

FOREIGN AFFAIRS AND TRADE PORTFOLIO**In Attendance**

Senator Wong, Minister for Foreign Affairs

Senator Farrell, Minister for Trade and Tourism, Special Minister of State

Department of Foreign Affairs and Trade**Non-trade programs: outcome 1, outcome 2 and outcome 3**

Ms Jan Adams, Secretary

Mr Tim Yeend, Associate Secretary, Trade and Investment Group

Ms Clare Walsh, Deputy Secretary, Chief Operating Officer Group

Mr Craig Maclachlan, Deputy Secretary, International Security, Legal and Consular Group

Mr Rod Brazier, Acting Deputy Secretary, Development and Multilateral Group

Ms Elly Lawson, Acting Deputy Secretary, Geostrategic Group

Ms Michelle Chan, Deputy Secretary, Southeast Asia and Global Partners Group

Mr Ewen McDonald, Head of the Office of the Pacific

Mr Brad Medland, Chief Finance Officer, Finance Division

Ms Belinda Casson, Chief People Officer, People Division

Mr Adam McCarthy, Chief Legal Officer, Legal Division

Ms Natalie Cohen, Acting First Assistant Secretary, Development Policy Division

Ms Kate Logan, First Assistant Secretary, Consular Crisis Management Division

Mr Ian Gerard, Assistant Secretary, Consular Operations Branch

Ms Danielle Heinecke, First Assistant Secretary, Pacific Integration and Economic Division

Ms Robyn Mudie, First Assistant Secretary, Southeast Asia Regional Division

Mr Marc Innes-Brown, First Assistant Secretary, Middle East and Africa Division

Mr Peter Sawczak, First Assistant Secretary, US and Indo-Pacific Strategy Division

Mr Chris Cannan, First Assistant Secretary, Europe and Latin America Division

Mr Mat Kimberley, Acting First Assistant Secretary, Pacific Melanesia Division

Ms Elizabeth Peak, Deputy Head of the Office of the Pacific and First Assistant Secretary Pacific Strategy Division

Mr Craig Kelly, Acting Director, Australian Passport Office

Mr David Woods, Chief Economist, International Economics and Green Economy Division

Mr Mathew Smorhun, Chief Information Officer, Information Management and Technology Division

Mr Jonathan Kenna, Chief Trade Law Officer, Trade and Investment law Division

Mr Brett Marshall, Acting Chief Security Officer, Diplomatic Security Division

Mr Peter Cai, Head of the National Foundation for Australia-China Relations

Ms Sarah deZoeten, Head, AUKUS Taskforce

Ms Kristin Tilley, Ambassador for Climate Change

Mr Robert Christie, Acting First Assistant Secretary, Climate Diplomacy and Development Finance Division

Mr Ridwaan Jadwat, First Assistant Secretary, Southeast Asia Maritime Division

Ms Kirsty McNeil, Acting First Assistant Secretary, Polynesia, Micronesia and Development Division

Mr Robin Davies, First Assistant Secretary, Global Health Division

Ms Natasha Smith, First Assistant Secretary, Multilateral Policy and Human Rights Division

Ms Caitlin Wilson, First Assistant Secretary, Development Effectiveness and Enabling Division

Ms Beth Delaney, First Assistant Secretary, Humanitarian Division

Ms Suzanne Pitson, First Assistant Secretary, Overseas Property Office and Services

Ms Helen Stylianou, First Assistant Secretary, Trade Resilience and Indo-Pacific Economic Cooperation Division

Mr Andrew Walter, First Assistant Secretary, Regulatory Legal Division
Ms Kim Debenham, Acting First Assistant Secretary, Office of Global Trade Negotiations
Mr Jeff Robinson, Acting Ambassador for Arms Control and Counter Proliferation
Mr Geoffrey Shaw, Director-General, Australian Safeguards and Non-Proliferation Office
Mr Michael Growder, Head of the Capability Taskforce
Ms Sophia Knight, Acting Chief Economist, Protocol Branch
Ms Lucienne Manton, Ambassador for People Smuggling and Human Trafficking
Mr Jamie Isbister, First Assistant Secretary, Strategic Infrastructure Division
Ms Rebekah Grindlay, Acting First Assistant Secretary, North and South Asia Division
Mr Ray Marcello, Acting First Assistant Secretary, Southeast Asia Strategy and Development Division
Mr Derek Yip, Acting First Assistant Secretary, East Asia Division
Mr Paul Griffiths, First Assistant Secretary, Executive Division

Trade programs: outcome 1, outcome 2 and outcome 3

Mr Tim Yeend, Associate Secretary, Trade and Investment Group
Ms Elly Lawson, Acting Deputy Secretary, Geostrategic Group
Mr Brad Medland, Chief Finance Officer, Finance Division
Mr Adam McCarthy, Chief Legal Officer, Legal Division
Mr Jonathan Kenna, Chief Trade Law Officer, Trade and Investment law Division
Ms Alison Burrows, Chief Negotiator, Australia-EU Free Trade Agreement
Ms Frances Lisson, Chief Negotiator, Australia-India Comprehensive Economic Cooperation
Mr David Woods, Chief Economist, International Economics and Green Economy Division
Ms Kim Debenham, Acting First Assistant Secretary, Office of Trade Negotiations
Mr Ravi Kewalram, First Assistant Secretary, Free Trade Agreements and Stakeholders Engagement Division
Ms Helen Stylianou, First Assistant Secretary, Trade Resilience and Indo-Pacific Economic Cooperation Division
Ms Kirsty McNeil, Acting First Assistant Secretary, Polynesia, Micronesia and Development Division
Mr Mat Kimberley, Acting First Assistant Secretary, Pacific Melanesia Division
Ms Elizabeth Peak, Deputy Head of the Office of the Pacific
Ms Danielle Heinecke, First Assistant Secretary, Pacific Integration and Economic Division
Mr Paul Griffiths, First Assistant Secretary, Executive Division
Mr Derek Yip, Acting First Assistant Secretary, East Asia Division
Mr Lachlan Crews, Assistant Secretary, East Asia Economic Branch
Mr Chris Cannan, First Assistant Secretary, Europe and Latin America Division
Mr Ridwaan Jadwat, First Assistant Secretary, Southeast Asia Maritime Division
Ms Natalie Cohen, Acting First Assistant Secretary, Development Policy Division
Mr Marc Innes-Brown, First Assistant Secretary, Middle East and Africa Division
Mr Peter Sawczak, First Assistant Secretary, US and Indo-Pacific Strategy Division
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Mr Jamie Isbister, First Assistant Secretary, Strategic Infrastructure Division
Mr Ray Marcello, Acting First Assistant Secretary, Southeast Asia Strategy and Development Division
Ms Robyn Mudie, First Assistant Secretary, Southeast Asia Regional Division

Australian Trade and Investment Commission

Mr Xavier Simonet, Chief Executive Officer
Ms Philippa King, Deputy Chief Executive Officer, Policy and Programs

Mr Daniel Boyer, Deputy Chief Executive Officer, Trade and Investment
Ms Samantha Palmer, General Manager, Visitor Economy and Client Programs
Mr Sam Guthrie, General Manager, Government and Policy
Mr Jay Meek, General Manager, Trade
Mr Peter Horn, General Manager, Investment and Sectors
Ms Jessica Hamilton, General Manager, External Communications and Marketing
Ms Heather Cotching, Chief Economist
Dr Garth Taylor, Head, Tourism Research Australia
Mr Ben Wyers, Chief People Officer
Mr David Tonkin, Chief Counsel
Mr David Grabau, Head of Resources and Energy
Ms Melissa Woodburn, Chief Operating Officer
Mr Darren Cameron, Acting Head, IT Services

Simplified Trade System Taskforce

Mr Randall Brugeaud, Head
Ms Christie Sawczuk, Deputy Head
Mr Daniel Curtis, Head of Strategic Policy and Regulatory Reform
Ms Julie Wells, Head of Digital, Data and Design
Ms Nicole Henry, Head of Business Engagement and Program Management

Export Finance Australia

Mr John Hopkins, Managing Director and Chief Executive Officer
Ms Sonia Kammel, Chief Financial Officer
Ms Amanda Copping, Chief Customer Officer—Project and Structured Finance
Mr John Pacey, Chief Credit Officer
Ms Felicity Shaw, General Counsel
Mr Nic Frankham, Head of Corporate Affairs

Tourism Australia

Ms Phillipa Harrison, Managing Director
Mr Bede Fennell, Executive General Manager, Corporate Affairs
Ms Susan Coghill, Chief Marketing Officer
Ms Christine Liu, Chief Financial Officer

Committee met at 09:00

CHAIR (Senator Ciccone): I declare open this meeting of the Senate Foreign Affairs, Defence and Trade Legislation Committee. The Senate has referred to the committee the particulars of proposed expenditure for 2022-23 and related documents for the Foreign Affairs, Defence and Trade portfolios. The committee may also examine the annual reports of the departments and agencies appearing before it. The committee has set 3 March this year as the date by which senators are to submit written questions on notice and 31 March this year as the date for the return of answers to questions taken on notice. Under standing order 26, the committee must take all evidence in public session, and this includes answers to questions on notice. I remind all witnesses that, in giving evidence to the committee, they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to a committee. The Senate, by resolution in 1999, endorsed the following test of relevance of questions at estimates hearings. Any questions going to the operations or financial positions of the departments and agencies which are seeking funds in the estimates are relevant questions for the purpose of estimates hearings. I further remind officers that the Senate has resolved that there are no areas in connection with the expenditure of public funds where any person has a discretion to withhold details or explanations from the parliament or its committees unless the parliament has expressly provided otherwise. The Senate has resolved that an officer of the department of the Commonwealth shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer

questions asked to a superior officer or to a minister. This resolution prohibits only questions asking for opinions on matters of policy and does not preclude questions asking for explanations of policy or factual questions about when and how policies were adopted. I draw the attention of witnesses to an order of the Senate on 13 May 2009, specifying the process by which a claim of public immunity should be raised, which will be incorporated in the *Hansard*.

The extract read as follows—

Public interest immunity claims

That the Senate—

(a) notes that ministers and officers have continued to refuse to provide information to Senate committees without properly raising claims of public interest immunity as required by past resolutions of the Senate;

(b) reaffirms the principles of past resolutions of the Senate by this order, to provide ministers and officers with guidance as to the proper process for raising public interest immunity claims and to consolidate those past resolutions of the Senate;

(c) orders that the following operate as an order of continuing effect:

(1) If:

(a) a Senate committee, or a senator in the course of proceedings of a committee, requests information or a document from a Commonwealth department or agency; and

(b) an officer of the department or agency to whom the request is directed believes that it may not be in the public interest to disclose the information or document to the committee, the officer shall state to the committee the ground on which the officer believes that it may not be in the public interest to disclose the information or document to the committee, and specify the harm to the public interest that could result from the disclosure of the information or document.

(2) If, after receiving the officer's statement under paragraph (1), the committee or the senator requests the officer to refer the question of the disclosure of the information or document to a responsible minister, the officer shall refer that question to the minister.

(3) If a minister, on a reference by an officer under paragraph (2), concludes that it would not be in the public interest to disclose the information or document to the committee, the minister shall provide to the committee a statement of the ground for that conclusion, specifying the harm to the public interest that could result from the disclosure of the information or document.

(4) A minister, in a statement under paragraph (3), shall indicate whether the harm to the public interest that could result from the disclosure of the information or document to the committee could result only from the publication of the information or document by the committee, or could result, equally or in part, from the disclosure of the information or document to the committee as in camera evidence.

(5) If, after considering a statement by a minister provided under paragraph (3), the committee concludes that the statement does not sufficiently justify the withholding of the information or document from the committee, the committee shall report the matter to the Senate.

(6) A decision by a committee not to report a matter to the Senate under paragraph (5) does not prevent a senator from raising the matter in the Senate in accordance with other procedures of the Senate.

(7) A statement that information or a document is not published, or is confidential, or consists of advice to, or internal deliberations of, government, in the absence of specification of the harm to the public interest that could result from the disclosure of the information or document, is not a statement that meets the requirements of paragraph (1) or (4).

(8) If a minister concludes that a statement under paragraph (3) should more appropriately be made by the head of an agency, by reason of the independence of that agency from ministerial direction or control, the minister shall inform the committee of that conclusion and the reason for that conclusion, and shall refer the matter to the head of the agency, who shall then be required to provide a statement in accordance with paragraph (3).

(d) requires the Procedure Committee to review the operation of this order and report to the Senate by 20 August 2009.

(13 May 2009 J.1941)

(Extract, Senate Standing Orders)

CHAIR: Witnesses are specifically reminded that a statement about information or a document that is confidential or consists of advice to government is not a statement that meets the requirements of the 2009 order. Instead, witnesses are required to provide some specific indication of the harm to the public interest that could result from the disclosure of the information or the document. I ask members of the media to follow the established media guidelines and the instructions of the committee secretariat as set out in the guidelines. Senators' and witnesses' laptops, mobile phones, other devices and personal papers are not to be filmed or photographed. I remind everyone in the gallery that they are not permitted to speak or interfere with the proceedings or witnesses at any point during the hearing.

Witnesses and senators who are seeking to table documents during the committee's hearings are requested to provide an electronic copy of those documents to the secretariat so that the documents can be circulated electronically during the hearing. Please liaise with the secretariat if you need any assistance. On that note, today's committee proceedings will commence with representatives from the Department of Foreign Affairs and Trade. I now welcome Senator the Hon Penny Wong, Minister for Foreign Affairs, and Ms Jan Adams PSM, Secretary of the Department of Foreign Affairs and Trade. Welcome to you and to your officers. Minister, do you have an opening statement?

Senator Wong: If I may, I want to acknowledge Richard Woolcott just briefly. Yesterday, we obviously started proceedings by recognising the contribution of Senator Molan. At these Foreign Affairs hearings, I do want to acknowledge the contribution of Richard Woolcott. He was a giant of Australian diplomacy. He held many roles; he was a former ambassador in some of our most senior posts, including Jakarta and at the UN, and he was a secretary of this department. He was an early champion of Australia taking its place in the region. I know that there have been many fine tributes to him, including at the service yesterday. But one recollection by Graeme Dobell has stuck with me: Mr Woolcott said that, in Asia, we must strive to be 'the odd man in, not the odd man out'. We inherit his considerable legacy and are both the better and better off for it. In this forum, I want to express my gratitude for his service to the country and, again, extend my deepest sympathies to his family and his friends, some of whom are sitting with me and behind me.

CHAIR: Thank you, Minister. Secretary, do you have an opening statement?

Ms Adams: No, thank you.

CHAIR: I will hand the call over now to the coalition senators. Senator Birmingham, you have the call.

Senator BIRMINGHAM: On behalf of the coalition, could I also place on the public record our condolences to Richard Woolcott's family and our recognition of his immense service to Australia, serving both coalition and Labor governments and doing so with the utmost of integrity and with drive, energy, vision and a willingness not only to stand up to ministers and governments, where necessary, but also to deliver for the country and the priorities of the day. We thank him for his service, in recognising his life. Could I start, Secretary, by receiving an update in relation to Australian citizens impacted by the earthquake in Turkiye and Syria in order to understand the status of their wellbeing and the wellbeing of those where any uncertainties remain.

Ms Adams: The Australian government extends its deepest condolences to all those affected by the devastating earthquakes and aftershocks in Turkiye and neighbouring countries. Clearly, this has been a natural disaster of horrendous proportions, with the death toll still climbing daily. We are deeply saddened that three Australians have died in the earthquakes and, of course, again extend our condolences to the families. DFAT has been providing consular assistance to around 80 Australians and their families. I'm going to ask head of consular, Kate Logan, to give further details.

Ms Logan: The secretary has covered off the key points about the number of Australians who sadly died and the consular assistance that we're continuing to provide to families in Turkiye. The nature of that assistance is really around travel documents and includes assistance with travel out of the affected area, welfare cheques and so on, and that support is ongoing.

Senator BIRMINGHAM: Is any particular support being given to those families of Australians who have been killed?

Ms Logan: Yes. We are in touch with all three families and are offering support services. We're staying in touch with them but, obviously, we've also referred them to Services Australia and some other agencies for that support.

Senator BIRMINGHAM: Are there Australians who remain unaccounted for?

Ms Logan: No.

Senator BIRMINGHAM: Some frustration has been expressed in the media internationally about the speed of recovery efforts, including in some cases with international agencies. Has Australia been engaged in any dialogue with international agencies or relevant governments about the speed of recovery efforts?

Ms Logan: We have been, and it's for Deputy Secretary Brazier or my colleague in the humanitarian policy division to address that.

Mr Brazier: The scale of this disaster is immense. As of this morning, the death toll passed 41,000 across Turkiye and Syria. We're aware of the news reports, of course, but it's not unusual in any situation like this for desperate people to want their governments to provide all possible support as fast as possible. The Australian government is focused not only on the support that we can provide through consular efforts to Australians

affected, of course, but also on providing the humanitarian assistance that we have provided. That humanitarian assistance has been in two parts. There was an announcement by the Prime Minister at lunchtime the following day, articulating the \$10 million package of support that Australia was providing immediately to NGO and multilateral partners with the ability to reach victims of the earthquake on the ground in both countries. Also, as you'd be aware, Australia has dispatched a search and rescue team, which is active in Hatay Province of Turkiye.

Senator BIRMINGHAM: I think the Prime Minister announced a further \$8 million yesterday.

Mr Brazier: That's right. I should have mentioned that the Prime Minister announced a further \$8 million of humanitarian assistance, being \$4.5 million for Turkiye and the balance for efforts in Syria: in the case of Turkiye, working principally through international NGOs; in the case of Syria, through United Nations partners.

Senator BIRMINGHAM: When did Australia offer the search and rescue team?

Mr Brazier: The Turkish government put out a request for assistance globally very soon after the quake. A decision was made, I believe, between 24 hours to 36 hours later to mobilise that team. That team is one of two teams that are always on stand-by; it is based in Sydney and consists of Australian emergency service workers. Is there anything to add to that, Ms Delaney?

Ms Delaney: That's correct. The decision was activated by the foreign minister on the morning of Wednesday 8 February.

Senator BIRMINGHAM: Could that team have mobilised and been operational on the ground faster than ended up being the case?

Ms Delaney: In the first instance, as Mr Brazier has outlined, we did respond very quickly with humanitarian funding to enable organisations that were in the affected areas to provide immediate lifesaving support. As Mr Brazier has also outlined, on Tuesday, 7 February, the Prime Minister announced what was an initial package of \$10 million in humanitarian assistance, and that early action actually enabled the Turkish Red Crescent on the ground to distribute hot meals and provide blankets, tents and so on immediately. Our early assessment, which was informed by best humanitarian practice, was that the teams from Europe were better placed at the time to respond to that immediate call; that was consistent with Turkiye's national disaster plan, which seeks European assistance in the first instance. Within six to 12 hours, we were aware of a significant number of teams that had been committed and were deploying to the region with search and rescue teams.

Senator BIRMINGHAM: I understand the logic there, seeking to make sure that some of the public questions and concerns that have been raised are fleshed out appropriately in this regard. From decision to dispatch, how long was it until the search and rescue team left Australia?

Ms Delaney: From the decision, which was taken Wednesday morning by the foreign minister, they were dispatched early on Friday morning.

Senator BIRMINGHAM: When did they begin their operations in Turkiye?

Ms Delaney: They landed in Turkiye on Sunday, 12 February. As far as we're aware, our team had to travel the longest distance.

Senator BIRMINGHAM: Others didn't have to travel the whole way that ours did.

Ms Delaney: Yes. They arrived on Sunday morning, Turkiye time, and then were transported to Hatay Province, where they set up their base operations on the same day.

Senator BIRMINGHAM: Has Australia made representations in relation to concerns about access to affected areas of Syria?

Ms Delaney: As you would be aware, the situation in Syria is extremely complex; we continue to call on all actors to provide humanitarian access to those in need. We've made general representations through our advocacy in the United Nations, but I'd ask my colleague who leads this policy space to provide a bit more detail. I think what I would say is that we're very aware of the access issues. We have called on all parties to improve access for those in Syria who need humanitarian support. What I would say is that the early actions that we took on Tuesday meant that, with our contribution through UNICEF, they were actually able to provide supplies immediately. We have an existing arrangement with UNICEF. They have pre-positioned funding, and that meant that they were able to purchase supplies immediately. They had staff on the ground in North-West Syria, which meant that they were able to purchase and deliver those supplies immediately.

Senator BIRMINGHAM: It's fair to say that, alongside the international community, we have longstanding concerns about the access of humanitarian agencies in parts of Syria. Given the conflict and circumstances there, a natural disaster like this has a heightened impact on people in those regions. Decisions have been taken more recently, as in the last few days, which have at least improved some of that access, haven't they?

Ms Delaney: Yes, that's correct. There is one access point through the UN Security Council resolution but, as far as I'm aware, they've opened up an additional two access points.

Mr Brazier: May I just add one point? In selecting the partners for that immediate humanitarian assistance through the Australian Humanitarian Emergency Fund, you will have noticed that, in the case of Turkiye, it's been a combination of multilateral agencies and international NGOs. In Syria, the range of options is much smaller because of the combination of conflict and the humanitarian disaster, which meant that the best option for immediate response was through the UN.

Senator BIRMINGHAM: Just very quickly, how does the scale of Australia's response compare with that of other commensurate nations?

Mr Brazier: Ms Delaney will have more details, but a very large number of countries have assisted by now—I think it's in the scores of countries—with many countries across Europe and the Middle East, particularly the Gulf countries, and countries of North East Asia as well. I haven't seen a table, if you like, of where Australia sits, but I'm sure that many countries are providing more than Australia, given their proximity to and the particular closeness of their relations with Turkiye. But there are also countries that are further away whose contribution is probably more comparable to that of Australia.

Senator BIRMINGHAM: I know that this will evolve over time but, on notice, perhaps you can provide more detail there. Minister, just on one other natural disaster zone and our dear family across the ditch in New Zealand, who've faced floods, cyclone and earthquake in recent times, have you discussed this with your counterpart in New Zealand? Have there been any requests for assistance from New Zealand, or is Australia providing any assistance?

Senator Wong: I have had exchanges with my counterpart, as I think the Prime Minister has with Prime Minister Hipkins. We have made it clear that we stand ready to assist. I understand that Ms Peak and Mr McDonald may be able to give you a bit more detail about where that is at and the preference of the New Zealand government.

Mr McDonald: Senator, as you've rightly said, we have a special relationship with New Zealand and, obviously, are very concerned about the impact of the cyclone and earthquake over the last couple of days. We have been in contact with New Zealand about offering our assistance and I think this morning received a request for assistance. Ms Peak can provide a bit more detail for you.

Ms Peak: Yes, I can confirm that, less than an hour ago, we received a formal request from New Zealand. National emergency management teams from Australia and New Zealand have been working hand in hand over the last few days to scope the support that could best assist New Zealand. Yesterday, we set up a national management coordination function to be able to respond very quickly in response to a request coming through, and we will certainly do that.

Senator BIRMINGHAM: As the request was received only in the last hour, we'll await details there in terms of the government's response.

CHAIR: I'll now hand the call to Senator White.

Senator WHITE: I'm going to ask a few questions about Australia's relationship with China. Can the department outline the ministerial engagements that have taken place between Australian government ministers and their PRC counterparts since May 2022? There are so many of them that I understand it may take a while.

Ms Lawson: Since May?

Senator WHITE: May 2022.

Ms Lawson: Under the previous government, there was no ministerial interaction. Since the current government took office, there has been a meeting on 11 June 2022 between the Deputy Prime Minister and China's defence minister, Wei Fenghe, in the margins of the Shangri-La Defence Summit in Singapore; on 8 July, Foreign Minister Wong met with State Councillor Wang Yi on the sidelines of the G20 Foreign Ministers Meeting; on 23 September, there was a meeting between Foreign Minister Wong and Councillor Wang Yi on the sidelines of the UN General Assembly in New York; on 8 November, the foreign minister had a phone call with State Councillor Wang Yi; on 15 November, the Prime Minister met with President Xi on the sidelines of the G20 Leaders Summit in Bali; on 18 November, there was a meeting between the Minister for Climate Change and Energy with his counterpart Xie Zhenhua; on 22 November, the Deputy Prime Minister and Defence Minister had a second meeting at the 9th ASEAN Defence Ministers Meeting in Cambodia; on 17 December, there was a meeting between the Minister for the Environment and Water with China's environment minister; on 22 December, the foreign minister met with State Councillor Wang Yi, and that was the visit to China for the Sixth

Australia-China Foreign and Strategic Dialogue in Beijing; on 19 January, Assistant Minister Ayres met with China's Vice Minister for Commerce, Wang Shouwen, in Davros; and, on 6 February, there was a virtual meeting between Minister Farrell and Minister of Commerce, Wang Wentao, and that was the most recent engagement.

Senator WHITE: Minister, can you outline the steps that the government has taken to stabilise the relationship with China?

Senator Wong: Thank you, Senator. We came to government with a very clear view about seeking to stabilise the relationship. As you will see from that chronology, the approach was to seek to engage but to do so in the context of our national interests. The way in which I've tried to summarise that is by saying 'cooperate where we can, disagree where we must, and engage in our national interest'. I think we've sought to take a much calmer and more consistent tone and approach in our relationship with China. Obviously, that became quite a heated topic of domestic political debate under the previous government, which we didn't regard as being in our national interest. So the approach has been to ensure that we advance Australia's national interests and maintain the policy positions that we regard as necessary but seek to engage. As I've said on other occasions, we recognise that there will be matters on which we disagree, but we can continue to strengthen a bilateral relationship if both countries manage those differences wisely.

Senator WHITE: Perhaps I could take you up on some of those serious issues of disagreement. You've sort of touched on this, but can you explain to the committee how you've handled those differences and prosecuted Australia's interests in your engagements?

Senator Wong: As I've said, the sort of overarching approach is to not shift from those things which are about Australia's interests and about who we are but, at the same time, seek to manage those differences wisely and not seek to prosecute a domestic political agenda with them. For example, Australia has not shifted its view nor how we articulate our view in relation to international law and the South China Sea. On human rights and consular matters, Australia has continued to press, to articulate, in our engagements, including at my level. Obviously, we have put our views at the Prime Minister's level, my level and other levels, including the department, and at post level about, in particular, Dr Yang and Ms Cheng Lei.

Senator WHITE: Can I also ask you about your visit to Beijing in December, where the Sixth Australian-China Foreign and Strategic Dialogue was held; when was the previous dialogue held?

Ms Lawson: I think it was held in February 2017, but we will double-check that to make sure that we've got it right.

Senator WHITE: Thank you.

Ms Lawson: I'm sorry; can I just correct the record there?

Senator WHITE: Yes.

Ms Lawson: The last Australia-China Foreign and Strategic Dialogue was in November 2018.

Senator WHITE: What position did you put forward on issues that matter to Australia at that dialogue?

Senator Wong: The overarching context was that was the first ministerial visit to China in some time, which was important, and not just for the visit itself. The way I think about it, and how the government looks at it, is we want a relationship with China where we can manage our differences wisely. We think it is in both countries' interests for trade impediments to be removed. We recognise the importance of the bilateral relationship and also China in the region. We also recognise the importance of engaging with one of the great powers and encouraging continued dialogue between the great powers and encouraging the existence of guard rails, or mechanisms, to ensure there is no escalation from competition, and that we avoid miscalculation, which is always a risky thing. We discussed a range of issues—bilateral, regional, international, strategic issues—on Russia. My consistent position has been to encourage—I have done this publicly—China to use its particular status as a member of the P5 and its relationship with Russia to seek to facilitate the end of that conflict. We also went to the consular issues I discussed earlier.

Senator WHITE: What are the next steps in terms of stabilising the relationship?

Senator Wong: Ms Lawson is looking at me, which always worries me because they know more than I do. Australia—whoever is in this seat, or whoever is in government—will always have to manage differences in our relationship with China. We will always, in my view, have to seek to continue to engage, given China's place in the world and in our region. In part I think this next phase in the relationship is what I have described as 'stabilising'—because I don't think it was useful to Australia to have the relationship where it was, nor have this as a domestic political issue the way it was. At times it was a challenging relationship to manage. It is not assisted by the heat of election campaigns and the relationship being used in that context. One of the key things is the trade

impediments. We have consistently said we think it is in both countries' interests for those trade impediments to be removed. Senator Farrell and Mr Ayres and others have engaged in relation to that. One of the things that State Councillor Wang Yi and I agreed at the dialogue is that there was a number of things at officials' level where officials would continue to work. To my way of thinking, in part it was trying to—this was the approach that the State Councillor and the Chinese authorities were taking—re-establish a working architecture in the relationship. This is because the relationship is more than what happens at the leaders' level or at the foreign ministers' or trade ministers' equivalent or defence minister's level. It is also what happens at the secretary's level and at Ms Lawson's level, the ambassador and in the area of trade, but also more broadly in strategic and diplomatic engagement. We need to try to get the structures and dialogues which previously existed working again. We are not going to agree on everything—there may be many things we don't agree on—but it is better for us to have a capacity to engage about those issues.

CHAIR: Thank you, Minister.

Senator FARUQI: Thank you, Chair. Good morning everyone. I have some questions for Official Development Assistance. Minister, I might start with you. The Labor Party committed in its 2021 policy platform to achieving an ODA/GNI ratio of 0.5 per cent. As you know, the ODA has been declining in the last 10 years under the coalition and now sits at around 0.2 per cent of GNI. In November, when I asked you this question you said that you did not have a precise date for when that 0.5 per cent will happen. Has that changed at all?

Senator Wong: No.

Senator FARUQI: If there is at the moment no plan or time-line to increase ODA to 0.5 per cent, will the government think about raising ODA to the OECD average of 0.32 per cent of GNI in the May budget?

Senator Wong: Is this question to me?

Senator FARUQI: Yes. Sure.

Senator Wong: I would obviously like a world where we had, as we used to have, a bipartisan agreement about the budget allocation for ODA, which makes everything much easier. We don't have that. We are seeking to rebuild the ODA contribution in a context where the fiscal situation is difficult and where there are a lot of other calls on the budget. Your colleagues rightly point to some of those areas where, whether it is in the area of health or social security, there is genuine need. I always made the point when I was finance minister that I rarely got spending requests which were completely unmeritorious; you have to choose between meritorious spending requests. We will make decisions in the budget process. We have increased the ODA budget since we came to government. It was \$1.4 billion, which Mr Brazier can add to. We are seeking to steadily grow it. There is no formal government position that sets a date in relation to achievement of what is in the Labor Party's platform at this stage.

Senator FARUQI: Will there be any increase at all in ODA in the May budget?

Senator Wong: That will be dealt with in the budget process.

Senator FARUQI: What exactly is the ODA/GNI ratio at the moment? You can take that on notice if you don't have the figure right now.

Mr Brazier: If I may add to the minister's remarks about the growth to the program from the October budget—as the minister said, that budget added \$1.4 billion to the ODA program over the forward estimates. Broken down, that has allowed us to add \$900 million in assistance for the Pacific, \$470 million to our assistance in South-East Asia and \$30 million assistance for our NGO partners to provide their support in our region and beyond.

Senator FARUQI: Thank you. It has now been almost three months since the 'loss and damage fund' was agreed to by countries, including Australia, at COP27. Will Australia contribute to the loss and damage fund?

Ms Tilley: As you note, the loss and damage fund was a key outcome from COP27 in Egypt in November. That decision enabled commitment to establish loss and damage funding arrangements and a process over the course of 2023 to work on the design and the sources of funding; what that fund or funding arrangements would look like. There has not been a decision yet to establish the final funds.

Senator FARUQI: Sure; I understand that. So has anyone at DFAT been tasked with assessing how much Australia should contribute to the loss and damage fund?

Ms Tilley: No. Until there is an actual final design of that fund and agreement to that fund or funding arrangements—with a lot of parameters around where sources would come from, and the sorts of things that would be included—a decision on what a future Australian contribution would look like can't be taken.

Senator FARUQI: You do know that other countries have decided to contribute amounts of money to that fund?

Ms Tilley: I am not aware that other countries have taken a decision to contribute funding to a fund that doesn't exist yet. I am aware that countries have announced loss and damage funding contributions of their own accord, not to a fund that hasn't been established.

Senator FARUQI: Australia hasn't even decided whether it will be making a contribution to that fund, like those other countries?

Ms Tilley: I'm not aware, but I am happy to receive the information that other countries have made commitments to—

Senator FARUQI: contributing to the fund.

Ms Tilley: There isn't a fund that exists yet.

Senator FARUQI: It has been agreed to; we're talking about semantics here.

CHAIR: Senator Faruqi, please allow the official to answer your question.

Senator FARUQI: They're not really answering my question.

CHAIR: Senator, please allow the official to answer the question.

Ms Tilley: Australia strongly supported the outcome and the decision at COP27 to establish a loss and damage fund or funding arrangements. But the process to design and establish that hasn't yet concluded; indeed, it hasn't commenced. The first meeting of what's called the transitional committee, which will be doing a lot of work this year on those design issues, hasn't happened yet. Australia has confirmed it will be one of the 10 developed countries that are represented in that transitional committee to design the fund. So we're playing a very active role, but we haven't yet committed an amount of money to a fund that hasn't yet been established. I am happy to find out further information. But I'm not aware of which countries have made such a commitment.

Senator FARUQI: New Zealand, Scotland and Belgium, as far as I know, have already committed to paying loss and damage.

Ms Tilley: Correct. They have announced funding amounts under the banner of 'loss and damage', but to my knowledge that is not necessarily channelled through a fund that hasn't yet been established.

Senator FARUQI: Has Australia made any commitments to loss and damage outside the banner of the fund?

Ms Tilley: I'll defer to colleagues in the department who provide funding through a range of humanitarian and adaptation support, et cetera, for other countries. The transitional committee this year will look at the issue of what is the definition of 'loss and damage funding' and whether it is incorporating the sorts of funding that a lot of countries, including Australia, already provide through our development and humanitarian assistance, or is it something that would be defined differently, such that it would call for new and different sources of funding?

Senator Wong: May I add something. Ambassador Tilley leads, at officials' level, engagement in the multilateral system. If I may make a regional point, there is not unanimity of a view amongst our Pacific Island neighbours about how they want these matters dealt with or how they would like this aspect of development assistance provided. We want to engage, frankly, as a first priority with the Pacific on this. The view has been put to me that there would be a preference for regional or bilateral mechanisms rather than a multilateral fund because, in their experience, some of the multilateral funds which have been established previously have been difficult to access and are less flexible and less responsive than bilateral arrangements, for example with Australia, where we have very well-established architecture and on-the-ground knowledge. There is a fair bit to do, I think, both at the overarching multilateral level but also in us thinking through, given where we are situated in the world and our particular responsibilities to our region, how we might do this.

Mr Brazier: On the question of loss and damage, the formal definition will be the subject of international negotiations and decisions by the government. In addition to the humanitarian assistance that we provide to the region when disasters occur that can be attributed to climate change, a considerable part of the Australian ODA program now is targeted at climate resilient infrastructure. For example, the Prime Minister, in June last year, announced a package of support, in partnership with Indonesia, for climate resilient infrastructure. Across the Pacific, in the many programs we have, adaptation is a key part. For example, when we are providing support to Pacific governments for infrastructure, climate resilience is always an element in the design of those programs.

Senator FARUQI: Minister, I was really pleased with your recent comments encouraging the UK to confront its colonial past, and noting that understanding the past enables us to better share the present and the future. What about Australia's colonial past and present? Your government continues to export emissions and climate damage

to the Global South, so colonialism is still harming people. A very recent example that was exposed was in PNG, in the form of really dodgy carbon offsets. Shouldn't the first step in confronting our own colonial past be to stop new coal and gas projects, which are harming nations that are still recovering from colonialism?

Senator Wong: First, I am not sure I agree with how you've construed my speech, Senator Faruqi. Consistently, since I took this role, I have made the point that one of the ways in which we make Australia stronger and more influential in the world is to emphasise the common ground which we share with the people of our region. Our national character, who we are, is part of that. I'd also note that one of the impediments to making us stronger in the region is disinformation about who we are. That's why projecting the diversity that is represented in the parliament, in the people behind me and in the community—obviously, we want to do more in all of those contexts in the institutions of power—enhances Australia's influence and power. It's about common ground. As I said, it's a way of pushing back against some of the disinformation that is used against countries like Australia.

Turning now to the issue of—it was carbon was farming, wasn't it?

Ms Tilley: You mentioned carbon credits, Senator, and projects in PNG.

Senator FARUQI: Yes. I am just saying that is an example of how colonialism continues. I know that people from PNG, and Pacific Islanders, have raised concerns about this issue of Australia providing climate adaptation funds on the one hand and then opening new coal and gas mines on the other, which actually worsens the problem because they are already facing the legacy of colonialism in many ways. I guess that was my question to the minister. It does seem that we are worsening the problem while trying to help Global South countries as well. It seems to me like a bit of brainwashing happening there.

CHAIR: I am not sure there was a question there. Senator Roberts, you have the call.

Senator ROBERTS: Thank you, Chair. Thank you all for being here this morning. My questions are regarding the gender equity ambassador. Can you please advise me what is the total remuneration package for the gender equity ambassador per year?

Mr Brazier: I'll have to take that on notice.

Senator ROBERTS: What is it roughly?

Mr Brazier: It's based on a standard SES Band 2 salary.

Senator ROBERTS: What's the salary?

Mr Brazier: I'll have to get the precise details for you.

Senator Wong: We'll get that for you. These are arrangements which have been in place for ambassadors. We don't just make this stuff up. Various positions—the thematic ambassadors and heads of mission—will be paid at a particular level in a pre-existing remuneration structure.

Senator ROBERTS: Thanks, Minister. I'd like the total remuneration package. Could you confirm whether it is a full-time position, please.

Mr Brazier: Yes, Senator. It is a full-time position.

Senator ROBERTS: What's the purpose?

Mr Brazier: The purpose of the Ambassador for Gender Equality is to advance the interests of all people in our region to ensure that all people, regardless of their gender, have an equal opportunity to contribute to the societies that they live in.

Senator ROBERTS: Can you please advise whether the ambassador plans to visit these countries: Iraq, Saudi Arabia, Afghanistan and Pakistan? If she does, when will she be visiting?

Mr Brazier: The ambassador's forward travel program is not final yet. I'm aware of an important multilateral visit that she's planning for next month. The focus for her work will predominantly be in our region. The focus of our international assistance, more broadly, is in the Indo-Pacific. That's where we have partners who want to work closely with us to ensure that all people in their societies have an equal opportunity to contribute.

Senator Wong: Can I just make a few comments here, Senator Roberts. First, this is a position that has been in place for—I don't know how many years—a long time.

Mr Brazier: Since 2011.

Senator Wong: Since 2011. Senator Payne appointed an Ambassador for Gender Equality. The name was subsequently changed. It is a role that has existed for over a decade, under both Labor and Liberal governments. I make this point: I think it is well established that gender inequality inhibits economic development.

Senator ROBERTS: Oh, without a doubt.

Senator Wong: You and I come from different political places, Senator Roberts, but you would agree: if girls can't go to school, if women can't participate in paid work and if women are more economically insecure, that is going to affect a country's economic development.

Senator ROBERTS: My party leader is a female. My belief has long been that if we exclude any group of people we are missing out on their views.

Senator Wong: Ms Copus Campbell has worked in Papua New Guinea, and worked in development previously. We live in a region where development outcomes for women and girls are a long way from where we want them to be. We argue about women's representation, or we argue about a whole range of ways in which women are still not equal to men. The reality in many countries in our region is basic propositions around access to education. The scourge of family violence exists in all countries. There are countries in the world where this is at levels which are unimaginable. So the idea of this thematic ambassador is to work with other countries and civil society to try to lessen this. And it matters.

Senator ROBERTS: To try to?

Senator Wong: Lessen the inequalities. I have seen some of the criticisms. I understand some of the political reasons why. We want a world where girls can aspire to do what women can do in this country. We don't have such a world. The ways in which we try and work with others to achieve that include through this ambassador.

Senator ROBERTS: There's a battle going on. I can tell you a story of meeting with an executive in northern West Virginia back in 1981. I was fairly young; I'm still young. She was telling me that she was appointed to her position—

Senator Wong: I'm not.

Senator ROBERTS: You look young.

Senator Wong: I wish.

Senator ROBERTS: She was appointed to her position because she was a female, to meet an affirmative action quota. She said it was highly embarrassing to be appointed that way. My mother took the opposite position: you treat women as women, meaning two things. Firstly, they are different. Secondly, they bring a raft of characteristics that men don't have. That's wonderful for diversity. My belief is that we should be employing women and other minorities—well, women are not minorities; they're a majority, but you know what I'm getting at—because they bring a diversity of views, not because of their gender.

My office currently has exactly 50-50 female and male, not because we want to comply with the ratio but because those women are damn good and we want their views. I'm thinking: wouldn't it be better to just show by our actions that we value women? You're the foreign affairs minister. When you go visiting a country, you're showing that Australia values women.

Senator Wong: Yes, but you need lots of ways in which you try and tackle a problem. Inequality and development are multifaceted problems. We also have thematic ambassadors who, as I said, do things that I wouldn't be able to do. We don't have ministers engaging at some of the levels at which ambassadors can work, or being able to spend the time on one particular issue. There are extraordinary women through our region, in South-East Asia and the Pacific, who are doing extraordinary things, who are courageous and sometimes don't get as much support as they seek. We, at officials' level, can work with civil society, for example, or with particular parts of government departments which are seeking to do good things. These are things we can do. It's just another way in which Australia seeks to engage in the region in order to try and support the aspirations and development objectives of the people who live in the Indo-Pacific, but particularly in the Pacific Islands and the ASEAN region.

Senator ROBERTS: Minister, with respect—and I sincerely mean that because I have enormous respect—

Senator Wong: You are always respectful in how you deal with me, Senator Roberts.

Senator ROBERTS: I sincerely respect your abilities. However, I think that going back to 2011 doesn't justify having the position. I hear your arguments; I acknowledge them. So often these days, positions like this, and other ambassadors, are created to tick a box and they are not meaningful. Part of my role is to make sure that funds are spent properly.

Senator Wong: Sure. You are entitled to ask questions and I appreciate how you have asked them. What I would say is that Ambassador Copus Campbell is absolutely not a 'tick-a-box' kind of person. If you'd like to meet her, I'm sure she would be happy to engage with members of parliament in Senate estimates.

Senator ROBERTS: Australia was the second country in the world to give women the vote.

Senator Wong: Indeed.

Senator ROBERTS: And we were better off for it.

Senator Wong: South Australia was the first place in the world where a woman could stand for parliament.

Senator BIRMINGHAM: Senator Roberts's line of questioning just reminds me: can I place on record appreciation for the bipartisan, tri-nation visit through the Pacific that we undertook late last year, Minister. I was prompted by recalling the very impressive Gloria Julia King, who we met in Vanuatu—the first woman elected to Vanuatu's parliament in close to 25 years and, with her election, the first time ever that every Pacific Island nation has a female parliamentarian in place. Whilst there is a long way to go there, that is indeed a great leap forward. I'll move on.

Senator Wong: I thought that was a really important visit. I really appreciated, Senator Birmingham, how you and your colleagues approached that visit. The strength of the message to the region about bipartisanship and continuity is profoundly important. So I appreciated you spending that time just before Christmas. We had a few challenges on that trip, but I thought it was really useful. So thank you for making time.

Senator BIRMINGHAM: Thanks, Minister. On your first visit to the United Kingdom as Foreign Minister you gave a speech on 31 January to King's College. Do you believe that speech was well received in the UK?

Senator Wong: Certainly the event was very well received. I think I know where you're going, and I have answered in response to Senator Faruqi some of the issues that some media reported. It was a speech consistent with the way I have spoken since I was elected to this job; consistent with my speech, for example to the UN, my speech in Washington. In many ways it is unremarkable, some of the points I was making.

Senator BIRMINGHAM: Certainly elements of the speech were consistent with other remarks you have made. There was some new content as well—at least new phraseology in some of that content, particularly relevant perhaps to the country that you were in, and that is what sparked some of the commentary. Reflecting back, do you believe the speech was well received in terms of the take-out that occurred in the British media and British commentary?

Senator Wong: Some of the issues in it—not the speech itself, but some of the issues in it—were part of, as my counterpart said, the discussions that we had in the 2+2. This goes to how we—how does Australia, how does the UK—as AUKUS partners expand our influence in the region. It goes to influence. I understand how some particular commentators responded. I have a clear view about the role I have. It starts with: this job should be focused on how do you expand Australian power; how do you advance Australia's interests? The discussion about who we are goes to common ground. You saw that the way you handled the AUKUS announcement enabled disinformation about AUKUS. I don't wish to repeat that. We have an optimal set of pathway announcements and decisions that we flagged. I know how some will take that. I am very clear about making sure we deal with some of the, I think, inaccurate constructions of why Australia and the United Kingdom and the US are engaging in the way we do in the Indo-Pacific.

Senator BIRMINGHAM: Minister, your speech contained similar messages about engagement in the Indo-Pacific, strategies that relate to the Indo-Pacific. But didn't other elements of it—namely, the reflections around colonialism and way they were put—create a distraction from that message?

Senator Wong: No; I don't accept that. I don't think that is consistent with the discussion.

Senator BIRMINGHAM: I think any look at the reporting would indicate a distraction.

Senator Wong: I was in the meetings and I spent days with the Foreign Secretary and the Defence Secretary. Obviously I met the Prime Minister, I met with other members of the government et cetera.

Senator BIRMINGHAM: Was the Foreign Secretary specifically asked about those elements of the speech in his media appearances?

Senator Wong: Yes, he was.

Senator BIRMINGHAM: Is it helpful for him to have to navigate the content of your speech?

Senator Wong: At the end of the press conference we had a number of questions. I thought his answer was excellent and, I think, indicated a response to your questions, frankly. But we also spent a lot of time talking about many other issues and engaging on many other issues, including visiting Australians who were training Ukrainians, which was one of the more moving things I have done in my life. I understand that some—for whatever reason—react here. I don't think your construction is accurate.

Senator BIRMINGHAM: In terms of the interpretation of your speech, is there anything you would do differently with that speech if you were to give it again?

Senator Wong: I feel like you think you are my counsellor or something, Senator Birmingham. Somebody has just sent me Secretary Cleverly's answer:

This is my first opportunity to meet Penny face-to-face; obviously with the opportunity to speak by phone before the meeting. I have to say the conversations we've had on the UK-Australian relationship, on the UK's relationship with other countries in the region, and indeed the nature of the relationship between the UK and other countries which are now in the Commonwealth, but which were previously British colonies, was one of the areas of the conversation we had. However, two points to make: Firstly, it wasn't the mainstay of the conversation we've been having. The mainstay of the conversations we've been having is about our future joint work, joint endeavours with regard to the security, prosperity and technological advancement, whether it be through AUKUS or other things. That was the mainstay. But where we did touch upon the UK's history, and on our relationship with the world, is about recognising you cannot eradicate or erase your history, so you need to be conscious of it. And I think it's incumbent upon the UK in our dealings with Australia or any other country with which we were once a colonial power to recognise that we need to demonstrate that this is a modern partnership, a partnership of equals, different but equal, geographically separated but emotionally and historically bound.

Frankly, he was more articulate than I was.

Senator BIRMINGHAM: I think he handled it very diplomatically, Minister.

Senator Wong: I thought it was an honest answer.

Senator BIRMINGHAM: Has the UK changed in the modern era?

Senator Wong: Of course it has. So have we.

Senator BIRMINGHAM: Did you reflect that in your speech?

Senator Wong: Yes, I did.

Senator BIRMINGHAM: In what ways did you reflect it in your speech?

Senator Wong: And I reflected it in the press conference. I talked about modern Britain. There's a fundamental point. Of course the United Kingdom has changed.

Senator BIRMINGHAM: A point he made.

Senator Wong: Yes, and that I have made.

Senator BIRMINGHAM: Was it in your speech?

Senator Wong: I think it was in an answer in a press conference.

Senator BIRMINGHAM: After you had given your speech.

Senator Wong: Senator Birmingham, if we recognise our history and we recognise how we have changed, we find more common ground and we deal with some of the ways in which others seek to constrain us. In the context of AUKUS and the Quad, that is about Australian influence and power in the region. If you can't see that, I am surprised because I would have thought you understand that, unlike some.

Senator BIRMINGHAM: Ms Wong, I might understand many things, but I also understand the importance of balance, the importance of respect where you are, the importance of how you put your messages. Are there positive aspects in the UK's contribution?

Senator Wong: The modern face of Australia—

Senator BIRMINGHAM: No.

Senator Wong: You asked me a question before—

Senator BIRMINGHAM: Senator Wong, Senator Wong—

CHAIR: Order!

Senator BIRMINGHAM: I'm in the middle of asking you another question.

Senator Wong: Can I come back to this?

Senator BIRMINGHAM: Are there positive aspects of the UK's historical contribution around systems of democracy, systems of justice—

Senator Wong: Of course there are.

Senator BIRMINGHAM: Did you acknowledge any of those in your speech?

Senator Wong: Oh, for goodness' sake! This is what I said.

The modern face of Australia, the modern face of Britain, is readily apparent both among our citizens at large and among our political leaders.

That is a paragraph from the speech.

CHAIR: Any further questions, Mr Birmingham?

Senator BIRMINGHAM: No. Reports suggest that British officials in the room were annoyed that Australia did not recognise the soft power and hands-on work Britain has been doing in the Pacific region for decades.

Ms Adams: Senator Birmingham, if we are talking about officials, maybe I can step in, having been in all of the elements of this visit. It certainly was not the mainstay of the discussions, both formally and informally. We spent a lot of time together. It was, in the context of modern Britain, an unexceptional comment; it wasn't discussed. We had more important things to talk about. Peter Sawczak was also there with me. There was no sense of discomfort or diplomatic tension whatsoever. I can say that with complete confidence. We were very focused on the main issues of the speech, which also were the subject of the questions at that event and throughout the AUKMIN two-day visit: the realities in the Indo-Pacific and major power competition and the responsibilities of all countries in addressing that. We were talking about strategic equilibrium in the region. We were talking about management of tensions in a way that will ensure communications: guard rails, if you like.

As the minister has said, another issue that we spoke a lot about was Russia-Ukraine, including during the very moving visit to the training facility where Australian ADF personnel are working with UK and other counter-partners to do soldier training—I am sure there is a better word, which Peter will know—for Ukrainian men and women giving up their day jobs as accountants and engineers to go and fight on the frontline. We got to speak with those people. They were the sorts of things we were talking about. That's a long answer.

Senator Wong: Senator Birmingham, I am happy to offer you a briefing on some of the disinformation that we seek to challenge. If you would like a confidential briefing about that, particularly this side of the optimal pathway decisions, it might be useful. It is entirely a matter for you.

Senator BIRMINGHAM: Minister Wong, I don't think there is a briefing you have offered me yet that I haven't taken up the opportunity to do, to ensure that we are as informed as possible. Secretary Adams just outlined, as you emphasised, a range of very important topics that were canvassed, most of them behind closed doors, but there was a distraction that seemed to occur in at least the public commentary attached to the speech you gave, minister. Given that some of those who have been very positive about the work you have done to date, such as Mr Sheridan from the *Australian*, have described it as 'the worst and strangest speech of your life', is it your contention that if you had your time again you wouldn't at least phrase some things differently?

Senator Wong: I have a lot of regard for Mr Sheridan. On this, obviously, I would tell him to relax. I maintain my view that working out how we maximise Australian influence, including how we speak about who we are and recognise where others are, is a central part of the job of anyone in this role.

Senator BIRMINGHAM: Minister, would you at least acknowledge that putting it another way, with different balance, could have avoided the distraction on your visit?

Senator Wong: I would make a couple of points. One is: I think someone used the word 'confront'. At no point does that verb appear in the speech.

Senator GREEN: I want to ask some questions in regard to the Indian-Australian relationship. Quite broadly, from the outset, Minister, could you provide an outline of plans for the Australian-Indian relationship in 2023?

Senator Wong: Thanks, Senator, for the question. First, I want to make the point about the value, the importance, we place on the bilateral relationship but also on India's leadership role in the region, and to emphasise our close friendship and our status as comprehensive strategic partners. I think this will be an important year in our bilateral relationship. I might just go through some of the things which are occurring. In just the next month, we're going to see the Prime Minister, the Minister for Trade and Tourism, the education minister and the resources minister, as well as me, visiting India for both bilateral and G20 engagements. We will welcome a number of Indian ministers and Prime Minister Modi when Australia hosts the Quad leaders' meeting. In terms of engagement, it is a very big year, which is a good thing.

Obviously, we have shared experiences, as regional partners and multicultural countries. We recognise the pride that India takes in the remarkable achievement of a unified and vibrant India post partition. We're not going to talk about the cricket; they might. A number of new initiatives will be worked on this year, including the economic cooperation agreement. We are launching, shortly, the new Centre for Australia-India Relations.

Senator GREEN: We have heard about the plans for the Centre for Australia-India Relations. Can you let us know what the purpose of that centre is, and what are the plans to get that underway?

Senator Wong: The centre is intended to focus on policy dialogue, building Australian business literacy and links, as well as deepening cultural connections and understanding. I'm also very keen for not just engagement with, but, frankly, leveraging our diaspora community here. As you would know—as senators would know, and certainly as members of the House know, because there are very active communities in some seats—we have a very large Indian diaspora. We saw that on display when Prime Minister Modi last visited. It was quite extraordinary, the number of Indian Australians who came out for the various events. I am very keen for the centre to leverage that. In opposition I went on bipartisan delegations to India and if I heard it once, I heard it a thousand times: we have been underdone on the economic relationship, under successive governments. I hope that we can work out how the centre might work with not only the larger corporate sector, the investment sector, but also the diaspora on trying to strengthen our economic engagement.

I was proud to announce Ms Swati Dave as the chair of the centre's advisory board last week. I hope to make further announcements about who is involved in coming months.

Senator GREEN: You mentioned there the number of parliamentarians, particularly in the House, that have large Indian communities. There have been some constituent concerns raised with parliamentarians from across the chamber about a Khalistan referendum held in Melbourne. There have also been some reports about vandalism at temples. They are concerning reports. Is the government concerned about these issues, and how are you managing those concerns?

Senator Wong: Can I go to the second part of your question first?

Senator GREEN: Of course.

Senator Wong: I want to express publicly what has been expressed by others privately, which is that we are very concerned about the vandalism at three temples and at a gurdwara. We do take this seriously. As minister, I share the concerns that others have expressed, including parliamentary colleagues, that we don't tolerate hate speech. We don't tolerate violence or threats of violence in this country. The government has engaged directly with the affected communities and temples, and will continue to do so. We have also engaged with the Indian government. We've made clear that we understand their concerns. In relation to the first part of your question, I'm aware of the non-binding poll that you mentioned and plans for future polls. I note that it has no legal effect. I also note that peaceful expression of different views is an important part of our democracy. Obviously, Australia respects the rights of individuals to engage in peaceful protest. Our society, our democracy, supports the non-violent expression of views.

I want to underscore what I said earlier: the Indian diaspora are valued and important contributors to Australian society, to our resilient multicultural society. I hope all of us in this place, and the government, will continue to work with each other and across the community to foster greater social cohesion, greater understanding and the inclusion of diaspora communities.

Senator BIRMINGHAM: Has the department had any engagement with ASIO in relation to extremist ideologies or views that pose any threat, and making sure that there is vigilance across all of Australia's security enforcement agencies in monitoring and preventing such actions?

Ms Adams: Senator Birmingham, you'll understand that I won't go into discussions that we have with ASIO on those sorts of issues. We do work closely with them on security matters.

Senator GREEN: I have some questions now on the Pacific Islands Forum. Can you provide an update, please, on the current state of the membership of the Pacific Islands Forum?

Mr McDonald: Thank you, Senator Green, for your question. Things are looking fairly positive in terms of the PIF. The Kiribati President has indicated their intention to rejoin the Pacific Islands Forum. That is great news for all the Pacific family. It's a great credit to Pacific leaders, who have been working with Fiji, as the chair of the PIF, to engage with Kiribati and the Micronesian leaders as well. There was also agreement earlier this week on the Micronesian countries, the Suva Agreement, which is an agreement between Pacific Islands Forum leaders to meet the concerns of the Kiribati leadership and the Micronesian leadership. Ms Peak can provide some more detail on that. It's a very good outcome from that grouping that will be considered by the Pacific leaders next week.

Ms Peak: As Mr McDonald said, the 21st Micronesian Presidents Summit was held earlier this month, on 13 February. All of the Micronesian leaders came together to discuss the Suva Agreement and how it would be operationalised from a Micronesian perspective. The Micronesian presidents have put out a statement publicly indicating that the Pacific Islands Forum subregional office would be located in Kiribati; the Federated States of Micronesia will host a permanent office of the Micronesian Presidents Summit; the Office of the Pacific Ocean Commissioner will be in Palau; and Marshall Islands would put its name forward for the next Pacific Ocean

Commissioner. As Mr McDonald said, in the special leaders meeting that's upcoming for Pacific Island leaders, that will all be considered and likely confirmed.

Senator GREEN: Just taking us back a step, in terms of the role that we played, how did we respond to the withdrawal of Kiribati from the PIF? I understand that meeting in Fiji, with Fiji's new Prime Minister, was quite important and significant. I understand that we might have provided some support or played a role to facilitate that. I wondered if you could let us know how that went.

Mr McDonald: Senator Green, we have played a role in the background, under the leadership of the Pacific family, who need to work through these issues. Ms Peak has played a key role in that, in supporting officials across the board. Australia, particularly during the period when Kiribati departed from the PIF to now, has offered support as needed, particularly in the context of COVID and the ability to travel to different places for people to meet. The most recent example of that was Fiji Prime Minister Rabuka, who, as Fiji's chair, given the change of Prime Minister, played an integral role in the meeting he had with President Maamau from Kiribati. The issue with that was the commercial availability of flights to get to Tarawa and back again to Fiji. Australia provided transport support for that and other support in the background.

We also took quite a deal of goods and products, medical supplies, to Kiribati. Kiribati has not been open for quite a period of time. Australia has been in the background. Ms Peak, in particular, has played a very critical role for us.

Senator Wong: Just a couple of things. Can I place on the record publicly, that we think the unity of the Pacific Islands Forum is very important. I acknowledge the role Prime Minister Rabuka and President Maamau played in working through some of the issues of the past. It is a welcome development. I look forward to representing the Prime Minister at the Pacific Islands Forum this coming week. Also, I am pleased to have the opportunity to travel to Kiribati, which hasn't happened for some time. I am grateful for that opportunity and thank President Maamau for inviting me to visit.

Senator GREEN: One issue that has come out of the Pacific Islands Forum around the 2050 Strategy for the Blue Pacific Continent was endorsed by PIF leaders in the last year. A lot of people understand that climate change and oceans are incredibly important for our Pacific neighbours, and the way we support them through that. What are the main themes of that strategy, and how are we supporting its delivery?

Mr McDonald: Ms Peak can provide some detail on that. One of the most important things about that strategy is the way it was developed by all Pacific leaders. It is a very encompassing strategy for the region, going forward. It is the guideline for other partners to support the Pacific in its priorities.

Ms Peak: The 2050 strategy was launched at the Pacific Islands Forum last year. It was the culmination of extensive consultation at the political and community level all through the Pacific for a number of years. It was tasked by Pacific Islands Forum leaders to provide a longer-term vision so that Pacific leaders could set the direction up to 2050. A lot of global forces are at play. The Pacific Islands Forum leaders were clear that they wanted to have agency as they moved forward and set their priorities. The 2050 strategy is known in the forum as the 'Northern Star'. This year is a year of implementation. There is a process of being very specific about what the strategy would result in, in its implementation so that development partners, in particular, can get in the slipstream of that. Australia will chair one of the many committees that are looking at implementation, including people-centred development. We have highlighted the 2050 strategy to other partners that are engaging in the Pacific, most prominently Partners in the Blue Pacific; a group of like-minded countries that want to coordinate better on donor assistance in the region. We were strong in advocating that the 2050 strategy has to be central to their support. When the Partners in the Blue Pacific was launched last year, '2050 strategy' was all through the documents. The partners have a strong commitment to getting behind Pacific regionalism, institutions and Pacific priorities.

Senator GREEN: Minister, I understand that you have visited 14 Pacific Island countries in your time, so you have a lot of experience in having this discussion. From those visits, what has been the response to Australia's shifting climate policies, and how important is it going forward to keep those discussions with our Pacific Island neighbours around climate policy?

Senator Wong: Perhaps the best way of underscoring or emphasising how important it is, is to go back to the Boe Declaration on Regional Security, in which Pacific Island leaders said that climate change is their No.1 national security challenge, their No.1 development challenge, their No.1 economic challenge. Contrary to the irrational debate in this country, and I don't include Senator Birmingham in this, by members of his party, and others, what has always struck me about the Pacific, from the time I did the bipartisan trips with Julie Bishop, is that climate change isn't a political contest: it's a reality. It doesn't matter where people sit on the political

spectrum, it doesn't matter where leaders are. It is not a discussion in which there is a fight about whether it's real, or a fight about how to deal with it. It is an urgent existential national security, economic and human development challenge. For Pacific Island nations, who see and live the effects of climate change—not just in atoll nations, where they see sea levels rise and so they lose land, but on salinity, the pattern of what's happening in terms of the fish stocks, access to fresh water, and on so many fronts—this is real. Their relationship with ocean is profoundly different: it is economic, social, cultural and spiritual. Part of what is important to those I meet is that we seek to deal with it respectfully, and we seek to listen to that perspective, because so much of how Mr Morrison and others dealt with it was to tell them why this is wrong.

I am also honest with them. I talk to them about the level of ambition, I talk to them about what our government believes, but I am clear about the sort of transition we are taking. I make the point that we are an energy-intensive, emissions-intensive economy. I talk about how the level of ambition will have to be met and that we are serious about meeting it, hence the safeguards mechanism. It is very disappointing that we see the Liberals and the Greens again combining to press against climate action.

I talk about the transition that is required in a short space. In 2023 we are just over 40 per cent renewable in our domestic energy; by 2030 we will need to be over 80 per cent. I talk about that transition and what we are doing to drive it. Of course, they would urge more—always—which I respect. I understand; I would, too. I think they are appreciative that: (a) we have a level of ambition; (b) there is a government—not just a government, but a parliament that has been elected—that actually wants to act on climate.

Senator CHANDLER: I have some questions about Iran. Earlier this week the Minister for Home Affairs confirmed that the Republic of Iran government had directed the surveillance and home invasion of an Australian resident. When was DFAT advised of this incident?

Senator Wong: We are not doing that in a public forum. If you want private briefings, fine, but we are not going to discuss that kind of thing in this forum.

Senator CHANDLER: Minister, when were you advised of this?

Senator Wong: I just said that we're not going to discuss in a public forum a specific case relating to foreign interference.

Senator CHANDLER: I do recognise that, Minister Wong, but I also want to draw your attention to Minister O'Neil's comments earlier this week:

We have to stop this in relation to foreign interference from happening in the shadows. We have to bring it into the light. We are only going to solve these issues if we have a trusting, open and accountable conversation with the Australian public about what this problem is.

I hope we can keep those comments from the minister in mind—given that it was a public speech she made on Tuesday—when we are addressing these questions today. What action from a foreign affairs perspective has Australia taken as a result of being targeted with a serious foreign interference activity by the IRI?

Ms Adams: We won't be talking about the specific case.

Senator Wong: You can't ask questions about a specific case.

Senator CHANDLER: The Minister for Home Affairs was happy to talk about a specific case on Tuesday morning. Were any IRI diplomats expelled? Did the government downgrade our relations?

Senator Wong: Some of these issues are issues your party has been briefed on, some of them are issues for Home Affairs. I don't know if Mr Maclachlan can assist in any way. What is your question?

Senator CHANDLER: What action has been taken following these public statements from your Home Affairs Minister, advising of serious foreign interference on Australian soil?

Senator Wong: The Australian government has a clear view, and Australian parliament and society have a clear view, that foreign interference is unacceptable. We have laws which we put in place with bipartisan support. I think I was on the PJCIS when we resolved them. The Home Affairs Minister has made clear that we will take the appropriate enforcement action. It is good to be clear and open about the fact that we regard it as unacceptable. In terms of specific responses, I refer you to that department.

Senator BIRMINGHAM: Is this a distinctly different approach? Home Affairs has expressly indicated that it sees merit in talking more openly about issues of foreign interference, but DFAT appears to be more reluctant to so.

Senator Wong: No, no. We were asked about a specific case and what we had done about it. I am not going to do that.

Senator BIRMINGHAM: Senator Chandler moved off the specific case to a more general question.

Senator Wong: If you have questions about Ms O'Neil's speech, obviously they will be directed to the minister-representative in the appropriate portfolio. Perhaps I could deal with it this way, in order to be helpful: Ms O'Neil in her speech talked about Australia not tolerating hostile acts. You may have noted that I have deliberately made a number of public statements, including in the parliament, which have included similar sentiments because I think it is important that we are clear publicly and to the community about government's view as to the importance of democratic rights, people's right to protest and the importance of protecting citizens in the face of foreign interference. The sentiment has been expressed by both ministers.

Senator CHANDLER: Is the department aware of whether any of the individuals identified as being involved in this surveillance activity were affiliated with the Iranian Embassy, the IRGC, or were they here on diplomatic visas?

Ms Adams: Once again, Senator, it won't be appropriate for us to talk about specific individuals and what ASIO or Home Affairs had to do with them.

Senator CHANDLER: It is a little frustrating, given that the Home Affairs Minister did specifically name up this individual case in her speech on Tuesday. She said:

I just want to step back and say we have someone living here in our country who has been followed, watched and photographed. Their home was invaded by people at the direction of a foreign power.

I think it's fair enough that we should be able to know what actions have occurred as a result of this.

Senator Wong: I refer you to her public statement, which is:
ASIO tracked the operation and shut it down immediately.

I would say to you, Senator Chandler: at no point does this committee, or any other committee, go into operational details, which is what you are seeking. I have great regard, and I think everybody does, for the capacity of our agencies, including ASIO, to deal with such matters.

Senator CHANDLER: As part of the committee inquiry into Iran, the department provided a very handy table of the dates when the department had met with the Iranian embassy and the issues that were raised. I note that you met with the embassy on 10 January 2023. I haven't got the name of who was in that meeting in front of me. I assume it was the secretary, or was it you, Mr Innes-Brown?

Mr Innes-Brown: Yes, I was involved in that meeting on 10 January.

Senator CHANDLER: You said in the information that was provided to the committee that you raised the execution of two protesters on 7 January and Iran's response to the crackdown on protesters. Was there any conversation in that meeting about the foreign interference that Minister O'Neil referred to?

Mr Innes-Brown: As is outlined there, the thrust of that particular engagement was that it came after another two individuals had been executed. To clearly explain our deep unhappiness about what had taken place, I called in the charge d'affaires to convey the Australian government's views on that.

Senator Wong: Senator, these are matters that are appropriately raised with Home Affairs and ASIO, and I encourage you to do so. I understand that, in addition, Minister O'Neil and Mr Dreyfus conducted a roundtable yesterday with Iranian community representatives, specifically on the foreign interference part.

Senator CHANDLER: That's good to hear. I'll try a broader question: does this harassment of Australian citizens change the government's previous stance on relations with the IRI, including the maintenance of their embassy here in Canberra?

Ms Adams: We maintain diplomatic relations. We have for a long time. Foreign interference is an issue that this and previous governments have been alive to. It's not a new phenomenon. The public discussion in the media of a particular case doesn't change the fundamentals of either of those aspects—either the phenomenon of foreign interference and our determination to counter it or the maintenance of diplomatic relations.

Senator CHANDLER: So there is no change in the stance, based on these revelations?

Senator Wong: You're linking two issues which may not be linked.

Senator CHANDLER: I have some questions about sanctions on Iran, given that we have the relevant officials at the table. The government's second round of sanctions on Iranian officials responsible for violence and human rights abuses were formally enacted on 1 February 2023. Is that correct?

Ms Adams: That's correct.

Senator CHANDLER: In addition to the Senate inquiry that I mentioned earlier, on the human rights implications of violence in Iran, the department said:

Foreshadowing future sanctions would provide possible targets with prior notice, allowing them to move any of their assets outside of Australia's jurisdiction and reducing the effectiveness of any listing.

I assume those words are familiar to those within the department. Why was the media tipped off about these sanctions on 31 January, given that the sanctions didn't take effect until the following day?

Ms Adams: I don't know that they were.

Mr Innes-Brown: I am not aware that they were, Senator.

Senator CHANDLER: I have an article here in the *Guardian* dated Tuesday, 31 January, titled 'Australia imposes sanctions on Iranian officials and Myanmar's military ruler'.

Mr Walter: While I don't know anything about tip-offs, when we register new listings under our sanctions regimes, as we are required to do, they are registered the day before they come into effect on the Federal Register of Legislation. Many media outlets receive alerts when registrations are updated, so they regularly become aware at the time the instrument is registered, rather than when it comes into effect. I think we did that at about 10 o'clock the night before.

Senator Wong: That's right. Can I be clear with you, Senator Chandler, that I don't think what you are asserting is correct. I will go back and check time frames. I was travelling; we had a time difference issue. I recall getting this advice about when things took effect. The press release is not the legal instrument which gives effect to the sanction.

Senator CHANDLER: No. I figured that. The consolidated list of sanctions that I have looked at has the control date as 1 February. Potentially on notice—and I might put some questions to step this time frame out in more detail—I would like to understand when that information might have ended up in the public domain. Mr Walter, that would be useful to know, given that we do have media reporting from the day before.

Mr Walter: There are two things there. The registration, the act of registering the instrument, occurs the day before the instrument comes into effect. At that point, people can begin to access it. It's not legally effective, but it can begin to be accessed. I think that was 10 pm the night before.

Senator Wong: Australian time.

Mr Walter: Australian time. The consolidated list we updated about 9 am on the 1st, if I recall correctly.

Senator CHANDLER: Given that the Attorney-General's Department made a late submission on 31 January to that same inquiry, was there any consideration at DFAT of advising the inquiry about those sanctions that were going to be effective as of 1 February?

Mr Walter: No. Again, we avoid at all costs tipping off anyone that the sanctions may come into effect. The reason for that is to stop the movement of assets out of Australia, which of course can occur very quickly now.

Senator CHANDLER: But it was the day before. You've already said there's a chance that information was on the internet somewhere on 31 January.

Mr Walter: For about 95 minutes.

CHAIR: I think the officials agreed to take it on notice.

Senator CHANDLER: Yes; that's true. Apologies, Chair. During the Senate inquiry into the Iran crisis, the department told the committee:

With decisions the Australian government takes post sanctions, the timings of these are considered with regard to our national interest in an Australian context.

Can you tell us why, then, it was within our national interest to wait until Human Rights Day, on 10 December, to announce our first round of sanctions on Iran, and then on the eve of the Senate inquiry report to announce the second?

Senator Wong: Senator Chandler, I have to say in this context that, given what is happening in Iran, given how much we are seeking to do, I regret the tone of partisanship with which you approach these issues, including through the Senate inquiry. It's a matter for you, but it's not the way in which these matters have been dealt with. This government has done more work on human rights in relation to Iran than any previous Australian government. It doesn't appear that briefings to you or to your party change the partisan tone of your questions. We make judgements about sanctions. We've made those judgements. I didn't respond to the question about the embassy by making the point that your government, and your governments since 1968, have maintained diplomatic relations with Iran through some pretty difficult periods, not because it's a reward but because it's a channel for Australian interests to be prosecuted. It's a way of engaging.

I'll take on notice your question. Obviously, these are issues that we have been considering for some time. I can indicate to you also that I have asked the department to look at expanding our autonomous sanctions regime in relation to Iran as a regulatory framework or a legislative framework. What you would like me to call it, Mr Walter?

Mr Walter: A legislative framework.

Senator Wong: It is a framework which enables the autonomous regimes, as opposed to UN sanctions. As I said to members of the Iranian community yesterday, the brutality of the regime, which we all stand against, is at a threshold which is devastating and tragic. The Iranian people have been, and are, courageous in the face of the brutality. I regret that we live in a world where we can't change that. But what we can do is speak with one voice to try and put pressure on the regime. That is what this government is seeking to do.

Senator CHANDLER: Thank you for those comments. I disagree with your assertion that my questions are partisan in nature. These are concerns that have been raised with you directly by the Iranian community, Senator Wong.

Senator Wong: The whole way in which you have sought to deal with this, Senator Chandler, has been partisan, and that is regrettable.

Senator CHANDLER: These concerns have been raised with you by the Iranian community—

Senator Wong: This is regrettable. People are dying.

CHAIR: Senators.

Senator Wong: People are dying.

CHAIR: Senator Wong.

Senator Wong: I find some of the way in which you've dealt with this really regrettable.

Senator CHANDLER: I regret the fact that you have characterised my concerns in that way.

Senator Wong: For example, Senator Chandler, I hope you're going to be consistent. On the TPV decision that you and your colleagues are very opposed to, do you know how many Iranians will stay as a consequence of that? It is 6,000. So if you're really serious about protecting Iranian Australians, and those who are here, and not sending them back to a brutal regime, you might acknowledge that decision protects 6,000 people.

Senator COX: Minister, I believe you are in the final stages of appointing the First Nations ambassador.

Senator Wong: I appreciate your engagement on this. Mr Brazier has been handling the First Nations ambassador process. He might be the person you want to ask questions of.

Senator COX: I believe you are in the final stages of appointing that ambassador. I really look forward to working with them, and I am looking forward to the announcement. I want to get a few things on the record and clarify that this is a new position. Is that correct?

Mr Brazier: That's right.

Senator COX: This is an evolving piece and those exact roles are not necessarily set in stone yet. Will the First Nations ambassador have diplomatic immunity, a diplomatic passport and other key features that come with diplomatic status?

Ms Adams: I will jump in. That's a general question. Our Australian ambassadors have either an official or a diplomatic passport, depending on the places that they travel to and the requirements. Generally, Australian officials don't have diplomatic passports. I'll undertake to follow up on that, if there's anything I can add usefully.

Senator COX: Is there any scope for the ambassador to be elevated to diplomatic status?

Mr Brazier: The 'ambassador' is an ambassador—which is a diplomatic term, of course—and will be involved in the prosecution of Australian foreign policy interests overseas. In a general sense, the ambassador has a diplomatic role and status.

Senator COX: What treaties, conventions, declarations and agreements will the ambassador position be responsible for overseeing and helping to implement?

Mr Brazier: The one that comes to mind is the United Nations Declaration on the Rights of Indigenous Peoples. I will ask Ms Smith to expand.

Ms Smith: Mr Brazier is right. The principal international process is around the United Nations Declaration on the Rights of Indigenous People, UNDRIP. I wouldn't say that the ambassador would have the responsibility for it, but will certainly be engaging on that declaration in multilateral fora as part of the role.

Senator COX: So it is Labor's intention of passing that after it comes out of the committee stage?

Ms Smith: No, that is not what I was referring to. The declaration exists. We already engage on the declaration in a range of multilateral fora, including the UN Permanent Forum on Indigenous Issues and in the Human Rights Council because we endorse the declaration. As a declaration and not a treaty, there is not a next stage.

Senator COX: I am well aware of that, Ms Smith. My former colleague, Senator Thorpe, has a private senator's bill in the form of the implementation of UNDRIP. I want to have a better understanding of whether it is the intention of the government to move forward with implementing this, rather than loosely continuing to have conversations in international fora about it, which gives us no mechanism of accountability, particularly when we are moving to areas such as article 18 in UNDRIP, an Indigenous Voice to Parliament. This is an important mechanism that we need to make sure is undertaken with goodwill, but also with the intention of transparency and accountability. The government must take this seriously. I want to have a better understanding that this is the intention and that we are moving forward in the same frame.

Ms Smith: The domestic aspects of the declaration would be best taken up with the National Indigenous Australians Agency. Our role is the international side; they are the domestic side of things.

Senator COX: I'll take that up tomorrow then, in cross-portfolio.

Senator Wong: This is something members of our First Nations caucus are also engaged upon in a domestic context.

Senator COX: Currently the expression of interest for the position—I realise you are in the final stages of the selection process—talks about government foreign policy. Is this an established policy or is this going to be a separate First Nations policy that is in development by the ambassador?

Mr Brazier: It is a new policy. It has been the subject of announcements and speeches by the Prime Minister, by the Foreign Minister. It builds on some existing work done by the department in the Indigenous space. This is absolutely a new government policy. When the ambassador is selected and starts, the central part of that person's work is to consult with community to build out and to shape it more fully.

Senator Wong: This is part of Australia's foreign policy; it is not separate—we have a national foreign policy. It is a way of ensuring that the interests of, the perspectives of, and the engagement of First Nations people are integrated into what we do as a country. That is a new policy approach.

CHAIR: Thank you.

Proceedings suspended from 11:05 to 11:22

CHAIR: We will return to questions. Senator Green.

Senator GREEN: Thank you, Chair. I have some more questions on the Pacific. I want to ask about the Prime Minister's recent visit to Papua New Guinea. That visit took place in January. I was very lucky to be a part of that visit. I wonder whether you could update us on both prime ministers—Prime Minister Albanese and Prime Minister Marape—committing to conclude negotiations on a bilateral security treaty by April this year. It was one of the main things that came out of the visit. Would you like to say a few things about the visit?

Mr McDonald: Senator Green, as you know, it was an excellent visit earlier this year, in January. You were part of that delegation and saw that firsthand. That particular visit was the culmination of a number of visits from the government, leading to the Prime Minister's visit—that is, the foreign minister, the Deputy Prime Minister, Minister Conroy, and then the Prime Minister himself. It was also the fifth meeting of the prime ministers since the election. Prime Minister Marape and Prime Minister Albanese know each other very well. The visit itself showed the respect and the high regard that the relationship is held in. Prime Minister Albanese was the first foreign leader to present to the parliament in PNG. PNG see that as their parliamentary house. From my point of view, having done a number of trips, the doors were very wide open for Australia and for the Prime Minister. You will recall that the Prime Minister mentioned how honoured he was to be given that privilege and that honour flows through to Australia itself.

He also highlighted two things that are really important to the relationship: one about us being equals and that we're friends with a long history together, and of course our geographic proximity to each other. Those strong bonds were very evident and our partnership was very evident.

One of the key things you mentioned to come out of that was the bilateral security treaty. That treaty is, I suppose, a natural progression of our relationship. It builds on some of the regional discussion we had earlier on family first, in terms of our security relationship in the region. The achievement of the bilateral security treaty will flow through. As Minister Wong said earlier, the concept of security being quite wide, and taking account of the Boe Declaration and the Biketawa Declaration, it will be very important.

The officials had their first meeting in relation to this yesterday. Australia, at PNG's request, provided the zero draft of that text. Discussions will now be ongoing, overseen by Minister Wong and Minister Tkachenko, with an end date of 30 April for those negotiations. The final thing I'll say on the bilateral security treaty is that the discussions yesterday were very open. It was a good basis for going forward. There will be further discussion later this week, when the ministers meet.

Senator Wong: I will supplement that on one point. I am pleased to be participating in the Australia-Papua New Guinea Ministerial Forum tomorrow. We have 16 PNG ministers and 10 Australian ministers participating in that. I will be working with Minister Tkachenko. In addition to that, I will be pleased to host them for dinner tonight. We are really pleased that so many PNG ministers are making the effort to come to Australia.

Senator GREEN: On the treaty, I understand you are still working on the details from interactions. I was on the visit and I know from public commentary that there are what we would consider non-traditional security challenges that PNG faces. Are they going to be covered by the treaty, and what types of security interests are our partners looking at including in this type of treaty?

Mr McDonald: That is subject to the agreement of both countries, but it is certainly looking at the concept of security in a very broad way. The bilateral security treaty is intending to strengthen our position as security partners, as I said earlier. Two keys to that are sovereignty and resilience. They are two concepts that we are really focused on. The other is to solidify the regional agreements and understandings that are in place that I mentioned earlier, like the Boe Declaration on Regional Security, but also the PIF leaders communique at the last meeting around regionalism and the forum family first. That is the other concept that we are looking at. In terms of the evolving nature of security, some of the concepts that we will be discussing are climate change; cyber security, which is really emerging as a major issue in the region; the economic elements of statecraft; and of course the strategic environment we find ourselves in. The idea is to capture the breadth of our relationship and to provide a mandate for further work in areas of interest. It is quite a broad look at security.

Senator GREEN: There is a commitment to conclude negotiations in April?

Mr McDonald: Yes, that's what the foreign ministers are watching us.

Senator Wong: And the prime ministers are watching us—I think that's how it goes, isn't it!

Mr McDonald: Yes, that's how it goes. The public commitment by the prime ministers is that the foreign ministers would oversee the negotiations of the officials, with a completion date of 30 April or earlier. I think yesterday showed the joint commitment amongst officials to do that. I should have mentioned that earlier on that trip the Prime Minister also visited the Grand Chief Michael Somare's place of rest, which as you know was a very moving event, as well.

Senator GREEN: Thank you for mentioning that. Turning to another treaty that was signed in December, I understand that Australia signed a bilateral security agreement with Vanuatu. Can you step us through how the treaty came about and what the benefit to Vanuatu is in that agreement?

Mr McDonald: Yes, I can. Ms Peak, who was heavily involved in that one, will provide more detail. This security treaty was signed as part of the bipartisan visit in December; it was under development for some time.

Ms Peak: As Mr McDonald said, it was signed on 13 December during the bipartisan visit to Vanuatu. It was the culmination of negotiation since 2018: 2018 is important because that was when the Boe Declaration was first agreed by our Pacific Islands Forum leaders. This is one of our first bilateral security treaties to have that broad sense of security, from climate change all the way to traditional security measures. It builds on a longstanding foundation of security cooperation with Vanuatu. The treaty does a few things. It confirms the close security relationship that we have and that Australia is the principal security partner for Vanuatu. It provides a legal framework to allow us to deploy Australians, whether it be police or humanitarian officials, to support Vanuatu on security matters. It also establishes a new dialogue so that we have a formal dialogue to discuss security cooperation and a framework for information exchange. It was immediately put on our website after the signing, given our commitment with all our treaties to full transparency.

Senator GREEN: You touched on this: picking up on our discussion around the proposed bilateral treaty with Papua New Guinea, the treaty also looks at what we would consider non-traditional security challenges, such as climate change and cybersecurity. Is that covered by the Vanuatu bilateral agreement as well?

Ms Peak: It is.

Senator GREEN: Can I also say thank you, Mr McDonald, for your support for me, individually, during that visit and to your whole team. The visit was very successful, and I thank you for your help.

Mr McDonald: Very much appreciated, Senator.

Senator BIRMINGHAM: I might go to a couple of corporate questions. What is the latest year-to-date financial year travel expenditure for the department?

Ms Adams: I will have to ask for some assistance on the data. For the whole department?

Senator Wong: That's the question?

Senator BIRMINGHAM: That's the question.

Ms Walsh: Senator Birmingham, can I confirm: you are asking about departmental travel or ministerial travel?

Senator BIRMINGHAM: Departmental.

Ms Walsh: I am going to hand to the Chief Finance Officer for that.

Mr Medland: As of 31 December, the total travel for the department is \$37,422,000.

Senator BIRMINGHAM: So \$37.4 million as at the halfway point in the financial year: can I track back from there? In the March 2022 budget the estimated travel costs for the department were \$46.1 million. That was revealed in QON 137; is that correct?

Mr Medland: I haven't got the question on notice with me. I can certainly confirm that.

Senator BIRMINGHAM: QON 137 indicated that the March budget had a total financial year travel budget for the department of \$46.1 million. The October budget saw that increase by \$15.7 million to \$61.8 million. Can you detail reasons for that increase between March and October in the departmental travel budget?

Mr Medland: In March we weren't anticipating as many overseas trips. Things post pandemic are going back to a more normal cadence of travel, and we are finding that each individual trip is costing more than it was prior to the pandemic. So those things combined are what is causing the increase in expenses.

Senator BIRMINGHAM: Given that you spent significantly more than half of the increased budget by 31 December, do you anticipate being able to operate within the existing budget for travel?

Mr Medland: That is our anticipation. We have flexibility to move our budgets between expense categories and will continue to monitor all expenses throughout the year and reallocate as required.

Senator BIRMINGHAM: You're sticking by \$61.8 million as the budget, or is that being revised?

Mr Medland: At this point we haven't revised it formally. We will continue to monitor it through our monthly reporting.

Senator BIRMINGHAM: Wouldn't it be practical to expect that you could now bring that rate down significantly without cutting operations in the department?

Mr Medland: It might be that we can reallocate within and across expense categories. It might be that over the December-January period things have slowed down a bit. We will struggle to pull it back significantly, but it will continue to be monitored.

Senator BIRMINGHAM: The department received a \$15.7 million increase in its travel budget for this financial year with the change of government. It is spending at a rate significantly above that at present. Yet it also has a target to meet in terms of its \$34.4 million reduction across labour, advertising, travel and legal expenses. Has the department determined how it is going to meet that reduction target set by Finance? In terms of where those savings are coming from, how is that practical when you are exceeding the already increased travel budget?

Mr Medland: I think we would be looking at identifying those savings across the whole of the departmental budget. Yes, we will be focusing on travel, advertising, consultancies and contractors. As part of the reallocation we would be looking to factor in that saving.

Senator BIRMINGHAM: We are now into the eighth month of the financial year. Where are the Finance savings applied across all departments being secured within the Department of Foreign Affairs and Trade?

Mr Medland: As I said, the identification would not be specifically allocated. It would be in the broad that we would be looking to find those savings.

Senator BIRMINGHAM: Where have you found them?

Mr Medland: Some savings would have been generated through changes in the way we manage our general expenses. So travel will continue to be monitored, but the specifics of reducing trips or allocations are not how the budget is managed.

Senator BIRMINGHAM: Mr Medland, I am trying to understand here. Was a government election commitment to savings across all of government applied by the Department of Finance in last year's budget to

identify—which was then reflected in the budget to Foreign Affairs—a \$34.4 million reduction in external labour, advertising, travel or legal? When last asked, you were working through an assessment of the implications of this and how it would be achieved. You are only giving me generalities in terms of how that is going to be met. It is against a situation where the government gave a separate top-up to the travel budget to DFAT anyway, and you are exceeding that even with the top-up. So it looks like either you are not going to be able to meet the Finance targets or there is a fair bit of fudging going on in terms of creating an apparent saving while giving more money anyway.

Mr Medland: I wouldn't characterise it as 'fudging'.

Senator BIRMINGHAM: I wouldn't expect that you would, Mr Medland. That doesn't mean that it is not fudging—maybe by Finance rather than you, of course.

Mr Medland: We would be looking at all our discretionary spending. Travel is one component of that. We are also looking at our contractors. Where we can reduce contractors on discretionary projects or activities, we would be looking to do that. Rather than coming up with a specific reduction in contractors we would be looking at that on an ongoing basis and monitoring the overall budget on a month-by-month basis to see how we are factoring in our target.

Senator BIRMINGHAM: Can you identify any reduction in contractors?

Mr Medland: I could take that on notice. We are definitely looking at that.

Senator BIRMINGHAM: Could you identify any reduction in advertising?

Mr Medland: Not specifically.

Senator BIRMINGHAM: Could you identify any reduction in legal?

Mr Medland: Legal would be a demand driven expense based on the needs of the legal advice we require. There is in-house legal advice and outsourced legal advice. The criticality of getting the right advice is what we are focusing on, rather than trying to find savings in legal.

Senator BIRMINGHAM: I know you can't identify any savings in travel because it is already running well above budget. It doesn't give great confidence that these savings are real savings that the government is imposing. Are there any strategies in place, given they are meant to be ongoing past this financial year, to provide to Finance what is feasible for the department to meet?

Ms Adams: From my point of view, with my CFO we are managing our entire budget within our allocations. You know well that it doesn't work to have very rigid lines for particular forms of expenditure, but the savings are real in the sense that they affect their allocations and we are operating within our allocations.

Senator BIRMINGHAM: Practically, for a department like yours, you don't have huge advertising expenses or huge external contractor expenses like some of the service delivery departments. Your operations are dependent upon travel, in large part. Mr Medland just said that legal is largely demand driven. The government's intent to apply an efficiency expressly targeted at those areas is not a practical one to seek to apply in those ways to this department. You have just said yourself, Ms Adams, that you will largely meet it, if you can meet it, within budget, probably by finding savings elsewhere, won't you?

Senator Wong: Senator, it's probably a question for Senator Gallagher, not me. Obviously, every portfolio minister at these tables, in estimates, would probably, in their heart of hearts, not want anything more contributed by their department, and would want more resources. We inherited a very difficult set of fiscal circumstances. I won't do a Senator Cormann and start talking about your record as finance minister. There are proportional savings that were allocated, from memory, centrally. We are seeking to manage it within that, in the context also where other additional funding was provided to the department.

Senator BIRMINGHAM: QON 128 advises that the department was undertaking an internal review of its overseas network, expected to be concluded early this year. Has that review concluded?

Ms Adams: Yes, that internal review has concluded.

Senator BIRMINGHAM: What were the findings of that review?

Ms Adams: We haven't made it a public document. It's a report to me about the pressures in the network in terms of staffing footprint, and current and expected pressures—demand, work pressures. We are considering that, and what we are able to address in the short term or over a longer period. It's an internal management tool, from my point of view.

Senator BIRMINGHAM: Did the review's scope extend to looking at the composition of the overseas network in terms of the number of posts, or was it purely operational in terms of the general requirements within posts?

Ms Adams: We looked at both. We looked at whether the geographic footprint, if you like, of our network was the right one for our current economic development foreign policy priorities. We asked ourselves the question: if and when resources were available, what would make most sense, for Australia's national interest, if we were to expand? As you know very well, we have a high concentration of posts in the immediate region, our area of most attention—

Senator BIRMINGHAM: An even higher concentration after the last few years, yes.

Ms Adams: Indo-Pacific. Globally, I was also looking at the staffing profile of particular posts, not just DFAT but our whole-of-government posts in many locations, and considering where the pressure points were.

Senator BIRMINGHAM: Can the government rule out cutting any posts?

Ms Adams: I don't think we will be ruling anything in or out.

Senator BIRMINGHAM: Minister?

Senator Wong: I refer to what the secretary said. We will do what we said we'd do, which is to seek to increase Australia's engagement and influence, particularly in the Indo-Pacific region. Obviously, it's appropriate, particularly with a new government, a new secretary and a new minister, that Ms Adams and her team undertake what they are undertaking, which is to make sure we are optimised. That is sometimes a bit of an opaque word. We should be spending what are always scarce resources where they have, frankly, the best return on investment for the country. That's what we will do.

Senator BIRMINGHAM: Has the minister been briefed on the findings of the internal review?

Ms Adams: Not specifically.

Senator BIRMINGHAM: What actions are you taking out of the internal review, Ms Adams?

Ms Adams: Looking at what we can do ourselves internally, in response to pressures that can take the form, for example, of short-term supplementation for posts that have additional workload, be that hosting G20 or things like that. Looking to the longer term, if there are cases to be made for significant alterations, I will put those to my minister, as appropriate.

Senator BIRMINGHAM: Does the review identify under-representation in parts of the world?

Ms Adams: I wouldn't say it's under or over. It's a question of whether, in our budget allocation, we have our resources in the right places to align with our national priorities.

Senator Wong: I don't think anybody who has sat in this chair or had this role would not want more resources. I am sure Ms Bishop would have preferred to have more resources around the world. I'm sure Senator Payne did. We have to work out where we most need and want them, as the secretary said.

Senator BIRMINGHAM: Certainly, Minister, in the past role you alluded to before, I found it much harder to get ministers to bring forward savings proposals than spending proposals, particularly savings proposals that weren't Washington monuments. We will put some questions on notice around the scope of that review.

CHAIR: On that note I will rotate the call to Senator Steele-John.

Senator STEELE-JOHN: Minister, you've travelled extensively around our region. Have you received feedback from our regional neighbours that indicates their concern about Australia's involvement with the AUKUS agreement?

Senator Wong: I will talk in general terms, obviously, because I don't intend to talk in specific terms about discussions with counterparts. It actually goes to the discussion that Senator Birmingham and I were having before about the speech in the UK. There is no doubt that there were aspects of the previous government's announcement in relation to the AUKUS partnership which I think were not well handled and which enabled narratives which are unhelpful to how it is perceived in the region. We are managing that. It has been a feature of my discussions with many countries in the region. If I may articulate in summary what I say, this is a partnership which reflects a longstanding and deep technical cooperation with the United States and the United Kingdom. In relation to submarines, it is logical and rational that Australia would seek to replace an ageing capability. I make the broader point—which I think is the point that many countries, particularly in the ASEAN region, are focused on—that Australia does not seek to acquire this capability for anything other than contributing to the peace. We see this as an important part of contributing to a strategic equilibrium which is the context for a region which is

peaceful, stable, prosperous and respectful of sovereignty. That is the way we approach this. I have officers here, if you want any more detail, who are deeply engaged on these issues.

Senator STEELE-JOHN: That would be useful, yes. Would it be possible to provide a list of nations that you've engaged with since becoming minister that have raised the AUKUS agreement in your—

Senator Wong: I am not going to do that. I am happy to say in this forum that it has been a feature of most, if not all, of my bilateral and regional engagement. It is not the only thing; there are many other issues. It is something that I proactively address, given some of the issues which have been raised publicly.

Senator STEELE-JOHN: You said that one of the things you've communicated is that it is rational for a nation to seek to replace an ageing capability.

Senator Wong: Particularly in the context of a region where we are seeing others substantially grow their military capability.

Senator STEELE-JOHN: One of the points of contention is, of course, the nature of the capability being a nuclear powered submarine. Have nations raised with you the concern about the potential for an increased nuclearisation and militarisation of the waters of our region?

Senator Wong: I would make two points. There is a lot in that, Senator. The first is that we don't accept, and neither do existing international treaties, including NPT and the Rarotonga treaty, that nuclear propulsion equals nuclearisation. Under this government and under previous governments, as a matter of how Australian governments operate, we have no intention of ever acquiring a nuclear capability. That is the first point. Secondly, in terms of militarisation, I'd invite you to consider some of the public discussion about the relative militarisation and investment in military hardware. We are a very minor player in terms of that process. But we all want a peaceful region. We seek to acquire this capability in order to contribute to that. Australia does not seek to dominate. We don't seek to impinge on sovereignty; quite the opposite. We seek a region—because we are a middle power—where sovereignty is respected. That's the approach that we would take to this capability. That has been a consistent feature of my public commentary.

Senator STEELE-JOHN: My understanding is that the government is currently undertaking a review of Australia's position in relation to the TPNW. Can you confirm this?

Ms Adams: Senator, did you say 'undertaking a review'?

Senator STEELE-JOHN: Yes, a review in relation to Australia's position on the TPNW—the Treaty on the Prohibition of Nuclear Weapons.

Ms Adams: Not a review as such, no.

Senator STEELE-JOHN: What would you describe it as?

Ms Adams: I'll defer to the experts. I'll pass to Jeff.

Mr Robinson: It's not a review. Clearly, departments were very conscious that the incoming government had a national policy platform under which it undertook to sign and ratify the TPNW but subject to certain conditions that are well known.

Senator STEELE-JOHN: Yes, it did.

Mr Robinson: In that context agencies have been, in anticipation of being asked to provide formal advice, looking afresh at Australia's position, including in regard to those particular conditions. Ultimately, it's up to the government to decide the process and the timing for when it makes a decision.

Senator STEELE-JOHN: At the moment you are reviewing the policy in relation to those conditions. Am I right to understand that you've been asked to undertake that process of exploration?

Mr Robinson: No, we haven't formally been asked to do that. We've done it in anticipation. We understand what the incoming government's position is, but it's up to the government to make a decision about process and timing.

Senator STEELE-JOHN: It's up to the government to formally request your advice?

Ms Adams: Not necessarily in such a way. Of course, when the need arises, we formulate positions as required, when there are meetings or when there are particular international discussions where we express positions. We don't sit waiting to be asked to look at the suite of issues. In this case we're talking about disarmament policy. It's part of very serious, active work on disarmament across the board.

Senator STEELE-JOHN: 'Serious, active work'—is that complete? Have you finished that process?

Ms Adams: I meant serious, active work on the broad policy area of disarmament.

Senator STEELE-JOHN: Mr Robinson has shared with us that, in anticipation of—

Senator Wong: Hang on. That's an important point which, with respect, Senator, you have disregarded. The TPNW is not the primary mechanism by which Australia engages in the world in order to progress the ambition of a world free of nuclear weapons. The primary international arrangement framework for that is the NPT, and we are very active in relation to the NPT.

Senator STEELE-JOHN: I'm seeking to understand this from Mr Robinson: you've shared with us that, in acknowledgment of the government's elected platform position on the TPNW, you've done some work in relation to the former opposition's position. I want to know from you now: is that work complete? You don't want to describe it as a 'review'. Has that work been completed?

Mr Robinson: No, Senator.

Senator STEELE-JOHN: Who is leading that work?

Mr Robinson: DFAT, but in consultation with other relevant departments.

Senator STEELE-JOHN: What is the time line for the completion of that work?

Mr Robinson: As I mentioned earlier, a decision on the process by which the government will decide its approach to TPNW and the timing are really decisions for government.

Senator STEELE-JOHN: Yes, but we are talking about internal work which your secretary has just said you are able to do separately from government asking you formal advice. I want to know from you when your internal process will be complete.

Senator Wong: Can I perhaps assist here? Your question assumes a static factual environment. The conditions that are included in the platform actually primarily go to a range of things which are not yet determined or realised in the international context. It's not like there's a set of facts, and the department reviews the facts and provides advice. The facts are evolving. They include verification arrangements, they include universality of support and they include the relationship with the NPT. The difficulty with some of your questions is an assumption that we have a static set of facts in the international arrangements. We don't. That's why I talked about the NPT, because we still regard that as the cornerstone of the global disarmament and non-proliferation regime. We are very active in the context of those arrangements. If you are interested, we can talk to you about that.

Senator STEELE-JOHN: Minister, on the conditions that you have placed for your positioning in relation to the TPNW, one of the conditions that you have articulated is around universality. Do you believe that universality can be achieved in relation to the treaty?

Senator Wong: I think universality is critical to non-proliferation and disarmament. If you want to have that more thoughtfully or more systematically laid out, former foreign minister Evans has written about this. Universality and verification, in a world where you have nuclear weapons, are central to taking steps to lessen the number and, hopefully, reduce and remove nuclear weapons from the globe.

Senator STEELE-JOHN: Can you give an example of another treaty to which Australia is a signatory in the disarmament space which has achieved universality?

Ms Adams: You can have a literal or a broader interpretation of universality in international affairs. I'd say there is a range of—

Senator STEELE-JOHN: Just give us an example.

Ms Adams: NPT has a broad participation, for example.

Senator Wong: Including almost all nuclear parties.

Senator STEELE-JOHN: I was going to say: not all.

CHAIR: Thank you, Minister. I need to move the call on. Senator Van, you have the call.

Senator VAN: Ms Adams and everyone, thank you for appearing today. Ms Adams, before or since the COVID restrictions, are Australians required to have an authorisation to leave Australia?

Senator Wong: Apart from that period where your government—

Senator VAN: Currently, do we need an authorisation to leave Australia?

Ms Adams: Not to my recollection.

Senator Wong: We provide advice on Smartraveller, which includes 'do not travel', as you know. There may be people whose particular circumstances require them to get authorisation because state or federal authorities have required them to remain in the country. Do you mean more generally?

Senator VAN: More generally. And 'do not travel' doesn't mean 'cannot travel'.

Senator Wong: No, you can ignore the advice, if you wish.

Senator VAN: Thank you. After a briefing with your department with the full committee last week—I seek to table this piece—there was a piece from the *Australian* with the heading: 'Victorian Liberal Senator David Van's non-authorised trip to Ukraine paid for by drone maker'. Did your office have any contact with the journalist on that piece?

Senator Wong: I don't think I read that piece; I am sorry, Senator Van.

Senator VAN: I am happy to table it, as I said. Did either the department or your office have any contact with the journalist?

Ms Adams: I'll speak for the department and say no.

Senator VAN: At that last meeting I raised a point with one of your staff, and it was reiterated yesterday in exactly the same words by the secretary of the defence department, that Australia has provided Ukraine with approximately \$655 million in support, including \$475 million in military assistance. As I put to you at that briefing, and to the defence secretary yesterday, that number is not correct, is it?

Senator Wong: I think the number is correct. What you don't like is the verb. I thought Mr Moriarty explained that to you, and I appreciate that you have a different view. We are responsible for the humanitarian component. Maybe Ms Chan or Mr Cannan can talk about what, on that side, has actually been received, or where that funding is at.

Senator VAN: What is—

Senator Wong: Perhaps I could ask them to respond, because that's what you're asking.

Senator VAN: No, that's not what I'm asking. You're trying to put questions in my mouth, Minister.

Senator Wong: What is your question then?

Senator VAN: My question is: in the briefing last week the number of \$475 million of military aid was provided.

Senator Wong: Yes, and I—

Senator VAN: I questioned that.

Senator Wong: My response is: you're questioning the verb and not the amount. Your point yesterday was that the verb 'provided' is incorrect because it hasn't actually been provided; it's just been allocated. Rather than getting into a semantic argument, I thought it might be helpful for officials to tell you, in relation to the component that we are responsible for, where that humanitarian assistance—

Senator VAN: If they could take that on notice, that would be helpful. For the sake of time management, that would be very helpful; thank you.

Senator Wong: So you don't want to know?

Senator VAN: I do. As I just said, I would like to have that on notice.

Senator Wong: Can we just do it quickly?

Senator VAN: If you can do it very quickly, but my time with the call is limited, so I'd prefer it on notice.

Senator Wong: We could have done it in the time frame in which we've done this.

Senator VAN: Well, you keep arguing with me—

Senator Wong: I'm just trying to be helpful. I anticipated the question, so it would have cut it short.

CHAIR: Minister, is your department going to take it on notice?

Senator Wong: Sure. We'll take it on notice, if you really want us to. I'm just trying to lessen paperwork.

CHAIR: Senator Van, you have the call.

Senator VAN: At the last estimates I was asking questions about why our ambassador to Ukraine hasn't been relocated from Warsaw back into Kyiv. The answer I got on notice was that we have specific work health and safety obligations. I've worked through the Work Health and Safety Act since that time and I can't find anything that knocks out that particular action, given the external territories et cetera. On notice, can you lay out specifically what clauses of that piece of legislation mean that our ambassador cannot be back in Kyiv?

Ms Adams: Senator Van, it won't be that sort of analysis. The overall risk assessment that I've made hasn't changed since my last testimony. The security situation in Ukraine, and Kyiv in particular, remains complex and challenging. It hasn't improved. As recently as last week, Russian missiles again targeted Kyiv, with Ukrainians once more forced to seek refuge in makeshift shelters, including subway stations. You also know well that

civilian infrastructure is being targeted and people, not just Ukrainians, living in Kyiv are under the threat of missile and drone attacks. In that context the assessment processes, in accordance with Australian standards, remain.

Senator VAN: I'd still like you to outline against the legislation what bits preclude you from sending him back. That's a reasonable question on notice.

Ms Adams: It's my risk assessment, Senator. It's not a particular provision of legislation.

Senator VAN: Where are you taking your risk assessments from?

Ms Adams: Under my workplace health and safety obligations.

Senator VAN: According to the legislation.

Ms Adams: As a risk assessment.

Senator VAN: Where are you getting your risk assessments from? What's informing your risk assessments?

Ms Adams: They're my risk assessments that will be internal to my workings. They will involve security assessments as well as information from defence and other agencies.

Senator VAN: From questions at last estimates, you said you were taking assessments from like-minded countries; is that correct?

Ms Adams: I said that we watched like-minded countries. I also said very clearly then, and I repeat, that we operate under Australian law and under our own procedures and risk assessments.

Senator VAN: So this is a unilateral decision that you're making—

Ms Adams: Of course, it's Australian—

Senator VAN: Not against the legislation?

Ms Adams: It's my sovereign decision-making; that's correct.

Senator Wong: She's the secretary of the department. That's her job.

Senator VAN: Have you taken risk assessments from countries like the UK and US?

Ms Adams: I leave them to make their own decisions. They're NATO countries. They're in a different situation from us. We make our own decisions.

Senator VAN: Canada and other like-minded countries?

Ms Adams: Of course, we keep under review and we monitor what others are doing. I repeat: the security situation in Ukraine, and Kyiv in particular, has not improved since we were last here at estimates.

Senator VAN: We might disagree on that. Canada, who we share a building with, has its embassy back in that same building that ours should be back in, doesn't it?

Ms Adams: Canada is a NATO member. It makes its own decisions, as do we.

Senator VAN: In a question on notice, it was stated:

The Department has a do not travel warning for Russia, Somalia, Mali, Burkina Faso, North Korea, Chad, Syria, Iran, Yemen, Belarus, Venezuela, Iraq, Libya, Myanmar, Central African Republic and South Sudan.

In your answer you said:

The Department has overseas missions with staff stationed in Russia, Iran, Iraq and Myanmar.

How do they not have the same level of protection that you're trying to apply to the embassy in Kyiv? Is it okay for one city at risk but not another?

Ms Adams: I don't think many cities are under current drone and missile strike attack.

Senator VAN: The situation in Myanmar might be a little bit different. I would suggest that the situation in Iran is definitely dangerous at the moment. I would also suggest there are attacks in Russia going on all the time. Do these not form part of your assessments?

Senator Wong: Senator Van, you don't do an assessment, 'Oh, this is just as dangerous.' In every country, Ms Adams has to satisfy herself, DFAT has to satisfy themselves, that it is responsible to continue our presence there, and how we mitigate risk. I won't talk about it publicly, but in some of the areas you identify we seek to mitigate risk. I don't think it's an accurate way of dealing with risk to plonk a few other tough areas of the world on the table and say, 'If you're here, you should be there.' For each location, each post, we have to be satisfied, the department has to be satisfied, that we are appropriately mitigating risk for the Australian people posted there.

Senator VAN: You are suggesting—

Senator Wong: Ms Adams has made the assessment that she has made.

Senator VAN: Ms Adams, have you made the assessment that there is no risk mitigation that you can do in Kyiv?

Ms Adams: No, I haven't made an assessment that there is no mitigation.

Senator VAN: Have you turned your mind to risk mitigation?

Ms Adams: Of course.

Senator VAN: After all, we've had embassies in Afghanistan during wartime, and in many other places where our soldiers have been at war. Clearly, risk mitigation is an option.

Ms Adams: Yes; Baghdad included.

Senator VAN: You won't risk-mitigate Kyiv, but you will the others?

Ms Adams: We're operating our embassy out of Poland. We are doing so very satisfactorily.

Senator VAN: Satisfactorily for whom?

Ms Adams: We are working with partners in a very effective way. My assessment stands.

Senator VAN: I think you need to look at that re-assessment. Thank you, Chair.

CHAIR: Before I move on to the next witness, you have sought to table this document, which is publicly available. I take it that the committee will be happy to receive the article?

Senator Wong: This is the article with the headline: 'Victorian Liberal Senator David Van's non-authorised trip to Ukraine paid for by drone maker'? That's the one you want to table?

Senator VAN: Sure.

Senator Wong: 'Was paid for by drone-maker'?

Senator VAN: As per on my register, Senator.

CHAIR: That's been accepted. I'll now hand the call over to Senator Steele-John.

Senator STEELE-JOHN: Thank you, Chair. These questions will be in reference to the recently elected Israeli government and the current protests taking place in Israel in relation to proposed judicial reforms. The Minister of National Security, Mr Ben-Gvir, and the Minister of Finance, Minister Smotrich, of Israel, are both part of the hard and extreme right faction of the current Israeli government. They have a reputation as probably two of the most hard-right members of the Knesset. Between the two of them, they have called for the expulsion of Arabs from Israel who do not support Israel, they are intolerant in the extreme of LGBTIQ community members, of which there is a large community in Israel, and generally of other non-observant Jews. Particularly, Mr Ben-Gvir has defended far-right extremists in court. He is a convicted supporter of a terrorist group, and has proudly referred to himself as a 'homophobe'. In relation to the currently proposed judicial reforms he has listed, with apparent glee, that they will allow action against political opponents without fear of judicial interference and that they will enable the reversal of women's rights. Has the embassy or the department engaged or had any contact with ministers Smotrich and Ben-Gvir since the formation of the government and their appointment?

Mr Innes-Brown: No, Senator.

Senator STEELE-JOHN: Has the embassy had any contact with civil rights organisations who are concerned about the Israeli government's plans for the judiciary?

Mr Innes-Brown: The embassy talks to a range of players in the Israeli context about developments in the country. They have been monitoring the situation very closely and they have been reporting back to us. I don't have the specific details of people they've spoken to in the last few weeks, but I can certainly take that on notice. I can assure you that they're following these issues very closely.

Senator STEELE-JOHN: Minister, have you or your department made representations to the Israeli ambassador here in Canberra or elsewhere in relation to concerns over these judicial reforms?

Mr Innes-Brown: Not specifically on the judicial reforms. It is obviously an issue that is still unfolding in Israel. There's quite a bit of debate, as you've alluded to. We're watching the situation closely. It's a debate that's still underway.

Senator STEELE-JOHN: Did the government raise concerns with the Netanyahu administration when these two individuals were appointed to these portfolios?

Senator Wong: It's a matter for the Israeli government.

Senator STEELE-JOHN: Mr Ben-Gvir particularly has links to the late Meir Kahane, who advocated for the expulsion of Palestinians from all Israeli-controlled lands. Smotrich has supported legislation that helps to annex lands held by Palestinians, and co-founded a nongovernment organisation that blocks Palestinians' construction of facilities in Israel and in the West Bank. What is DFAT's view of the increased IDF presence and activities in area A of the West Bank, which is supposed to be controlled by the Palestinian Authority?

Mr Innes-Brown: We are closely monitoring the situation in areas in the West Bank and elsewhere. It's quite a tense situation.

Senator STEELE-JOHN: Particularly area A?

Mr Innes-Brown: I would have to take the specific details regarding the geographic reach. Generally, we're concerned about the overall situation. We have registered our concerns with both the Israeli government and the Palestinian Authority about the increase in tensions in the area.

Senator STEELE-JOHN: Minister, are you concerned about Israel's decision to push ahead with the construction of mass settlements across the Green Line against international law?

Senator Wong: Yes. We do not support unilateral actions which reduce prospects of a just two-state solution. Settlements—I've said it here previously; I think other ministers have said it—are an obstacle to peace. I note that the foreign ministers of France, Germany, Italy, US and UK issued a statement two days ago—maybe yesterday Australian time—which said that the ministers were deeply troubled by the Israeli government's announcement that it was advancing nearly 10,000 settlement units and intended to begin a process to normalise nine outposts previously deemed illegal under international law. I would like to associate Australia with the joint statement made by those members of the G7. I understand that Australia's views were communicated to Israeli counterparts.

Mr Innes-Brown: That's correct.

Senator STEELE-JOHN: Thank you, Minister. Would you be able to tell us when they were communicated?

Mr Innes-Brown: On 13 February Ambassador King took up this issue with the Israeli MFA. He subsequently tweeted about it, which was also conveyed by our office in head of post in Ramallah after that.

Senator STEELE-JOHN: Thirty-five Palestinians were killed in January 2023; 153 Palestinians were killed in 2022, more than in any year since 2005. Has the Australian government made representations to the Israeli government condemning this violence?

Mr Innes-Brown: As I said a moment ago, we're concerned about the escalating violence in the West Bank and also in Israel. There have been terrorist attacks in Israel during this period. We have taken these issues up, including very recently both in Israel and via the Israeli embassy here in Canberra, both to the ambassador and to the deputy head of mission.

Senator Wong: I also made a statement in January in relation to the escalation of violence in Israel and the Palestinian territories.

Senator STEELE-JOHN: In relation to the formal representation to the ambassador on that particular issue, when did that take place?

Ms Chan: That took place early this week, on the 13th, I believe.

Senator STEELE-JOHN: Finally on this line of questioning, the former Gaza head of World Vision, Mr Mohammad El Halabi, is set to appeal his conviction for allegedly diverting millions of dollars, mostly donated by Australians, to so-called terrorists groups. This is the allegation that has been made against Mr El Halabi. However, Amnesty International has called his conviction 'flawed' and noted that his trial did not meet international fair trial standards. Has the government made representations to Israel regarding his appeal or called for Israel to respect his right to a fair, free appeal?

Mr Innes-Brown: We have raised his case, including his appeal, and noted our ongoing interest in the case, and also raised our hope that the appeal process would be conducted expeditiously.

Senator STEELE-JOHN: Could I get a date for that?

Mr Innes-Brown: It was in November.

Senator STEELE-JOHN: Would you be able to give us a precise date?

Mr Innes-Brown: I will find it in my notes in a minute, yes.

Senator Wong: We will see if we can come back during the hearing.

Senator STEELE-JOHN: Thank you very much, Minister.

CHAIR: I'll hand the call over to Senator Birmingham.

Senator BIRMINGHAM: Ms Adams, are there minimum standards, processes, training requirements et cetera that heads of mission are expected to meet before taking up their post?

Ms Adams: Yes. We do, for all outgoing heads of post, heads of mission, a series of training, briefings and consultations to cover a broad range of their responsibilities.

Senator BIRMINGHAM: Are you able to summarise what they may be?

Ms Adams: Internal sessions usually cover employee health and safety, code of conduct, mental health protections, physical security, information security, property management issues, social media, and financial issues such as financial management and fraud—those kinds of management responsibilities.

Senator BIRMINGHAM: Is there anything else that the secretary has overlooked?

Ms Walsh: The only thing I would add—it's not anything that the secretary has overlooked—is that, depending on the country that somebody is going to, some of that training would be tailored, particularly if it's a high security context, for example.

Senator BIRMINGHAM: Obviously, I was excluding language requirements from that, which are a different element for many countries. How are these usually delivered? Is there a series of workshops? Are there standard APS processes for some of them?

Ms Walsh: It depends on the course. We have a diplomatic academy, where a number of the courses are run. Often we will have to tailor them. The focus that we really have is on ensuring that the outgoing head of mission has the information that they require and we're confident that they understand the information that we're requiring. For example, if we need to deploy someone very rapidly, for whatever reason, we would do something that might be more bespoke, simply because of the context in which the deployment might be occurring. Some of the training is online training, so it's a matter of going onto our online platform and doing it as a self-learning and then demonstrating that's been done.

Senator BIRMINGHAM: Do you undertake a register or process to make sure that each of those elements is undertaken before somebody leaves to take up their post?

Ms Walsh: Indeed. If we have to, for whatever reason—there could be reasons why people need to deploy quickly—there may be some of those about which we say, 'Please do this within the first month of your arrival,' depending on what that training course might be. But, yes, we do monitor compliance against those mandatory training elements.

Senator BIRMINGHAM: How many posts at present have a 'charge' in charge, in the absence of an ambassador or high commissioner?

Ms Adams: We do have that. Currently, there are 13.

Senator BIRMINGHAM: Can you quickly detail those, since there are only 13?

Ms Adams: I can: Abuja, Bern, Chicago, Dili, Doha, Harare, Mexico, Port Louis, Rarotonga, Shenyang, Suva, Tarawa, and The Hague.

Senator BIRMINGHAM: Has Mr Hodgman completed his term in Singapore?

Ms Adams: Yes. So why didn't I read that out?

Senator BIRMINGHAM: I presume that should be on that list as well.

Ms Walsh: Excuse me; that was of a certain date. I apologise for that; Mr Hodgman finished his posting last week, I think.

Senator BIRMINGHAM: I thought it was relatively recent. Has a replacement been decided for the Singapore post?

Ms Adams: Decided but not announced.

Senator BIRMINGHAM: Is that still working through Australian government processes or Singapore approval processes?

Senator Wong: We'll take that on notice.

Ms Adams: I won't specify. I think we can expect the announcement to be not too far away.

Senator BIRMINGHAM: The minister announced that Mr O'Farrell would finish his term as high commissioner in India in February. That's been extended, hasn't it?

Ms Adams: Yes, it has, for a period to cover the intense bilateral visits that the foreign minister referred to earlier in the hearings. Yes, we have invited the high commissioner to extend his term to help us cover that workload.

Senator BIRMINGHAM: Is there a particular time frame that is working towards now?

Ms Adams: I expect it will be around the middle of the year.

Senator BIRMINGHAM: It would be normal, if there is an extension, for it to be for a fixed period, wouldn't it?

Ms Adams: No. There is no 'normal' in these things. We make arrangements to suit context and operational requirements. Often we ask people to extend or alter their exact departure date to accommodate high-level visits or international summits, for example.

Senator BIRMINGHAM: Was it pre-emptory to announce a conclusion date for Mr O'Farrell, given that you've had to reverse that?

Ms Adams: No, I don't think so. I don't think a week would go by when I did not alter the time that we expected somebody to arrive or depart a post, for various reasons, operational or personal.

Senator BIRMINGHAM: However, those variations aren't usually following the minister issuing a press release announcing when somebody is concluding their term.

Senator Wong: I don't know that is right. Mr O'Farrell, I understand, also indicated a preference to be there for this period and to extend. We were happy to agree to that.

Senator BIRMINGHAM: Given the high tempo of engagement with India, flowing on from some of the significant advances last year, and particularly the securing of the trade agreement and other step-up in activity, it is indeed welcome and makes sense. It was probably unnecessary to have put the date in place, given many of the ambitions that were there. Can I turn to appointments made? When did the appointment of Mr Rudd as ambassador to the US shift from being 'complete nonsense', as the Prime Minister said in April during the election campaign, to being complete truth when it was announced on 20 December?

Senator Wong: Did you work that grab up, Senator Birmingham?

Senator BIRMINGHAM: Credit elsewhere, Minister.

Ms Adams: The announcement—

Senator BIRMINGHAM: It is probably more a question for the minister, I suspect, Ms Adams.

Senator Wong: I don't have the date in front of me as to when the decision was made, but the announcement was made by the Prime Minister and I shortly after.

Senator BIRMINGHAM: When did the Prime Minister tell you, Minister?

Senator Wong: I don't discuss conversations with colleagues. Technically, it's my decision.

Senator BIRMINGHAM: 'Technically'?

Senator Wong: Prime ministers of both political persuasions—

Senator BIRMINGHAM: Technically, it's an Executive Council appointment.

Senator Wong: No. It's my recommendation that goes to ExCo; that's my point. But consultation with the Prime Minister, particularly in relation to very senior appointments, is par for the course.

Senator BIRMINGHAM: What changed in the period from when it was 'complete nonsense' to now having a situation where Mr Rudd is about to take up this post?

Senator Wong: Was this a discussion in the election campaign?

Senator BIRMINGHAM: It was precisely that.

Senator Wong: 'When did the Deputy Prime Minister stop being a Manchurian candidate?' might be the easiest response. Obviously, the government was elected. The government considered a range of appointments—this was not the first appointment that we considered—and made the decision, in consultation with the Prime Minister, to appoint Dr Rudd.

Senator BIRMINGHAM: Were any discussions had with Mr Rudd prior to 20 April about taking up the post in Washington?

Senator Wong: By whom?

Senator BIRMINGHAM: By you? By the Prime Minister?

Senator Wong: That relates to periods in opposition, so I wouldn't be talking about it. I don't think I had a conversation with him about this. I did have conversations with him about China, as in the work he's been doing, his doctorate in relation to President Xi's articulation of doctrine, his work on the book *The Avoidable War* and

some foreign policy Pacific island issues—those sorts of things. He's a very knowledgeable senior thinker and writer on these issues.

Senator BIRMINGHAM: Did Mr Rudd change his mind about wanting the post or did Mr Albanese change his mind about wanting Mr Rudd?

Senator Wong: Senator Birmingham—

Senator BIRMINGHAM: Or is this simply a case of Mr Albanese having said one thing before the election and doing what he wanted afterwards?

Senator Wong: Here we go. This is the grab, is it?

Senator GREEN: That's a stretch.

Senator Wong: Senator, you would anticipate that, upon coming to government, there are many things you have to turn your mine to. To be honest with you, the series of diplomatic appointments was not the first thing, obviously. There were the rising energy prices, the crunch on supply—a whole range of other issues were more pressing. Obviously, this was an appointment that we had to consider, along with a number of other senior appointments.

Senator BIRMINGHAM: Do you see any risk in the appointment of Mr Rudd to the posting?

Senator Wong: I think he's an outstanding candidate for the role.

Senator BIRMINGHAM: That wasn't the question, Minister.

Senator Wong: I think he's an outstanding candidate for the role.

Senator BIRMINGHAM: Do you see any risk? Is there any risk mitigation that you've undertaken?

Senator Wong: Really?

Senator BIRMINGHAM: Conversations with him?

Senator Wong: I don't discuss that, and nor would you. He's a former Prime Minister, a former foreign minister. Obviously, in his role with the Asia Society and his work, his advice, particularly in relation to US-China, has been sought by countries around the world. I think it's very important at this time that someone who has that sort of knowledge and has thought about those issues is appointed to Washington. As you know, Senator Sinodinos was a former, very senior, long-standing Howard government staffer before he was a senator. We have a former Prime Minister and foreign minister. By saying that, I don't want to diminish Mr Sinodinos. He's been a very good ambassador and I've enjoyed working with him. My point is that we have chosen someone of substantial seniority for this role, as befits our most important strategic relationship.

Senator BIRMINGHAM: There is no questioning Dr Rudd's substantial seniority. His comments on the record previously about AUKUS: are they helpful to him undertaking the role?

CHAIR: Senator Birmingham, I do need to move the call along. Make this the last question.

Senator Wong: Dr Rudd will advance Australian interests and policy of the Australian government.

CHAIR: Thank you very much, Minister. I have some questions with respect to the PALM. Since the budget in October, could you please outline for me how many workers are on the PALM scheme?

Mr McDonald: Currently, there are 35,195 in Australia, as at 31 December, which is a target that was set by the government that was met six months ahead of time.

CHAIR: What was that figure at the previous budget?

Mr McDonald: I'll ask Ms Heinecke to answer that.

Ms Heinecke: At 31 May, we had 24,400 workers in Australia.

CHAIR: We've had an increase of around 45 per cent?

Ms Heinecke: We've had an increase of 44 per cent, which is 10,795 more workers in Australia. Seventeen thousand workers have come in since then; but, of course, we want workers to go back to the Pacific. It is important for their family reunions. Some of those workers have departed, having worked in Australia for much of the pandemic.

CHAIR: Good news. I don't know whether you're aware of the industry, particularly in areas that I've spoken a lot about—agriculture—and certain workforce gaps. Have you had any representations of late from the ag industry around any of the workforce gap issues?

Ms Heinecke: We regularly engage with industry, unions and other stakeholders around Australia through the PALM advisory group and the various advisory groups that we have that sit over agriculture, meat processing and

aged care in particular. With the increase in workers of 17,000, the bulk of those have come into agriculture. As I think Senator Watt said in previous estimates this week, we don't seek to meet every workforce gap in the agriculture sector through PALM. We seek to meet those that meet the requirements of the skills and gaps that the Pacific can supply. One thing that we did in December was to increase the availability of PALM workers to be able to come into urban areas. That's particularly to meet meat processing gaps. That was an announcement that was made that followed the election commitment of bringing the ag visa into the PALM.

CHAIR: Could you explain to me, and for the benefit of the committee, the economic value of the PALM scheme?

Ms Heinecke: It is really important for the communities and the workers in the Pacific. The average remittances are about \$1,061 a month for seasonal workers and \$1,300 a month for long-term PALM workers. For countries like Tonga, a large percentage of their GDP comes from PALM. In Vanuatu, it's about 11 per cent of GDP. In Tonga, they have a much bigger network that is beyond PALM, but 46 per cent of their GDP is from remittances. It's not only at the national level but at the community level. We're hearing stories from Pacific communities and families about the importance of PALM to their community. They're able to build houses. In particular, the other one that is quoted regularly as a source of remittances is being able to pay school fees and health expenses.

Senator Wong: If I may, the strength of the scheme is demonstrated by the fact that, I think, the target of 35,000 workers was met six months early. So it shows, on the supply side, that countries seek it, for the reasons Ms Heinecke went through, and also, in terms of our labour market, that there's demand for it.

CHAIR: Is it possible, based on those new figures, to provide a breakdown of the Pacific countries that the workers are coming from?

Ms Heinecke: Yes.

CHAIR: You can take that on notice too, by the way, because I'm mindful of time.

Ms Heinecke: I have them if you'd like them; I can just average them.

CHAIR: Sure.

Ms Heinecke: I can round them to the thousands. From Fiji, we have 4,500; from Kiribati, we have nearly 900; from PNG, we have 1,200; from Samoa, we have 4,800; from the Solomons, we have nearly 4,000; from Timor-Leste, we have 4,000; from Tonga, we have nearly 6,000; from Tuvalu, we have 41; from Vanuatu, we have just over 10,000; and from Nauru, we have three.

CHAIR: Are there any other Pacific nations that are interested in joining the PALM?

Ms Heinecke: There are some that are interested. That is not a decision that the government has made yet, but we are regularly talking to countries that may or may not be interested in joining the PALM.

CHAIR: Okay. Did your department have any involvement with the ag visa? Were there any discussions?

Ms Heinecke: Yes.

CHAIR: Where are we up to with that visa? Is there still an MOU in place or was there ever an MOU with Vietnam?

Ms Heinecke: We have had discussions with Vietnam on many occasions, including some by the minister. At the moment, we're working with Vietnam to do two things: we've needed to amend the MOU, and that is currently with Vietnam. We've also been working with the Vietnamese government across seven different departments to finalise the implementation arrangements for the bringing in of what is currently at a cap of 1,000 workers. So we will conclude those negotiations when Vietnam, across their system, is ready to take it to the next step, but those conversations are happening weekly at the moment via our Hanoi post.

CHAIR: To date, how many workers have come on that visa?

Ms Heinecke: There aren't any that have come in under that visa.

CHAIR: Zero?

Ms Heinecke: Zero.

Senator Wong: Can I just say this, Chair. First, I would emphasise, despite Mr Littleproud talking a lot about it, that not a single ag visa worker arrived, as the answer to your question demonstrates. On Vietnam, we did say before the election that we would honour existing commitments. I think it's a big thing to walk away from a commitment that a government has made. So we have reshaped the MOU with Vietnam. As Ms Heinecke said, it was something I discussed in my bilateral visit there, and I think we've landed a set of arrangements that have been mutually agreed on.

CHAIR: Okay. But no other countries are—

Senator Wong: No. It has been raised. Obviously, some ASEAN nations would like it. I've been very honest with them. We said before the election we see this as primarily an access to our labour market, which is something we want to engage with the Pacific on. We understand their interest, but there are other arrangements we might put in place or are in place for them but not of the same ilk.

CHAIR: When do you expect, I guess, for that next phase of work with Vietnam to conclude?

Ms Heinecke: It's really in the hands of Vietnam. One of the issues is that their own laws and regulations need some amendment to be able to then deliver the workers. So there is work that the Vietnamese system needs to do in order to be able to finalise implementation arrangements. So we'll work at their pace.

CHAIR: Is there an expectation that, if people do come on that program or visa, they'd have access to permanency?

Ms Heinecke: No, it's a temporary 403 visa.

CHAIR: What are the reforms that have been undertaken to improve the PALM scheme—for instance, that there are better and stronger worker protections?

Mr McDonald: I'll outline a couple. Firstly, a pilot for long-term workers to bring in their families will occur, with additional social supports associated with that. It's a pilot of about 200 in the next financial year. A further 500 PALM scheme workers will complete formal aged-care qualifications to increase the number of PALM scheme workers in that sector. Upfront travel costs for employers of seasonal workers that can't be recouped from workers will be reimbursed. This was a major issue that was raised with us. Also, relocation, as we've just said, of the agriculture visa into the PALM scheme. There are also a couple of other initiatives that Ms Heinecke can mention around the engagement visa.

Ms Heinecke: I know the Pacific engagement visa is being discussed at the moment. This is a new initiative of the government which looks at a new cohort through the migration program coming in from the Pacific. At the moment, the Pacific makes up less than one per cent of Australia's population and is a very low percentage of our annual migration intake. This offers 3,000 new visas, which equates to about 500 to 600 families. That will commence on 1 July, subject to legislation passing through the parliament. We've really been working with Pacific countries in detail. We've conducted consultations across all 13 countries that are being invited into the scheme. The last of those consultations was completed this week in Vanuatu. Those consultations have been really important to informing the design of that program, which is also designed to ensure that we don't contribute to brain drain, which is why a ballot is being conducted through that program.

Mr McDonald: There are a couple of other areas the government's been focused on around work conditions for workers, as well as portability between employers.

CHAIR: I was about to ask, because I know the AWU National Secretary, Daniel Walton, in particular, has been very vocal on issues of accommodation. I know we've heard about some quite disgusting cases down in Tasmania, and no doubt there have been many others right across Australia. I wanted to ask you about the accommodation aspects. What are we doing to improve those standards? Are we actually doing fair dinkum checks on sites?

Ms Heinecke: Through the recent machinery-of-government change, the responsibility for the guidelines around accommodation is with the Department of Employment and Workplace Relations. They are looking at accommodation regularly as part of those checks. We are also having discussions across government, from a policy perspective, just to ensure that we're part of the conversation around housing. That's also a discussion that we have with Pacific governments, noting the broader housing issues in Australia, particularly in regional areas.

Senator Wong: I'll just explain from my perspective why that occurred. It's unusual for an incoming minister to say, 'Can you shift this out of my department?' But I did seek that some of the compliance functions moved to DEWR—or whatever the acronym now is; is that what they're called?—because, simply, they will have better industrial compliance architecture than we will. The logic behind that was actually the same as I think lies behind your question, which is (a) because we're Australia and we want people paid and treated decently; and (b), from a foreign policy perspective, because we don't want workers exploited, so we have to get the policy right, which is what Mr McDonald and Ms Heinecke do. But we also need to make sure there is appropriate compliance with not just PALM requirements but also broader industrial obligations. That was the logic behind the machinery-of-government change. There's a lot more to do, but it was with that thinking in mind.

CHAIR: I appreciate that, Minister. For someone who has an issue with their pay or accommodation, is the first point of contact with the department of employment?

Ms Heinecke: Yes.

Senator Wong: There's a hotline, I think.

Ms Heinecke: There is, which is currently being managed through the—

CHAIR: But DFAT sets the rules; it's just that the department of employment is the one that executes or administers the program domestically?

Mr McDonald: Operationally, yes.

Ms Heinecke: It's at the operation level. We are the ones who are really looking at the big picture policy around it to make sure that we're listening and reflecting that policy from the Pacific into the PALM scheme in operational compliance assurance, welfare checks and engagement with employers around their obligations, including the PALM deed which will come into effect midyear, a revised version, and which is managed by the Department of Employment and Workplace Relations. We do most things together to make sure that we have coherence between policy and operational implementation.

Mr McDonald: It is also fair to say that when the minister or, as officials, we're out, we're checking on feedback in relation to that. A good example of that was last week when the President of Kiribati was here and visited a meatworks in Adelaide, which had 36 Kiribati workers in it. Part of that discussion was about the work conditions. In that particular company they had not had an accident there for a number of years, so we saw the safety side of it, but then there was a discussion about the accommodation there. They were very positive about that. So where we get an opportunity to check in directly with the workers, that's also what we do.

CHAIR: While we're talking about the mechanics of this program, I assume there's a committee or a body that coordinates these issues between DFAT, employment, Home Affairs? Are any other departments or agencies involved, like the Fair Work Ombudsman?

Ms Heinecke: Yes, there are about 10 departments that have a role in delivery of PALM or the policy settings around it. We have a monthly interdepartmental meeting that I chair with the Department of Employment and Workplace Relations that deals with policy issues as well as implementation issues around the PALM scheme.

CHAIR: In terms of compliance, what happens if issues come to light? Is that something you refer to the ombudsman?

Ms Heinecke: It depends on the issue. If, for example, a worker complaint came through a Pacific liaison officer or some other means, the first thing is DEWR would look at their compliance activities. Where relevant, they would refer it to the relevant authority, whether that be the Fair Work Ombudsman, the AFP, ABF, depending on the issue.

CHAIR: Or if there is a complaint from one of our Pacific partners?

Ms Heinecke: The same mechanism would be used.

CHAIR: What's been the reaction from our Pacific friends to the government's plans to expand and improve the PALM scheme?

Mr McDonald: Well, from my point of view—

CHAIR: It seems to be very positive.

Mr McDonald: It has been positive. I think part of this goes to the earlier point the foreign minister made about us listening to the changes. Those reforms or election commitments respond to some of the feedback. Also, we are adjusting the program to take account of that feedback we've had. That's been received very positively, and Members Heinecke works very closely with the high commissioners here, the ambassadors, as well as in country through our posts. They have a regular dialogue on those adjustments we need to make as we go forward.

CHAIR: Is there any engagement with unions or other key industry bodies to make sure that their feedback is fed into the review and the discussions for that body that you chair?

Ms Heinecke: Yes, there is. As I said before, there's a PALM advisory group that brings together industry, unions, Pacific governments, the Pacific Council of Churches and other stakeholders.

CHAIR: Could you take on notice who that is for me?

Ms Heinecke: Yes, I've got it here. I can I table it.

CHAIR: In the interests of time, can you table that, including the committee that you chair and who are the 10 different—

Ms Heinecke: Yes.

CHAIR: We know the Pacific countries are understandably concerned about the brain drain when some of their workers leave. What is the government doing to address these concerns?

Ms Heinecke: We are regularly talking to Pacific governments about the policy that they're setting through their labour-setting unit, which goes to the selection of workers. For example, we've just released the expression of interest for our expansion of aged care—500 places that Mr McDonald referred to—as part of the reforms. Our guidance and our dialogue with Pacific countries is really seeking to make sure that we're recruiting new unskilled workers into the roles who will take training on so we're adding to the skills gain in the Pacific. We're working through the Australian Pacific Technical College to make sure we're expanding the pool. We've put 18,000 Pacific Islanders through that program and that's going to be an important part of our contribution, not only through that program but also through other education programs that we have in the region. It's really about making sure that we're getting the right mix of workers, noting that every country is seeking to achieve a different objective through the PALM scheme. Some countries, like Papua New Guinea and Solomon Islands, are looking to maximise their numbers, whereas other countries like Vanuatu and Samoa, for example, are looking to change the mix of the types of skills they're sending out to Australia, so it's very bespoke for each country in terms of what we're doing to meet their development goals writ large.

Proceedings suspended from 13:00 to 14:02

CHAIR: Welcome back, everyone.

Senator FAWCETT: Minister, can I just acknowledge and thank you for the comments that you made in February this year as part of AUKMIN and in late January as part of your Australia-France agreements, noting the developments in Hong Kong and the suppression of human rights there. My question goes, though, to events that have now come to a head after two years with the 47 democracy activists now being subject to a mass trial. Secretary, could you please advise the committee what additional steps the government or the department is taking to highlight Australia's concern at that event?

Ms Lawson: I'm sorry, Senator, I couldn't hear your question.

Senator FAWCETT: I'm referring to the 47 democracy activists that after two years of detention are now being subject to a mass trial and facing potential jail times just for holding a primary within their political party. And I'm seeking the advice of the department as to what actions Australia is taking now—beyond the welcome statements from AUKMIN and the relationships with France, where the issues in Hong Kong were mentioned but prior to this most recent development.

Ms Lawson: Thank you, Senator. I'll turn to my colleague Mr Yip in a second for specific details. We are concerned about the continuing erosion of freedoms in Hong Kong more generally. We have raised this frequently on a number of occasions with the Chinese government, including with the Hong Kong authorities. But on the specific issue that you're referencing, I'll ask Mr Yip.

Mr Yip: Senator, you're referring to the trial of the NSL 47—is that correct?

Senator FAWCETT: That's correct.

Mr Yip: We're aware that the trial commenced on 6 February. We raised the case with the Chinese embassy on 9 February. We made clear to them that we were watching the situation very clearly and our ongoing concerns about the erosions of freedoms and rights in Hong Kong.

Senator FAWCETT: I welcome that. However, I think the expectation of most people is that will not necessarily have an outcome or an impact. I note that the Sino-British declaration was made under the auspices of a UN treaty. Has any other nation or has Australia raised at the United Nations concerns about the recent actions which go against a treaty which was essentially overseen by the United Nations?

Ms Lawson: Senator, obviously the broader issue of human rights in China—and there have been discussions around Hong Kong in those settings as well. Specifically on this particular trial, I'm not aware of that having been raised, but we can check for you to see if there have been any specific discussions or references at the UN.

Senator FAWCETT: That would be useful, thank you. Senior judicial officers from a range of countries, including Australia, have been part of the Court of Final Appeal in Hong Kong for some time. A number of those have withdrawn. The majority are there in a private capacity and some have withdrawn. The UK government has brought back two who were there officially. We've recently had another Australian who's been appointed, and I note the comments of Hong Kong's new Chief Executive about the most recent appointment. His quote was that 'it demonstrates a high degree of confidence in Hong Kong's legal system', which I don't think would be accurate from the majority of the free world who've watched the derogation of the rights and liberties of the people in Hong Kong. So I'm interested to understand what, if anything, DFAT is doing to engage with and discourage

judicial officers from essentially giving credibility to a regime which is proving to be quite flawed in terms of the rule of law.

Ms Lawson: Senator, I think you're referring to Mr Patrick Keane.

Senator FAWCETT: That's correct.

Ms Lawson: He is serving in his private capacity, so that is quite different to the situation with the UK appointed judges. So anything that he says with respect to the Hong Kong judicial system are his personal opinions. They don't reflect the views of the Australian government.

Senator FAWCETT: Sure. No, what I was saying was the comment about the legal system was from the Hong Kong Chief Executive. And what it highlights is the concern that has been expressed by in fact the legal fraternity here in Australia that by continuing to have our senior justices go to Hong Kong, it gives a tacit endorsement of their system. Yet the argument which is often put forward, which is that they can be a moderating influence, is undermined by the fact that when it comes to the national security law, they are often excluded or on a panel of five judges where four are normally locally appointed judges, which means they will have minimal, if any, influence. So my question is: whilst I know you can't control, have you sought to engage with the legal fraternity, and particularly justices, to encourage them to consider the message that is sent by their acceptance of such postings?

Ms Lawson: Not to our knowledge, but we will check to see if there have been engagements by our consul-general in Hong Kong.

Senator Wong: Senator, first, in relation to the national security law, I've made a range of public statements, including a statement on, regrettably, the second anniversary of the imposition of law, which was in the middle of last year. Obviously the matters you raise are—first the answer is, as Ms Lawson has said, they serve in their private capacity. But I can say to you at ministerial level I think some of the concerns you raise about how others might perceive a private decision by a former High Court judge to serve in this context are understandable. Ultimately it's a matter for those former judicial officers to consider those issues. They're not appointed by us. But you're not the first person who has raised that with me.

Senator FAWCETT: I'll look forward to the answers on notice on those others, thank you. Still remaining with the Chinese Communist Party and Australia's engagement. I'd like to talk a bit about sanctions around human rights issues, particularly given what the US has done recently in recognising the high degree of forced labour in the polysilicon industry and their sanctions, as well as some of their customs legislation which is banning the importation of polysilicon products into the United States. Has DFAT had discussions with the US about the background, nature and effect of those measures?

Ms Lawson: Senator, we engage frequently with a range of partners on our concerns about the situation in Xinjiang. The concerns around forced labour are real. We are deeply concerned about those. And the government is committed to a strong domestic framework to ensure our supply chains don't promote, condone or financially support forced labour. So there are a range of measures being considered to strengthen the government's action on forced labour and other forms of modern slavery. That includes strengthening the Modern Slavery Act. The Attorney-General's Department is progressing work for a federal antislavery commissioner. That's a first step to implementing the government's commitments to tackle modern slavery. We continue to conduct outreach to business, and really that's about their due diligence in complying with the Modern Slavery Act, raising awareness about the possible risks of forced labour in the supply chains.

Senator FAWCETT: Given that China is recognised as supplying a majority of the world's polysilicon, and given that the lessons we learned out of COVID are that we shouldn't become dependent for a critical capability that Australia relies on on a state that is happy to take coercive measures outside of the rule of law, what specific consideration is being given to how you engage with industry or whether we actually follow the lead of the United States in putting in place measures that would prevent us becoming exposed in that way to a supply chain that is subject to that kind of coercive decision-making?

Ms Lawson: We do have discussions with companies, and there is widespread awareness of those risks, including with companies who are focused on renewable energies. That is something that they are factoring in, including to their forward planning and due diligence. In terms of customs considerations, we do engage, including with the EU. There are a range of others who are also looking at those kinds of measures. At this time we are focused on other measures, but we continue to factor in steps by a whole range of partners in our forward planning as to how we can account for and mitigate those kinds of risks.

Senator FAWCETT: In terms of Australian resources, there's been a lot of discussion as we invest in a lot of solar energy in Australia about increasing sovereign supplies. I notice a project which is underway in Cape York

with Diatrema Resources. That is going to be operating near the existing silicon mine at Cape Flattery on probably one of the largest reserves in the world of very pure silicon sand. Their major offtake partner is a Chinese partner to take Australia's silicon back to China. So we're essentially investing in that single-point failure set-up that COVID taught us to be concerned about. When we look at that area, in the past the Hawke government used federal powers to stop a mining activity there on conservation grounds. There is dissent at the moment amongst the Indigenous owners of the land, a dispute between one group who's agreed to it and another group who hasn't. Has there been any consideration by DFAT from a sanctions perspective or engagement with other departments, such as the environment department, to consider this program and whether it should go ahead, given that we would be essentially providing a resource into a supply chain that would then exacerbate Australia's dependence on the goodwill of the Chinese Communist Party?

Ms Adams: Senator Fawcett, if I may, I will attempt to address the very important questions that you've raised. Many members of the government, from the Prime Minister down, have spoken publicly about the supply chain dependencies, particularly on, as you say, PV and some critical minerals supply chains that are underpinning renewable energy technologies, batteries et cetera. I would say that across government, domestic policy agencies, including Treasury, the industry department and the environment department, all have some part of that set of issues to consider, including on investment decisions. From the DFAT point of view, we also engage on those issues from an economic resilience point of view—diversification of trade and resilience of supply chains, particularly, as you say, post pandemic. The lessons are there to be learned, perhaps. So I can really acknowledge the set of issues that you're drawing attention to and say that we are part of a broader whole-of-government effort to look into that. Of course they're not easily fixed overnight. These are deep, big structural investments that have happened, not evenly, across the globe over the last few decades and will take a while to alter. But I think we're all well aware of them.

Senator FAWCETT: In terms of this particular program, given the overlap between human rights concerns and supply chain resilience, it strikes me that there is a window of opportunity for action. So I would welcome your answer on notice if there have been discussions with other departments related to this and what options may be available. Clearly you don't want to put out in the public space what you may do ahead of time, but I'd invite any feedback you can give to the committee on that. Could I move to the Middle East now, please. Mr Innes-Brown, welcome. I'm just wanting to understand, since the change of government in Israel, what contact there has been with DFAT, and indeed at the prime minister to prime minister level, since the change of government.

Mr Innes-Brown: Thank you, Senator. In terms of at that level, my understanding is that prime ministers Albanese and Netanyahu have exchanged letters since the change of government.

Senator FAWCETT: Not a phone call?

Mr Innes-Brown: Not to my knowledge.

Senator FAWCETT: Is it unusual to not have a phone call to a nation that's been a fairly close relationship in the past?

Mr Innes-Brown: Well, it's difficult to generalise, but my understanding is—again I'm not managing it—that there's a call in the works soon.

Senator FAWCETT: Minister, have you spoken with your counterpart?

Senator Wong: Not as yet. I believe I have—

Mr Innes-Brown: There's been an exchange of letters.

Senator Wong: An exchange of letters as well.

Senator FAWCETT: In November, the Prime Minister said he looked forward to strengthening the relationship between Australia and Israel. But an exchange of letters is all we've had to date?

Mr Innes-Brown: We're actively looking at the forward agenda, Senator. It's something I've spoken to the Israeli ambassador about, including some proposed visits in the period ahead and so forth. So I wouldn't suggest that things are stagnant. Certainly we're looking ahead, including to various two-way visits we're talking to the Israeli government about and the embassy.

Senator FAWCETT: Could you perhaps take it on notice and provide a list of ministerial engagements with Israel since 29 December last year? That would be useful. Given the recent violence in the West Bank that's resulted in deaths of both Israelis and Palestinians, could you tell us what engagement the Australian government has had with both the Israeli government and the Palestinian authorities in regard to that and certainly an attempt to cease and reduce the degree of violence there?

Mr Innes-Brown: Senator, we covered some of this before lunch, but yes. We've engaged through our ambassador in Israel and also through our head of post in Ramallah about this. We've also engaged the Israeli ambassador here and we've spoken to the deputy head of mission here about it as well. So there's been quite a bit of contact just in the last few weeks about these issues. And the Minister, of course, made a public statement after the dreadful attack on worshippers coming out of a place of worship in Israel.

Senator FAWCETT: Indeed. In terms of improving the relationship with Israel, then, it strikes me that we are watching some pretty dire things happen. We've had a situation where there's been a reversal of decisions, for example around the location of the embassy, which disrupts the relationship, and yet we appear to be pretty limited in terms of our engagement with Israel. Can you give us a time frame for when you think these visits may occur?

Mr Innes-Brown: We haven't locked them in. We've spoken about them in the next 12 months or so. I think we're coming up for, if I'm not mistaken, a significant anniversary of relations. So we're talking in those sorts of generalities, I suppose, but yes, there's definitely an intent to have some visits. They will proceed, I'm sure, in the next period.

Ms Chan: And, Senator, we have had a very close and ongoing dialogue with the Israeli authorities. I've met the ambassador a couple of times, most recently earlier this week, on Monday. And we have taken the opportunity to look at the broad agenda and what we can do more, particularly in this 75th anniversary year, in terms of visits both ways and in terms of the kinds of issues that we can continue to have a closer dialogue about. We of course have not moved our embassy, which remains in Tel Aviv.

Senator FAWCETT: Going back to that point, one of the questions on notice, question on notice 140—in the response to that, the talking points that were provided appear to be different to another set of talking points. Can you just confirm for the committee: was only one set of talking points issued to other departments around this, or were there two?

Ms Adams: I think we'll take it on notice. It's hard to say. We update talking points regularly. So one set or two sets is—

Senator FAWCETT: I think it's safer to take that on notice for clarity. It just seems odd that some points were provided to the public via an FOI but when this committee was asking for complete disclosure, we were refused access to talking points. So, yes, if you can take that on notice and provide them, that would be very useful, thank you. Finally, has there been any briefing provided to either the Foreign Minister or the Prime Minister about recognising a Palestinian state?

Mr Innes-Brown: I can only speak for—

Senator Wong: We don't go to content, but the position—I'm trying to remember my most recent public comments.

Senator FAWCETT: I'm always wishing to be helpful. Question on notice 143 states that the officers had not sought any briefing in relation—but since that QON was tabled, have the officers sought a briefing or other information from DFAT regarding recognising a Palestinian state?

Senator Wong: No, not in the terms in which that question is cast.

Senator FAWCETT: Minister, as you'd be aware, the Labour Party platform, on page 117, talks around the recognition of a state. Could you explain to the committee just what is the process from here? If you're going to be delivering on that, how is that going to work? That obviously affects the whole of the Australian people and the parliament.

Senator Wong: Well, the platform resolution is an expression of the views of the national conference, which also make clear this is ultimately a decision, a matter for government. My pause before was because I obviously receive many briefings, including on the bilateral relationship with Israel and on the ongoing conflict between the Israeli and Palestinian peoples, as per the discussion earlier today with, I think, Senator Steele-John. What I've said publicly, and I'm sorry I couldn't recall the last context in which this was articulated, the last statement—but my focus, my principal consideration is advancing the cause of peace. On that issue and all other issues in this context, I would start first with that proposition.

Senator FAWCETT: If you are working through that cause for peace, obviously, part of the analysis is understanding what the consequences would be of a recognition. If you've not sought a formal brief, have you sought information in other forms from the department to inform your consideration of that approach?

Senator Wong: As and when those issues would come before government, we would ensure that all of those considerations would be the subject of advice.

Senator STEELE-JOHN: I have some questions in relation to ASEAN. My first overarching question is: are there any ASEAN meetings, conferences, talks scheduled to take place in Australia within the next 12 months or so?

Senator Wong: In Australia, as opposed to the many, many meetings in the region?

Senator STEELE-JOHN: Yes, physically hosted here in Australia.

Ms Chan: No, there are not, Senator.

Senator STEELE-JOHN: Can I confirm that the ASEAN-Australia Forum is being held on—I think it's 16 or 17 March in Laos?

Ms Chan: That's correct, Senator.

Senator STEELE-JOHN: And who will be attending the forum from the department?

Ms Chan: I will, senator, as Australia's ASEAN senior official.

Senator STEELE-JOHN: Will there be representatives of Myanmar's military junta present at the forum?

Ms Chan: I expect there will be an official from the foreign ministry but I don't actually know that, Senator.

Senator STEELE-JOHN: Minister, or anyone in the department, has Australia raised any concerns with ASEAN at the continuing presence of representatives of the military junta within these spaces?

Ms Chan: Every time we attend an ASEAN meeting at officials level or ministerial or leader level, in fact, we do register our strong concerns about the deteriorating situation in Myanmar.

Senator STEELE-JOHN: Do those concerns extend to the presence of representatives of the regime in the discussion?

Ms Chan: I think that is a matter for ASEAN, Senator. Who attends ASEAN meetings and who represents ASEAN members is a matter for ASEAN.

Senator STEELE-JOHN: The situation on 16 and 17 March, I understand, though, is Australia co-hosting that forum alongside ASEAN; is that correct?

Ms Chan: That's correct.

Senator STEELE-JOHN: So we'll be co-hosting a forum in Lao at which a representative of the military junta will be present.

Senator Wong: Because ASEAN is central to our security. We are very clear about our position on the coup, which is why I made the announcements of the two-year anniversary that Senator Chandler was asking questions about. As Ms Chan has said, ultimately these are—we express our views, ASEAN has expressed its views, and this is an ongoing issue for that entity that entity is seeking to deal with. But it is in our national interest that Ms Chan, that our ASEAN ambassador, that ministers, including me, engage with our counterparts within ASEAN. I appreciate that you might want us to just say we're not going to go because someone from Myanmar might be there. Well, that's not the approach that's being taken.

Senator STEELE-JOHN: We're co-hosting a meeting.

Senator Wong: And the way ASEAN has been dealing with it has been at what level of representation, which officials may wish to go to.

Senator STEELE-JOHN: Just to clarify, my point was not that we wouldn't attend; my point was that we should raise our concern at the presence of an illegitimate regime.

Senator Wong: I agree with you. They are. And we do and we have. I should let Ms Chan speak rather than jumping in, but when I attended at some point last year, my recollection is that Myanmar was represented at official level, not political level.

Ms Chan: At the East Asia Summit, Myanmar was represented by an empty chair, Senator.

Senator STEELE-JOHN: Yes, I remember that. But what you just said to us is that won't be the case at the upcoming forum; there will in fact be an individual present.

Ms Chan: Yes. I think the difference is between a political-level representation and an official.

Senator STEELE-JOHN: So as co-host of the forum, in your view, we don't have a right to indicate who can or cannot be present within this place?

Ms Chan: No, because I'm co-hosting that together with ASEAN as an organisation. ASEAN has these kinds of forums at officials level with its dialogue partners. So this meeting is with Australia and all of the ASEAN members. And I do not yet know who will attend from each of those ASEAN members.

Senator STEELE-JOHN: The ASEAN military medicines working group is, I think, set to hold a tabletop and a field exercise this year. Will that be held here in Australia? Do we know yet the location of those meetings and exercises?

Ms Mudie: Senator Steele-John, I'll need to check that detail. It's certainly the case that there will be a meeting of that working group this year, and I'll check the location for you.

Senator STEELE-JOHN: Thank you. Moving on to the case of—

Senator Wong: Sorry—what was the meeting, Senator?

Senator STEELE-JOHN: It was the ASEAN military medicines meeting working group. Moving on to the case of Mr Julian Assange. We covered that last estimates as well. On 3 February 2023, Mr Assange's father, in a letter, wrote to His Excellency Mr Stephen Smith, the Australian High Commissioner to the United Kingdom, asking—well, to be honest with you, begging—Mr Smith to visit Mr Assange in Belmarsh Prison. Minister, is your department facilitating the high commissioner to visit Mr Assange in prison in Belmarsh?

Mr Gerard: Yes, Senator, we are aware of that letter. The high commission in London has written to Mr Assange seeking consular access to him on 45 occasions, most recently on 2 February. As yet, those letters have not been responded to. We are certainly aware of that request made to the high commission. For us, the interests and the direction of the client is central.

Senator STEELE-JOHN: It's the case, though, isn't it, Mr Gerard, that representatives, as far as I understand it, of DFAT have actually visited Mr Assange in Belmarsh post the time at which he withdrew authority. So while it's while it's ideal to have that authority, it's not an inhibitor.

Mr Gerard: My understanding, Senator, is that officials have visited Mr Assange on five occasions in Belmarsh Prison. I'd have to check whether those occasions were following Mr Assange's withdrawal of authority.

Senator STEELE-JOHN: My understanding is that they were. So while I understand that authority would be ideal, given a number of what I would describe as mitigating circumstances in this case, I would really very much encourage you to be supporting Mr Smith to make that visit, regardless of whether authority is given. Mr Gerard, is it DFAT that is the department that is leading diplomatic talks in relation to Mr Assange's case, or are there other departments involved?

Mr Gerard: Senator, Mr Assange is a consular case, and as such the Department of Foreign Affairs and Trade manages concerns about his welfare. I would just make the distinction that because Mr Assange has not given us the authority to provide that support or to inquire about his welfare, there's a complication there.

Senator STEELE-JOHN: Yes, I understand. You recall, Minister, that your AUSMIN visit to the US bilateral PAC document was released under a freedom of information request?

Senator Wong: I wasn't aware, but that's great.

Senator STEELE-JOHN: It has been. The contents of that document refer to Mr Assange, it appears, as an element on the agenda, if you like. Without asking you to reveal the substance of any dialogue, I would like to know whether you or your staff or DFAT officials actually discussed Mr Assange's case with your US counterparts, for example, with the Secretary of State, or indeed in terms of formal, informal or peripheral meetings.

Senator Wong: Mr Assange's case has been raised at the appropriate levels. We will continue to do so. The government's view is, as the Prime Minister has said, we think this matter has dragged on for far too long.

Senator STEELE-JOHN: In what forum or meeting—formal or informal or on the periphery? Did your staff or DFAT officials raise Mr Assange's case with the United Kingdom or the Foreign Secretary or lawyers of the United Kingdom during your recent visit to—

Senator Wong: I've said as foreign minister it has been raised at the appropriate levels. The Prime Minister has said that to the parliament. And you wouldn't anticipate—well, you might anticipate, but I don't propose to go into details of those conversations other than to tell you again publicly what our position is. Our view is that this matter has dragged on too long. The Prime Minister has said so publicly.

Senator STEELE-JOHN: Minister, when you say it has been raised at the appropriate levels are you referring to the appropriate levels in both the United Kingdom and the United States?

Senator Wong: Yes.

Senator STEELE-JOHN: Again, without asking you to go into detail, do you not feel that his family, the Australian community, have a right to know just the space in which that discussion was held? All I've asked you for is clarification as to whether it was you, your staff or DFAT staff, and whether it was a formal meeting—

Senator Wong: Just a few minor details. You don't do diplomacy through the media, especially on consular cases, even in relation—I indicate at very high level, in broad terms, the sorts of representations we make. I appreciate that you are keen for lots of detail. I don't think anyone in this in this role that I hold would be responsible to go into the detail that you're seeking. And I would also remind you that he has withdrawn authority. Is it authority or consent? I forget.

Mr Gerard: He has refused content.

Senator Wong: Whether or not it's his family—Mr Assange has indicated he does not want consular representations at this stage from the Australian government.

Senator STEELE-JOHN: The challenge here, Minister, is, again, through the freedom of information process we've been able to confirm that in the last six months, for instance, the Prime Minister, Anthony Albanese, and the Attorney-General, Mark Dreyfuss, have not corresponded with the US in relation to—

Senator Wong: I got asked that question in the United Kingdom and I made the point that not all representations are made by way of letter.

Senator STEELE-JOHN: You are the highest authority in this room in relation to our nation's foreign affairs. Did you discuss with your counterparts Mr Assange's case?

Senator Wong: I refer to my previous answers.

Senator BIRMINGHAM: How many conversations have you had with Dr Rudd, Minister, pertaining to his appointment as Australia's ambassador to the US?

Senator Wong: Mr Rudd was here this week for the pre-posting engagements. So I saw him then. I know Mr Rudd personally and I caught up with him, I think, in the UN General Assembly, as did, I think, other foreign ministers from other countries.

Senator BIRMINGHAM: So there were those two catch-ups. I assume there have been some phone conversations too. Did you ring to offer him the position or tell him he was being appointed at some point?

Senator Wong: I'm trying to recall the sequence. What are you asking: who rang to offer him the position, or how was the offer communicated?

Senator BIRMINGHAM: I'm surprised in terms of your recollection of conversations you had with Dr Rudd about his appointment. There's the formal pre-departure consultation this week, and you saw him around UNGA, which was before his appointment was announced but may have been at a time when you knew he was going to be appointed.

Senator Wong: I know you're very focused on this, Senator Birmingham, but this is not the sum total of what I engage with Mr Rudd or others about. If your question is, 'Have you spoken to him prior to this year's appointment?'—obviously I have but I don't have dates of same. I was telling you two times. I remember catching up with him in person, which was this weekend in UNGA.

Senator BIRMINGHAM: Secretary Adams, how often have you had cause to speak to Dr Rudd about his appointment?

Ms Adams: A few times since the announcement of the appointment, on the briefing process, the formalities, the logistics, as well as the policy content of his role as Australia's ambassador to the United States.

Senator BIRMINGHAM: I might ask for some more details of those on notice. When does Mr Sinodinos complete his appointment?

Ms Adams: In a few weeks time—mid to late March.

Senator BIRMINGHAM: I think, again, that was indicated to be February previously. So there's a small extension there.

Ms Adams: Once again, we do have to accommodate the real world on—

Senator Wong: And his request.

Senator BIRMINGHAM: And there's a significant event expected to happen in March that you won't confirm.

Senator Wong: I've sought to accommodate with a number of your political appointments their requests about extension for various reasons. I think pretty much everybody that you appointed who we indicated would not be reappointed has asked for some changes, and I've sought to be reasonable.

Senator BIRMINGHAM: But equally, as you both indicated before in relation to Mr O'Farrell, with the intensity of engagement between Australia and India—

Senator Wong: I wasn't being critical, Senator.

Senator BIRMINGHAM: it made sense to keep O'Farrell in his role and, whilst you won't confirm it, with the finalisation of AUKUS arrangements in March it probably makes sense for Ambassador Sinodinos to be there until the next stage if that takes place.

Ms Adams: Senator Birmingham, I should have before on High Commissioner O'Farrell that, of course, that was the expected end of his term that was announced, so it wasn't as if it had been brought forward. As the minister said, to accommodate his preferences as well as our own operational demands, it was actually extended. But it was never brought forward.

Senator BIRMINGHAM: Is Dr Wright expected to take up his appointment essentially immediately following Ambassador Sinodinos concluding?

Ms Adams: Reasonably so. There are just some logistics to move one set of people out of the official residence and the next people in, but yes, more or less.

Senator BIRMINGHAM: In any of your discussions, Minister—it doesn't sound like it—or Secretary, have you had cause to speak with Dr Rudd about public commentary prior to his taking up the post but while he's in this period as ambassador designate?

Ms Adams: I've spoken to him about a range of issues to do with assuming his position as ambassador. How our ambassadors deal with media, social media, public commentary, public positions, of course, is part of that set of issues.

Senator BIRMINGHAM: Did you have conversations with him specifically following his Bloomberg interview in early January?

Ms Adams: I did meet with Dr Rudd when he came to Canberra earlier in the year, 13 January—sorry, I can't recall.

Senator BIRMINGHAM: And did his comments from that Bloomberg interview cause you to have particular discussions with him about public commentary?

Ms Adams: He was here to do the basic logistics, get the security clearances started and a range of the big body of paperwork that it takes to get yourself overseas as a representative of Australia. So that wasn't the cause. We talked about various things, mostly actually basic logistics and then geopolitics.

Senator BIRMINGHAM: Does Washington have a habit of throwing some of its allies under a bus?

Senator Wong: Oh, please.

Senator BIRMINGHAM: To quote Dr Rudd.

Senator Wong: Seriously?

Senator BIRMINGHAM: They're not my words.

Senator Wong: Hang on. You know that is not how this government approaches our relationship with others. They're not words I would use.

Senator BIRMINGHAM: Are they words that an ambassador designate should use?

Senator Wong: Dr Rudd is a significant international figure who has a very extensive range of public comments on the record, on many issues, not as Australian ambassador but in his own right. As Australian ambassador, as I said earlier, he knows and understands that his role is to represent the Australian government and to progress the Australian government's policy. And as I said earlier, I'm pleased that he's willing to do that job at this time when we live in a very difficult world.

Senator BIRMINGHAM: Minister, I'm not seeking to put the long range of comments that Dr Rudd has from his time as an Australian citizen or as prime minister or as foreign minister or in the range of other capacities that he has held to you. What I did just put was a comment he made as Australia's ambassador designate to Washington, in the same interview where he said that the Biden administration lacks a 'grand strategy'. Are these appropriate comments? If not, has he been counselled in relation to the types of comments that are appropriate as our ambassador designate?

Ms Adams: What I can say is that the recent conversations we've had have been very focused on the government's bilateral relationship with the United States and the broader geopolitical context that he will be undertaking his position against. So from my point of view, I can answer that in terms of roles and responsibilities once in the position. And that's what Dr Rudd's been very focused on in his briefings this week across government. Those briefings have included intelligence agencies, national intelligence, community member agencies and other departments—home affairs et cetera.

Senator BIRMINGHAM: And they are all the types of conversations, Secretary, that I would expect you to have with any ambassador designate, any high commissioner designate.

Ms Adams: Indeed.

Senator BIRMINGHAM: But have you had particular conversation with Mr Rudd about the appropriate boundaries of commentary now that he is our ambassador?

Senator Wong: He's a former prime minister. He knows what the role of ambassador is, and those comments were made in his capacity as Asia Society president. I would refer to your good friend and colleague Senator Brandis, who was effusive in his praise of Dr Rudd's appointment, saying:

... it is in Australia's interests to have as our ambassador someone whom they acknowledge as one of the most authoritative analysts of Chinese foreign policy in the English-speaking world.

Senator BIRMINGHAM: Senator Wong, the comments that I am aware of but neither you nor the secretary are giving a straight answer about—

CHAIR: Senator Birmingham—

Senator BIRMINGHAM: in response to Dr Rudd's Bloomberg interview—

Senator Wong: I am giving a straight answer. I've told you that those are comments made in his capacity as Asia Society president. And I have also said to you that Dr Rudd, as a former prime minister and foreign minister, understands perfectly well what his role as ambassador will be.

Senator BIRMINGHAM: He may wear other hats but from 20 December he is also Australia's ambassador designate. That's a reality and it's one that should be at his front of mind and I would have thought yours and the department's.

Senator Wong: Everyone understands what you're trying to do, Senator.

CHAIR: Senator Birmingham, do you have other questions? You're asking, to be fair, the same question just in various different forms. You've got two minutes left.

Senator BIRMINGHAM: To close off this bracket of questions—we went through some of the internal sessions for heads of missions earlier—has Mr Rudd completed the training around employee health and safety?

Ms Adams: He either has or will have had before his departure.

Ms Walsh: He has.

Senator BIRMINGHAM: APS Code of Conduct.

Ms Walsh: Yes, Senator

Senator BIRMINGHAM: Mental health protection?

Ms Walsh: Yes.

Senator BIRMINGHAM: Physical security?

Ms Walsh: Yes.

Senator BIRMINGHAM: Information security?

Ms Walsh: Yes

Senator BIRMINGHAM: Property management?

Ms Walsh: Yes.

Senator BIRMINGHAM: Media?

Ms Walsh: Yes.

Senator BIRMINGHAM: That's notable. And financial management issues and fraud?

Ms Walsh: Yes.

Senator BIRMINGHAM: Good to go.

Ms Walsh: And business planning as well, just to round it out.

Senator WHITE: On the same topic, I think that before lunch you mentioned—and Senator Birmingham has highlighted the list of training. Can you tell me whether Senator Brandis, former high commissioner Brandis, completed the OH&S training that was required, or did that post-date his appointment?

Ms Adams: We'll have to take that on notice if it preceded—

Senator WHITE: And can you also tell me whether he passed the training?

Ms Walsh: I will have to take it on notice. It was a while ago now.

Senator WHITE: Also, post the incident at COP 26 in Glasgow, did he have to do a refresher training of OH&S?

Ms Walsh: I'd have to take that on notice.

Senator WHITE: Given that the Australian taxpayer paid \$277,000 to get the learnings, I'm interested if one of the learnings was a refresher on OH&S.

Ms Walsh: Sorry to interrupt, Senator White. I can assure you that there was refresher training rolled out at the embassy following that incident.

Senator WHITE: Was the high commissioner there?

Ms Walsh: I'll have to check the attendance but it was rolled out for the entire staff.

Senator WHITE: Certainly—and what the training prior to that was would be very interesting. We've had a few questions about former politicians being heads of mission—questions about Dr Rudd. They do make excellent heads of mission, I'm sure you would agree. But can I take you to former high commissioner George Brandis's tenure? I've got some concerns and questions about that. As I said, we've already traversed the multiple investigations. I did so last time about the COP 26 incident. I'm interested, though, in an article in the *Sydney Morning Herald* of 1 May 2022 covering Mr Brandis's time in London as high commissioner. It was titled 'How the political beast George Brandis made his mark in London'. I don't think they were talking about the car accident; it was about other things. What that article said is:

Brandis introduced staff with political backgrounds into the High Commission so that they could act as links between the stuffy Department of Foreign Affairs and Trade and government—particularly the Prime Minister's Office—and work the influential Westminster staffer circuit.

Is that true? Is that what he was doing?

Ms Walsh: Senator, I'm not familiar with the article but I'm very happy to look at it and see what claims are in it. I'm not sure that I'm equipped to respond right now, but I'm happy to take it on notice.

Senator WHITE: It appeared to a post-post article spruiking the abilities of the former high commissioner. But what I'm interested in is: is it consistent with how you expect your high commissioners to act? Can you just remind me: when did Mr Brandis commence his posting to London?

Ms Walsh: He started in May 2018.

Senator WHITE: And when did he finish?

Ms Walsh: In April 2022.

Senator WHITE: This article I'm talking about appeared a month later. So it could be a post-posting publicity article. How many new staff were hired in the high commission during that time? Do you know?

Ms Walsh: I would have to check that, because the very nature of our staffing is that people do their three-year appointments. So I'd just need to check across his term.

Senator WHITE: How many of those new staff had political backgrounds?

Ms Walsh: We'll take the question and think about the elements of what you're asking me, because when you say new staff, I'd need to check whether that suggests locally engaged staff or our normal posting rounds for our diplomats that we post over there. So I'll just make sure I've got both elements for you, Senator.

Senator WHITE: Again, I refer to that article. This might be the touchstone for it: 'work the influential Westminster staffer circuit'. So that probably gives you a sense of what sorts of political connections we're talking about. But if you could look at their political backgrounds and give me the number—which roles were those staff with political backgrounds appointed to? If I could get that too—and was having a political background a condition of their employment?

Ms Walsh: I will obviously take that on notice but it certainly isn't a standard requirement or part of a job description.

Senator WHITE: Let me ask you just generally about DFAT's role. Isn't it your core business to make connections with decision-makers in host countries across the spectrum of political and bureaucratic figures?

Ms Walsh: Yes.

Senator WHITE: And how do you do that?

Ms Adams: Senator, you're right. That's what our people, both overseas and in Canberra based roles do, to be influential and have good insights into how other people see their situation and the global situation. Yes, we would count that as basic tradecraft.

Senator WHITE: In fact they get significant training in that, don't they?

Ms Adams: Experience in particular.

Senator WHITE: So, given that there's experience and training, is it the department's view that existing DFAT staff, both locally engaged and Australia based, were incapable of 'working the influential Westminster staffer circuit'?

Ms Adams: Australia's high commission in London is always a very well-connected, well-operating group of individuals. I can't imagine that the high commission would have been incapable of engaging with any part of the UK system. We have very good access and very good knowledge.

Senator WHITE: There's probably a roomful of them here.

Ms Adams: There might be one or two.

Senator WHITE: There's a room full of people here who could be influential and 'work the influential Westminster staffer circuit'. That's their job, isn't it?

Ms Adams: I can only agree.

Senator WHITE: It's probably not safe to disagree, I would have thought, with them all sitting behind you.

Ms Adams: Yes, good point.

Senator WHITE: How is the deliberate hiring of staff with political backgrounds consistent with the APS code of conduct?

Ms Adams: I'm unaware of the particular staff, if there were any, that we're talking about here. It predates my time. I can only reiterate that we'll take it on notice what staff worked—

Senator WHITE: You've taken on notice my question about political backgrounds. Why don't you then measure it against the APS code of conduct and whether it seems like it was appropriate sets of hiring? Also, isn't acting impartially and providing apolitical advice an APS core value?

Ms Adams: Indeed.

Senator WHITE: So do you think having political backgrounds for staffers is consistent with that?

Ms Adams: I think staffers with political backgrounds have a lot of skills and experience to bring to bear. It certainly wouldn't exclude you but it would not, in a partisan sense, of course be, from an APS Code of Conduct point of view, a requirement.

Senator WHITE: What are the consequences for staff or managers that violate the APS Values?

Ms Adams: It's a very context specific—

Senator WHITE: What's the range of things that happen?

Ms Walsh: Senator, if I might: if we were concerned that a staff member had contravened the APS Code of Conduct, there's a range of measures that we would take, including investigating that quite seriously. And then, depending on the nature of the circumstances, there's a range of options available to manage that situation. But it is a very context-specific question that you're asking for me to give you a precise answer.

Senator WHITE: I understand that, but the APS Values is something that's at the heart and the core, isn't it? And particularly foreign affairs, as we've talked about, that's a serious thing. How you interact with—we've heard a whole morning full of the interactions of your department, the minister, sets of other ministers with other countries. It's really at the heart of it, isn't it? The way in which you deal with people, how you represent Australia and the outcomes that you get—it's right up there, isn't it, the values? I invite you to consider that point. Perhaps when you've looked at those staff, consider it against the APS Values. I look forward to the answer on notice. I'm presuming you haven't, but I'll ask this anyway. Has the department conducted any sort of review or investigations of hiring practices at the high Commission under Mr Brandis's leadership?

Ms Walsh: Ordinarily we wouldn't talk about individual cases. That's a common practice for us: not to go into specific details. But we do talk very regularly with our heads of missions and heads of posts about the recruitment, particularly of locally engaged staff and. As you would expect, of course, the diplomatic corps—our A base, as we describe them—overseas we recruit centrally here.

Senator WHITE: I think the distinction I'm trying to make here is that I'm not talking about the occasional appointee to serve as head of mission in a country where there are bilateral arrangements, and I'm not talking about the occasional appointment of somebody who's been a political staffer. This is something that's been spruiked in this article. And there's a significant difference, isn't there, between having a high commissioner with political clout and stacking an Australian embassy or high commission with multiple political staffers to suit the agenda of the head of mission. That's a different kettle of fish.

Ms Adams: As Ms Walsh says, of course the frontline diplomats, are part of Foreign Affairs and Trade and are public servants and posted overseas from Canberra by us. Ability to hire local staff to support the mission does rest with those posts. But nevertheless, yes, we have employment standards, we have job descriptions et cetera.

Senator WHITE: I get that. But taking you back to that article on the 1 May, you're a 'stuffy Department of Foreign Affairs and Trade and government', but this was people who are going to work the influential staff. This was a different set of people. These were high-calibre political operatives to design—and, as I said, spruiked after the high commissioner's left, presumably for further job opportunities because of the political acumen. I invite you to consider some of this. How can the department assure the government that this sort of hiring practice hasn't occurred elsewhere in the diplomatic network?

Ms Walsh: While I've said that hiring of local staff is managed at each embassy or high commission, it's not without some oversight from Canberra. What I mean by that is there are clear expectations around the integrity of our hiring practices. Obviously, because we're operating in so many countries, there are local labour laws that need to be taken into account, which makes them somewhat bespoke. But we do have all of our heads of mission and other staff constantly engaging back with one of my teams in Canberra as it pertains to the engagement of local staff, so that there is integrity across the system.

Senator WHITE: I have some other questions on other political appointments. I've got an array of them but I don't want to hog the limelight.

CHAIR: Thank you very much, Senator White.

Senator CHANDLER: I briefly want to go back to the topic that we were covering earlier around foreign interference, because I do note that the home affairs minister has in question time earlier today, in the last half hour or so, made some further comments on the record regarding the interference and confirmed that, 'Iran is attempting to influence Australian democracy in deceptive ways and trying to harass, watch and control the activities of Iranian Australians'. Are there any concerns from the department of foreign affairs regarding this statement from the home affairs minister?

Ms Adams: Obviously we're concerned about the foreign interference. Concerns about the statement—I've only learned of it from you. But I would say no.

Senator Wong: I think that the general proposition that the minister is articulating is the same proposition that I have articulated in the parliament, which is that we have a very clear view about the importance of protecting Australia's democracy and democratic practices. We have foreign interference legislation. We have enforcement mechanisms, and the government will act to ensure that Australians and our democracy are protected.

Senator CHANDLER: The minister has told the parliament that it's important for the parliament to call out the perpetrators of foreign interference, specifically in reference to Iran. Yet when I was asking questions about this earlier, there was an inference that it wouldn't be appropriate to ask those questions in this forum.

Senator Wong: You asked questions about a specific matter.

Senator CHANDLER: And the home affairs minister has raised a specific matter in question time just now, Minister.

Senator Wong: You asked questions about a specific matter. You also asked questions about which your party has been briefed, which you know are sensitive. And frankly, I think it's utterly irresponsible that you were allowed to ask those questions in this forum, given the briefings you've had.

Senator CHANDLER: Minister Wong, the home affairs minister, in her response just now to a question, referenced a roundtable that she held earlier in the week with other ministers—

Senator Wong: Which I referenced earlier in my answers. I said that she and Mr Dreyfuss had held a roundtable on foreign interference.

Senator CHANDLER: That was the same roundtable?

Senator Wong: Yes. And I also held a separate one with members of the diaspora. I think we tweeted publicly about it this morning.

Mr Innes-Brown: Yes, you did.

Senator CHANDLER: Okay, thank you. I just wanted to confirm you had a presence on that.

Senator Wong: No, there were two different ones. There was one specifically on the foreign interference with the ministers who have portfolio responsibility for that. That was Mr Dreyfuss and Ms O'Neil. And then I met later in the day with members of Amnesty and others, and members of the Iranian diaspora community.

Senator CHANDLER: Moving on to another topic—but I think the relevant officials are at the table, because it is regarding our ambassador to Iraq. Apologies if it's not the same. I think it is. There are some photos circulating on social media of a recent meeting between Australia's ambassador to Iraq and an individual called Qais al-Khazali. Is the department aware of this meeting?

Mr Innes-Brown: Yes.

Senator CHANDLER: Is this the same Qais al-Khazali who is listed as a specially designated global terrorist by the United States?

Mr Innes-Brown: He's listed by the US, yes.

Senator CHANDLER: Given that designation by our ally, what would be the circumstance in which an Australian ambassador would be meeting with a designated terrorist?

Mr Innes-Brown: He's head of a political party in Iraq, Senator. That political party is part of the governing coalition of the Iraqi government. His party has a minister in the current Iraqi government. So the ambassador, as part of her ongoing work to be in touch with various political actors, political party leaders in the country to be across political developments, has met this individual.

Senator CHANDLER: Does the department agree that al-Khazali is the leader of a militia responsible for terrorist activity?

Mr Innes-Brown: We haven't formed a specific view, Senator, but I know what you're alluding to. I think the reality is that in Iraq, a country that's had decades of conflict, there are a range of people that have different backgrounds and now some of them are in the political mainstream.

Senator CHANDLER: Does the Australian government agree that al-Khazali and his organisation, which is also designated as a terrorist entity, as you say, is financed and supported by both the IRGC and Hezbollah?

Mr Innes-Brown: I don't know. They certainly have strong connections to Iran. There's no question about that; that's a known.

Senator Wong: I'm not sure that—we'll take that question on notice.

Senator CHANDLER: There's a fair amount of very concerning information available regarding this organisation.

Senator Wong: I don't know where relevant agencies have got to in relation to this. Your question was, 'Do we agree?', which is a question of fact. We'll take that on notice.

Senator CHANDLER: Also taking on notice, what was the purpose of the meeting with this individual? Was this meeting sought and arranged by the Australian government or by al-Khazali? According to an al-Khazali social media account, the meeting occurred on 31 January. I would like the department to confirm whether is correct. I appreciate they are all quite detailed questions and that they may need to be taken on notice.

Mr Innes-Brown: Sure.

Senator CHANDLER: The US executive order under which al-Khazali is designated as a terrorist lists as one of its purposes that 'the designation alerts other governments to concerns about individuals or entities aiding terrorism and promotes due diligence by such governments to avoid association with terrorists'. Given that designation by the United States—they are one of our allies; they are one of our security partners—why would there be a circumstance in which an Australian ambassador would be meeting with a terrorist?

Mr Innes-Brown: I think I answered that earlier, Senator; there's a certain circularity here. I explained the context in which the meeting happened, but I can put that in writing if you wish. It's already on notice.

Senator CHANDLER: I think you've already agreed to take it on notice. But if we could have the purpose of that meeting, it would be useful, I think, to answer that question as well.

Senator STEELE-JOHN: Currently, there are 15 Australian women and 30 children still detained in camps in Syria. The conditions in the camps continue to remain very precarious for Australian families. For example, in 2022, UNICEF reported that there were no fewer than 37 incidents of murder or attempted murder in the particular camp. Is the government providing any assistance to the Australian families detained in the camp?

Ms Logan: Senator, you'll appreciate it's difficult to provide direct support, given that we don't have an embassy in Syria. But what I can say is that our embassy in Beirut makes all efforts to monitor the welfare of those Australians and works through local authorities, UN agencies and other NGOs on the ground that have the mandate and the presence in the camps.

Senator STEELE-JOHN: So you are doing that work at the moment?

Ms Logan: We are.

Senator STEELE-JOHN: What material impacts is that having for the families, that work?

Ms Logan: It's the way that we can monitor their welfare. The UN agencies who are there give us certain assurances about their treatment in the camp. We, for example, were in touch after the earthquake to ask whether there had been damage to the camps and were advised that there was actually very little damage. So it is things like that, Senator.

Senator STEELE-JOHN: So you're able to monitor their wellbeing or at least their status?

Ms Logan: I would say that we do the best we can to monitor through those other agencies.

Senator STEELE-JOHN: Are you able to provide them with any material support beyond that line of sight?

Ms Logan: No, Senator. Well, through our aid program, I should say—Mr Innes-Brown can talk more about the aid we provide that does go to supporting some of those arrangements in country.

Senator STEELE-JOHN: That's okay. My reason for asking is a United Nations statement in relation to a common practice at the camps, relating to boys, particularly between the ages of 10 and 13 years old, who are separated from their mothers and siblings in the camps, particularly in north-east Syria. The boys are taken into so-called rehabilitation facilities and forced to live in quite abhorrent conditions. The Australian boy Yusuf Zahab was separated from his Australian family members in this way prior to being held in the rehabilitation—so-called—centre where he was killed in 2022. And there are currently, as far as I understand it, two Australian boys who are currently 11 years old, which would place them at risk of being taken. What is the Australian Government doing to protect these young boys in north-east Syria from being transferred to the same rehabilitation facilities which have so far seen one of their fellow citizens die?

Ms Logan: We're aware of those reports too, Senator. You'll appreciate I can't comment on individual cases. What I can say to you is that to the best of our knowledge, no Australian boys have been removed in this recent period. And we have confirmed that through the same channels that I outlined earlier, through authorities on the ground.

Senator STEELE-JOHN: We've been collectively made aware, as an office, of reports that many women and children are suffering in these camps of untreated wounds and of illnesses. These are, I can't help but remind you, Australian citizens and the children of Australian citizens. Is there anything that the government is doing to provide them with direct medical assistance?

Ms Logan: It would be through our aid program, Senator, through our contributions to UNICEF and other UN aid agencies there on the ground that are supporting individuals.

Senator STEELE-JOHN: Ultimately these kids need to be brought home. What's the latest the government can give me in relation to the time line for the return of these families, Minister?

Senator Wong: We're not going to be discussing—

Ms Adams: We're not in a position to be specific about timelines.

Senator Wong: I acknowledge the work that officials did, including in my own department, with the repatriation. This is a very risky area of the world. It's a very difficult area, obviously. In the government's announcement yesterday—additional humanitarian funding in the context of the earthquake, including to those regions and people affected in Syria, including in conflict affected areas. We'll continue to, as Ms Logan has said, utilise our humanitarian partners. We're not present in the way—it's not like we can turn up. But this is a legacy we have inherited from a previous government. We saw some of the political response. To my way of thinking, I'd rather people were here than being radicalised elsewhere, in terms of safety to Australians.

Senator STEELE-JOHN: I acknowledge that you're not able to give us the time line, Minister, but can you still at least confirm to us that the government is working with the objective of returning all 15 Australians and their children to Australia?

Senator Wong: We're very conscious of the vulnerability of some of the Australians who are in these camps.

Senator STEELE-JOHN: But are you able to confirm that you are. Working with the objective—

Senator Wong: I'm not going to make any further comment.

Senator STEELE-JOHN: Turning to the question of Australia's response to the earthquake in Syria more broadly, the government has announced \$10 million provided in an emergency—

Senator Wong: Eighteen. That was added to yesterday, I think.

Senator STEELE-JOHN: As I understood it, or this might have been updated, at the time, around \$3 million among that package remained unallocated—is currently unallocated within that pool of funds. Can you give us an idea of where that money will be going?

Mr Brazier: Senator, are you referring to the first package of \$10 million?

Senator STEELE-JOHN: That is what this question was originally based on, yes.

Mr Brazier: The \$3 million that was unallocated was used for the mobilisation of the Australian search and rescue team that left from Sydney.

Senator STEELE-JOHN: Is the government or department considering a humanitarian exemption within the sanctions regime currently placed upon the Assad administration, to ensure that the people of Syria are able to access aid and support from Australia?

Ms Delaney: Senator, no. At this stage we're confident that the current autonomous sanctions framework hasn't impeded delivery of our humanitarian assistance in Syria. As I mentioned earlier in the day, we have been providing that support through UN partners predominantly, because we are confident of their ability to actually deliver where it's needed. I think I mentioned this morning that first allocation went through UNICEF. That enabled them to deliver emergency supplies in north-west Syria immediately.

Senator STEELE-JOHN: We've seen other nations making exemptions in their sanctions in order to deliver aid. Is it not even under consideration by the department?

Mr Walter: Of course in these situations we always turn our mind to it. At this point, we haven't had any approaches from the sector to say that they need an exemption. And we have no evidence that the current autonomous regime in relation to Syria is causing any problems with delivery, as Ms Delaney has already indicated. The other thing that I might mention is that in relation to Syria, there is a combination of UN Security Council imposed sanctions as well as autonomous sanctions. And, unlike Afghanistan, at the moment there is no UN Security Council exemption for humanitarian aid in place with respect to Syria. So you do have that added complexity: you've got two regimes and we need to work through the Security Council regime. At this stage we are not seeing any issues. And if I can, at the risk of being terribly boring, just raise one other issue, that broader question of humanitarian exemptions is currently being considered as part of the review that we're doing of the autonomous sanctions regime. We're looking more generally and talking to the sector about that very specific issue.

Senator STEELE-JOHN: Mr Walter, just to pick you up there, have you or has the department actually sought the views of the sector in relation to sanctions exemptions in this situation?

Mr Walter: In relation to Syria?

Senator STEELE-JOHN: Yes.

Mr Walter: No, we have not actively gone to the sector, but we do have very close contacts within the sector. We've had, I think, one tentative query about it but no broader requests for a permit, which would be the mechanism here.

Senator STEELE-JOHN: One of the most concerning elements of this humanitarian crisis is the location along the border between Syria and Turkey. I'm wondering if the government has had diplomatic conversations with the Turkish government to request that donations of aid and support pass through the Turkey-Syria border with no obstacle.

Ms Delaney: As I earlier noted, we are engaging with all partners to ensure that humanitarian aid reaches those that need it. Our approach is to actually work with partners that we know can deliver in these contexts. Humanitarian organisations are required to deliver with impartiality.

Senator STEELE-JOHN: Is the government aware of the currently quite disproportionate impact that the earthquake had on the Kurdish community particularly.

Ms Delaney: I'm aware of the reports of the impacts that it's had on the Kurdish community.

Senator STEELE-JOHN: Are you also aware of the reports that the government of Turkey has blocked access to dozens of trucks carrying aid to some of the worst affected areas, including refugee camps, based on the area's content of Kurdish community members?

Ms Delaney: No, Senator.

Senator STEELE-JOHN: Has the government been engaging with members of the Kurdish community to understand the impact of the earthquake on the community? It's really quite severe.

Ms Adams: The focus obviously is on the immediate—the rescue and recovery team, the humanitarian contributions, the first things first. But I'm sure that when conditions allow our people on the ground in particular, we'll be making assessments to feed back into our overall understanding of the impacts. But obviously it's still a terrible situation for many, many parts of Turkey, as well as Syria.

Senator STEELE-JOHN: Over 300 members of the Australian Kurdish community have lost a family member as a result of the earthquakes. It's really having a ripple effect through the community. My final question is a question in relation to passports. It's one singular question and then we're sorted.

Senator Wong: Mr Maclachlan has been waiting all day to answer a question about passports. He's got a big brief—lots of good news.

Senator STEELE-JOHN: Thank you, Mr Maclachlan. When applying for an Australian passport, is there a question of whether the individual identifies as someone who is an Aboriginal or Torres Strait Islander person?

Mr Maclachlan: I'm actually going to ask immediately my colleague Craig Kelly, because I don't know the answer!

Mr Kelly: Sorry, Senator, I'm going to have to take that on notice as well.

Senator STEELE-JOHN: Okay. Just for context, Mr Kelly, the reason I ask you is that a constituent has raised with me an issue whereby an embassy of Australia did not handle the body of a deceased Australian in a culturally appropriate way post their having died overseas. One of the issues that have been raised with us is that there is apparently, if you go through the system, no way to identify on your passport credentials that you are a First Nations person and therefore provide the prompt to the embassy to deal with the body in a culturally appropriate way. That's just the context for the question

Mr Maclachlan: Senator, perhaps if could send us the information, because that way we can look at the content as well.

Senator STEELE-JOHN: That would be great. I will do that.

Senator BIRMINGHAM: Did Minister Conroy and the government set a target in the October 25 budget for the Pacific Australia Labour Mobility Scheme?

Mr McDonald: Good afternoon, Senator. As I said earlier, there was a target set of 35,000 by the middle of this year.

Senator BIRMINGHAM: And that was set and announced at the time of budget? Ms Heinecke is nodding.

Ms Heinecke: That is correct.

Senator Wong: The reason I paused before responding—and I'm sure my office will send me a message—is that I thought this was something discussed in the context of the election campaign. I'll check that.

Ms Heinecke: Senator, I can clarify that in the budget in October, which was your specific question, we did announce that we were moving towards 35,000. The election announcement was about expanding and improving the scheme.

Senator BIRMINGHAM: Thank you. And on 2 February, ministers Conroy, Watt and Burke and the Prime Minister released a triumphant media release declaring that:

The Albanese Government has reached a major milestone—six months ahead of schedule—with more than 35,000 Pacific Australia Labour Mobility (PALM) workers now in Australia.

In the October 2022 Budget, the Government committed to reaching 35,000 workers by June 2023. Latest data shows the milestone was reached in December.

That's all accurate, isn't it?

Ms Heinecke: That's correct.

Senator BIRMINGHAM: That's accurate. It sounds like good news. It is good news that those workers were here by end of December and that had been achieved. I refer you to question on notice No. 129. Could you give us the answer to question 6 from that question on notice, please?

Ms Heinecke: In question 6, these figures were at 31 October, as specified in there, and the number of workers that we had in Australia at the time was 31,500.

Senator BIRMINGHAM: It says:

There were 31,500 PALM workers in Australia as at 31 October 2022.

Six days prior to that, the government set and announced its target of 35,000 workers. Did the department provide advice to the minister to inform what that target would be?

Ms Heinecke: Senator, as I think you would be aware from your former roles as minister, when you do budget processes you're projecting into the future, and some of those budget processes would have been well before the budget outcome on 6 October. We worked closely with DEWR to project what the numbers were. The target was 35,000 and we've now exceeded that number. I don't have the figures right at today but it is more than 35,000 workers that we have in Australia at the moment.

Senator BIRMINGHAM: I'm sure it is 35,000 and, as I said before, that is good news—and well done to officials and others helping to administer the scheme. But in terms of a government announcing a target in its budget, as all governments do, with the fanfare of a target, and then triumphantly declaring it had achieved that target six months earlier—it's pretty poor form for the government to do that when they were basically knocking on the door of the target at the time they publicly announced it.

Mr McDonald: Senator, 31,500 in October and 35,000 achieved in December—that's a substantial increase in that financial year over other financial years, as Ms Heinecke said earlier. So I don't think it's knocking on the door that it was immediately going to happen by December. I think that's a fairly significant increase of another three and a half thousand.

Senator BIRMINGHAM: Having had 31,500 in October, something would have gone horribly wrong under the policies and aspirations to not have comfortably got to 35,000 well in advance of June, correct?

Mr McDonald: As I said earlier, a lot of factors have affected the numbers throughout that time, COVID the most obvious. That target was set by the government. It was met by December. I can't really add much more to it.

Senator BIRMINGHAM: Minister, it doesn't give a lot of credibility, next time Mr Conroy announces a target for something—that people will think it's actually an ambitious target, does it, when in this case a target was announced that was close to already being met?

Senator Wong: Ms Heinecke's explained the forecasting component of that. I would make the point that it's a substantial increase and certainly substantially more than the zero that arrived under the ag visa. But even under what then government's projected policy was, which was—how many ag visas per year?

Ms Heinecke: Under the ag visa we had planned for four countries to 1,000 workers in the first year.

Senator Wong: So you can make a political point about budget targets. I thought Ms Heinecke indicated that. There are more people coming to Australia under this scheme than ever before.

Ms Heinecke: Senator, what I can add is an important point that perhaps I haven't explained well, and that is that workers are always coming and going and that's particularly the case at the moment. So when we do numbers projection we also have to make assumptions about how many workers we think will return home. The 408 visa, which was put in place in 2020, is still in place—which is the pandemic visa that allows workers to stay. So when workers are making decisions about going home, we have to also project how many go home, and that is also a factor. As I said before, we've brought in 17,000 workers since 1 June. The 35,000 captures also those that we thought might go home. Not as many workers as we thought might go home have; a lot of them have continued to stay under the 408 visa. So when we're projecting, we're not just looking about who comes in; it's also about who goes home.

Senator BIRMINGHAM: The counter-factor in that, though, is that of course, whilst effort was made during the pandemic to be able to bring Pacific workers in, that required far greater management to be able to do so and meant more finite numbers were able to be processed. So last year was always going to be, with the removal of those restrictions—obviously some time after the removal of those restrictions, for people to apply, to prepare to be hired, et cetera—a period of strong growth.

Ms Heinecke: That's correct.

Senator BIRMINGHAM: Can I go to the policy reforms that have been announced in the last 24 hours or thereabouts. Can you explain—

Senator Wong: It's not a new policy. It's more detail.

Senator BIRMINGHAM: You didn't announce a ballot process in the election though, did you?

Ms Heinecke: That was an election—

Senator Wong: I'm pretty sure, because I got asked questions about it.

Senator BIRMINGHAM: For the Pacific engagement visa—

Senator Wong: For the PEV, not for the PALM scheme, obviously.

Senator BIRMINGHAM: Can we talk through why a ballot?

Senator Wong: I'm pretty sure that was something Mr Conroy briefed me on before the announcement in Darwin, from memory, but—

Ms Heinecke: I'm happy to go through the explanation and why we're looking at a ballot. It was an election announcement. It was an election announcement around bringing in 3,000 visa holders. That that is for the family. So, as I said before, we're expecting the number to be between 500 and 600 families per year. We have had discussions with 13 countries: Timor-Leste and 12 countries in the Pacific. In essence, we've been out negotiating and helping design that visa since August, when we started consultations. But our first point of call was New Zealand to really understand their lessons from their Samoa program, which has had a similar ballot process. The reason that the ballot is important relates to the question before around brain drain, and that is that by running a ballot you're not targeting skilled workers; you're allowing anyone to apply, because the objective of this is around our people-to-people links. Pacific migration is very low; it's less than 1 per cent. So this is about building those cultural, trade, people-to-people links over time through the migration program as a complementary measure to what we do as part of our Pacific strategy.

Senator Wong: I've asked my staff to send me part of our announcement—bearing in mind, of course, that government policy has to be determined by government, not just the election announcements. But we did make it clear that we would:

... boost permanent migration from Pacific countries to Australia by creating a new Pacific Engagement Visa for nationals of Pacific Island countries and Timor-Leste. Up to 3,000 visas would be allocated annually by a ballot or lottery process modelled on the New Zealand Pacific Access Resident Category visa.

It goes on to talk about where the places come from, and detailed design needed to obviously be part of what we did if we won government.

Senator BIRMINGHAM: Thank you. Requirements to be able to enter into the ballot—applicants will have to have a formal job offer?

Ms Heinecke: Anyone can apply for the ballot. There will be a very small fee. Basically, the only real requirement is around being a citizen of those countries. You don't have to be residing in those countries to apply. So, for example, PALM workers in Australia can apply. Only ballot winners would then be eligible to seek a job. We will have offshore assistance for them to do that. When they acquire a job, they'll need to give evidence of that and then on arrival in Australia they will basically become a permanent resident.

Senator BIRMINGHAM: So they can enter the ballot without needing to have a job offer?

Ms Heinecke: Yes, that's right.

Senator BIRMINGHAM: And they need the job offer to be able to take up the permanent residency?

Ms Heinecke: That's correct.

Senator BIRMINGHAM: Do they have to have or have undertaken a PALM placement?

Ms Heinecke: No. It's open to everybody in those countries to apply. We expect PALM workers will be an important part of the cohort that do apply. Of course many of them will have jobs already in Australia, so we expect them to be an important part of the cohort that apply. What we will do, though, after the first year of operation, is that we'll review it. We'll talk to countries, we'll have a look at the cohort of people that have come in and then we'll review it if we need to, with Pacific countries.

Senator BIRMINGHAM: In terms of greater incentive in the PALM scheme and the different options, wouldn't it have made more sense to start from the other premise: of PALM workers, past or present, being eligible, rather than those who may not have shown commitment or interest in terms of the PALM process?

Ms Heinecke: Senator, we did consider that and it has been an important part of the conversation with Pacific countries. But—as the numbers I read out before on PALM—not every country has as many PALM workers as others. So countries like Papua New Guinea have a much lower proportion of PALM workers than some of the smaller countries in the Pacific like Samoa and Tonga. The way that we'll be allocating the numbers, and there hasn't yet been a decision on that, because we're just completing the consultations, will also be based on the size of those countries. So Papua New Guinea, the largest population in the Pacific, we expect will have a large number of PEV places, but they have a relatively low number of PALM workers. One of the reasons for looking at this in a different way is that different countries have different views. But also we expect that PALM workers will be one cohort of people that do apply for it, so they will be eligible anyway. But we did consider that question.

Senator BIRMINGHAM: What's the starting premise of the Australian government in terms of the apportionment of the 3,000 places across different countries?

Mr McDonald: Senator, we're still considering that at the moment; that's not decided. So the consultation is very important on that. The countries are at different points in the scheme, as you know. And of course it'll be the countries that will decide, as well, how they opt in to the scheme. So that's underway and I wouldn't like us to predict the outcome of that just yet.

Senator Wong: There are two points I'd make. One, it is led by Pacific priorities, and different countries have different views about how they want this to proceed. So I appreciate the work people are doing on engagement. And second, just to reinforce Ms Heinecke's point in response to your question, there is some logic to the question you ask around PALM workers, but if you recall the figures that were read out previously, it would skew the scheme significantly because the denominators in each of those countries would be so different and not necessarily correlated with population. We haven't made a decision but they're some of the things that Mr Conroy will have to weigh up.

Senator BIRMINGHAM: What type of job will be required? You've said there won't be a skills requirement. Will it have to be a permanent job? What type of offer has to be made, and evidence thereof?

Ms Heinecke: These are some of the issues that we're discussing and are still subject to the final sign-off on design. But there'd be a requirement for a full-time job and, like any PR resident in Australia, they'd have full work rights—they wouldn't be linked to one employer—but they'd have to show evidence that they had a full-time contract.

Senator BIRMINGHAM: Does the PR take effect immediately upon—

Ms Heinecke: Yes, on arrival.

Senator BIRMINGHAM: Regardless of how long that job is necessarily for?

Ms Heinecke: We're still defining how long the contract would be, but we'd be looking at probably around 12 months as the period of the contract offer that is required.

Senator BIRMINGHAM: What evidence in terms of the New Zealand program did you ascertain, and have there been any independent evaluations of its success or otherwise?

Ms Heinecke: New Zealand has reviewed its program. It's been running for many years. The main lesson out of that, which we've really taken on board in implementing and designing the Pacific engagement visa, has really been around the importance of the offshore support to help the ballot winners find a job, and that the jobs that they're finding are legitimate. We've got a tender out at the moment that's helping to find a provider that can provide those offshore services to Pacific countries to assist in their finding a job. That's really the main lesson from New Zealand—and of course the one that we've talked about before, which is the importance of having this as broad based so that it doesn't contribute to skills loss in the Pacific.

Senator BIRMINGHAM: In terms of the current program, the existing Pacific Australia Labour Mobility scheme, what is the department's assessment in terms of estimates of so called absconsion or exiting from that scheme, presumably into the Australian community? And what work is being taken in terms of seeking to reduce that?

Ms Heinecke: This is something that we work closely on across government: with DEWR, of course, which has the lead on the issues in Australia, on worker issues and welfare, as well as the ABF and the home affairs department. I guess there's a number of reasons why workers abscond. We're regularly talking to Pacific countries and their community liaison officers based here to understand the drivers from their perspective, but also the pull factors. Work hours—and this is being addressed through the revised deed that will come into effect soon. There'll be new requirements in that deed. It's still to be finalised but basically that will put more compliance and

assurance around a minimum level of hours, particularly for seasonal workers. So that will be an important part of the measure. DEWR also engages in a process of re-engaging workers that have disengaged. And we work very closely with Pacific governments and their community liaison officers to provide information to workers about how they can re-engage in the program. And then the third really important part of it is the information and the work that ABF and Home Affairs do, noting that one of the big areas of increase has been around protection visas. And again, the work that the ABF can do and is doing around facilitators is a really important part of the program. Often workers don't know what they're applying for when they apply for protection visas. So we work very closely on information campaigns to workers.

Senator REYNOLDS: Good afternoon, Minister and Secretary. My questions relate to Tibet and also modern slavery and Magnitsky. It's an interesting combination but it will become clear, hopefully. My first question is in relation to a UN special rapporteur's on forced labour. I think that was released in December last year. It very clearly found that particularly in agricultural manufacturing, it is not just Uyghurs who are now in enforced labour slavery but also Tibetans. Is the Australian government aware of this? And upon resumption of trade talks with China, is this something that you intend to discuss to ensure that our supply chains from China are slavery free? It's something we've discussed before, but we're just getting some initial advice on your level of knowledge of that report.

Ms Lawson: We are of course aware of that report, deeply aware of the concerns around forced labour, and have made representations about that on numerous occasions. The specific concerns around forced labour on Tibet we're not so aware of. So we'll be pleased to hear any information that you have about that.

Senator REYNOLDS: The most recent forced labour report by the UN special rapporteur on contemporary forms of slavery—it is good to see Ms Manton, who might be able to shed more light—on pages 7 and 8 talks about forced labour amongst the Uyghur and Kazakh but also says there's increasing evidence now of widespread similar slavery in those sectors from forced labour sourced from Tibet.

Ms Lawson: Thank you, Senator. I will also reference that more broadly the human rights situation in Tibet is something that we have raised on a number of occasions with the Chinese government as well. So we do continue to raise those broad concerns.

Senator REYNOLDS: The next question then segues into rare earths. It is widely known that at various stages of the extraction through to the production of batteries and other minerals—I know the minister is very aware of this—that slavery occurs in source countries for extraction. But again there is increasing evidence that the manufacture of a lot of modern goods that rely on these batteries et cetera is subject to forced labour of various ethnic minorities in China. I know that in another committee we are starting to look at what we can do to highlight this to companies, possibly through the modern slavery legislation and reporting. But it has been raised with me that there's a specific issue now in Tibet in this area in relation to lithium mining. The information that I've been given is that obviously lithium is being mined in Tibet and, despite protests from Tibetans about the removal of Tibetans from their ancestral homelands, it is being done in a way that is causing illness and also widespread environmental destruction in Tibet, and that there may also be modern slavery, or slavery, involved in that by forced labour. It's not only with the lithium mined in Tibet. As we all know, Australian mined lithium is sent to China for processing. Again, down the supply chain there is quite likely forced labour. I'm happy to leave that on notice unless someone's got something on that in particular.

Senator Wong: Prior to the election, this was something that I engaged with Walk Free and other advocates about. It was pretty clear to me—even though obviously domestic legislation is in the Attorney-General's portfolio—that this issue kept being raised sometimes in respect to certain areas of the world but also more generally. You may or may not have clocked, Senator, that we did go to the election with a commitment in relation to strengthening the Modern Slavery Act, because it is a way of ensuring businesses and consumers can be required to give and can gain greater visibility of this as a disincentive. I'd also note that Ms Lucienne Manton, who's sitting next to me, is the person with the longest ambassadorial title in the portfolio, which includes modern slavery. People smuggling, people trafficking and modern slavery—did I get that right? To counter that, I meant—obviously countering that, not for it.

Senator REYNOLDS: Anti.

Senator Wong: Yes. She and her team put together the Bali process, which included a discussion in the morning with the business forum on modern slavery, and it might be useful for her to report on that.

Ms Manton: I am the ambassador to counter modern slavery, people smuggling and human trafficking. It's taken me a while to get that rolling off the tongue, but it's really important because it does highlight the strong commitment that Australia has to countering modern slavery both at home and abroad. And as the minister said,

on 10 February the minister hosted in Adelaide the 8th Bali Process Ministerial Conference and the 3rd Bali Process Government and Business Forum. Critically, this is a really unique forum that brings government representatives from around our region together with business representatives from around our region to talk about how we can work together on exactly these issues—that is, forced labour and other forms of modern slavery and human trafficking. Critically, the Bali Process Government and Business Forum committed to going further in terms of the work that it is going to do with government in addressing these issues—to acknowledge the problem, to act to address it and to advance the issues.

Senator REYNOLDS: That's very good to hear. By way of background, as a member of another committee I can tell you that we're waiting for the review of the Modern Slavery Act, and then quite possibly we'll initiate a parliamentary inquiry on where to next from a parliamentary perspective, and not just on the act as it currently is.

Senator Wong: This is not intended as a partisan point: the government amendments that were moved in the Senate that went to strengthen the act were not supported by the then government, so the more bipartisanship on this that can be generated, I think, would be a good thing.

Senator REYNOLDS: I was the minister at the time, taking the act through—

Senator Wong: I'm not having a—

Senator REYNOLDS: No; I know.

Senator Wong: It would be good if we could come, through the committee process, to a position across the parliament on this. The way I put it when we were asked questions by the media was that no-one wants to profit from forced labour and no-one wants to contribute to people profiting from forced labour.

Senator REYNOLDS: I totally agree. Certainly on my side of politics we might not refer to human rights as much as we do individual freedoms, but we're all talking about the same thing and the same outcome for individuals.

Senator Wong: Sure.

Senator REYNOLDS: We are looking to do that, and I am confident it will actually be multipartisan—

Senator Wong: That would be good.

Senator REYNOLDS: and particularly in relation to questions I've asked previously here and also to mining officials in estimates, like: how do we raise the issue of dirty supply chains where there is slavery and put a value on it for our own producers, by raising human rights abuses elsewhere? Anyway, thank you very much for that.

I just want to raise another couple of quick issues, but I could get them on notice. The first one is that the UN has now reported on the removal of nearly a million Tibetan children, forcibly removed into boarding houses, into congregate care, into—I think the most kind way of putting it is—complete re-education, cutting them off from their family ties and traditions. Others might more uncharitably call it ethnic cleansing. Could you take on notice what you know about this already and what more we can do? It is not just a human rights violation. The Americans have just called out the Russians for the removal of 6,000 Ukrainian children, saying it is a war crime, but this, I think, is clearly against the protocol on the rights of the child as well.

Ms Lawson: We are aware of the report by the UN experts from November and again in February regarding the separation of children from their families in large-scale boarding houses. They are deeply disturbing. We do take them seriously. We have raised our concerns about human rights in Tibet many times. As I say, on 9 February this year the foreign minister raised concerns with Foreign Minister Wang Yi about Tibet as well, and we were one of 47 countries to join a statement on human rights in China at the UN Human Rights Council which also included a reference to Tibet—so the broad concerns about Tibet—and we take the specific circumstance you mentioned very seriously.

Senator REYNOLDS: That's great. Will you use the 52nd Human Rights Council meeting to raise this particular issue? I haven't got the date of when it is, but it is the 52nd session of the UNHCR.

Ms Lawson: We don't have specifics on what to raise at this time.

Senator REYNOLDS: Please take on notice what you're going to do. Chair, with your indulgence, can I put one question on notice?

Senator Wong: Sorry; I just would say that I think, under both parties of government, Australia has been consistent in the UN context on this issue.

Senator REYNOLDS: Thank you. That would be helpful. It would be good to put it on the record.

The other one is in relation to the third issue, Magnitsky sanctions. My understanding is that the US, in December, issued Magnitsky sanctions on two Chinese officials specifically for human rights abuses in Tibet. I

can provide more information, but you should have information on that. On notice, is the Australian government looking to do something similar now?

CHAIR: Thank you, Senator Reynolds.

Proceedings suspended from 16:05 to 16:25

CHAIR: Good afternoon, everyone. I'll hand the call over to Simon Birmingham but, before I do that, I understand, Secretary, you had something you wanted to update the committee on?

Ms Adams: Thank you.

Ms Chan: Senator Steele-John asked if there were any ASEAN meetings taking place in Australia this year. Although not technically an ASEAN meeting, for the sake of accuracy I just want to advise that Australia will co-chair, with the Philippines, the second ASEAN Regional Forum Workshop on Nuclear Risk Reduction in Brisbane on 22-23 March. It was endorsed by ARF ministers at their ministerial meeting in August last year. The decision to co-chair and host the meeting is consistent with our ambitious non-proliferation and disarmament agenda and efforts to contribute towards the peace and stability of our region.

CHAIR: Thank you.

Mr Walter: Again on questions from Senator Steele-John, about Syrian sanctions: I just want to clarify that in my answer we've had no formal requests for a permit under the autonomous sanctions regime at this point. I also failed to mention, in talking about UN Security Council sanctions, that there is resolution 2664, which was passed on 9 December last year. That's a general humanitarian exemption for all UN security programs. I did mention the Afghanistan program; there's a specific one on that, but there's also a general one which was passed in December last year.

CHAIR: Excellent.

Senator Wong: You're so careful, Chair!

CHAIR: Excellent. Thank you. Any others? No. Senator Birmingham.

Senator BIRMINGHAM: The end of next week will mark the first anniversary of Russia's attempted full-scale invasion into Ukraine. What action is the government intending to take around the time of that anniversary?

Senator Wong: I met with the ambassador two days ago, I think—Tuesday? I indicated to him that, along with other like-minded nations, we will be making sure the anniversary is appropriately marked. I'm not sure what more I can say ahead of that, but maybe Mr Cannan or Ms Chan can assist.

Mr Cannan: There is an expectation that a range of countries will make various announcements relating to the first anniversary of the invasion of Ukraine. As I think the minister touched on, we wouldn't be in a position to announce here today measures that we might take—noting that measures in relation to sanctions and the importance of not announcing them prior to them taking effect was the subject of discussion earlier in the hearings.

Senator BIRMINGHAM: Well, in part you touched on that. I would anticipate some strong coordinated statements to be made at the time of such an anniversary, as is consistent. I wanted to at least explore the Ukrainian assistance side. You have also, rightly, touched on the other side, and I wanted to explore there—at least that there is the potential for consideration in terms of further sanctions or actions to be taken against Russia and relevant individuals in that regard. I would encourage the government to do so.

Much attention has been paid since the government was elected, in different iterations, to building on the military support to Ukraine. I don't think there has been any addition to the initial packages of humanitarian assistance that were provided under the previous government in the early stages of the full-scale invasion; is that correct?

Mr Cannan: That would be correct.

Senator BIRMINGHAM: Are there any requests from Ukraine that have been made in any particular areas of humanitarian assistance in addition to any of those foreshadowed around military assistance?

Mr Cannan: We have a range of discussions with the Ukrainian government—you're aware of the Ukrainian 10-point peace plan—and we are continuing to look at ways in which we can support the people of Ukraine. There's a substantial contribution that we've made in terms of military, economic and humanitarian assistance, and we'll consider all requests that are made by the government of Ukraine.

Senator BIRMINGHAM: The coalition will, of course, provide bipartisan support and welcome all assistance, but we do note the importance of that humanitarian assistance in addition to the ongoing military assistance.

You provided a helpful table in your answer to question on notice 149, outlining the various commitments of both coalition and Labor governments and the status in relation to those. One of those which is particularly germane, having come through and still being in the winter period, was the provision of thermal coal to support energy security needs. As of 21 November, it indicated that some 59,000 of 79,000 tonnes had been delivered; is there an update to that figure?

Mr Cannan: The figure of 79,000 tonnes is the figure.

Senator BIRMINGHAM: But as of 21 November only 59,000 tonnes had been delivered.

Mr Cannan: Sorry, I understand your question now. I don't know; it's a question that would need to be directed to DISR.

Senator BIRMINGHAM: They're managing all aspects of that component, are they?

Mr Cannan: Yes.

Senator BIRMINGHAM: Has Australia been asked for any particular support in relation to reconstruction efforts in some of the hardest-hit cities?

Mr Cannan: As I mentioned, there have been a range of discussions with the embassy of Ukraine and we've attended various international meetings. In terms of specific requests relating to specific regions, I'll take that on notice, if I may?

Senator BIRMINGHAM: I understand that in January Australia was asked to support a Ukrainian grain export program; is that correct?

Mr Cannan: I'll have to take that on notice.

Senator BIRMINGHAM: Could you, as well as those requests for support around reconstruction and the grain program et cetera, also provide any information in terms of actions that have been taken? I'm sure they'll be updated. The grain export program was a media story at the time, so it has been publicly speculated on.

I'll move to the issues surrounding Armenia and Azerbaijan, particularly the Lachin corridor. What is the Australian government's understanding of the blockade in the Lachin corridor?

Mr Cannan: I can tell you that the Australian government has been concerned more broadly about the longstanding conflict in the Nagorno-Karabakh region. We're monitoring the situation around the Lachin corridor. We've supported the position of the UN Secretary-General and his call on both sides to de-escalate tensions and ensure freedom and security of movement along the corridor, in line with the previously reached trilateral agreements involving Azerbaijan, Armenia and Russia.

Senator BIRMINGHAM: What are the consequences that Australia understands in terms of current blockade, or otherwise, in the Lachin corridor, particularly noting Amnesty International has raised concerns about it potentially cutting gas supplies to, potentially, 120,000 people during winter?

Mr Cannan: I'm probably not in a position to give detailed commentary around the consequences, but we are concerned about the potential humanitarian consequences—the humanitarian impact of restrictions on transportation of essential supplies to the Nagorno-Karabakh region. That's why we've expressed the concerns that we have—including directly to the government of Azerbaijan.

Senator BIRMINGHAM: You have pre-empted my next question, Mr Cannan. So the government has made representations to the government of Azerbaijan about the blockade?

Mr Cannan: Yes, we have, Senator. We've made direct representations through Australia's embassy in Ankara, which has non-resident accreditation to Azerbaijan.

Senator BIRMINGHAM: Has there been any response to those representations?

Mr Cannan: The representations were made towards the end of January. I do know that they occurred, and we, obviously, provided inputs to the ambassador in doing so. I haven't yet got a detailed report. As you would appreciate, our embassy in Ankara, at the moment, has had some other preoccupations, but certainly I am aware that those representations have taken place.

Senator BIRMINGHAM: What have those representations asked for or called for?

Mr Cannan: What those representations did were to outline our concern, as I mentioned, about the potential humanitarian impact of the restrictions of the transportation of essential supplies to the Nagorno-Karabakh region; to note the UN Security Council's discussion on the issue, which took place, I believe, on 20 December; and to outline our support for the position of the UN Secretary-General that both sides should de-escalate tensions and ensure freedom and security of movement along the corridor, in line with previously reached agreements.

Senator BIRMINGHAM: Countries such as France, Canada and the United States have made public statements calling on the government of Azerbaijan to restore free movement through the corridor. Has Australia issued any such public statements?

Mr Cannan: In relation to the specific issue of the Lachin corridor, no, we haven't made a public statement. We made the judgement that direct representations to the relevant governments was an appropriate way to go. Having said that, the Australian government, through our non-resident ambassadors to both countries in question, has made social media statements in the past. That related to violence along the border, back in September. It's not always the case that we'll make a public statement. In this case, we chose direct representations to the governments concerned. I would note that France, the EU, Russia and the United States are some of the countries that are involved in working with both countries to find a pathway towards a peaceful resolution of their conflict.

Senator BIRMINGHAM: Is there any particular explanation you can provide as to why Australia has not joined others in making a public statement on this occasion?

Senator Wong: You may have been distracted, but I think Mr Cannan explained that in his previous answer. I'm happy to have a look at that and get advice on it.

Senator BIRMINGHAM: Thank you, Minister. Has Australia considered any other actions, including in partnership with other nations, such as the provision of any humanitarian assistance to those in the affected region or the like?

Mr Cannan: That's not something we've given consideration to, in recent times, that I'm aware of.

Senator BIRMINGHAM: Have you received any request to do so?

Mr Cannan: Not that I am aware of. I will make sure that I check with colleagues to make sure I'm being completely accurate, but I'm not aware of a request for humanitarian support.

Senator BIRMINGHAM: In the last estimates, and then in some questions on notice, we pursued status in relation to some of the formerly locally engaged employees from Afghanistan. Question on notice 214 indicated there were 11 DFAT certified LEEs seeking to come to Australia and that four had been granted an Australian visa and were yet to travel. Is there any update to the status of those 11 LEEs identified in QON 214?

Mr Maclachlan: Yes, there is. Since the last estimates two LEEs have arrived in Australia with their families, leaving nine still to come to Australia. We have three LEEs who've been granted visas and are yet to travel from Pakistan. That's two family groups and Iran for one family group. We have another six DFAT LEEs who continue to undergo visa processing and assessment by Home Affairs. Three of those are located in Afghanistan, two in Pakistan and one in Turkiye.

Senator BIRMINGHAM: Thank you for that update. The case of a number of Australian embassy guards was raised in media articles. Is DFAT aware of those cases that were raised and the status of any of those? These were, I think, media articles in the *Daily Telegraph* in January.

Mr Maclachlan: I don't have the article in front of me to speak specifically on the cases. What I can say is that, as you know, the certification instrument explicitly excludes security guards. Nevertheless, the foreign minister has written to Minister Giles noting that the security guards have an association with Australia and should be given consideration under the humanitarian program. If I'm not mistaken, Mr Giles has replied indicating that he agrees. In fact, he has. On 8 November he replied, agreeing that the Department of Home Affairs would manage the cohort of Afghan nationals ineligible for the LEE program, which includes private security guards, on a case-by-case basis, together with DFAT, to progress their visa applications.

Senator Wong: There's a broader issue about the suitability of the existing instrument to deal with the modern world and arrangements, which I think we've had a discussion about previously.

Senator BIRMINGHAM: Contractor types circumstances, and the like, that go beyond traditional LEEs.

Senator Wong: Correct. On the Senate committee's recommendation, we have commissioned an independent inquiry, which is being led by Dr Vivienne Thom, the former Inspector-General of Intelligence and Security, inter alia.

Senator BIRMINGHAM: Thank you. I appreciate that these are matters where, ultimately, Home Affairs is the lead. What process is established between Home Affairs and DFAT, in terms of DFAT both keeping abreast of the status of these cases and also providing, in as timely a manner as possible, any information that would enable Home Affairs to ensure the prompt processing of applications and the like?

Mr Maclachlan: I'll outline what I have of my view, but I might ask Mr Walter to supplement where required. Details of certified individuals, or even those who have failed to be certified, are passed to Home Affairs. Home Affairs will engage with these people to advise them of the process for applying for a humanitarian visa. Of

course, certification is not a guarantee of the visa. The visa is the next step that needs to be undertaken in order to enter Australia. There's regular dialogue, if I'm not mistaken. Mr Walter?

Mr Walter: There are almost daily discussions with Home Affairs. Two teams work very closely together on these matters, and, yes, we pass information back and forth where it's going to assist applicants.

Senator BIRMINGHAM: In media reports on 5 February, the *Daily Telegraph* raised the issue of a number of Afghan agricultural experts funded under AusAID programs to work on a replacement of opium crops with wheat, grain et cetera who had been working closely. Unsurprisingly, they too have not met definitions around LEEs. Has DFAT had any engagement in their cases or similar?

Mr Walter: Yes, we are aware of these matters. I'd prefer, given the small number involved, not to talk about them in an open forum—there are privacy and, more importantly, security concerns.

Senator BIRMINGHAM: Okay.

Senator WHITE: There was some discussion this morning about the status of settlements under international law. Can you confirm that UN Security Council Resolution 2334 states as follows:

... the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law ...

Mr McCarthy: Yes, I can confirm that.

Senator WHITE: Can you confirm that the position reflected in that resolution constitutes international law, for those of us who are not international lawyers?

Mr McCarthy: The United Nations Security Council exercises—if you like—the executive authority of the United Nations and, as such, security council resolutions are legally binding.

Senator WHITE: In his address to the Sydney Institute on 15 December 2018, former Prime Minister Morrison said:

Now, Australia is subject to UN Security Council resolutions that apply to the Jerusalem issue, including Resolutions 478 and 2334.

I don't want to take you to that particular point, but given what the former prime minister said, what does that mean in terms of Australia's position in relation to settlements?

Mr McCarthy: I think it would be best to start by referring to other operative paragraphs in the resolution in terms of our position and what is legally binding. Operative paragraph 2 of UNSC 2334 says that, given the illegality of settlements, Israel needs to 'cease all settlement activities'. In addition to that, operative paragraph 11 reaffirms the council's 'determination to examine practical ways and means to secure the full implementation of its relevant resolutions'. That's the defining position of international law.

Senator WHITE: Do you want to explain that in terms other than those direct quotes for those watching at home who aren't lawyers? I'm sure are heaps of them!

Mr McCarthy: It is late in the afternoon. The Security Council, which exercises the legal authority of the United Nations, has declared that the settlements in the occupied territories are illegal and has called on Israel to therefore comply with its international legal obligations, along with other member states of the United Nations.

Senator WHITE: I understand that, thank you.

Senator CHANDLER: I have a couple of questions about the minister's comments on the Confucius Institute. On 14 February this year, *The Australian* reported:

Foreign Minister Penny Wong has put Chinese government-run Confucius Institutes on notice that their activities are being closely monitored, and has also warned Australian universities against any new partnerships with the centrally-run organisation that supports Beijing's global propaganda strategy.

Minister, can you tell us why the government is monitoring Chinese government-run Confucius institutes?

Senator Wong: I might first ask officials to go to the foreign arrangements framework.

Mr Walter: There have been 56 Confucius Institute or Confucius classroom arrangements that have been notified under the Foreign Arrangements Scheme, and that's why we were turning our minds to Confucius institutes and whether any action needed to be taken in relation to that scheme. It was in that context that we were paying attention particularly to Confucius institutes.

Senator CHANDLER: What does 'paying attention' constitute?

Mr Walter: Sorry. What we do with all arrangements that are registered under the Foreign Arrangements Scheme is we do an analysis to see whether they're in scope and, if they are in scope, we look at whether there are foreign policy issues that arise in relation to them. Then, if we think there is, we provide advice to the minister on

any risk mitigations that might occur, including ultimately whether any arrangements would be cancelled or modified under that scheme.

What we assessed in relation to Confucius institutes is that the risks associated with those institutes are manageable within our existing resilience frameworks, which includes the Foreign Arrangements Scheme. For a little bit of further information, we do regular engagement with the universities through, for example, the University Foreign Interference Taskforce, of which DFAT is now a member, but also through regular outreach with a range of universities to discuss broad foreign policy risks as well as risks around particular arrangements.

Senator CHANDLER: What risks are the government concerned about in relation to Confucius institutes?

Ms Lawson: In the course of the analysis of the arrangements there are a range of consultations with a range of agencies. Those consultations are intended to assess any risks and to seek assurance that those risks can be mitigated against or do not apply, so the decisions that have been made factor in the advice from those agencies and the decision conveys a sense of satisfaction there are mitigations in place against any risks which might exist.

Senator CHANDLER: That's explained the government is satisfied that the risks are mitigated, and I'll get to that in a second, but what are the risks?

Ms Lawson: The kinds of risks that have been aired around the Confucius institutes relate to the potential for connections with our education system, but the minister is satisfied that those risks have been mitigated against.

Senator CHANDLER: Given the minister has been satisfied that those risks have been mitigated against, and I think, Mr Walter, you used the phrase that those risks were manageable within existing frameworks, I refer you back to the second part of that report from The Oz, that the minister:

has also warned Australian universities against any new partnerships with the centrally-run organisation that supports Beijing's global propaganda strategy.

Can you explain to me how, on the one hand, we are satisfied that the risks associated with existing Confucius institutes are being managed but, on the other hand, we're warning universities not to enter into further agreements along such lines?

Senator Wong: I suggest you talk to Senator Paterson about this.

Senator CHANDLER: Okay. We know that many of our international friends and allies, including the US, the UK, Japan, Finland and Norway to name a few, are phasing out Confucius institutes. Has the government had any engagement with our international counterparts on Confucius institutes?

Ms Lawson: We engage with our counterparts on the full range of issues and concerns, and that would include Confucius institutes.

Senator CHANDLER: Minister, I'll ask a question, and I suspect I know how you will answer: on what grounds would you exercise the powers available to you under the foreign relations act to cancel such arrangements with Confucius institutes?

Senator Wong: Certainly, in relation to those sorts of ministerial discretions, I wouldn't be flagging, ahead of time, the sorts of points you would go to. I'd say, in relation to this, I note there was a PJCIS report—

Senator CHANDLER: Yes.

Senator Wong: which we considered. The advice provided to me was as Mr Walter outlined. Obviously, we will keep the arrangements under review. The government's expectation is that Australian universities will not establish new institutes, and I understand this has been communicated to the sector.

Senator CHANDLER: I'm glad you mention that PJCIS report, because my understanding is that the government has handed down its response, which noted that the committee recommended using those veto powers—

Senator Wong: And we have ensured engagement with the committee about the report, and I regret that your colleagues have not engaged with you about that.

Senator CHANDLER: Yes. I guess what I'm just trying to tease out here is that there wasn't a signal in that response around prohibiting new Confucius institutes being established, but that's not consistent with the reporting in the media, so—

Senator Wong: I just indicated the government's expectation.

Senator CHANDLER: I think that covers me off on those questions. I will certainly, as you've suggested, Minister, have a chat to my colleagues about that. Thank you.

CHAIR: Thanks, deputy chair. Senator Birmingham.

Senator BIRMINGHAM: I might move to consular for a bit. I appreciate the consular brief in advance of this meeting. Can I start by offering congratulations and acknowledgement to officials, and all of those who were involved, in helping to secure the release of Professor Turnell since the last estimates. Obviously, that was a very important and pleasing outcome. It was a pleasure for me, as I know it has been for many people, to engage with Professor Turnell and his wife since, and to be so impressed by the sense of gratitude but also of humility, compassion and thoughtfulness that he continues to show, and, of course, his care for the people of Myanmar. I place that on record. With that, can the department provide any advice in relation to reports that Myanmar has overturned the amnesty under which Professor Turnell was released, and the accuracy and status of those reports?

Mr Gerard: Yes. I can confirm that Myanmar authorities have annulled Professor Turnell's amnesty. They did that in December last year, which is a deeply concerning development. At the same time, they issued a subpoena for him to appear in a Myanmar court.

Senator BIRMINGHAM: What is the Australian government's understanding of the implications of those actions by the government in Myanmar?

Mr Gerard: As I think I've said before, the Australian government has never accepted the basis for Professor Turnell's detention nor the charges that led to his conviction and sentencing. It's particularly concerning now, Senator, that he's been asked to answer to an undefined offence following his release from detention. We are continuing to provide assistance to Professor Turnell.

Senator BIRMINGHAM: Thank you. Does this action potentially put Professor Turnell at risk in third countries, noting that, overwhelmingly, most do not recognise the military regime?

Mr Gerard: Due to our ongoing support for Professor Turnell, it's difficult to expand on this due to privacy considerations. But we certainly consider Professor Turnell to be a free citizen, and we're working hard with him to support him on this so that he can travel overseas should he wish to.

Senator BIRMINGHAM: To make sure that he can enjoy the same freedoms as anybody else, as he is entitled to. Obviously, the circumstances that Professor Turnell endured during his 650 days in prison were significant and challenging. Is the department continuing to liaise with him beyond those issues that we were just discussing in terms of his wellbeing, welfare and support that it may be providing in that regard?

Mr Gerard: Yes, Senator. We continue to engage with Professor Turnell and his family—as recently as earlier this month.

Senator BIRMINGHAM: Thank you. Can I ask about status and progress in relation to access to and the cases of Cheng Lei and Dr Yang?

Mr Gerard: We continue to provide consular assistance to Cheng Lei and her family. We have done so for more than two and a half years, since she was first detained in August 2020. It has been more than 10 months since she was subject to a closed trial and she's still waiting to learn the outcome. We continue to advocate for her rights, welfare and interests at every opportunity and at various levels of the Australian government and we continue to call for basic standards of justice, transparency, procedural fairness and humane treatment in accordance with international norms.

Senator BIRMINGHAM: Has Cheng Lei's case progressed at all, or does it face further deferrals?

Mr Gerard: In January we were informed that the latest deadline for a verdict in her case had been extended by three months to 19 April of this year.

Senator BIRMINGHAM: How many deferrals has that now constituted?

Mr Gerard: This is the fourth time that a verdict has been deferred. Under Chinese law, the verdict deadline can be extended indefinitely with approval from the Chinese Supreme People's Court.

Senator BIRMINGHAM: Is there any greater clarity in terms of the charges that Cheng Lei is facing?

Mr Gerard: No, none that has been provided to us.

Senator BIRMINGHAM: What is the status of consular access?

Mr Gerard: Our embassy in Beijing was able to visit Ms Cheng in January for the first time since September, after visits in the last quarter of last year were deferred on the basis of COVID-19 restrictions.

Senator BIRMINGHAM: Can we step through similar matters in relation to Dr Yang?

Mr Gerard: We continue to provide consular assistance to Dr Yang. We have for more than four years, since he was detained on 19 January 2019. His verdict has also been delayed multiple times at three-monthly intervals. He faced a closed trial on 27 May 2021 and is yet to learn the outcome. These ongoing delays are troubling for the Australian government and we continue to advocate for Dr Yang at every opportunity.

Senator BIRMINGHAM: Thank you. And the current latest deadline for consideration of Dr Yang's case?

Mr Gerard: For Dr Yang, the latest deadline was extended until 9 April.

Senator BIRMINGHAM: And the status of consular visits and access for Dr Yang?

Mr Gerard: We were able to visit Dr Yang on 13 January.

Senator BIRMINGHAM: Are further visits expected?

Mr Gerard: Yes; it is our expectation that we, under the bilateral consular agreement, will be able to visit our consular clients on a monthly basis. We expect to visit Dr Yang over the course of February.

Senator BIRMINGHAM: Has the easing of COVID restrictions in China changed the nature of consular access in these cases?

Mr Gerard: I think those visits were deferred, as was the explanation provided to us, because of COVID-19 regulations. They have enabled consular visits to resume. However, for Dr Yang, they're undertaken virtually, from the facility in which he is held.

Senator BIRMINGHAM: Thank you. Minister, in relation to advocacy on these cases and your efforts and any reactions from your visit to China late last year—I think the most recent ministerial level engagement would have been between the trade ministers on 6 February.

Senator Wong: I can say to you that Ms Cheng Lei's case was raised with President Xi by the Prime Minister at the G20 on 15 November. I have raised Ms Cheng Lei's case most recently in the bilateral meeting on 21 December in Beijing. I was just checking whether or it was raised in the phone call on 8 November.

Ms Adams: Yes.

Senator Wong: I'm told it was—and, prior to that, at the two meetings I held with the state councillor, the first being at the margins of the G20 Foreign Ministers Meeting in Bali, shortly after the election, and then again at the UN General Assembly, at the bilateral meeting then. That's in addition to the representations made by the trade minister, by the DFAT secretary to the Chinese ambassador and at other levels within the government but within the Department of Foreign Affairs and Trade. Did you want me to do Dr Yang as well?

Senator BIRMINGHAM: If you could, please.

Senator Wong: The architecture would be similar. Basically, because these two cases are such a priority for us, I ensure and the Prime Minister ensures they are raised in our bilateral engagements with counterparts.

Senator BIRMINGHAM: For clarity: you mentioned the trade minister. Did Minister Farrell raise these cases and Australia's position in his discussions most recently on 6 February?

Senator Wong: I understand from officials that that is the case.

Senator BIRMINGHAM: From most recent engagements, Minister, be they yours or Minister Farrell's, have any advances or changes been made in terms of China's response to advocacy on behalf of these Australians?

Ms Lawson: We can see from the briefing by our consular colleagues that they are still detained. We will continue to make representations on their behalf. I don't think there's very much more I can say. Our priority has to be the welfare of the individuals involved, so it wouldn't be appropriate to say any more.

Senator Wong: We are deeply troubled by the ongoing delays in both cases. We have made representations in relation to procedural fairness, standards of justice, consular visits and so forth. We will continue to advocate for both Ms Cheng Lei and Dr Yang to be reunited with their families as soon as possible.

Senator BIRMINGHAM: Thank you, Minister. I know that the opposition—indeed, all parliamentarians and, I'm sure, all Australians—continue to hold them in their thoughts and wish the government every success in terms of its advocacy and securing outcomes. We acknowledge the work of officials to do so and to handle it sensitively where necessary.

Can I ask about a case that has attracted some media attention in recent times: Ms Nelson's arrest in Japan and any status in relation to engagement at a consular level with Ms Nelson and her situation.

Mr Gerard: I can confirm that the consular officials from our embassy in Tokyo are providing assistance to Ms Nelson. She was detained in Japan on 4 January. Those consular officials are very focused on ensuring her welfare and have been able to visit her on five occasions since her detention.

Senator BIRMINGHAM: What is the legal status of her detention, so as far as you know or are able to publicly indicate?

Mr Gerard: It is difficult both for privacy considerations and the wishes of the client in this case, along with the fact that this is an ongoing police investigation, to comment in detail about charges.

Senator BIRMINGHAM: In terms of consular access, you've indicated the five occasions there. Is she able to have other visits at all?

Mr Gerard: Consistent with Japanese legal practice, visitor access and communications are restricted during the investigative phase of serious offences. This is standard practice in Japan and applies to Ms Nelson but also applies to others in similar circumstances. That doesn't restrict the consular visits we are able to undertake. Ms Nelson also has access to her lawyers.

Senator BIRMINGHAM: Thank you. Is there any progress or status that can be discussed in terms of ongoing advocacy of Mr Chau Kham in Vietnam and efforts in relation to his condition, given his age, and support for him?

Mr Gerard: We continue to provide consular assistance to Mr Kham and his family here in Australia. We've now been able to visit him on 23 occasions. Our last visit with Mr Kham was on 5 January this year. We continue to advocate for his welfare with the government of Vietnam, who are aware of our interest in this case.

Senator BIRMINGHAM: Does that case also attract ministerial advocacy with the government of Vietnam?

Senator Wong: Yes. This case has been raised in meetings at foreign minister level, Deputy Prime Minister level, assistant foreign minister level, assistant minister for trade level—so a number of ministerial level representations, including in the context of my bilateral visit to Vietnam.

Senator BIRMINGHAM: Thank you. In terms of Mr Pether and his detention in Iraq—again, a case that has been going on for some time—can anything be provided in terms of an update to the committee about efforts to secure his release or return to Australia?

Mr Gerard: We continue to advocate for Mr Pether at all levels, as we have done since he was first detained on 7 April 2021. We continue to advocate on his behalf, both for his rights and his welfare. His case is raised at the highest levels of the government with the government of Iraq. There have been over 134 representations made on his case since he was first detained. I have been able to visit him on 60 separate occasions.

Senator BIRMINGHAM: And you have covered off in terms of ministerial advocacy there, in terms of the answer. I won't give a name in this case, because it's not in the public domain. I can provide more details if you're not aware of details. It is the minister or the department aware of a case of an Australian allegedly being forcibly removed from Australia, allegedly under a false passport, to undergo gay conversion therapy in Somalia? If so, has the department been in a position to take any action to assist this individual?

Mr Gerard: I can confirm that the department is providing consular assistance to an Australian in Somalia. The Australian High Commission in Nairobi continues to support that Australian and monitor his welfare.

Senator BIRMINGHAM: I won't seek anything further on public record in the interests of privacy and other matters there. In relation to Indonesia's changes to the criminal code, there's been some reporting about potential impact of that for Australians potentially resident in Indonesia or visiting Indonesia, including, of course, Bali. Has the government sought information from Indonesia about the new code and the potential impact on Australians, the timing for its implementation?

Mr Gerard: Yes. The Australian government does continue to advocate at senior levels in Indonesia for the five remaining Australian members of the group known as—

Senator BIRMINGHAM: I probably should have asked about that, Mr Gerard!

Ms Adams: It's a different question.

Senator BIRMINGHAM: This is about the changes to the criminal code. If you want to conclude the answer in relation to the five individual members, I'm happy for you to do so. That will truncate—

Mr Gerard: Certainly we continue to advocate at senior levels for those Australians I've just outlined. We continue to provide extensive support to them and their families, and we have for many years now. We do hold concerns for these Australians because of the lengthy prison sentences that they are serving in Indonesia.

Mr Jadwat: In relation to the criminal code, we understand these revisions will not come into force for three years. We're awaiting further clarity from Indonesia on how the revisions will be interpreted as implementing regulations are being drafted and finalised at the moment. We have sought clarification and we are waiting to get further clarity from Indonesian authorities.

Senator BIRMINGHAM: Has Australia raised any concerns about the contents of some of those changes or how they may be interpreted in the criminal code, and those regulations?

Mr Jadwat: We've sought clarification, but I don't have any further detail on the content of those discussions.

Senator BIRMINGHAM: Ms Adams or Ms Chan or Minister, are you aware of any broader discussion or advocacy around the nature of those changes and any Australian concerns being expressed?

Ms Chan: My understanding is we have raised issues around the criminal code, but I don't have the detail.

Senator Wong: I think our Indonesian friends understand our views about some of the issues that have been reported, but as the officials have said, we obviously want to understand with a little more precision what is, as opposed to what's being reported, about what the Indonesian parliament and government intends to be implemented. As I understand, according to Mr Jadwat's evidence, I've previously been advised that we don't anticipate this being applicable for two or three years—three years, I'm told. We have obviously an opportunity prior to that to perhaps get more clarity and put a view, which I'm sure would be a view consistent with the opposition's.

Senator BIRMINGHAM: Thank you, Minister. Has the department felt it necessary to provide any change or update to travel advice, even perhaps to provide the clarity that foreshadowed changes do not take effect for another couple of years?

Ms Logan: Yes. We have a short factual reference in the travel advice for Indonesia, noting that the revisions will not come into force for three years.

Senator BIRMINGHAM: Thank you. I believe Senator Fawcett has questions about more systemic handling of consular issues and some of the work of Kylie Moore-Gilbert, which I am happy for him to ask instead of me, if that suits the committee.

Senator FAWCETT: Secretary, I'm aware we have discussed this in other forums, but here at estimates, given that in the PBS there is no money allocated to working with international partners such as Canada around addressing the use of hostage diplomacy by some nations, I think it would be useful to get on the public record what the government is doing in that regard, both directly from DFAT at a government level and with international partners such as Canada with their initiative. If you could address that as a starting point, I have a few other questions.

Ms Adams: Yes, this is a policy area that we are working on. I will invite Ms Logan to give some more information.

Ms Logan: Australia has taken the strong view that arbitrary detention is contrary to international law and that our policy framework to deter the practice of arbitrary detention should be as robust as possible. With that in mind, we work with partner governments around the world and in multilateral forums such as the Human Rights Council and the United Nations to condemn the practice. Indeed, we were one of the first countries to endorse the Canadian led initiative on arbitrary detention for diplomatic leverage. There are now 70 endorsers of that initiative. Australia was active in the Indo-Pacific region in building support for it.

Another very practical tool on arbitrary detention that Australia employs is through our travel advice, where we explicitly warn Australians of the risks of arbitrary detention in several countries and we say do not travel to those countries for reasons that they may be arbitrarily detained. It's something that Australia has been quite active on, and we're looking forward to continuing to cooperate with Canada and other like minded on this multilateral initiative that they've launched.

Senator FAWCETT: The warnings do not travel et cetera are useful to try to prevent, but where it does occur what are we looking to do, either as part of the Canadian initiative or unilaterally, to provide some sanction or consequence for nations who do choose to use hostage diplomacy involving Australian citizens?

Ms Logan: Senator, our travel advice warnings are often joined up with likeminded countries overseas. I don't have with me exactly which countries have used similar language, but we tend benchmark against other countries so it is a consistent approach. In terms of balancing consequences of the practice with the welfare of Australians who are in situations overseas, I can say from the consular perspective that my division's focus is very much on the welfare of Australians. There are other policy considerations that come into play, obviously, but it's a broad question for government about how we're going to manage those situations.

Senator FAWCETT: Probably one of our most high-profile individuals who has been subject to this is Dr Moore-Gilbert. I understand, Minister, from a question on notice that you did have a meeting with her in October last year. Is that correct?

Senator Wong: Sorry, I didn't hear—Dr Moore-Gilbert?

Senator FAWCETT: Yes.

Senator Wong: Yes, I did.

Senator FAWCETT: Have there been any subsequent meetings with Dr Moore-Gilbert and, particularly, engagement with some of her concepts around how we deal with the perpetrators and also how we support families and those subjected to arbitrary detention?

Senator Wong: I think one of the outcomes of that meeting was engagement with the department. Ms Logan is probably best placed to talk about the progress of that.

Ms Logan: Thanks, Minister. Yes, I have had a long conversation with Dr Moore-Gilbert and several exchanges subsequently about how we can do better to support families of detainees and, indeed, detainees themselves when they are released and they come back to Australia. She has made some very constructive suggestions about how we can strengthen our approach to some of that support. Indeed, one of the initiatives that we're going to take forward shortly is a mechanism convened by the department to take advice from external stakeholders, family members and people who have constructive experiences and suggestions to share with us about things that matter to them when their loved one is detained. Senator Birmingham mentioned Professor Turnell; he has also had some really pertinent suggestions on some of these issues that we're taking forward.

Senator FAWCETT: So other than this initiative—I'll call it a round table, or perhaps a forum, whatever label you wish to put on it—are you able to articulate any other changes to your extant processes that have arisen from Dr Moore-Gilbert's experience and her feedback?

Ms Logan: Yes, I can, Senator. Another point that Dr Moore-Gilbert made to us was around the importance of using all the levers at the government's disposal to try to resolve these very complex and often protracted cases. She has also called for greater coordination across government. With that in mind, we're also proposing to establish what we call a complex case committee that will bring together senior decision-makers across government to apply a more strategic lens, if you like, to assure ourselves that we are working every avenue to try and make progress on these very difficult cases. I would say it's been a very fruitful engagement, actually, that we've had with her, and we're keen to keep talking to her. We've been listening carefully and there are a lot of good ideas in there that we are now activating.

Senator Wong: It's consistent, too, with the approach we took with Professor Turnell, for example, where there were multiple sources of advice and multiple ways in which we tried to deal with that particular case. Obviously, on that occasion we had good results but that's not always the case. I'm grateful for the work that this team has done—and grateful for Dr Moore-Gilbert's contribution—in thinking through how we might better meet the challenge of a much more complex caseload on this front.

Senator FAWCETT: I want to ask a question in relation to the approach to dealing with contributors? I'm aware that the department, a bit like members of the parliament, would receive communications from a broad range of people, and you can't possibly respond in detail to every one, but are you making sure that there is feedback to key stakeholders—and I would argue that people like Professor Turnell and Dr Moore-Gilbert, having lived this experience, are key stakeholders—on what you are doing in response to their suggestions or to information they provide?

Ms Logan: Yes, we are. It's a good question. We want to involve both of them in our ongoing work on this issue. As we refine our approach going forward, I think they will be useful stakeholders to keep talking to. So that's our plan.

Senator FAWCETT: I'm aware that Dr Moore-Gilbert has been working with a United Kingdom based charity called Redress, who have identified particular individuals who were involved in the arrest and sentencing that she went under in her imprisonment and put them forward for consideration for Magnitsky-style sanctions. Has the department received that submission from her?

Ms Logan: I will defer to my sanctions colleagues or my Middle East colleagues on that. I'm not aware of that.

Mr Maclachlan: I don't believe we have, but we would be happy to receive any information of that sort of nature.

Senator FAWCETT: Would you take on notice to check—because my understanding is that the department has—to confirm that? Minister, has your office received that submission from Dr Moore-Gilbert about the Redress list of specific individuals who were involved in her case?

Senator Wong: I will check.

Senator FAWCETT: Thank you. Have you engaged with like-minded nations like the UK, Canada and others around specific lists such as this—

Senator Wong: 'I will check' means that I will take it on notice. I should have been clearer.

Senator FAWCETT: to look at coordinating actions either in support of individuals or from a sanctions perspective to be coordinated and therefore more effective sanction against nations who use hostage diplomacy?

Ms Logan: In terms of coordinating with like-minded countries on our detained citizens, yes, we do. Indeed, the Canadian initiative will hold out some prospect of further interactions through that forum. On the sanctions question, again, it is a sanctions question and—

Senator FAWCETT: Mr Maclachlan, can you provide some help with that?

Mr Maclachlan: We talk to like-minded on sanctions policy on handling cases of arbitrary detention both on principles and on specific cases. But, of course, when we're dealing with our specific consular cases, it is the primacy, as Ms Logan has said, of the interests of the individual whom we are trying to assist that determines our response and whether or not we would ask for a collective effort of advocacy or whether in fact we should take a more sort of national approach.

Senator FAWCETT: I guess there are two cases here: one where the individual is still in that arbitrary detention and then there are cases where they have left the arbitrary detention through whatever means. I guess I am speaking specifically about the latter case where the individuals who have been personally responsible for taking decisions that have led to the arbitrary detention which would seem to form fairly and squarely into the remit of the Magnitsky-style sanctions. That is the case I'm looking at. If you have such a list, do you and will you work with foreign partners to coordinate action?

Mr Maclachlan: Senator, as I've indicated, I will take on notice the issue about whether or not we have received correspondence. We would need to have a look at what information is contained in there. Secondly, I'm not going to get into the task of telegraphing whether or not we would respond in a sanctioning way in this particular case. But I undertake that we will look at that information.

Senator FAWCETT: Sure. Could you also undertake not only that you will confirm to the committee but also, if you do have those, that as you've indicated that a priority would be closing the loop and responding to these key stakeholders, then you will respond to them saying either that it has been received and explaining why there hasn't been a response to date or that it hasn't been received so it can be re-transmitted.

Senator WHITE: I've got some questions about Australian passports. Everybody's happy to hear these questions, I'm sure! I want to talk about the processing of passports over the last COVID period. Can I take you back pre-COVID—that's pre February 2020. That seems like yesterday. How many passport applications did the APO receive per day at that time?

Mr Maclachlan: Pre-pandemic, the application rate was about 7,000 to 9,000 on any given day.

Senator WHITE: After the borders shut in the middle of 2020, how many passport applications was the APO receiving?

Mr Kelly: It dropped well down below that. It varied quite a bit, but it dropped down as far as 2,000 a day and below.

Senator WHITE: At its height it was 9,000, which dropped to 2,000 a day on average. Wow—okay.

Mr Kelly: Don't quote me on that as an average, but it was as low as 2,000 a day.

Senator WHITE: It was as low as that. At some stage you were receiving around a quarter of the normal number of applications. That's a lot of passports, isn't it? It's not that they weren't due for renewal; it was just because people weren't doing it. Is that right?

Mr Maclachlan: We think about two million people did not renew their passports during the pandemic.

Senator WHITE: Wow. You'd have the statistics on when passports expire and everything, so you could tell. Two million weren't renewing them. What was the feeling in the APO when you realised that was happening and this change in behaviour was before you?

Mr Maclachlan: I wasn't in the APO at the time. A lot of the APO staff were in fact redirected to COVID-specific work with Services Australia, as I understand, at the time. Of course, when the pandemic came to an end, staff came back to the task, which was last year.

Senator WHITE: When you've got two million people not renewing, though—I know you weren't there—did people in the APO at that time consider that, as soon as the borders were opened and they could travel overseas, two million people might rush to the passport office wanting to go?

Mr Maclachlan: I think we canvassed some of this during the last session.

Senator WHITE: You did. I asked those questions last time, because I didn't renew either. I was feeling guilty!

Senator Wong: There's the confession!

Senator WHITE: That's right!

Senator Wong: You're one of those two million!

Senator WHITE: I'm trying to get you to absolve me of my guilt, but that's okay. I've thought about it subsequently and I've thought about the planning, and I don't think we talked about two million last time. If two million people haven't done it, and if the minute the border opens, two million decide, 'Hm, it might be time to renew the passport—'

Mr Maclachlan: As we indicated at the last estimates session, if memory serves, the passport office actually did have a plan to deal with the re-opening of the borders. Maybe I could paraphrase General Eisenhower and say that the first casualty of engagement is the plan. It turned out that our plan had to be adjusted and adjusted quite quickly, because the surge in passport applications came on at a much greater rate and much sooner than we expected. The crunch point really was in late May and into June, when, you will recall, we had long queues of people seeking to get their passports at passport offices around the country. It was at that point that we introduced a number of steps—not only finding additional staff and training those staff, but we also upped the number of staff we had at the call centre. We also introduced pop-up sites, essentially, where rather than going to the main passport office in Sydney or Melbourne and in other cities, people could go to a pop-up site close by and collect their passport. That had the near-term effect of reducing those queues at that site.

Senator WHITE: But that's relatively recently, isn't it?

Mr Maclachlan: That was in June last year.

Senator WHITE: If I take you back to your plan, when did the passport office first identify that this was going to be a potential issue—this 2-million backlog—and realise that it was going to create a bottleneck, potentially? When did you start formulating the plan?

Mr Maclachlan: We began developing the plan early, and possibly late, 2021. Certainly in 2022 we had a plan in place to increase our staff levels. We were starting to increase staff levels in the first quarter of that year to go back to normal levels. We had plans to bring on additional staff later in the year, which we brought on sooner than we had planned because the surge was bigger and came on more quickly than we had expected.

Senator WHITE: What I hear you saying is that there was going to be a massive influx, but you didn't have enough staff at that time. You'd anticipated you weren't going to have enough people and that even if you brought people back from Services Australia there wasn't going to be enough if everybody decided to do it around about the same time.

Mr Maclachlan: We anticipated needing more staff than we had prior to the pandemic because we anticipated some people who had delayed renewing their passport would come back in. We anticipated that as the borders opened and flight availability came on that, progressively, more and more Australians would want to travel overseas. We didn't anticipate the volume. The other issue we probably didn't anticipate was the change in the way in which people approach international travel.

Senator WHITE: Last minute?

Mr Maclachlan: You said it! That's exactly right. Last minute, or at least last fortnight, which compressed the time line for people to go and apply for their passports and so on.

Senator WHITE: When you realised that you might not have enough staff, did you raise it with the former minister for foreign affairs that this was coming?

Mr Maclachlan: We have provided advice at previous estimates. I don't have the detail here about when we provided advice.

Senator WHITE: We might look at that and see what you said. You can't recall what the interaction was with the previous foreign minister about this and that you might need more resources?

Mr Maclachlan: Sorry, I honestly can't. I recall Bridget Brill, the previous executive director of the office, providing that advice at the last estimates.

Senator WHITE: It was June last year when it surged. When did you make application to say, 'We need more people. We've got to do it.'

Mr Maclachlan: The surge manifested itself most acutely in June, but it carried on beyond that.

Senator WHITE: So just after the new foreign minister came in?

Mr Maclachlan: After the election. It was the first conversation I had with the office.

Senator WHITE: Some people get hospital hand passes! When was the backlog at its absolute peak, and how much was it?

Mr Maclachlan: Our work in progress reached a total of about 430,000 in September—that's applications on hand.

Senator WHITE: You had 430,000 on hand? Looking back at pre-COVID, how many would have been the most you would have had at that time?

Mr Maclachlan: It was 50,000 or 60,000.

Senator WHITE: That is a big number, isn't it? You have explained what you have done—put more staff on, looking at what Australians are doing in relation to how late they apply for the passport. What is the backlog looking like now?

Mr Maclachlan: It varies. It is about 70,000 or 80,000.

Senator WHITE: That is a big drop then, isn't it, from 430,000. Since September last year, at its peak, you got it down from 430,000 to—

Mr Maclachlan: To between 70,000 and 80,000. It has been lower than that on a few days but it is about that.

Senator WHITE: At its peak then, when there were 430,000 in the backlog, how long would an Australian have to wait for a passport?

Mr Maclachlan: Longer than we would have liked. I don't have the exact number of days for September. The average wait for the second half of 2022, just for an ordinary passport, was 23 days. The average wait for a renewal, which is generally our quickest, was 13 days. That's the average. The average wait for a children's passport is 33 days—business days, these are.

Senator WHITE: So 33 business days? Is that six or seven weeks?

Mr Maclachlan: Yes. That's an average, so, clearly, some people, regrettably, had to wait longer. Children's passports do take longer. They're more complex. There's more information that has to be verified.

Senator WHITE: The complaints must have been massive then?

Mr Maclachlan: Call centre volume in September was 193,000. We're now down to 75,000 calls for January this year. Most calls are answered in a couple of minutes whereas previously, regrettably again, people would have to wait too long.

Senator WHITE: What is the average wait now?

Mr Maclachlan: Seven business days for ordinary passports; adult renewal is four days; and children's passports, 8 days. That was the figure for January. It is important to note that in January this year, it was a record January for issuance of passports. We issued in excess of 250,000 passports for January alone.

Senator WHITE: Wow. That's a lot of passports, isn't it?

Mr Maclachlan: I mean, last year was a very difficult year, obviously, for our customers and our staff, many of whom had to work weekends and late nights to make sure people got flights and so on. But it, too, was a record year of 2.6 million or so passports against the pre-pandemic level of 2.1.

Senator WHITE: So, you had a record low year the year before?

Mr Maclachlan: Two years.

Senator WHITE: Two years of a record low year, but anyone who is watching it closely—like, say, the minister—should have seen that there would be a backlog and things were going to happen, people would want to travel eventually? That's a shrug. For the purposes of Hansard, it was a—?

Mr Maclachlan: You're right. We had a plan. The plan wasn't enough and we were found wanting last year. We regret that very much.

Senator Wong: Can I just say something about this. I don't want to take up the time of government senators. I acknowledge that there are a lot of Australians who were very frustrated because obviously the backlog, the failure to sufficiently prepare for the backlog and the unprecedented demand at the level that it was meant that people had to wait. I also want to acknowledge Mr Maclachlan and all those who have worked on this across the department, also the work of Tim Watts, the assistant minister. There's been a really focused, huge effort to not just do the work but to revise systems in the way that Mr Maclachlan outlined so that this matter was dealt with. I'm really grateful to a lot of people who worked very hard and I want to acknowledge this was a pretty big problem I gave the assistant minister and said, 'Could you please fix this,' with Mr Maclachlan and others. There was a lot of work by a lot of people.

Senator WHITE: I want to say, I'm on only a relatively new senator—very new senator—but we had a lot of complaints too, and the speed with which you turned it around is remarkable. To turn it around from so many days' waiting, from 430,000 to a number closer to pre-COVID is pretty good, bearing in mind the change in patterns of travel, which I'm very familiar with. So I think it is a fantastic thing and I do want to say congratulations. I guess there are lots of learnings, as we say, in all of this. Certainly we in our office and others don't get passport complaints at the moment.

Senator BIRMINGHAM: Secretary, you obviously passed the second anniversary since the coup in Myanmar. As we discussed in a private meeting again once before, I think it's good to get on the public record given the concern by the diaspora in Australia and the public, the fact that the special advisory council assessed that the junta only controls in full control about 17 per cent of Myanmar and other areas under NUG and lots of disputed areas. What is the government doing to ensure that we get aid effectively to the people who are outside the reach of those areas where multilateral bodies work with the regime, which is where, perhaps, the majority of people who are in desperate need are?

Ms Adams: It is such a difficult situation. I will defer to Ms Mudie.

Senator FAWCETT: I'm happy to get some on notice. I am conscious of the time. If you can give a short summary and perhaps more on notice that the public can read.

Ms Mudie: We cannot verify the accuracy of specific statistics regarding the regime's control in Myanmar given the nature of the dynamic civil conflict. We fund a range of trusted humanitarian and development partners in Myanmar, including the UN, NGOs and the Red Cross movement. We do acknowledge that our partners face severe access and operating environment constraints but they are still able to deliver assistance, often working with local organisations in hard-to-reach areas. We know that our development and humanitarian programs are delivering assistance across Myanmar and not just to regime-controlled areas. It is quite difficult to accurately ascertain the amount of territory controlled by the regime compared to other actors. Much of the country is now contested. There are multiple armed actors present in different areas. However, we can say that the regime doesn't currently have total administrative control over a large part of Myanmar due to active resistance in many areas. What this means is that we rely on our partners to have established systems and networks in place which seek to mitigate the various obstacles, risks and challenges, ensure accountability and get the aid to where it is most needed. I think that basically says we make best endeavours working with a range of trusted partners in a very complex environment.

Senator FAWCETT: Thank you for the work you're doing as well as for the answer. Can I ask you to take on notice perhaps two other issues. First, can you tell the committee if you are working towards any new partners, any new networks that can demonstrate the capacity to get more and effective aid on the ground in a way that meets all our due diligence requirements. Second, given the Brookings Institution's assessment recently out is that this will go on for a protracted period and we will see more and more people seeking refuge in border countries such as Thailand or, perhaps, Mizoram state in India, can you tell the committee what we are doing with ASEAN members to make sure that we find ways to give these people some support and certainty given that many in those refugee camps face pretty uncertain future in even their ability to stay in those transitory situations.

Ms Mudie: I'll take both of those on notice. I might just add that further to discussions that we've had in private sessions, we have been in touch with a different range of actors in Australia, and there's an ongoing dialogue with the department about the questions you raised at that session.

Ms Chan: I'll also add to that that ensuring unhindered humanitarian access to those who need it in Myanmar, including those on either side of the border, on the Bangladeshi border and the Thai border, is also a focus of discussions for ASEAN, and we're working closely with ASEAN, including through the ASEAN humanitarian centre.

Senator BIRMINGHAM: Can I seek a status update in terms of departmental assistance for the NUG office in Canberra and engagement with them?

Ms Mudie: We do maintain engagement with the NUG office here in Canberra. This is done at political councillor level, so director level, at this stage, but we have a commitment to engage with the NUG as part of our broad-ranging engagement with a range of actors in the Myanmar situation.

Senator BIRMINGHAM: Has there been any engagement at secretarial or ministerial level with representatives of the NUG?

Ms Mudie: The minister has made clear her intention to engage with the NUG. To date there has not been an occasion where we've had an appropriate opportunity to do that, but the intent has certainly been stated.

Senator Wong: Prior to the election, not as minister.

Senator FAWCETT: I think your initial question was contact and support. Is there any support for the NUG to help them maintain a structured presence here in Australia?

Ms Mudie: At this point, no, not in that regard. I will say, however, that we look at all actors in the situation and assess their ability to support the humanitarian situation, but we have no assistance going directly to the NUG's operations here at this stage.

Senator FAWCETT: Can you take on notice, then, whether that's something you could consider, given the precarious nature of those who represent the free people of Myanmar as opposed to the regime who control the resources of Myanmar?

Ms Mudie: I'll take that on notice.

Senator BIRMINGHAM: I have a quick corporate question or two. Assistant Minister Ayres attended the World Economic Forum meeting in Davos last month, something that I fully understand, having done so myself with a range of different trade—

Senator Wong: I was just going to say, you went, didn't you?

Senator BIRMINGHAM: I did just say that.

Senator Wong: I didn't know.

Senator BIRMINGHAM: Yes, there are a number of trade plurilaterals and others that seem to all have to occur there for some reason. Assistant Minister Ayres did an interview in relation to that trip in which he said, 'No, I paid zero dollars, or the government paid zero dollars on my behalf.' A journalist sought to clarify if taxpayers paid zero dollars. Senator Ayres said, 'That's right: the Australian government paid zero dollars.' Can I seek clarity as to whether Senator Ayres was talking about something other than the travel costs and accommodation and so on associated with his travel, or whether, in fact, somebody other than the Australian government was funding his travel to Davos?

Mr Griffiths: I'll have to take that on notice to follow up on that. I don't have details on that trip.

Senator BIRMINGHAM: I'm not seeking to ask how much it cost or any of those details. It would seem very peculiar if the Assistant Minister for Trade had travelled to the World Economic Forum at the expense other than of the Australian government.

Mr Woods: The short answer would be to say that the minister paid no fees for a mission to the World Economic Forum itself. There were fees associated with the participation of the head of post at Geneva WTO. That was 100 Swiss francs. But in terms of actual mission to the WEF itself, there were no fees charged, so the only costs incurred were of course those of the travel costs with the assistant minister's participation, which of course is paid for by the government.

Senator BIRMINGHAM: Thank you. That clarifies it—that there were costs incurred by government, as I would have expected, but—

Senator Wong: I don't know what the previous questions were, but if we have anything further we will provide it on notice.

Senator BIRMINGHAM: Thank you.

Ms Walsh: Senator, I can confirm that he went by commercial airlines to Davos. So, they would have been paid in the normal way.

Senator BIRMINGHAM: As I would have expected. Thank you.

CHAIR: Can I just say thank you very much to the department on the non-trade programs that appeared before the committee today. You are now released. When we come back from dinner we'll have the department on the trade programs, with Senator Farrell, and then the other agencies that are relevant to that portfolio.

Proceedings suspended from 18:01 to 19:02

CHAIR: Welcome back to the second round of Senate estimates here in Canberra. Accompanying Minister Farrell is the Associate Secretary of the Department of Foreign Affairs and Trade; do either of you wish to make an opening statement this evening?

Senator Farrell: Thank you for that introduction. I have one, and I think Mr Yeend has one. I start by acknowledging the recent passing of one of Australia's most distinguished diplomats, Richard Woolcott AC. Richard's contribution to advancing Australia's interests overseas and strengthening ties with our neighbours in the Indo-Pacific will long be remembered.

The Albanese government is strengthening Australia's economic recovery by diversifying trade and investment ties, and backing the recovery of Australia's visitor economy. In the past eight months we have successfully delivered on key election commitments on trade or made significant strides towards that delivery. Our record of achievements in such a short time includes: leading negotiations to secure an unprecedented package of trade outcomes at the 12th World Trade Organization Ministerial Conference in June 2022; and finalising all domestic processes to implement the trade deals with the United Kingdom and India. The Australia-India Economic Cooperation and Trade Agreement, otherwise known as ECTA, came into force on 29 December last year. As a result, Australian exporters benefited from two tariff cuts in quick succession: on entry into force and on 1 January 2023. The United Kingdom is finalising its domestic processes, and we expect the free trade agreement will enter into force in the next few months.

In September 2022, Australia joined other partners to launch the Indo-Pacific Economic Framework negotiations, otherwise known as IPEF, and Australia hosted the first negotiating round in Brisbane in December last year. Trade negotiations with the European Union are back on track after stalling under the previous government. Last year, I completed ministerial visits on key overseas markets: Indonesia, Japan, South Korea, the United States, New Zealand and Europe. The government has delivered its election commitment to review the Export Market Development Grants program.

We welcome the continued recovery of the visitor economy and we are working closely with Australia's tourism and travel sector to ensure that recovery continues, setting us up for future growth. As we speak, we're rolling out the \$48 million 'Australian tourism and travel support' budget measures, which include measures to attract and upskill workers, bring back international visitors, enhance the Quality Tourism Framework to support small and medium businesses, and more. As part of that package, we're providing a total of \$10 million in grants to 111 projects at caravan parks across Australia. We're supporting them to deliver new and upgraded facilities and continuing to provide important accommodation options, particularly in regional Australia, for families and budget conscious travellers. With Tourism Australia, we've launched the Come and Say G'day campaign, which has attracted more than 190 million views across the short movie trailer and television ads.

Looking ahead, our goal is to build on this start by taking further steps to stabilise relations with China, our largest trading partner, and remove the current trade impediments; concluding an ambitious and comprehensive trade deal with the European Union by midyear; expanding and deepening our trade deal with India by negotiating a comprehensive economic cooperation agreement and supporting the Prime Minister by leading business delegations to India in March; concluding the negotiations on the Indo-Pacific Economic Framework; supporting the accession of the United Kingdom to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership; strengthening ties with our South-East Asian neighbours, including by visiting Vietnam and the Philippines, and working with Minister Wong to implement the Southeast Asia Economic Strategy to 2040; building international partnerships on green trade and investment to help Australia become a renewable energy superpower; continuing to simplify our cross-border trade system through regulatory and digital reforms; defending and reforming the World Trade Organization; growing Australia's export industries by providing practical help to companies to access international markets and financing Australian exports and interests, including overseas infrastructure development; and continuing our support for the ongoing recovery of Australia's visitor economy, including by attracting international students back to our shores.

The Albanese government is committed to supporting Australian businesses to pursue opportunities in new markets, attracting investments to support the transition to a decarbonised economy, and the continued recovery of our critical tourism and travel industries. Thank you.

CHAIR: Thank you very much, Minister. It sounds like you've been very busy indeed. Associate Secretary, do you have an opening statement you'd like to make?

Mr Yeend: Yes, I do, Chair, just a short statement. Thank you to the committee for the invitation to appear today. I thought it useful to start with a short statement updating you on recent developments. On 14 November last year, the minister gave an important keynote addressed, setting out the four key principles underpinning the government's trade and investment agenda. These are focused on the need to deepen and diversify our trading relationships, especially in the Indo-Pacific, to defend and reform the multilateral trading system so that it delivers for Australia and the region, to diversify what we trade as well as who we trade with, and to share the benefits of trade widely among the community. It has been a busy few months implementing this agenda and it will be a busy year ahead, as we have just heard from the minister.

I will just mention a few highlights of recent activity and of course we would be happy to provide more detail in response to questions. Just last week we hosted here in Canberra the 14th round of free trade agreement negotiations with the EU. The momentum in these negotiations is strong, but there is still a significant amount of

work to do. Then, as we heard from the minister, at the end of last year, our first free trade agreement with India, the ECTA, entered into force, representing a key step forward in our diversification agenda, and parliament passed the necessary legislation to entry into force of the free trade agreement with the United Kingdom.

In December we hosted in Brisbane the first round of the Indo-Pacific Economic Framework, where we saw strong participation and engagement from the 13 other IPEF members, including India, Indonesia, Fiji and the US. We are also broadening our stakeholder engagement with the Australian community on the trade policy agenda.

Finally, as you know, there have been important steps forward in stabilising the relationship with China, including the minister's meeting last week with Commerce Minister Wang in an effort to resolve the trade blockages that have affected a range of our exports. Thank you chair. I'm happy to your questions.

CHAIR: Thank you for that. I should have asked if you would be happy to table that statement. And, Minister, would you be happy to your statement?

Mr Yeend: Yes.

Senator Farrell: Yes. We will get that circulated to committee members.

CHAIR: Excellent. We'll get that circulated to the committee members. I will hand over the call to Senator Cadell.

Senator CADELL: Thank you for your private briefings or chats on a few things. I want to touch on some of those free trade things at the moment. With the UK, obviously we have passed everything. I think it passed the House of Commons in the UK but not through the House of Lords yet. Is that your understanding?

Senator Farrell: I was actually in London the day that the House of Commons passed the legislation to implement both ours and the New Zealand free trade agreements. We met with the key members of the House of Lords who had the carriage of the legislation in the House of Lords. They are up to the second reading. I met with the British High Commissioner last week to get an update as to where they were in the House of Lords. My understanding is that the legislation will come back on 14 March. We are keeping our fingers crossed that on that date or thereabouts the United Kingdom will complete its part of their legal processes to implement our free trade agreement. Then the agreement comes into force shortly after that.

Senator CADELL: Thank you and thank you for your speech for the update on China. In a recent online meeting with Minister Wang, did he raise concerns about any Australian government policies or regulatory practices?

Senator Farrell: It was a warm meeting between myself and Minister Wang. I think is important to say that he had never met with an Australian trade minister, because he took over after the relationship soured and this was the first time that either of us had had a chance to meet one another. We raised our concerns, as you would expect, including issues of human rights, and detained Australians in China. Likewise, he raised some of his concerns about matters that have been of concern to the Chinese government.

Senator CADELL: Would you be able to elucidate what some of those significant areas might be at the moment?

Senator Farrell: Look, I don't know.

Mr Yeend: We could ask Ms Lawson to provide a little bit more information.

Ms Lawson: Was your question whether regulatory issues were raised by the Australian side or by the Chinese side?

Senator CADELL: Chinese side.

Ms Lawson: The Chinese side did raise a range of issues on their side, whether or not they were regulatory in nature—

Senator CADELL: Current government policy or regulatory would be fine.

Ms Lawson: The Chinese side did raise some views about some frameworks, but that's probably as far as I would want to go in a confidential discussion between governments.

Senator CADELL: Would you rule out that foreign investment rules and regulations were raised?

Ms Lawson: The Chinese government has raised investment publicly on a wide range of occasions, so you would expect that they would raise investment in that meeting.

Senator CADELL: Were any specific changes requested at this meeting?

Ms Lawson: Again, I don't want to go into the details of that discussion.

Senator CADELL: I don't want to know what they were, but were there specific requests made?

CHAIR: I think the witness made it clear that she will take it on notice.

Senator CADELL: I don't think she did. I think she said she didn't want to discuss it.

Ms Lawson: I'm not taking it on notice!

CHAIR: Sorry. You can't answer. It's been a long week! I think the witness has made it clear that she can't answer that particular matter.

Ms Lawson: I think it would be inappropriate to go into the specifics of a discussion between two governments.

Senator CADELL: Fair enough. Were any of the requested changes that might have been made agreed as items for discussions in further face-to-face meetings?

Ms Lawson: Could you repeat that?

Senator CADELL: Were any potential changes, if they had some—you said we can speculate there were—agreed as items of discussion at future face-to-face meetings?

Ms Lawson: As we approach the stabilisation of the relationship with China, we have been very clear throughout, publicly and with the Chinese government, that we don't intend to make changes to regulations or legislation that has been made in the national interest, but we are always open to dialogue, and, as you can see, there have been a range of ministerial and leader level dialogues that have taken place.

Senator CADELL: Thank you very much. Can we move on to the EU FTA. Mr Yeend, I think you noted in your statement we went through the 14th round—was that recently?

Mr Yeend: Yes, that was just last week.

Senator CADELL: There were a number of staff from both parties in Australia. What sort of manpower was brought out, and how many did we have talking with the EU recently?

Mr Yeend: This is an important negotiation covering a range of issues, so, yes, there were a number of EU negotiators here. For the specific details I can let our lead negotiator give you a little bit more information.

Senator Farrell: I think we should note that Alison has been doing a terrific job on behalf of Australia in these negotiations.

Senator CADELL: I might withhold judgement for seven questions, and then I may join you!

Ms Burrows: We had up to 170 people in the rooms last week. It's that many because the EU brought a large team. We had all the chapter negotiators, and then we had a number of support staff and staff from other agencies involved as well. Both sides brought large teams.

Senator CADELL: As Australia, have we received the EU's market access offer for agriculture yet?

Ms Burrows: We have. We've received two goods offers, but neither of them is the final market access offer on goods and on agriculture. The EU has not made an offer to us at this stage which includes what they call the sensitive agricultural products—that is, beef, sheepmeat, dairy, sugar and rice. They say that they will only be in a position to make that offer at the very end of the negotiations.

Senator CADELL: Thank you very much for that. I note the EU summary of the round 13 negotiations on GI, geographic identifiers, states:

Discussions on text advanced significantly, with few outstanding issues remaining.

Are we concerned by any of those issues remaining, and is there a significant difference between them?

Ms Burrows: Out of the remaining issues, they are the ones that are the most difficult ones and the ones where we have the most interest to protect. For example, they would include all the issues about enforcement of GIs and also issues about how long, for example, in the EU's eyes in the EU's request someone would have had to have been using a particular GI to qualify under the FTA. We don't share an opinion on those issues at this stage. There are a smaller number of issues, but they're very difficult. When the EU made that report of the last round, that remark was not about the actual protection of the terms, so the geographical indications, because we haven't agreed to any of them, and we won't agree until the very end if the overall deal is good enough.

Senator CADELL: Thank you very much. Have Australian and EU negotiators agreed on a definition of 'sustainability' and 'sustainable development' with the EU?

Ms Burrows: We have a whole chapter on trade and sustainable development. It includes things like trade and labour, trade and environment, trade and climate, trade and gender. That chapter is fairly well advanced, and both sides want to make it a very ambitious chapter. For our side, we want to make it the most ambitious such chapter

in a free trade agreement. But there are still some elements of it that we are negotiating on. There are obligations that they proposed to us that our system, our Commonwealth system, doesn't really work for us. We are still reviewing all the issues that they have raised with us in that chapter.

Senator CADELL: So no definition is agreed yet?

Ms Burrows: I would have to take on notice whether we've agreed on a definition of 'sustainable development' in the free trade agreement. I think not, because not all the definitions are finalised. But we both know what we're talking about in this trade and sustainable development chapter. It's clear what the subheadings are as well as what the overall approach is.

Senator CADELL: That goes back to, I think, the November estimates, where I think you said that Australia shares a lot of the objectives that the EU has on sustainability. Is that how we're seeing it still at this stage?

Ms Burrows: We certainly do in terms of trying to make sure that trade has positive environmental and climate benefits. We try to avoid any particular concerns about those issues. There are some things where we have a slightly different approach. We haven't, for example, signed all the same international agreements on the environment. So we have to review the extent to which we can recommit to them.

Senator CADELL: At the November estimates you said you were still working on a definition for 'sustainable food systems', specifically sustainable. Has that been finalised?

Ms Burrows: That chapter, which is now 'sustainable agri-food systems', has made a lot of progress and is close to the end. Most of the issues that are covered in that reflect on the very high standards on agriculture and food production that both the EU and Australia have. We have made sure that we're not taking on regulatory commitments that would not work in our particular environment. We've also made sure that our high standards and our world-class system of traceability are going to be reflected in that chapter.

Senator CADELL: What requirements, if any, are the European negotiators seeking on Australian land use practices, and have they been agreed in part or in full?

Ms Burrows: We have some text that has been agreed on sustainable forestry, and we are still working around it. They have not asked us to take on a particular commitment about land management in this free trade agreement. Indeed, when the head of the trade committee of the European Parliament came and met the trade minister last year, he said that the sorts of regulations and policies that they're undertaking on deforestation and land clearing were not targeted at Australia.

Senator CADELL: Is that issue around land practices part of any EU offer or negotiating text so far?

Ms Burrows: The EU says to us often that it wants this to be a very ambitious agreement on trade and sustainable development, but there is no example that I can think of where they have attached conditionality on land management to anything to do with the goods market access or, indeed, the chapter.

Senator CADELL: Can you tell me what has been agreed on sustainable forestry?

Ms Burrows: I will look it up. We've already agreed to text in the free trade agreement on sustainable forest management. In line with existing government policy on these issues, we've agreed provisions that recognise the importance of sustainable forest management, encourage sustainable trade in forest products, and combat trade in products derived from illegally logged products.

Senator CADELL: Thank you. What requirements are the Europeans seeking on Australian animal welfare practices? Have they been agreed in full or part, and is that part of any offer or negotiating text with the EU?

Ms Burrows: The text on animal welfare is very well advanced. It doesn't impose new conditionality on the sorts of goods market access that we are seeking. Basically, it establishes that we both have high standards of protecting animals and that we would not like our trade to take away from those high standards.

Senator CADELL: Right. So we haven't given, or there's not been agreed, any specific animal welfare conditions other than what exists?

Ms Burrows: There is nothing in the provisions that we have provisionally agreed that would require regulatory change in Australia.

Senator CADELL: Nothing like 'it must be grain fed', ruling out feedlots—nothing like that so far?

Ms Burrows: In terms of what we call, what the EU calls, conditionality on market access—Senator, you might recall that the EU, in their agreement with New Zealand, asked for all the beef that New Zealand supplies to be grass fed. We are not yet at the stage of the negotiations where we have discussed that in detail with the EU. We hear some noise about it. There are media reports in Brussels, but that is certainly not something that we've agreed, and the EU has not put an offer to us on beef. So this remains hypothetical at this stage.

Senator CADELL: Have there been any specific exclusions on use of fertilisers—glyphosate or anything like that?

Ms Burrows: No.

Senator CADELL: In the context of market access negotiations, have the Europeans requested any conditionality on the use of any farm chemicals for the export of any Australian product?

Ms Burrows: In the free trade agreement, the EU has an entire regulatory system about the use of chemicals, and when Australian producers export to the EU there are rules about the use of chemicals and what they can export to the EU. But we are not creating new rules actually in the free trade agreement that would diminish access in that way.

Senator CADELL: Same form as the previous question: are there any requirements the EU is seeking for on-farm water use practices in Australia, in any text or offer?

Ms Burrows: Not that I'm aware of.

Senator CADELL: Can you come back to me on notice on that?

Ms Burrows: Certainly.

Senator CADELL: Sorry—I learnt last night! Will you come back to me on notice on that?

Ms Burrows: Yes, I will.

Senator CADELL: Again, in the same format of questions: as any part of the trade agreement negotiations on emissions, including methane from farming, what has been agreed in part or in full, and is this any part of an issue?

Ms Burrows: In terms of market access, there has been no conditionality with regard to methane that's been attached to our exports. However, it's not that I'm foreshadowing that this will happen later, but we are not yet at that end game of market access offers. We are talking in the text, though, in a standard way, about our shared policy on greenhouse gases, but in a way that will be very familiar to you from Australia's international obligations and Australian policies.

Senator CADELL: So not yet general conditionality as it applies?

Ms Burrows: What I'm really saying when I say 'not yet' is not that I'm anticipating it; it's just that I don't have the final offer. I can't say everything that may happen. I just don't want to be categorical in saying, 'This will never, ever happen' when I haven't seen the final offer.

Senator CADELL: Thank you, Ms Burrows. Minister, in your discussion with EU counterparts, have you been asked to agree sustainability conditions for market access to Australian agricultural commodities?

Senator Farrell: Sorry—what was that question?

Senator CADELL: In your discussions with the EU, have you been asked to agree to sustainability conditions for access to markets for agricultural commodities?

Senator Farrell: No.

Senator CADELL: I note the European summary of round 13 negotiations on trade and sustainable development, which stated that the EU negotiators explained to Australian negotiators the proposed updates for negotiating texts following the EU review of its trade and sustainability development policy of June 2022. What did the EU negotiators tell us in that?

Ms Burrows: The negotiation has been going since 2018 and we've had text on the table on trade and sustainable development for some years. However, after this internal review of trade and sustainable development in each of the EU's trade agreements, the EU put some additional proposals to us last year. In terms of the new ones, the main new one that they made to us was about applying dispute settlement to the entire chapter, and, indeed, they wanted it to apply to the whole agreement.

Also there's a new proposal about cooperation on deforestation, and we—sorry; it's true about deforestation, but I'll just go back. The additional proposal is about cooperation on commitments on environmental services, deforestation, gender equality, food security and labour. These are things that we are working through. On some of these issues, our positions are very similar; we are like-minded in many international organisations. So these are not difficult, but we must review them extremely carefully before we agree to them. As you'll understand, we received them at quite a late stage of the negotiations.

Moreover, just before the round, the EU proposed making the Paris Agreement an essential element of the trade agreement. We received it only the working day before the round started, so we're still considering their

request and how it would operate in practice. What it means, essentially, is that failure to comply with the obligations of the Paris Agreement could be seen as a breach of the free trade agreement. We've just received this. We are still working our way through it.

Senator CADELL: Do you think the trade and sustainable development chapter will be similar to the sustainable food system chapter and that it'll be focused on how Australia and the EU—you said 'non-prescriptive', but will it work on how we can cooperate in international organisations, rather than be prescriptive?

Ms Burrows: As to the sustainable food systems chapter, it's very much one of cooperation and dialogue and restating our high standards. In terms of trade and sustainable development, where we both have ratified international agreements and have international commitments, it's just that question of how best to express that in a bilateral free trade agreement. On many of these issues, we have shared objectives and shared commitments, so what's the best way to bring that into a bilateral free trade agreement?

Senator CADELL: Minister Farrell, at the November estimates, you said you didn't necessarily support a new NZ deal, and I think you stated at the time that you think we have more to offer—I think that was your phrase. I agree. You said this straight after questions about the issue of sanctions. Do you have a view on the EU proposal, on the application of dispute settlement, as we have gone through before? Do you have a view on that and potential sanctions for breaching the trade and sustainable development chapter, as your negotiators have just described?

Senator Farrell: Could you repeat that? I just didn't quite get the gist there.

Senator CADELL: Sure. For the New Zealand thing, you didn't think you supported it; you thought we could do better.

Senator Farrell: Yes.

Senator CADELL: Part of the New Zealand—

Senator Farrell: I still maintain that.

Senator CADELL: The application of the dispute settlement and potential sanctions for breaching the trade and sustainable development chapter—that's in the New Zealand one. As your negotiators have described, they're looking to include some sorts of breaches. Is that just about cooperation? Have we seen the text in that chapter? Or is it fundamentally different from the New Zealand agreement so far?

Senator Farrell: Well—

Mr Yeend: Firstly, I think as Ms Burrows has made clear, these are issues still under negotiation. Dispute settlement provisions are a normal part of any FTA, but it is quite a process of discussion and negotiation to finalise those provisions. The EU, yes, wants to make sure that all of the provisions that it is advocating in these areas are covered by dispute settlement provisions. But this is quite a detailed process of discussion, and no final decisions have been made on the detail of how the provisions might apply in those areas.

Senator CADELL: So dispute settlement and included sanctions are different things? Are there specified sanctions in either the Indian or the UK free trade agreement?

Ms Burrows: In terms of dispute settlement in the trade and sustainable development chapter, essentially the EU calls it 'sanctions based enforcement' of the chapter. We're more likely to call it 'dispute settlement' in those. We have agreed to dispute settlement across these provisions in some previous free trade agreements. I'm not the person who works on the UK and India, so I won't deal with those ones. What we're really looking at now is just: what's the balance here in what we're agreeing? When Australia enters into a free trade agreement, we intend to comply with it. We are going to implement it faithfully, so there's the question of what more dispute settlement brings to it. But we are very carefully reviewing the operation of dispute settlement—or rather the potential operation of dispute settlement here, because we haven't agreed to it.

Senator CADELL: Thanks very much. This is hopefully the last question. In the November estimates hearing, Ms Burrows, you noted:

... the EU has ... asked us to do some things which we have never done before in a free trade agreement, including having disciplines on pricing mechanisms.

That is on page 92 of the *Hansard*. What specifically have the EU asked for, and is this commodity-specific?

Ms Burrows: The EU have asked us, in their words, to remove a dual pricing mechanism in terms of energy and raw materials. What they are talking about is the difference between our export and our domestic pricing. We have spent some years now explaining to them Australian gas policy and how sensitive it is, just as one example. Their request has been a blanket one to cover all of energy. When you think about how that would work with

Australian energy policy, there's a huge gap between our positions. We'll continue working on it, but there will be some things that we can't do in this free-trade agreement even if the EU requests us to do them.

Senator CADELL: Just a quick follow-up on that: are we talking to resources companies and energy companies about these gaps and trying to find a workable way forward, or are we just keeping it in trade at the moment?

Ms Burrows: We talk to all interested stakeholders, but I think you would agree that the idea that gas pricing, for example, would be totally controlled by free trade agreement obligations is a curious one.

Senator CADELL: Thank you Ms Burrows. I agree with Minister Farrell that it was very comprehensive. I ran out of space.

Ms Burrows: Thank you very much.

CHAIR: Thank you, Senator Cadell. Senator Brockman, you have the call.

Senator BROCKMAN: I thank the committee members for their indulgence. I have to get back to another committee in 10 minutes, so you'll only have me for that long.

Senator Farrell: Oh, what a pity!

Senator BROCKMAN: Minister, have you had any communication—and I'm not asking you about specific identifications but about communication informal or formal—from Australia's major trading partners concerning the impacts of domestic policy on trade?

Senator Farrell: Well, I have a lot of discussions with our trading partners. From time to time, they will raise issues regarding our domestic policies. I'm just a bit unclear: you're talking about ministers from other countries where we have free—

Senator BROCKMAN: I'm talking about your counterparts. I'm talking about representatives from other countries in this country. I'm talking about other ministers of government and prime ministers.

Senator Farrell: I don't talk with other prime ministers frequently, I have to say.

Senator BROCKMAN: Oh, really!

Senator Farrell: I'm way down here and they're way up above—

Senator BROCKMAN: I'm sure you might have bumped into another trade minister.

Senator Farrell: Look, I've had plenty of discussions with other trade ministers and, from time to time, they will raise domestic issues.

Senator BROCKMAN: Again, without identifying the particular countries involved, would you care to name one or two issues that have been raised with you where a domestic policy has impacted upon our international trade relationships?

Senator Farrell: I wouldn't say from any of the times when people have raised domestic issues that those have impacted on our relations with them. There was a change of government and we changed a range of our policy positions. For instance, when I was in Europe, I would say that in the discussions with the French, the EU itself and Germans they were interested in our change of policy in respect of climate change and how we were approaching the issue of decarbonisation. Come to think of it, that did impact on our discussions with those countries, because they were happier with the position that the new government had adopted in comparison with the position that the former government—

Senator BROCKMAN: Has the issue of sovereign risk been raised with you? And I'm asking particularly in relation to the changes to arrangements around the gas industry that were legislated at the end of last year?

Senator Farrell: Nobody has ever raised the issue of sovereign risk with me. No foreign—

Senator BROCKMAN: Has the issue of the change to your gas policy at the end of the last financial year and its impact on international relationships been raised with you?

Senator Farrell: It's that tail on the question: I don't believe that anybody has indicated to me that any change—no, that's not right. Certainly, the Europeans indicated that they were far more comfortable negotiating free—

Senator BROCKMAN: I'm not asking for climate policy, Minister—

Senator Farrell: No, but I'm trying—your suggestion seems to be, 'Have they raised some domestic policy of ours that has impacted on our relationship with those countries?' The answer to that is no. No country has ever done that to me, or there has never been a discussion like that with any other country. But from time to time countries do raise this. I'm trying to put this into perspective: countries do raise our domestic policies, but at no

stage have any of these discussions—whether they're perhaps happy or unhappy with a decision we've made domestically—ever impacted on my relationships with them, or, far as I can tell, on their relationships with Australia.

Senator BROCKMAN: Has the issue of Australia's reliability as a gas supplier been raised with you?

Senator Farrell: Some countries have raised the issue of our domestic changes in respect of, for instance, the cap on gas, but never in the context of criticism, as far as I can tell or recall. But often they want to know what it is that we've done and why we're doing it, and we have those sorts of discussions. There has never been, in any discussion I've had with any other foreign minister, for instance, any concerns about the impact that those decisions might have. There certainly have been discussions, but they're really by way of explanation: what Australia is doing and what our plans are in particular areas.

Senator BROCKMAN: I have to move on, Minister. This one is for the department. DAFF Secretary Andrew Metcalfe visited the Middle East in January this year. Did DFAT have any role in assisting, preparing the way or providing briefing notes for that visit?

Mr Yeend: I might ask Mr Innes-Brown to answer that question.

Mr Innes-Brown: Our embassies in Kuwait and Saudi Arabia helped to organise his visit.

Senator BROCKMAN: What advice did you provide to the department on the timing and content of Mr Metcalfe's visit? Anything?

Mr Innes-Brown: There was obviously liaison about the timing of the proposed visit, and at his department's request meetings were organised. DFAT supported the visit; we thought it was an important thing to do.

Senator BROCKMAN: Were briefings prepared for Mr Metcalfe?

Mr Innes-Brown: On arrival, I'm almost certain he was briefed by our missions around the issues that he was going to take up and what the domestic situation is on those matters.

Senator BROCKMAN: Would that have included the change to domestic policy on the live export trade?

Mr Innes-Brown: As I understand it, I think the key purpose of his visit was to explain to these important trading partners the proposed changes, the details and how that was being developed here in Australia.

Senator BROCKMAN: You said DFAT had a role in organising the meetings. On notice, can you give us some information on what meetings were organised and what meetings were sought.

Mr Innes-Brown: Absolutely.

Senator BROCKMAN: Was the ambassador present at any of Mr Metcalfe's meetings?

Mr Innes-Brown: I believe so. If I'm not mistaken, I think he was accompanied. I'll check to be—

Senator BROCKMAN: Is that for both visits?

Mr Innes-Brown: For both destinations, yes, I believe so.

Senator BROCKMAN: It was obviously an important visit. Can we get details of which ones the ambassadors—

Mr Innes-Brown: To confirm if they were present? Yes.

Senator BROCKMAN: Did you provide any advice to DAFF regarding concerns from Middle Eastern trading partners about the impact of the decision to end the live export trade?

Mr Innes-Brown: I think it's something on which our posts have provided advice and sent down reports. The views on this are something that's been taken up here in Canberra. I think their positions are well-known on this, and these were matters that were discussed further during Secretary Metcalfe's visit. It was an opportunity for him to engage directly with those governments and a range of stakeholders in those countries about the change and to communicate what was being proposed.

Senator BROCKMAN: Does DFAT have a policy position on the fact that this change is, effectively, subject to the outcome of the next election, because the government has committed to not do anything this term of government? Does that change your advice in any way or moderate your advice? Is that fact communicated clearly?

Mr Innes-Brown: It was a decision of the government, and—

Senator BROCKMAN: But it's a decision of the government not to do anything this term—

Mr Innes-Brown: I'm not an expert on this issue, but I believe it was something the government said they were going to do in opposition. And DFAT's job on all government policies is to help implement it, so—

Senator BROCKMAN: With due respect, it's a decision not to do anything this term, until after the next election, when the Australian people get a say in who actually gets to decide what happens in this country. Does that impact your advice?

Mr Innes-Brown: No, our advice, or information that we provided, is around what the views of those governments are. That's the sort of information we've provided—not about the particular timing of the measure.

Senator BROCKMAN: What are the views of our trading partners in the Middle East, in short?

Mr Innes-Brown: Well, there are a variety of views. In Kuwait the government has raised with us the impact of that proposed measure, because the export of live sheep has been significant component of their meat supply. However, during Secretary Metcalfe's visit I think there were probably a range of views over time. I mean, it's not an issue that's been discussed just today; it's been discussed via our embassy. It's been discussed here in Canberra with their diplomatic representatives. As I understand it, there were a range of views expressed, and probably the main concern was expressed by the Al Mawashi group, which is the Kuwaiti trading company that's involved in importing live animals.

Senator BROCKMAN: Have government ministers or officials communicated to you that this has the potential to damage our trading relationship?

Mr Innes-Brown: Well, it's obviously going to have an impact on it, because this is a component of our trade. As I understand it, Mr Metcalfe's discussions were traversing other aspects of meat supply, including supplying chilled meat and so forth. It was not simply about the live trade; there were other options as well. That was a feature of his discussions, as I understand it.

Senator BROCKMAN: Has there been communication from officials or ministers concerning damage to our trading relationship with the Middle East based on this domestic policy change?

Senator Farrell: Just to be clear about the questions, you're asking whether other countries have approached us or we have approached them?

Senator BROCKMAN: I'm asking whether other countries have provided information to that effect to the department. Their job is to listen, presumably, Minister.

Senator Farrell: Yes, and they're very good listeners.

Mr Innes-Brown: If I could answer that previous question, obviously there's an impact on the trade in the short term, because—

Senator BROCKMAN: Have you communicated that to the minister? The minister indicated that he hadn't really heard anything like this.

Mr Innes-Brown: I haven't done it personally, but certainly I know that the Department of Agriculture is aware of the composition of trade with Kuwait—hence Secretary Metcalfe's visit. Obviously there is an impact, and a key part of the visit is to consult and to explain the proposed government measure and to have an ongoing discussion about it, and that's what Mr Metcalfe's visit was about.

Mr Yeend: And my understanding is that that undertaking and the visit and his explanation of where things are up to has been appreciated by those he was speaking to as well.

Senator BROCKMAN: Thank you for that. I've got to go, so I will just finish up. Minister, would you accept that the decision to close down the live export trade has the potential to have broader trade reputational issues in destination markets?

Senator Farrell: What I would accept is that the incoming Albanese government took a decision that we would go to the last election with a clear policy on the phasing out of the live sheep trade, as you've correctly said, not in this term but in the next term. We took that policy decision, it was very clear, and of course we were elected the government and—

Senator BROCKMAN: Minister, I'm not disputing that. I'm not disputing any of that. I'm asking about our trade relationships and whether our trading partners are telling you this has the potential to damage trade relationships.

Senator Farrell: None of our trading partners have told us that.

Senator BROCKMAN: I'm happy to leave it there, Chair. Thank you for your indulgence.

CHAIR: I'll now hand over to Senator Green.

Senator GREEN: Thank you, Chair. I have some questions about the Indo-Pacific Economic Framework. I understand that negotiations for the framework were launched last year. It's been highlighted by a number of people that the IPEF will not be a traditional free trade agreement, in the sense that it won't include market access

for goods and services. I'm wondering, in the absence of market access, what outcomes will the IPEF deliver to improve trading conditions between the partners involved?

Ms Stylianou: Regarding the absence of market access—you're quite right to ask the question—the framework will offer an opportunity to enhance standards across the region, particularly in the context of environmental standards and labour standards, in an effort to attract investment to the region. So, investment is the big carrot in this negotiation. What we will do is negotiate standards and create cooperation arrangements, which will facilitate and attract private sector investment, as well as, for those developing countries, provide an opportunity for technical assistance and capacity building to reach the standards and to be able to attract the investment.

Senator GREEN: Will there be labour standards as part of the framework? Is that what you're referring to?

Ms Stylianou: Yes, labour standards and environmental standards as well. There'll also be cooperation arrangements in order to encourage resilience in supply chains, for example. That's one of the objectives of the agreement—to create arrangements which will make supply chains more resilient, such as trying to anticipate vulnerabilities in critical supply chains.

Senator GREEN: I understand that this is a US-led initiative, but I'm wondering: what has Australia contributed to the negotiations?

Ms Stylianou: That's a good question. We hosted the first round of negotiations, which was obviously demonstrating our support for and interest in the initiative. We had more than 300 delegates come to Brisbane for those negotiations, which looked at all four pillars. It really got negotiations off to a very constructive start. We've also made significant proposals across the agreement. For example, in the supply chains pillar, we have made a proposal for a crisis response mechanism, which will be one of the key deliverable outcomes from the agreement.

Senator GREEN: You said they've just sort of kicked off, and I know these things take a little while, especially with that many delegates involved. What's the time line for the completion of the negotiations at this stage?

Ms Stylianou: There is no fixed or specific time line. As you mentioned, it's really early days in the negotiation. What I can say is that there is a very ambitious negotiating schedule. We've already had the second round of negotiations, which just concluded last weekend, and we're anticipating at least another six rounds of negotiations this year, including a ministerial meeting in May and then further ministerial-level engagement around November.

Senator GREEN: Because it's operating a little bit differently from a regular free trade agreement, will it require Commonwealth legislation and the usual scrutiny from the joint standing committee?

Ms Stylianou: We expect it to be a treaty-level agreement, so we would expect to put it through a treaty process, yes.

Senator CADELL: If I can go back to Mr Metcalfe's visit for a second, I have two questions on that, following on from your advice to Senator Brockman. Given the government has committed, as Senator Brockman said, to phasing out live export trade, but not in this term of government, why did DFAT officials actually participate in a meeting for something that pre-empted any position of legislation or any election? At that process, were these parties told that this may not occur should there be a change of government in 2025?

Mr Yeend: This is an issue that is being handled by the Department of Agriculture, Fisheries and Forestry, but I think that Mr Metcalfe's visit was to take the opportunity to explain the situation with the timing of the government's intentions to take this forward, to provide maximum transparency to them. As I said earlier, I think that this was appreciated by the interlocutors that he spoke to.

Senator CADELL: And has DFAT received any correspondence from the Department of Agriculture, Fisheries and Forestry from ministers of Middle East or sheep export destination countries around their concerns? Has DAFF passed any direct correspondence to you about their concerns?

Mr Innes-Brown: I might take that on notice. I'm not sure we've had it from a minister, but I can recall having received a note from the Kuwait embassy at some point.

Senator CADELL: I think you mentioned another corporation specifically had some problems with it—a Kuwaiti buying agency or corporation or something like that. Is that correct? Have we had any correspondence from them?

Mr Innes-Brown: We probably have, I think.

Senator CADELL: Would you be willing to table that?

Mr Innes-Brown: I don't have it here, but, yes, I'll look into it.

Senator CADELL: Thanks very much. That's all on that; I just wanted to tidy up that little piece. My next range of questions is on the organics industry. Are you aware of the multirecognition agreement for organics side letter in the Australia-India cooperation agreement?

Senator Farrell: I can't say that I—

CHAIR: Was that question for the minister or for the associate secretary?

Mr Yeend: Ms Lisson, who is the lead negotiator of the ECTA and the ongoing negotiations, may be able to help.

Senator CADELL: Great. My belief is there's an organics side letter on the Australia-India Comprehensive Economic Cooperation Agreement. Has that been negotiated?

Ms Lisson: Yes, there was a side letter to ECTA which referred to negotiating an organics MOU and had a time line—I can get the precise details—of around 12 months following signature of the agreement, which was in April. So there is a lot of work going on between the department of agriculture and the Indian agriculture department towards getting that up and running.

Senator CADELL: Is there still confidence that that will still be done in that window of roughly 12 months—not holding you to that as a timetable, but roughly 12 months?

Ms Lisson: I think people are expecting and hoping that that will be the case.

Senator CADELL: Are we sending Australian officials over to India? How is the process happening to facilitate that?

Ms Lisson: I think you'd have to ask the department of agriculture.

Senator Farrell: I should say, Senator, that the Prime Minister, the Minister for Resources and I will be travelling to India shortly, and one imagines that some of these things will be the subject of discussion while we're over there.

Senator CADELL: Understood. Are you aware that Australia's largest organic dairy producers recently had to withdraw from exporting to South Korea due to the cost of becoming recertified to the Korean standard? Are all our organic people having problems getting this? After not having our international organics system recognised, they have to be individually reinvested in each country they export to.

Mr Yeend: That is a question that's best directed to the department of agriculture, I think.

Senator CADELL: On all of this? Okay. I won't ask the next one, Minister, about wine having the same problem, because I'm sure you're aware of that. So all the organics discussions, whether there is a code in Australia, how it affects free trade agreements other than this Indian one—there is nothing in any other trade agreements where we are doing this? There are no other side letters, no other side processes, for organics going on?

Mr Yeend: I would need to take that on notice, if that's okay. I don't think so, but I would need to take it on notice just to provide you with accurate information.

Senator CADELL: Okay. In these trade agreements we have done recently and in the past, are there different access agreements for organic and non-organic products listed in them?

Mr Yeend: I would need to take that on notice as well.

Senator CADELL: Chair, I think some people have time constraints, as they popped in, so I'm happy to hand back the call.

CHAIR: I was not aware of that, so it's good to know. Senator Canavan.

Senator CANAVAN: Minister, these are questions for you. You're probably not aware—I don't think you'd be watching Sky News right now—but in the past hour the Japanese ambassador, Mr Shingo Yamagami, appeared on Sky News, and he was asked by presenter Andrew Bolt, 'How worried is Japan?' in reference to your government's decisions around gas, as well as the Queensland government's decisions around royalties on coal. The ambassador said:

Well, Andrew, you know, as the Japanese Ambassador to Australia, I wish I could say, 'No worries, mate.' But the reality is there is a growing concern, especially on the part of Japanese businesses, so the Japanese government has been conveying those concerns to Australia's friends and colleagues at every level.

Has the Japanese ambassador, the Japanese government and/or Japanese businesses expressed concerns to you about the government's actions in terms of gas?

Senator Farrell: I was with the Japanese ambassador to celebrate the birthday of the Emperor earlier this week, and he certainly didn't raise those issues with me. We have had discussions from time to time both with him and with other businesses about decisions that the Australian government has made or is going to make, and in those discussions I have explained to the best of my ability the decisions, as I understand them, and why we've made them.

Senator CANAVAN: With all respect, knowing the impeccable manners of Japanese people, I doubt he would have raised concerns with you at a function celebrating the Emperor's birthday. But my question wasn't restricted to that particular meeting. Have those concerns been expressed at any point to you as the trade minister?

Senator Farrell: I think it's fair to say they have had discussions with us about decisions that we're making. I recently went to Japan, and, again, issues were raised about decisions that we were making, but simply by way of wanting to understand what we were doing and why we were doing it.

Senator CANAVAN: Given the Japanese ambassador has expressed his concerns publicly now, it might be useful for you to use this opportunity to explain why the decisions wouldn't or won't have a deleterious effect on the way Japanese businesses see investment in Australia, particularly given the changes the government has announced involve the potential forcing of companies to supply gas on terms and conditions written by the government. They're quite remarkable interventions; it would be strange if businesses weren't concerned. In your view, why shouldn't Japanese businesses be concerned about their investments in Australia under an Albanese government?

Senator Farrell: Well, because I don't think they have anything to be concerned about.

Senator CANAVAN: They obviously do, so what are the reasons to reassure them, Minister?

Senator Farrell: I don't think they do have good reasons to be concerned about it. We will honour all of our international obligations. If there are contracts in place between Australia and other countries, we will honour those agreements. We don't intend to breach any of our international obligations, and that should be very reassuring for any foreign government. We are a strong and stable democracy. If we make undertakings to other countries, then we comply with those undertakings.

Senator CANAVAN: It's quite remarkable for an ambassador to express concerns in this way, certainly in my experience. It's even more remarkable for a Japanese ambassador to take these steps to publicly criticise the government. Do you take any responsibility for the deterioration of the relationship to this extent? I cannot remember a time, certainly in my lifetime, where a Japanese ambassador has openly criticised the Australian government in this way.

Senator Farrell: Senator, I completely reject your characterisation of our relationship with Japan. I have recently had an excellent visit to Japan. We were very, very positively received wherever we went, and the Japanese ambassador accompanied his officials throughout that visit. I have come back from Japan believing that our relationship with Japan has never been stronger. Why do I say that, Senator? Well, within days of becoming Prime Minister, Prime Minister Albanese travelled to Japan to make it very clear to the Japanese government that the government in Australia might have changed but Australia's reputation as a safe and reliable supplier of products to Japan has not changed and we will continue to honour all of our obligations.

There have now been a number of meetings between the Australian Prime Minister and the Japanese Prime Minister, and of course at one point the Japanese Prime Minister actually came down to Perth for discussions with the Prime Minister.

We have defence relationships with the Japanese. We are in a number of agreements with the Japanese. One of them is the CPTPP. We've had very, very good discussions with the Japanese government about a range of issues that affect that particular agreement. I have a very good personal relationship with the ambassador. I have gone to his residence on a number of occasions to meet with him and his delightful wife and, from time to time, to meet with Japanese businesses who operate in Australia. I don't think the relations have ever been stronger, to be honest with you. They're always polite and certainly I don't have any concerns about the relationship between us and the people of Japan or the government of Japan.

Senator CANAVAN: Going back to something you said earlier, Minister, you said that Japanese businesses can be confident that their contracts won't be broken, that the government would respect contracts. I'm sure you're aware that last week the resources minister, Madeleine King, announced reforms to the Australian Domestic Gas Security Mechanism. Those reforms were reported in the *Financial Review* on 10 February under a headline, 'Labor floats curbing LNG exports in sweeping proposal'. The *Australian Financial Review* reported:

The policy, which comes amid increasing acrimony between the energy sector and the government and rising concerns from Asian trading partners about the security of exports from Australia, would have the same effect as breaking valuable long-term LNG sales contracts ...

The evidence you gave earlier seems completely inconsistent with the changes announced last week. These changes would allow the government to divert gas resources beyond just the uncontracted gas, so how can Japanese businesses be confident that your government will honour those contracts when you've just introduced a policy which would allow you to do the exact opposite?

Senator Farrell: I think there's a misreading of what the government has done there, Senator Canavan. We took some decisions around what appeared to be a dramatic increase in domestic energy prices, not just as it related to consumer pricing, but of course as it related to manufacturing. It was expected, as it has happened in other parts of the world, the forecast was that those energy prices were going to lift to unacceptable levels, so the government did take some actions to cap domestic energy prices. I'm aware that the opposition did not support that cap, but we're committed to remaining as a reliable trade and investment partner, especially with the situation with energy exports to countries like Japan. And I don't believe any of the decisions that the Australian government has made so far, or is likely to make into the future, is going to affect our reliability as an excellent trading and investment partner.

Senator CANAVAN: Just to help with re-establishing the trust in the relationship, which is clearly broken despite—

Senator Farrell: I simply don't accept that—

Senator CANAVAN: Perceptions matter. It doesn't matter, really, what you think about—

Senator Farrell: I don't accept that proposition.

Senator CANAVAN: Ultimately, it's a relationship, Minister. In a relationship the views of both parties matter. It is not definitive what your views are about your actions; it's ultimately also very important for the relationship what the Japanese think of your decisions. They clearly, and publicly, think you have damaged the relationship. But to help—

Senator Farrell: Senator Canavan—

Senator CANAVAN: I haven't asked a question yet, Chair.

Senator Farrell: yes, but I'm answering it anyway—the Prime Minister of Australia—

Senator CANAVAN: You can comment in the answer, but I haven't asked a question.

Senator Farrell: The Prime Minister of Australia—

Senator CANAVAN: You go; dig a hole.

Senator Farrell: The Prime Minister of Australia has met more often with the Japanese Prime Minister than any other—

Senator CANAVAN: So what? Who cares? The matter is what they think of us, not how many times you talk to them.

Senator Farrell: It's an indication of the strength of the relationship.

Senator CANAVAN: It's probably an indication of the crisis in the relationship—because you have to talk to them so often.

Senator Farrell: You're completely wrong.

Senator CANAVAN: You're not being successful with those discussions, clearly, because the Japanese ambassador has gone on Sky News.

CHAIR: Senators, please.

Senator CANAVAN: Chair, can I take a point of order?

CHAIR: Excuse me, Senator Canavan. I'm the chair, and I'm asking both you and the minister to come to order. Can we just go back to our program? Do you have any questions, Senator Canavan?

Senator CANAVAN: We should note, for the record, that I haven't actually asked a question yet; there was an interjection. But I'm happy to return to that.

CHAIR: Could you please get to your questions because I need to give the call around. The coalition has had close to an hour.

Senator CANAVAN: As I was saying, the relationship is clearly broken, so, in the spirit of seeking to repair the damage that you have done to the relationship, can you answer yes or no: does the government, after the changes to the ADGSM, have the power to break gas contracts between Australia and Japan?

Senator Farrell: I'll answer the question this way: I believe our relationship with Japan is as strong as it has ever been. The discussions I've been having with both the ambassador and officials of the Japanese government have been cordial and respectful. As a government we will honour all of the undertakings that we have made to all foreign governments and will continue to do so.

Senator CANAVAN: You haven't answered my question.

Senator Farrell: I haven't answered the question the way you would like me to answer the question, but I have answered the question.

Senator CANAVAN: That's not correct. I'll give you one more opportunity, though. You haven't answered my question. My question is: do you have the power? You answered, 'We will honour.' That's a promise, not a restriction or a restraint. My question is: does the government now have the power to break contracts for gas between Australia and Japan—yes or no?

Senator Farrell: The way in which I've answered your question is: we will honour all of our contractual arrangements with all of the countries that we have contractual arrangements with and will continue to do so.

Senator CANAVAN: It's doubly disappointing that you cannot give clear answers in response to the concerns of the Japanese.

Senator Farrell: I could not be clearer.

Senator CANAVAN: That's a matter of judgement.

Senator Farrell: It's crystal clear: we are not going to break any contractual arrangements.

Senator CANAVAN: That's a matter of opinion.

Senator Farrell: How much clearer could I be?

Senator CANAVAN: You haven't answered the question. Very clearly you haven't answered the question. My question is: do you have the power to break them or not? It's not whether you will or not. You obviously can't be trusted, as you've already broken election promises on this matter.

Senator Farrell: I completely reject that.

Senator CANAVAN: The Japanese don't think you can be trusted, and you can't give a simple answer to a very clear question.

Senator Farrell: You're the government that secretly had the Prime Minister pick up five ministries. Talk about trust!

Senator CANAVAN: The fact that you cannot answer simple questions to the Japanese ambassador and instead have to resort to political rhetoric indicates that you have something to hide.

CHAIR: Senator Canavan. Order! I need to move the call around. Senator Cox has been waiting patiently.

Senator CANAVAN: I just have one more question.

CHAIR: I will move the call to Senator Cox. Senator Cox, you have the call.

Senator COX: Thank you, Chair. Minister, in 2021 a report was prepared by i2i Global finding that there was a huge untapped—

Senator Farrell: Sorry, I just missed that. Who are you describing?

Senator COX: They're called i2i Global. They're an Indigenous entrepreneurial group, and they are one of your stakeholders. They provided a report in 2021 about untapped export potential with regard to First Nations businesses. Can I ask why the government have not considered Indigenous inclusion chapters to be a priority in their free trade agreements?

Mr Kewalram: I want to take one step back before coming to your question. The government is very focused on ensuring that the benefits of Australia's free trade agreements are very clearly more broadly distributed, including with respect to Indigenous Australians. There are three parts. First is in terms of figuring out the best ways that we can have provisions in agreements that promote Indigenous business opportunities—that is done on a case-by-case basis with respect to the FTA. The second is with respect to preserving policy space for government policy on Indigenous business issues—for example, government procurement chapters in FTAs carve out space in order to enable the provision of Indigenous procurement policies. The third thing, which the government has made very clear it is looking for us to do, is to marry up existing obligations or obligations in new

agreements with Indigenous business and commercial actors to make sure that the benefits can be more obviously brought back.

In terms of your question about the inclusion of specific chapters, that is for every FTA and every negotiation. Regardless of whether there is a chapter or something that's called that, there are provisions, particularly in more recent FTAs, which make sure that we are promoting Indigenous business interests as much as possible.

Senator COX: I have raised this during deliberations of the JSCOT committee. The wording that you're referring to is so minute and so substantial—it blows me away that there's so much resistance to having an Indigenous inclusion chapter. New Zealand had an inclusion chapter in the last UK free trade agreement, and we still have the Australian government ruling to not negotiate that when they know it is international best practice. I'm not even sure why there's resistance in relation to this, because earlier today I was here asking Minister Wong about a DFAT First Nations ambassador that we're going to have for overseas foreign policy. It seems like we're doing window-dressing without wanting to deliver. There's substantial potential that could be tapped into for the First Nations business economy, but we're not willing to put any structural change into making that happen. I'm not sure why, because I have asked many times and I haven't had a substantial answer.

Mr Yeend: If I could build on what Mr Kewalram has said, this is a priority area for the government. First Nations interests in free trade agreements are something we are seeking to advance in some of our current negotiations. For instance, we are leading, with New Zealand, the discussion of an Indigenous chapter in the Indo-Pacific economic framework negotiations. There are provisions in the UK free trade agreement that are specifically targeted at providing opportunities for First Nations businesses and other stakeholders. The government has been very clear in the way it is seeking to extend its stakeholder engagement with various interest groups, which include First Nations people and businesses. I think there's a very strong commitment from the government to—

Senator COX: During the JSCOT negotiations and hearings with DFAT officials in relation to the negotiation I asked who are the stakeholders that the department had engaged with on First Nations. They named two that they tried to contact to have a conversation about the UK free trade agreement and its negotiation; but they in fact opened the door to other big businesses to provide them with opportunities and are not prepared to make structural change in a free trade agreement, but in fact just want to do this ad hoc 'we're trying to find opportunities'. I don't believe that that's adequate or sufficient for First Nations businesses in 2023 for us to still be waiting to have a seat at the table in a global economy and opportunities to export and trade. Do you agree, Minister?

Mr Yeend: Could I say something first, Minister? We are under very clear instructions from this government about the importance of ensuring that there is appropriate engagement and inclusion of all stakeholders in these negotiations. You would know from the very clear focus that the government has on First Nations issues, including economic engagement and business interests, that this government is providing and will provide very extensive opportunity in negotiations such as those that are taking place at the moment. The UK negotiation preceded the arrival of this government, where that focus has been delivered very clearly to us in the department as something that we need to ensure in the conduct of those negotiations to ensure those opportunities are there for all stakeholders.

Senator COX: The inclusion chapters are currently on the cards for the Indo-Pacific Economic Framework. Is this the only inclusion chapter that is currently being considered, or will the government consider amending trade agreements in the future to insert inclusion chapters when they're up for review?

Mr Yeend: I could ask Ms Stylianou to tell you what's happening in the IPEF negotiations and answer the question.

Ms Stylianou: As Mr Yeend has said, we are actually leading with New Zealand work on an inclusivity chapter to address Indigenous issues and to make sure that Indigenous people can benefit from trade agreements. Inclusivity isn't limited only to Indigenous, but that's one of the primary focuses we have there. What we're trying to do is build on some work that we've done in the context of APEC, where we developed under New Zealand's host year the IPETCA, which is a framework designed to offer opportunities to Indigenous business networks and entrepreneurs across the regions, MSMEs, Indigenous women and Indigenous youth access to trade opportunities that arise from trade negotiations. Eye 2 Eye Global has a representative, as does First Australians Capital, on the interim partnership council that has been established under that framework.

Again, we're playing a leadership role there. There are only four members to that framework at the moment: Australia, New Zealand, Taiwan and Canada. We are actually at the forefront of trying to ensure that our trade agreements and trade negotiations are inclusive.

Senator COX: Thank you. Can I move quickly to protection of First Nations traditional knowledges. As part of the UK free trade agreement there's a commitment to work together at the World Intellectual Property Organization at the UN to progress a multilateral solution to protect First Nations traditional knowledge. Is there any update on how this work is progressing?

Mr Yeend: This work in WIPO is an important priority for the government. Those negotiations are being led, I believe, by the intellectual property office, IP Australia. We would take the question on notice or it would be best to direct that to them.

Senator COX: I've just been over to the Economics Committee and talking with IP Australia in relation to the protections and stand-alone pieces of legislation to protect Indigenous knowledges, and I note that the US and Panama have similar pieces of legislation. Has the government investigated these frameworks, and what can Australia draw from them to inform their own standalone legislation? Is there a time line for an exposure draft?

Mr Yeend: Again, I think this is a better question to ask IPA Australia. This area of work in WIPO and in other international organisations is extremely important. Issues like genetic resources, traditional knowledge and cultural expressions, for example, are all extremely important issues on which we are seeking to advance these discussions in WIPO and other organisations. If you would like more specific information, I can take it on notice and we can provide you with additional information.

Senator COX: That is fine. Thank you. I can put the others on notice.

CHAIR: Thank you very much, Senator Cox. That is very nice of you. Senator White has a few questions and then I will hand back to the coalition senators.

Senator WHITE: Thanks. There has been a lot of media coverage about the need to reform the World Trade Organization. What is wrong with the World Trade Organization—in a hundred words or less?

Mr Yeend: That is a big question but an important question because, for Australia, the rules based trading system is a fundamental part of our economic interest to ensure that we have the ability to trade fairly and openly in a rules based system. I think instances over the last few years, particularly with our trade issues with China where we have been able to use the WTO dispute settlement system to defend our interests is a good example of why the WTO is so important.

But there are problems in the organisation. With 164 members, it is hard to reach consensus across issues. I think that Australia has been playing a leading role in finding ways to advance issues perhaps in a way where you don't necessarily need to have the agreement of all members. We are leading an initiative on digital trade in this regard and are involved in a number of other negotiations along these lines, including a services negotiation on domestic regulation, which was concluded 12 months or so ago, and shows that, if we try to be creative in advancing negotiations in different formats, we might be able to secure agreement on some of these key areas that it has been difficult to get agreement on.

Also, we are very keen to have discussions around issues that the WTO is increasingly interested in—issues around sustainability and environment—and have been involved in discussions in the same sort of way, working in small coalitions and like-minded groups to try to advance these issues in the discussion. This is part of the way we want to reform the organisation to take a more pragmatic and quite often a step-by-step approach to deliver results. We saw at the most recent ministerial that there was quite considerable success with this approach, including a very important agreement that was reached on fishery subsidies, which of course is very important for sustainability and particularly sustainability of the oceans.

Senator WHITE: I'm interested in those reforms. Are there any other reforms that either have come forward or people are discussing which have not been put forward that you think will be important from Australia's point of view?

Mr Yeend: One area that I haven't mentioned is the discussion around the dispute settlement system. You may be aware that the US has raised some concerns with the dispute settlement system. This is an area where we are willing to engage with the US and other partners in looking at ways to improve the system and to ensure that it runs more efficiently and in a more timely manner. This is an area where we are willing to engage with the US and other partners in looking at ways to improve the system and to ensure that it runs more efficiently and in a more timely manner. There are often concerns about the length of time, for instance, that the system can take. That's just another very important area of work in the WTO that we're following and tracking closely.

Senator WHITE: The dispute settlement process has been a protracted problem, hasn't it, for a long time? By my recollection there have been other attempts to reform it. Do you think this time round it's going to be successful, and what do you think are the drivers for that?

Mr Yeend: I think that one of the key drivers is the very strong interest of all members to advance these discussions. The US has a key role to play, and they have been participating actively in discussions in Geneva. We work very closely with them and other key users of the dispute settlement system. Very importantly, the ministerial meeting that I referred to last year has set a deadline for this work for next year, and so that will provide some focus, as well as momentum, to advance these discussions and, hopefully, find a solution.

Senator WHITE: It's very ambitious to have it by 2024. Do you think that is realistic?

Mr Yeend: It's hard to speculate. All I could say is that this was a major outcome of the most recent ministerial. It is, indeed, a complex area where there are different views, but, certainly, from an Australian perspective, we'll be doing everything that we can to try and make sure that we meet that deadline.

Senator WHITE: Can you expand a bit more on the role that Australia is playing in these discussions? You've talked about our engagement, but how do you feel we're placed—particularly the new government—in this situation?

Mr Yeend: I think that Australia is seen as one of the central players in this discussion, and, in fact, all other issues at the WTO—key issues. We've played a longstanding leading role on agriculture in the Cairns Group. On this particular set of issues, around dispute settlement, we have very good relations and dialogue with all of the key players and users of the dispute settlement system. We have also worked with some like-minded partners to put in place an interim arrangement that can be used by the parties that are subject to that arrangement until we have an overall solution, and Australia played a central role in putting that arrangement into place.

Senator WHITE: So do you think these reforms will directly benefit those in our economy who are trading?

Mr Yeend: Absolutely. As I said at the outset, the example of this is the disputes, as examples, that we are currently conducting on wine and barley, where, if we follow the procedures to the dispute in the way the dispute settlement system is intended to work, you are then able to ensure that, at the end of that process, once the findings are known, whoever has been found to be in breach of the rules is required to bring themselves into conformity—that's the language they use with those rules. For a country like Australia, the use of that system to defend and prosecute our trade interests is absolutely central.

Senator WHITE: So our exporters will benefit from this work and from improving this forum; that's your endgame, as I understand it?

Mr Yeend: Absolutely, that's correct.

CHAIR: Thank you, Senator White. Senator Fawcett, you have the call.

Senator FAWCETT: Last estimates, there were some questions around our free trade agreement with Israel. I think, because of the election at the time, the feedback that the department gave was that the Israeli interlocutors had said, I think, that 'their dance card was full'. The minister subsequently made some comments that perhaps, with the election passed, they may come back to us with something more like a trade and investment framework rather than a free trade agreement. I'm interested to know: has there been any update as we've now rolled into 2023?

Ms Lisson: I'm very sorry; could you repeat the question?

Senator FAWCETT: I'll give you the short version! Since the start of this year, have there been any discussions with Israeli officials, or minister-to-minister discussions, around a free trade agreement or a trade and investment framework?

Ms Lisson: Yes, there have been discussions at the officials level, which we had between officials on 19 January this year. We discussed whether to have a FTA and how we were progressing with our consideration of that. There was an exchange where both reflected on the very busy FTA agendas that each already had with other countries, but we're going to continue to engage with officials to determine the next steps on engaging with Israel.

Senator FAWCETT: Do you have a time frame for that continued engagement?

Ms Lisson: No, I don't have a time frame for that.

Senator FAWCETT: Who leads the negotiations at the officials level?

Ms Lisson: We don't have negotiations at the moment; we're just discussing at officials level. The official who is looking into this on the FTA side is Richard Emerson-Elliott, the assistant secretary.

Senator FAWCETT: To the media reports today about an accusation that an Israeli company has apparently been involved in meddling in elections, particularly in Africa: there have been a number of companies around the world, including in the UK, which have been shut down for such activities. Given that one of the comments by the department is that cyber type areas are likely to be part of any agreement, would we be expecting the Israeli

government to take action against a company, against that kind of behaviour, if it was proven that they had meddled in foreign elections?

Ms Lisson: I'd have to know a bit more about that. Certainly at this stage there's no discussion about, if we had an agreement, what it would cover and whether it would cover cyber. Those sorts of issues are ones we'd consider along with others in terms of deciding whether or not to have negotiations with Israel.

Senator FAWCETT: In your experience, though, Israel is characterised as abiding by international norms and the rule of law?

Mr Innes-Brown: That is a pretty general question. Are you talking about trade agreements or—

Senator FAWCETT: For example, the high-level military group that examined the Goldstone report found that Israel's application of rules of armed conflict was on a par with, if in fact not more thorough than, equivalent Western nations, including Australia. As we expand that approach to other areas of compliance with international law, I'm just asking: is it your expectation that they will be on a par with us or other nations in terms of adhering to international norms and law?

Mr Innes-Brown: As I said, it's a very broad-ranging question. I'm not sure I can extrapolate from the Goldstone report to every aspect of Israel's behaviour. I think there was some evidence earlier today about some practices which are not consistent with international law and so forth. I'm not sure these are matters that are best captured in this particular segment of estimates. I haven't actually seen the media report you mentioned about the Israeli company that's allegedly been involved in activities in Africa, so I would have to have a look at that as well.

Senator FAWCETT: That's fine. I look forward to some updates on the FTA, or the framework if you agree to go forward with it.

Senator CADELL: I will summarise these 14 questions into, hopefully, one, Minister Farrell. Question on notice 202 notes that in estimates in November you agreed to provide on notice a charter letter to Minister Ayres. That has not come through, and you've given the reasons why you can't. Knowing you personally as both a man of your word and a man of some power within government, the summary of the questions is: who rolled you, and how did they do it?

Senator Farrell: I haven't been rolled; that is a bit of a harsh term! These are matters which the government makes decisions about. I accept the greater wisdom of my superiors in this regard.

Senator CADELL: It had to go to cabinet, I understand. Can I ask what date it went to cabinet.

Senator Farrell: I'd have to take that on notice.

Senator CADELL: What date it was sent to you and what date it was submitted, if you can come back on that. Given that won't be public now, can we ensure that both your and Minister Ayres's responsibilities, as consistent with the language used in the division of the charter, are updated on the DFAT website to give some scope as to who does what primarily?

Senator Farrell: Sure, but I assure you that both myself and Senator Ayres are working very hard and very diligently in Australia's interest. I think it's fair to say we've managed to get some runs on the board.

Senator CADELL: Fair enough. Can I talk to Middle East trade, including trade arrangements for the UAE and the GCC. May I ask how many formal visits either the minister or the assistant minister has made to the UAE or the GCC?

Ms Lisson: I might need to call on my colleague from the geographical area to answer that question.

Mr Innes-Brown: Sorry, the question—

Senator CADELL: How many formal visits, if any, have the minister or the assistant minister made to both the UAE and the GCC since the change of government?

Mr Innes-Brown: We haven't had a formal visit during that period.

Senator CADELL: Have there been any opportunities where either the minister or the assistant minister has transited through the UAE or a GCC country?

Mr Innes-Brown: I'd have to take that on notice. I think the answer might be yes, but I don't have the details of their travel program at my fingertips.

Senator CADELL: That's fine. If the answer is yes, can you provide a list of the times they transited through those countries?

Mr Innes-Brown: Sure.

Senator CADELL: Minister Farrell, at the November estimates you said the Middle East was in a trade diversification plan. What specific activities have taken place in regard to the Middle East with developing that plan?

Senator Farrell: A range of discussions have taken place. I've had some discussions with the UAE officials both virtually and face to face. I've had some discussions with the Jordanian officials. I think we may have had a chat with—I'll undertake to go back and have a look at all those, and give you a summary of where we have had discussions with the Middle East.

Senator CADELL: Have you met with His Excellency the UAE ambassador to Australia?

Senator Farrell: Yes, I have met with him.

Senator CADELL: Can you tell me when?

Senator Farrell: I certainly met with him on their National Day, and I think I had a further discussion with him, but I will get the exact details rather than trust my memory on these things.

Senator CADELL: Have there been any one-on-one meetings other than the meeting on National Day?

Senator Farrell: I believe I have had one meeting with the UAE. Just to be certain, I'll get you those details.

Mr Yeend: Also, the minister has spoken to his counterpart on the phone, I understand. We can give you a list of the various contacts that have been made.

Senator CADELL: That would be appreciated. Has an agreement been reached with the UAE government to pursue a comprehensive economic partnership?

Senator Farrell: Not yet.

Senator CADELL: During the November estimates, Ms Lisson said, 'There are a number of factors to take into account when we consider going forward,' in response to a question from Senator Fawcett on the scope of a trade agreement with the UAE. What are these factors?

Ms Lisson: The discussions on the possible scope of the agreement are still going ahead. One of the factors is how many of our interests we think will be covered, and we're taking a lot of advice from stakeholders. We've sought submissions from all stakeholders, and we've received a number of those. We're also, of course, taking into account the sorts of commitments that the UAE is interested in pursuing as well. We're getting information on that so that we can make an informed decision.

Senator CADELL: Are we currently developing Australia's objectives for any negotiations?

Ms Lisson: We're looking into what our objectives would be, but the scope is still something we're working on.

Senator CADELL: When they're finalised, when will they be released?

Ms Lisson: I think it's in line with the JSCOT recommendations that we would be looking at publishing the negotiating objectives.

Senator CADELL: Okay. Has an agreement been reached with the GCC to pursue a trade agreement?

Ms Lisson: We did start with the GCC a while ago, back in 2007. That has been paused—that would be the right word to say. There have been some indications of them being interested, so we're also looking into what our objectives or interests would be in again taking up the negotiations with the GCC.

Senator CADELL: You say 'pause'. Since November, last estimates, has any action or discussions taken place?

Ms Lisson: No.

Senator CADELL: Okay. Can I now go to the economic partnership agreement with India. Are we negotiating market access in the Australia-India comprehensive economic and trade agreement?

Ms Lisson: We're working on the Comprehensive Economic Partnership Agreement, which is going to build on the existing agreement—the Economic Cooperation and Trade Agreement, or ECTA. We agreed with India, when we concluded the ECTA, that this CEPA agreement would look specifically at market access for goods and services.

Senator CADELL: Are there other, different tracks that are being negotiated? The investment track you were talking about I think has progressed. Are there other tracks, other than goods and services?

Ms Lisson: Also agreed in the ECTA was that we would go forward with negotiations in digital trade and government procurement. It also used the words 'inter alia', which meant that each side could suggest other issues to take forward. At the moment, we're having exploratory talks on the additional issues we'd each like to see in

the agreement. That covers quite a broad range of topics that we'll be having talks about with India next week, in Delhi.

Senator CADELL: Minister, you mentioned you're going there in a couple of months.

Senator Farrell: No; I'm going in a couple of weeks. Is that public yet? Am I allowed to talk about that? I'm going on 8 March.

Senator CADELL: Take a decent cricket pitch curator with you! What are we specifically looking at on the investment track of these negotiations?

Ms Lisson: On the investment track, we're keen to have general protections for investors, particularly Australian investors into India. We're also keen, of course, to attract investment from India into Australia. We'd be looking at that as a key issue. We haven't got agreement yet from India to include negotiations on investment in CECA, so that's something we'll also be talking to India about.

Senator CADELL: When will you be releasing the negotiation objectives of the comprehensive economic cooperation agreement?

Ms Lisson: When we get a bit more sense of the scope and the sorts of chapters that we'll be having in the agreement then we'll be able to put together a proper document.

Senator CADELL: And are we intending to attend the G20 trade ministers meeting this year, Minister?

Senator Farrell: Hopefully, yes.

Senator CADELL: So you want to, but is there a plan to try to make it happen?

Senator Farrell: There is.

Senator CADELL: Has the business delegation for travel to India with you been finalised?

Senator Farrell: Largely I think it has. That is in the hands of the Prime Minister at the moment. I think it has largely been settled, yes.

Senator CADELL: What selection criteria did you use to put that list forward?

Senator Farrell: I didn't particularly have selection criteria, but we wanted to ensure that the people we are taking to India are representative of significant Australian business interests.

Senator CADELL: Did you nominate any specific organisations or businesses?

Senator Farrell: I didn't, no, not personally.

Senator CADELL: Thank you, Minister.

CHAIR: Are you done?

Senator CADELL: I'm done.

CHAIR: With that very encouraging news from Senator Cadell, I propose the committee have a tea break.

Proceedings suspended from 21:01 to 21:12

CHAIR: Minister, I think you wanted to update the committee on something.

Senator Farrell: Yes, there were a couple of questions. On Senator Cadell's question, I can confirm that I met with the UAE ambassador on two occasions, as I had thought: on the national day here in the Great Hall and then in a meeting two weeks ago, on 30 January. I also had a report sent to me about the broadcast that Senator Canavan referred to. I have to say that, based on this report, I don't think Senator Canavan's characterisation of the relationship with Japan is accurate. This is currently what's currently up on the Sky News website. It's an account of the discussion between the ambassador and Mr Bolt. The headline is 'Japan and Australia share a solid bedrock of mutual trust':

The Japanese Ambassador to Australia, Shingo Yamagami says Japan and Australia share a solid "bedrock" of mutual trust.

"At every stage of coal and gas industry development, Japan has been involved," Mr Yamagami told Sky News host Andrew Bolt.

"Through this we have nurtured mutual trust between our two countries... and we would like to keep it that way."

I submit, Chair, that my characterisation of our relationship which Japan was much more accurate than that being presented by Senator Canavan. I am not disputing that some of the words that Senator Canavan may have attributed to the ambassador were incorrect, but I do say that the sentiment of that discussion was much closer to what I reported about my own relationship with the ambassador and, more particularly, the government's relationship with the Japanese government.

CHAIR: Thank you for that, Minister, and for placing that on the public record. We've now released the Department of Foreign Affairs and Trade on matters related to the trade program.

Australian Trade and Investment Commission

[21:15]

CHAIR: We are now moving to the Australian Trade and Investment Commission. We have the executive officer and his officers here tonight. Welcome. Do you have an opening statement?

Mr Simonet: Yes.

CHAIR: Given the time, are you able to table that for the benefit of Senators? We'll circulate that.

Mr Simonet: It's just one minute, but I can certainly table that.

CHAIR: If you could, I'd appreciate that. Senator Cadell, you have the call.

Senator CADELL: Minister, I noticed we had an EMDG operational review released today. When did you receive that?

Senator Farrell: I would have to check.

Ms Palmer: I can answer that question.

Senator Farrell: This lady is always very efficient and very accurate. It's always a pleasure to have her up at the front table.

Ms Palmer: You are too kind, Minister. The minister, when he released the terms of reference for the operational review, asked Austrade to complete that review within three months. We did that and provided to him in November.

Senator CADELL: Was there any reason that the report wasn't released immediately upon you getting it?

Ms Palmer: Minister, if you don't mind me saying—

Senator Farrell: Sure.

Ms Palmer: It's normal practice for government to be given time to consider the contents of any reviews of the nature that the Public Service provides and have sufficient time to respond.

Senator CADELL: Okay. We've now had at that time and it's been released, so we've had time to consider any potentially respond. What actions have been taken or requested in responding to the report recommendations?

Ms Palmer: I'm very happy to say that quite a number of the pieces of feedback that we had in the operational review were consistent with the feedback Austrade received after we reviewed our round 1 activity. For the communication and some of the client experience findings, we had actually commenced implementing those for round 2—for instance, improving the quality and explanations of the program to reduce the confusion that some people had, particularly with new concepts.

Senator CADELL: I'm going to come to that, yes.

Ms Palmer: For the next round, round 3, we proposed to the minister some changes to the guidelines so that the feedback that we have received from EMDG's operational review could be incorporated. The minister approved those changes and, for instance, we clarified the 'strategic shift' definition in the guidelines and made that much clear and simpler for people.

Senator CADELL: You'll have an advantage because I've been here and haven't been able to go through the report, so some of these questions I ask may be in the report. Are there any submissions to the ERC for budget funding contained in the report or any recommendations to put the proposal forward to ERC?

Ms Palmer: There are no findings with respect to budget. The budget appropriation for EMDG is set at \$157.9 million.

Senator CADELL: From what I have read of the operational review, the grant amounts were too low and likely to decrease for applicants in future rounds. It said, 'The situation needs to be managed in future to ensure meaningful grants amounts are available to meet exporter needs.' What are we doing to address that?

Ms Palmer: We're commencing consultation very soon on changes that the minister can consider for round 4. There are a number of options which we will put through that consultation process to EMDG stakeholders and businesses. We will obtain that feedback on those options and provide it to the minister. Those options will look at different mechanisms to better others the level of demand with the available appropriation in order to have some impact on the grant amounts.

Senator CADELL: You mentioned some complexity there, especially for smaller businesses. Do you do a breakdown of EMDG grants by business size based on turnover, head count or full-time equivalents?

Ms Palmer: Yes, we are doing that work in respect of providing data for the purpose of the consultation. I haven't bought that with me in terms of the business size and the other items you specified, but I'm happy to advise that I can take that on notice if that's all right.

Senator CADELL: Thank you very much. In that same data, do you have a success rate for small, first-time exporters in accessing EMDG grants from applications?

Ms Palmer: Do you mean success rate in terms of being successful on application or success post export?

Senator CADELL: On application.

Ms Palmer: There weren't very many applicants who weren't successful in getting an application between the first round and issuing grant agreements. We haven't broken that down by size of business, but I'm sure we would have that data and be able to do that.

Senator CADELL: Again, thank you. Is the fact that grants are provided only after an eligible expense has been incurred a barrier to small businesses that may not have the capital to take the punt that they'll get it?

Ms Palmer: I'll take your question in two parts because it's a little bit different from round to round. In round 1 we paid tier 1 applicants and representative bodies upfront when we issued the grant agreement. We did that because that was the first year of the program and the government set aside an amount of appropriation for us to expend in that first year. Some businesses—tier ones are the smallest in general because they're new to export—got their grant amounts at the time of signing. That was the process for round 1.

For round 2, we are currently completing our assessment and issuing of grant agreements. We've almost done that. We're currently looking at our IT system and our appropriation to see whether, in managing the appropriation, we might pay some of applicants on the acceptance of the grant agreement this time as well. For round 1, we opened milestone reports for everyone else—tiers 2 and 3. They had until September to put that in, and we've been assessing and paying those.

Senator CADELL: Did the review seek any independent assessment of whether the application or reporting process is proportionate to the size of the grants issued? The specific concern I have is that a number of smaller businesses didn't feel that, given the size of the grants, it was commercially viable to go through the process of preparing the application.

Ms Palmer: Your question was: do we use external advice. No, we haven't had an external, separate assessment of the application process. What I can say is that the streamlined EMDG 2.0, the reformed program, is far simpler. In testing, we found that it took about 45 minutes for an applicant to complete the application process, provided they had an existing marketing plan—it only has to be one or two pages—and had other documentations like their ABN and business registration details available. If they had all of that ready, it took only 45 minutes. Having said that, we asked people in the operational review about what amount of grant they thought was worthwhile. Quite a number, I think 14 per cent of tier 1 applicants said—they tend to be the smaller businesses—any amount of grant would be worthwhile to them.

Senator CADELL: That's 14 per cent.

Ms Palmer: Yes.

Senator CADELL: What about the other 86 per cent?

Ms Palmer: In the survey we had a bands of 'up to \$5,000', '\$5,000 to \$10,000' et cetera. I haven't got the specific amount, but one option was 'any amount of grant would be worthwhile'.

Senator CADELL: Would you be willing to table what that result was?

Ms Palmer: Yes, of course.

Senator CADELL: Thank you very much. Was the review completed in-house?

Ms Palmer: Yes, it was. The election commitment was for a rapid internal review.

Senator CADELL: Okay.

Ms Palmer: We employed an external independent facilitator, Mr John Angley, to facilitate the consultation meetings with stakeholders and assist us. We had the benefit of his own perspective in hosting those meetings and having those conversations.

Senator CADELL: I'm aware of that name. While I'm trying to think of the next question, I'll trawl through my head about how I know that name. How was that selected? How many people were considered for that role?

Ms Palmer: Because it was an internal review, we wanted to identify someone who had worked closely with or understood the export business. Mr Angley had worked in Austrade before and was available. I think we considered two or three people. If your next question is, 'How much did it cost for us to hire him?' it was \$18,000.

Senator CADELL: Is there a camera behind me? She is always one step ahead! You said he had previous experience with Austrade and had qualifications in—

Ms Palmer: He had previously worked in the export part of the business in Austrade, yes.

Senator CADELL: Was it an interview process or a tender process? What was the process?

Ms Palmer: We identified he was available and got a quote from him. It was a small amount of work. We weren't expecting a huge number of consultation meetings.

Senator CADELL: Okay. Thank you very much. I'm going to come back to this if I ever remember that person. I want to go now to the Australia-India Economic Cooperation and Trade Agreement. We covered a little bit last time. How many full-time equivalents have been placed with the Austrade India market team since the trade agreement was ratified?

Mr Simonet: Before I hand over to Mr Boyer, I'll give a bit of context. India is the fifth-largest economy and a key partner and diversification market for Australia. We have a large team in India, onshore and offshore, to support particularly exporters and for them to take the opportunity of AI-ECTA and other free trade agreements to diversify and grow. We have some key activities for driving education and literacy between Australian companies and Indian companies through something called the Australia India Business Exchange.

Mr Boyer: I think we currently have 60 staff across India, in a range of locations. I will stand corrected on this, but I believe about 20 that have been put through as part of the arrangement for an increased push towards diversification in the India market.

Senator CADELL: Is that a headcount or FTEs?

Mr Boyer: Headcount.

Senator CADELL: Do you have the FTEs?

Mr Boyer: I can take it on notice. I will correct myself if I'm wrong, as well.

Senator CADELL: Is that 60 in India or 60 across Australia and India?

Mr Boyer: In India.

Senator CADELL: How many here are working on it?

Mr Boyer: I'd need to take that on notice, sorry.

Senator CADELL: How many businesses have sought advice from Austrade on the cooperation pact?

Mr Boyer: I have data around the outcomes that we have seen over the first six months of the financial year, and Mr Meek may have some data around the number of clients that we have spoken to broadly. We have certainly seen a significant uptick in activity. For example, when we took the most recent version of the Australia India Business Exchange away, we had 99 business delegates representing 79 companies across agrifood, critical minerals, infrastructure, digital health and education. But in terms of the total number, Mr Meek, do you have anything?

Mr Meek: I don't have a specific number, but there has been a significant increase in the number of businesses we have been working with. Austrade more broadly works with about 4,000 businesses annually and about 90,000-odd users digitally. So we are seeing quite a flow through the digital and applied services with that on India.

Senator CADELL: Are any of those people that we contacted, are we aware, going as part of the delegation? Have you recommended any go as part of the delegation to India in two weeks time?

Mr Simonet: Austrade was part of the process. We worked with the rest of government, with PM&C and DFAT, on identifying those businesses, and then of course the Prime Minister's office, the foreign minister's office and Minister Farrell's office have been working together to finalise the delegation. Minister Farrell was supposed to go to India back in September last year to lead the delegation of businesses, which was the first delegation since the end of COVID. We had, as Mr Boyer said, about 100 delegates representing about 80 businesses. Unfortunately, because of the Queen's death, Minister Farrell could not go, and I joined the delegation. It was a very big success and an opportunity for Australian businesses and Australian exporters across five different sectors to go to four or five different cities and engage with opportunities.

The feedback we got was that it was an opportunity not only to travel, engage, realise how much India had changed and be briefed by government agencies on the opportunity but also to drive commercial leads and to, after the delegation finished, be able to get commercial outcomes. In that context—and this is the role of Austrade—we organise the delegation, we execute the mission and then we follow up with each business to make sure that the leads have translated as much as possible into commercial activities.

Senator CADELL: Just for interest's sake, are these things ever timed? For example, we have a cricket tour going there and there is goodwill and we see Warner surrounded by guards to keep the crowds back. Is this linked to an Australian profile in India at a time, or has this trip just happened?

Mr Simonet: Are you talking about the last trip?

Senator CADELL: The next one, in two weeks time. Australia is on a peak over there at the moment. Are we riding on the back of that by planning, or is it just good luck?

Mr Simonet: I think there is a lot of engagement at all levels of government to strengthen the relationship with India. As far as Australia is concerned—and I can't comment on behalf of the rest of the Commonwealth agencies—there is a lot of interest from Australian exporters to diversify, and India is a huge diversification market. It is complex, and that is why we have been working on education and literacy. It's also a good opportunity to engage with more Indian businesses. On the other side, lots of Indian businesses have invested in Australia in specific sectors, particularly tech, and there is a strong willingness to re-engage with Australia as the world reopens and continue investing.

Senator CADELL: Is there a trend or a feel for what businesses are really after? What sort of assistance is they asking for? Is there a trend or is all over the shop?

Mr Simonet: The core trend is typically, 'Give us market advice,' 'Give us advice on how to enter,' and 'Introduce us to customers'. The team in India is extensively working around the ECTA and looking at existing customers that have previously bought Australian products and services and also are now targeting new customers in that space. I had the privilege to be in India just before Christmas this year and work through and meet with some of those buyers to get a sense of where they are at. For example, I met with the seafood and wine buyers, and there is definitely an interest in increasing the volume of product coming through. On the Australian business side, primarily the agri-food side is where there is a lot of interest. Education continues to be an area of growth, and we will see Indian students coming through in that space.

Mr Boyer: And I would add tech to that as well. There is a significant exchange around technology.

Senator CADELL: Are there KPIs set on a percentage increase or a dollar increase that we are seeking to get out of this?

Mr Boyer: We set targets. You would be aware that in our PBS we have external targets in terms of the number of commercial outcomes that we oversee for exporters. Internally, we set regional targets. In South Asia, which is predominantly India but also picks up Sri Lanka and Bangladesh but predominantly India, we have set targets for dollar value of export outcomes and the number of export outcomes as well. Between 2021 and 2022—and I think this illustrates the increased interest in the market for exporters—we saw the number of trade outcomes that Austrade helped facilitate go from 44 to 75 and the value of those trade outcomes go from \$64 million to \$242 million—so almost a fourfold increase from year to year.

Mr Simonet: I would just add that what makes us credible with business and with government is our strong sectoral expertise. The team that Mr Boyer was talking about in India is made up of specialists who specialise in sectoral activity. They mostly come from business backgrounds. They are very connected to the businesses that we are trying to help on the Indian side and on the Australian side and are very focused on driving commercial outcomes and creating jobs and revenue.

Senator CADELL: I would like to go to the simplified trade system, if I may, and specifically the answer to question on notice 245 from November.

Mr Simonet: Before Mr Brugeaud starts, I just want to give two seconds of context. The Simplified Trade System Implementation Taskforce was created in 2021. This is a whole-of-government initiative. It is hosted at Austrade, and we work very closely together. The objective is to help exporters and importers by making access to information easier, making the rules simpler, modernising our outdated IT systems and increasing digitisation and making the flow of goods easier, cheaper and quicker.

Senator CADELL: Good ad! In the QON, I got the answer; I read it, but I wasn't crystal on the response. Is Austrade the lead agency for this or is it just putting in administrative services? Who is the lead agency for the Simplified Trade System?

Mr Brugeaud: Austrade provide corporate support for the STS Implementation Taskforce. I report to Minister Farrell and we represent all of government in terms of simplifying trade.

Senator CADELL: So who is the lead agency?

Mr Brugeaud: The Simplified Trade System Implementation Taskforce is the lead for cross-border trade transformation. Austrade have a clear interest in the program as well, with things like the Trade Information Service, which is an important part of the program. But, aside from specific programs which they have an interest in and provide corporate support for, the Austrade role is to provide support for the task force; the task force leads the program.

Senator CADELL: Minister, is that task force reporting to you?

Senator Farrell: It does.

Senator CADELL: Thank you. In the response to the fourth question in the QON, regarding the work program for the STS, it said:

... the STS Taskforce is currently taking forward programs related to regulatory reform, border alignment ... data sharing ...

Can you give me the budget for those programs?

Mr Brugeaud: Yes, I can. I'll just bring up the statistics. We have a range of programs for which we're responsible. We have a total funding pool—I'll just bring up the figure—that has been allocated to the task force and all of the STS agenda, of \$390.6 million since the inception of the STS agenda in 2021. For the specific programs, the regulatory reform is part of the STS Implementation Taskforce funding pool, which has a total of \$36 million since the task force was created on 1 July 2021. Cross-border alignment has a total of \$5.5 million allocated. I think you're asking about data sharing by default—\$5.6 million.

Senator CADELL: Thank you very much. Are there any budget overruns? Are we confident we're on track, on time and on budget?

Mr Brugeaud: For the STS Implementation Taskforce, we are tracking slightly above our budget. We're currently tracking eight per cent over our annual budget. That has been corrected and brought back from a bigger overspend in September of last year. So we're tracking pretty close to our budget and are managing very carefully.

Senator CADELL: Thank you for that full answer. Are there risks? Are we running on time on this?

Mr Brugeaud: For all of the things for which we've been given authority and funding, our plan is to deliver those items.

Senator CADELL: Is there a contingency? Is there any effect on government if we don't complete all of the items on time?

Mr Brugeaud: The key advice that we're providing to government will sit in the MYEFO process at the end of this calendar year. That will be the point at which government will make decisions as to the scope and extent of the trade transformation. That will be the point at which government will decide its future investment. As far as the investment to this point is concerned, I would say it's low risk in terms of planning for the STS Implementation Taskforce. There are a range of programs which are running across government, however, that need to contribute to this in terms of broader cross-border trade reform initiatives.

Senator CADELL: Chair, I note that I've been going for 25 minutes and this is a very long section, so do you want to share the call?

CHAIR: I understand that you're the only senator who has very long questions! I will place on the record that I understand Senator Cox has one question and that Senator Colbeck has one as well. Would you be happy if I rotate the call to the other two senators before I come back to you?

Senator CADELL: Yes.

CHAIR: Senator Cox, you have the call.

Senator COX: I'm curious about how Austrade is building capacity for First Nations businesses so they can be ready for export.

Mr Simonet: Before Mr Boyer answers I want to give a bit of context. We have a broad range of engagements with First Nations businesses and people. As an organisation, we value inclusion and diversity. We have three trade commissioners overseas with a First Nations background. We also have just confirmed a Reconciliation Action Plan. That plan has been endorsed by Reconciliation Australia, and we will be launching that soon. We are very committed to creating opportunities for First Nations businesses, and we implemented an MOU with Supply Nation in 2022 to cooperate in a range of areas to support First Nations businesses and exporters. Also, on the tourism side, because Austrade is responsible for tourism policy, the tourism strategy THRIVE 2030, which we

have worked on, has a key focus on increasing the participation and success of First Nations businesses across the visitor economy. That's just to give you a broad sense of our commitment to supporting First Nations businesses and people.

Mr Boyer: Thank you, Mr Simonet. Senator, thanks for the question. The CEO has stolen most of my talking points! The only thing I would add to that is under the Reconciliation Action Plan we have a target for the number of Indigenous exporters that we work with, which I think this year, from memory, is 25 and moving up to 35 next year. We're well on track to achieving that. From my personal perspective, I think I'd like to see it being a lot higher. I think the work that we've done with Supply Nation has been a good eye-opener for an organisation that was not effectively engaging with First Nations people three or four years ago. I think we've made good strides, but I think we have quite a long way to go.

Senator COX: Is that specifically for market access?

Mr Boyer: Less so with market access. Mr Meek might be able to add some more colour here, but often it's about providing early-stage advice, because Indigenous exporters are perhaps not as ready to get straight into market as some of our other export clients, but we've worked pretty successfully and we've a few really good case studies. The swimwear company—for which I will be reminded of the name at some stage—

Ms King: Gali Swimwear.

Mr Boyer: It's a really impressive company and a great example of some of the work we've been able to do with Indigenous exporters.

Senator COX: Has there been any up-to-date development on a First Nations export strategy?

Mr Boyer: We have the Reconciliation Action Plan that Mr Simonet talked about at the beginning, which touches on targets around export, but not a specific document around a First Nations export plan.

Senator COX: Is there any reason why you prefer to go with a RAP versus a strategy?

Mr Boyer: It's an interesting question. I think the RAP is a consistent whole-of-government process that agencies go through in terms of responding to First Nations issues and is a bit more complete than, say, just an export strategy. It picks up staffing targets, for example, amongst other things. For our overseas staffing targets, as Mr Simonet mentioned, we've three First Nations people representing the country as trade commissioners overseas. It picks up our tourism program, for example, and work that we've done in our export market development program as well. So it's a bit broader than just a First Nations export strategy.

Senator COX: Unfortunately, though, RAPs, with their glossy formats being bandied around at morning teas, can be done away with very quickly and are not within the structure of government to provide a very strategic direction that is about structural change. So I'm not a big fan of the RAPs, I have to confess.

Mr Boyer: Noted.

Mr Simonet: When we talk about the RAP, we're very conscious of that risk. We decided, as a team, to work together to make sure that there's ownership of each of the initiatives that have been identified in the RAP, with a personal commitment within our teams to make it happen.

Ms King: To add to what you just said, Mr Simonet: some of the work that my side of the organisation does is to pull together the various bits and pieces or other activities. For example: there is the EMDG program that Ms Palmer was talking about before, where we do look and track quite carefully the number of Indigenous businesses that are coming into the EMDG program and at how we can work to increase that number. It's an important program, including, for example, for businesses that are really at the entry point of exporting. The THRIVE 2030 tourism program is a really important one for us because one of our seven core policy priorities is about building that capability and also about making sure that Indigenous tourism is really cemented very strongly in our Tourism 2030 Strategy going forward. That's because it's just so fundamental to everything that our visitor economy is. I should also mention Australia's Nation Brand, which Austrade is responsible for and has delivered over the last few years. It was relaunched recently, and the government has entrenched that in the Australian Government Branding Guidelines. It has a unique Indigenous logo that we're now using to advance the cause of exporters overseas. It speaks very much about the sort of image that we want to project globally.

So there's a number of strands of activity which all come together. The RAP is really just one of the building blocks in many ways; they all need to come together as a strategy, which—you're right—hasn't been developed yet. We're also working with DFAT—I think they were talking about it today—because they have responsibility for the Indigenous Diplomacy Strategy. They're starting to think about that and formulate that as well. We need to be in lock step—we need to be shoulder to shoulder—with them on that because the trade and investment part of that needs to form.

To answer your question: in our mind the RAP is one of the elements of it, but it does not constitute the strategy. That strategy will come from all the various elements that need to be brought together.

Senator COX: Ms King, what's the logo? Is it an emblem or is it a symbol? What exactly is it?

Ms King: It was designed by a Sydney company called Balarinji. It's a kangaroo, but it's three boomerangs that constitute—I need to show you! It's the kangaroo symbol, but it's very cleverly designed from three boomerangs that are put together on top of one another. They're three different types of boomerangs. Jess Hamilton, head of our comms and marketing, is here and she knows it; she worked closely with the design company. The way they described it was that one of the boomerangs is symbolic of hunting and one of them is for making music. It's just a really beautiful illustration of the things that are brought together to demonstrate what constitutes the Australian image and how we project that globally. Jess, did you want to add to—

Ms Hamilton: Thank you Philippa, You're correct in your representation of the symbols that Balarinji designed for Australia's Nation Brand. I would like to note that the Nation Brand is more than just the logo; it's also the narrative and the story that we tell about our capability. That's both in terms of what it is today and what we aspire to as we move forward. It has to be an authentic representation of our history but also future forward, so that brand represents the future of this country but also acknowledges its past as well. Extensive consultation was done across industry and with Indigenous Australians and the public in order to create the brand. It has been widely used over the last 12 months. It was used by the Australian government at COP26 or 27—

Ms King: Yes, the most recent one.

Ms Hamilton: And we've used it for agribusiness purposes. It is being used by industry to promote Australian businesses, oranges, salmon—

Mr Simonet: And in trade shows and trade missions internationally.

Ms Hamilton: Yes, it has been used for a variety of purposes—

Ms King: Our fashion.

Ms Hamilton: Across fashion, by industry and by government.

Ms King: Balarinji are particularly proud of it because it's essentially our most recognisable symbol 'in a style that reflects a contemporary and authentic Indigenous Australian narrative'. The best way we can describe it is how they describe it.

Senator COX: Great. Thank you for that.

CHAIR: It's very nice to hear that. Senator Colbeck, you have the call.

Senator COLBECK: I have a couple of questions on international education. Obviously it has been knocked around a bit by COVID. Looking at the strategy, we were looking to get to 720,000 students by 2025. What's the recovery looking like? Where are we at? It was mentioned in your opening statement, Mr Simonet. Can we get a sense of where it's at and how the recovery is going?

Mr Simonet: Garth will probably give us some details, but I will just quickly give a bit of context. Austrade is responsible for the promotion of international education. We work with the Department of Education. International education was Australia's fourth-largest export sector before COVID. COVID obviously has very significantly impacted the industry. One of the roles of Austrade is to promote international education and to attract international students to Australia. Now that the borders have reopened and the world is reopening after three years of COVID we obviously welcome the return to Australia of international students.

Dr Taylor: Tourism Research Australia provides the official statistics for the visitor economy. International students are a very important part of the visitor economy, so we track those statistics very closely, but we don't provide the statistics. We take the statistics from the Department of Home Affairs and the Department of Education. Education has been before its own estimates committee today and Home Affairs also have put a couple of things on the *Hansard* record. I'm happy to go through those statements.

If you're looking at specific numbers, Senator, we tend to track the time that we closed the international border in March 2020 and the number of international visa holders in Australia studying at the time. There were 564,000 international students in March 2020. That dipped as far as 290,000 in December 2021. So it went from 564,000 down to 290,000 in December 2021, and since then it has grown back to, as of 30 January 2023, 464,000. It remains 18 per cent below where it was pre-COVID or where it was when we closed the international border, but it has had strong growth over the last 14 months.

Senator COLBECK: That's a good result since the borders have reopened. What about the proportion of visits that go with it? I think the average was 2½ visits per student per annum prior to COVID. Is that still tracking in the same way?

Dr Taylor: I think what you're referring to, Senator, is the loved ones, siblings, parents and grandparents who visit the students in Australia.

Senator COLBECK: Visitations to the student, yes.

Dr Taylor: Yes, visiting friends and relatives. Certainly when the international border opened in February 2022 to international visitors outside of students—students were allowed in a couple of months before that—the very first cohort that returned to Australia were those visiting friends and relatives from India and Singapore in particular. Those numbers rapidly escalated in the first three months. It still remains the case that, as of the full-year 2022 data available, released just today by the Department of Education, visiting friends and relatives is the strongest cohort of all visitors back to Australia, and it's at 47 per cent of the 3.69 million who visited Australia as short-term visitors in 2022—47 per cent. It was tracking at something in the order of 32 per cent long term, so at 47 per cent it's significantly higher than it was. We do forecast that that will moderate over time and that holiday-makers and other leisure travellers will increase over time. Tourism Australia will probably speak to that as well. But for now it has remained a really strong return to Australia from those visiting friends and relatives.

Also, another cohort that has been reasonably strong, and somewhat surprising to Tourism Research Australia when we look at our forecasts, is business visitors, who have returned in 2022 as well. They were at about eight per cent pre COVID, and they've gotten back to about eight per cent.

Senator COLBECK: Eight per cent of?

Dr Taylor: Of the total number of visitors to Australia as short-term visitor arrivals. Pre COVID, around eight per cent—long-term average over 10 years, around eight per cent—were here for business purposes. Now it's gotten back to eight per cent. Of course, it's a smaller number, because there aren't as many international visitors—

Senator COLBECK: So what's the total?

Dr Taylor: but the proportion remains the same. The total for visitors to Australia? It's 3.69 million in 2022.

Ms King: But it does go, doesn't it, Senator, to emphasising the importance too of the international students as a cohort of the international spend. International students is about 68 per cent of the international spend in the visitor economy overall, so it's significant. And then the visiting friends and relatives on top of that means that, in terms of the proportion of that sector of the economy, international students are critical.

Mr Simonet: And, in terms of the role of Austrade, obviously our role is to promote international education. We've got teams onshore and offshore promoting international education, particularly through digital programs, and we've got teams at posts promoting international education. Our objective is to drive diversification as well.

Ms King: There are the two elements to it. There is the promotional aspect of it, but there is also developing international education as an export sector.

Senator COLBECK: Where there's huge potential—

Ms King: Exactly.

Senator COLBECK: in some important markets locally—for example, Indonesia—

Ms King: Absolutely. They're an important diversification market as well.

Senator COLBECK: India and some of the countries we've already talked about. Have we updated our projections? Where are we thinking it might run to now? It was, as you said, our fourth-largest export prior to COVID.

Ms King: Are you talking about international students?

Senator COLBECK: International students, yes. International education was worth over \$20 billion a year, I think, to our economy. But what are we now projecting it will be? Do we have any update on where we think it might go? Obviously, what we were looking at by 2025 will be difficult, given COVID.

Dr Taylor: Tourism Research Australia once a year produces long-range forecasts. The most recent ones were from 2022 to 2027. We released them in December 2022. We have four main components from the international forecasts; education is one of them. Our forecast has international education numbers returning by 2026, but spend, as Ms King said, returning by late 2024 from international students.

Senator COLBECK: Right. Thanks, Chair.

CHAIR: Senator White, did you have a follow-up question?

Senator WHITE: Yes, I do have a follow-up question. Have you got any qualitative research in relation to those students—who's coming back or why they went?

Dr Taylor: These start to touch on policy questions—policy questions that might typically go to the Department of Education. They were asked a couple of questions related to who's coming back and related to particular cohorts, like Indian and Chinese students. The summary answer, from what we understood from the Department of Education, was that they see a broad range of international communities returning with their international students, with no particular peaks or variances, according to their analysis against pre-COVID times. So they expect these students to return in the general ratios and proportions that they were at pre COVID.

Senator WHITE: I understand, but I understood Austrade was trying to attract people. I understand the education, but, if you're out there in a fairly significant market where there's competition, I'm interested in what we're doing to attract students here. Part of that would be what attracts them and what dis-attracts them?

Ms King: We do measure that. We do test the sentiment a bit, and we can test it from social media. Our International Education Centre of Excellence look at that quite carefully and understand what the students are wanting to do and what they're looking at and what their parents are looking at and also what the agents are saying about where their preferential markets are et cetera. I don't have that information to hand, but we'd be quite happy to pull some together for you and get that to you.

Senator WHITE: The projections that Dr Taylor has given us are not just projections on the modelling. It's the modelling based on what else is happening out there in the world.

Ms King: And against competitors: how you're measuring up against competitors.

Senator WHITE: And how people were treated during COVID, one might say.

Ms King: That's right.

Senator WHITE: On notice, can you provide some qualitative figures and what your model is about the projection and the return to 2026 and the barriers to return that might have come from the COVID pandemic period? I understand it's a policy matter, but I'm interested in what your qualitative research is telling you.

Ms King: We're happy to get you what we can on that.

Senator CADELL: In the interests of time, I'll put my STS questions on notice because there are a lot of them and none of them appear to bring down the government tonight! So I'm happy to put them on notice. On some meetings in the UAE, we heard earlier tonight that Mr Metcalf, the secretary of the department of agriculture and fisheries, attended some meetings in Kuwait and Saudi Arabia. Did Austrade officials attend any of those meetings?

Mr Boyer: I'd have to take it on notice—unless Mr Meek is going to correct me.

Mr Meek: I can give you some more information. Austrade played no role in that program. It was facilitated by the Department of Agriculture, Fisheries and Forestry and, obviously, DFAT. The only event we played a role in was in Saudi Arabia with the MLA with importers more broadly beyond just live sheep.

Senator CADELL: Promoting trade, not ending it. That's great. Now I want to go to the caravan park rent program. How many applications were received in that program?

Ms Palmer: We had 336.

Senator CADELL: How many were successful?

Ms Palmer: One hundred and eleven are being offered an opportunity to enter into a grant agreement. We have a reserve list of 26 in case any of those 111 can't proceed with their project. That means we can then offer the project money to the next meritorious on the list.

Senator CADELL: Has there been feedback to the 26 on the reserve list, or do unsuccessful applicants get feedback on their applications where they were deficient?

Ms Palmer: We advised the applicants, all of them—ineligible, unsuccessful, reserve list and successful—last week, and some have requested specific feedback, which we will provide.

Senator CADELL: So it'll be provided on request?

Ms Palmer: Yes.

Senator CADELL: Was there a letter, when they were advised of their status, that they can request more information?

Ms Palmer: I'm just trying to remember. I saw it before it went out. I'm sure there was contact information on there available, but I can check that and, if not, correct the record.

Senator CADELL: Were all the successful applicants recommended for funding by the Grants Hub?

Ms Palmer: No, the Grants Hub didn't have a role in the operation of this project.

Senator CADELL: Have the local members of all the successful applicants been notified?

Ms Palmer: Not by Austrade.

Senator CADELL: Has any local member been notified by Austrade?

Ms Palmer: That might be a question for the minister's office.

Senator CADELL: Minister. How are you?

Senator Farrell: I don't know now! Yes, they have.

Senator CADELL: All local members have been notified?

Senator Farrell: Every local member—

Senator CADELL: How good is that.

Senator Farrell: who had a successful application has been notified.

Senator CADELL: Including those on the smaller side?

Senator Farrell: Including those on the what?

Senator CADELL: The smaller side—our side.

Senator Farrell: We don't do what the former government did and give all the money to our own mates.

Senator CADELL: Swings and roundabouts.

Senator Farrell: Can I say this, Senator: the vast bulk of this money has gone into rural and regional Australia, which, from time to time, you purport to represent.

CHAIR: Good on you, Don.

Senator CADELL: There's not that many caravan parks in Prahran, I would say, sir. Have all the local members been given contact details of successful—

Senator Farrell: They've got the name of the caravan park.

Senator CADELL: If you were mentioning so many regional ones, is there a breakdown between regional and city in electorates available?

Senator Farrell: I haven't seen one with that. I've seen a breakdown by states. We can certainly provide one for you, and I'm sure what I said before will be borne out by those statistics.

Senator CADELL: I look forward to seeing the Prahran caravan park on that list.

CHAIR: Sounds like you may have missed out. That brings to a close to our questions to Austrade. Thank you for being very patient today.

Export Finance Australia

[22:07]

CHAIR: Good evening, Export Finance Australia, and welcome to Mr Hopkins and your team. Do you have an opening statement for this evening?

Mr Hopkins: I do, Chair.

CHAIR: In the interests of time, do you mind tabling that for us? We'll get that circulated to all the committee members. Senator Cadell?

Senator CADELL: At the November estimates you said, 'EFA does not consider scope 3 emissions.' Is that still the case?

Mr Hopkins: I'll ask my chief credit officer to respond.

Mr Pacey: That's correct. Under our policy and procedure—

Senator CADELL: At November estimates it was said, 'EFA had updated our policy and procedures for changes to the legislation.' Regarding the government's climate change legislation, is the updated policy and procedures documentation available publicly?

Mr Pacey: Yes. It's on our website.

Senator CADELL: Great. At the November estimates you also said in response to a question from Senator Barbara Pocock about EFA support for fossil fuel, 'I think the market is phasing out those projects in any event,' with regard to fossil fuel projects. Is that still your opinion or the formal position of the EFA?

Mr Hopkins: It was just an observation in terms of our engagement with the market. At the moment we are seeing many more renewable projects than we are fossil fuel projects.

Senator CADELL: So it's an observation, not the official position?

Mr Hopkins: It's an observation.

Senator CADELL: Just clarifying. Has the government requested policy advice from the EFA regarding whether, in its view, EFA should continue to fund fossil fuel projects?

Mr Hopkins: We're not a policy agency.

Senator CADELL: Since November, how many projects have you assessed and rejected on the grounds of not being able to meet the environmental and social benchmarks of EFA?

Mr Hopkins: We say no to projects for a number of different reasons, but I'm not aware of any projects that we specifically said no to for those reasons that you stated.

Senator CADELL: Great. I refer to an answer given to question on notice 254.

Mr Hopkins: I don't have your reference, but I do have the responses that we've given.

Senator CADELL: Did the government seek any advice from EFA before announcing its decision on investor-state dispute settlement clauses in November 2022?

Mr Hopkins: I'm not aware of any.

Senator CADELL: Can you check and come back to me?

Mr Hopkins: Can we take that on notice?

Senator CADELL: Yes, I'm happy for you to do that. I refer you to question 256. You tabled a table titled 'Ministerial directions issued to EFA from 1 July 2022 to 30 November 2022'. Have you got that there?

Mr Hopkins: I have.

Senator CADELL: I direct you to row 2 of the table and the reference to a ministerial direction issued on 5 July 2022. What was that direction?

Mr Hopkins: That related to the Digicel Pacific transaction.

Senator CADELL: It related to it. What was the direction?

Mr Hopkins: It approved the provision of insurance coverage for that transaction.

Senator CADELL: Understood. Does the government's decision not to include the ISDS provisions in FTAs and to renegotiate them into existing ones increase the risk profile of projects and EFA finance to them?

Mr Hopkins: When we assess transactions, that may or may not be an element that is considered. I think, broadly, that wouldn't be something that we would consider.

Senator CADELL: I refer you to question on notice 258. Of the consultants listed on the 1 January 2022 to 31 December 2022 entity contracts list, which of these are providing ongoing advice on environmental and social requirements, including risk?

Mr Hopkins: Could we take that on notice so that we can go through that in detail?

Senator CADELL: Yes, I'm very happy with that. We'll be finished in 30 seconds at this rate. Which ones are being used to also assess the capabilities of companies on environmental or social risks?

Mr Hopkins: We'll take that on notice.

Senator CADELL: I refer to your answer on question 261. Given the passage of the government's climate change legislation, would EFA have been required to consider flight emissions as part of the environmental and social risks of the Fiji air transport decision?

Mr Hopkins: No.

Senator CADELL: Great. Thank you very much.

CHAIR: Thank you for being very patient today. You are free to go.

Tourism Australia

[22:14]

CHAIR: I now welcome the Managing Director of Tourism Australia. Welcome and thank you for being very patient this evening. To you and your officers, do you have an opening statement?

Ms Harrison: I do, yes.

CHAIR: Would you mind tabling that, in the interests of time?

Ms Harrison: Sure.

CHAIR: We'll circulate that to the committee members. I'll open up questions. Senator Colbeck, you have the call.

Senator COLBECK: I want to go to international aviation capacity and where we're at in opening up and returning numbers of international passengers. The recovery of international aviation capacity is behind that of most of our competitor international markets. What airlines have you been talking to—or perhaps even the minister has been talking to—to discuss the need to increase capacity?

Ms Harrison: You're asking about the return of aviation—where we're at. What was the second part of that question?

Senator COLBECK: International airlines that you've been talking to—or the minister can take this—to discuss the need to increase capacity.

Ms Harrison: Today we are at 74 per cent of total aviation capacity return. If you look at that by market, there have been some real success stories. India is at 271 per cent of seats pre-COVID. South Korea is at 111 per cent. Both of those markets have secured new routes that they didn't have pre-COVID. Indonesia is at 100 per cent. Going down the line, it sort of starts to taper, and at the bottom of that list, of our key markets, Japan is at 65 per cent and China is at 23 per cent as we stand today. But China is gearing up quite quickly, and by the end of June they are going to be at 36 per cent and by the end of the calendar year are going to be at 80 per cent. So, we are seeing capacity coming back.

Regarding what we're doing, Tourism Australia's job is to create demand in those markets. The carriers are commercial entities, and they respond to demand and in a lot of cases are looking to gear up. They themselves want to come back. For example, when I was in Japan I was talking to ANA, and they said they would like to put on more capacity but they've got restrictions around the number of pilots they have available at the moment, because they're flying extra pilots to divert over Ukraine. So there are some structural issues like that. And we work very closely with United in the US. Again, they are looking at Australia as a must-win market and are putting extra capacity on as well. We've been working with Qantas as well, on our latest 'Come and Say G'day' campaign. We went out with them in 10 markets. We're in partnership with them around the globe in 10 markets at the moment. So, we have a lot of conversations with our carriers from a marketing point of view and are looking to I guess create the commercial case for them to rebuild their capacity as and when they can.

Senator COLBECK: Qantas seems to be at about 54 per cent of their capacity at the moment, I think it is?

Ms Harrison: Qantas is at 78 per cent.

Senator COLBECK: International capacity?

Ms Harrison: Yes.

Senator COLBECK: What about airlines that are looking to increase their capacity? For example, Qatar have sought to double their 28 weekly flights. What's been done to facilitate those sorts of things?

Ms Harrison: I think Qatar are limited by some capacity constraints with the air services agreement. That falls outside of my area of expertise. It's more of a policy issue, I think.

Senator COLBECK: So, Minister, what work's being done in relation to those air service agreements that would support airlines like Qatar? I think they were one of the few international airlines that continued to fly through COVID.

Senator Farrell: They did, and they deserve significant credit for keeping that service going. Not only were they bringing passengers but often they were the one company that kept airline trade going so that people could move their products.

There's a whole range of problems in this area. I'll give you just one example, from talking with Qantas recently. As you know, a lot of planes have been decommissioned during the period of COVID. Boeing insist that, in recommissioning an aeroplane, there is six months work done on that plane to get it back to a condition where they're prepared to approve the plane to fly, and there are huge backorders on brand-new aeroplanes. So it's not simply a case of companies wanting to increase their flights; there are actually practical problems. The issue

of pilots has been mentioned. There's a worldwide shortage of pilots. So, to some extent, even with the best will in the world, there are problems getting things back up to where we would like to see them.

The specific issue that you have raised, which is greater access by companies like Qatar, is a matter for the infrastructure minister. I think that's a question that she will need to respond to, but of course we're happy to talk with all of these companies. I've met with a number of companies myself to try and see if we can increase capacity into Australia, including into regional areas like South Australia and Tasmania. And there have been some good results. If we look at Air New Zealand, they are now flying San Francisco-Auckland-Hobart, and that has significantly increased international tourism into Hobart.

Senator COLBECK: So are you satisfied with the rate of return?

Senator Farrell: No. We'd love to see us not only getting back to where we were pre COVID but—

Senator COLBECK: So why aren't you strongarming the infrastructure minister a bit harder to get capacity for organisations like Qatar that you support so much? I agree: they deserve great credit for maintaining the service that they did during COVID.

Senator Farrell: There are a range of considerations to be taken into account. I'm very confident that Minister King will take in the tourism aspects in her consideration and that we will do our level best as a government to get international tourism back to where we'd like to see it, which is higher than pre-COVID levels.

Senator COLBECK: So how many times have you met with Minister King to discuss the capacity increases through air service agreements?

Senator Farrell: Our offices are in regular contact on a range of issues, and we continue to press the case with industry to try and get those visitor numbers back to where we'd like to see them.

Senator COLBECK: What work has been done to deal with the pilot and aircrew capacity? What work are you doing there?

Senator Farrell: When we came to office eight or nine months ago, there were something like one million visa applications in arrears. We have dramatically decreased that number of visa applications, including working visa applications for categories like pilots, by employing another 150 people to deal with these issues. We haven't completely removed the backlog, but we've gone significantly towards ending it. Obviously, a problem in an area like pilots is that they are in high demand. We're not the only country with shortages of pilots, so we're competing in an international field for those pilots. We are reviewing our rules and regulations regarding visa applicants and migrants, and I'm hopeful that in that process we will resolve some of these difficult issues with labour shortages and start getting additional labour into categories like airline pilots.

Senator COLBECK: Are pilots on the priority list?

Senator Farrell: I couldn't tell you off the top of my head, but I'll find out for you.

Senator COLBECK: You'll take that on notice? What's our projection for where we'll be in comparison to pre-COVID by the end of the year?

Senator Farrell: I think we've only got projections up until June 2023. The document I've got says 85 per cent.

Ms Harrison: That's correct.

Senator Farrell: Can we get projections further than that?

Ms Harrison: We can; we just don't have that at the moment. The data that I'm presenting to you is airline schedules. They get loaded about 12 months out, so they should be in the system now. I can get those numbers for you. I think we're going to see a lot of increase, particularly now that two-way restrictions between China and Australia have changed. We think we're going to see a lot of capacity coming back between our two countries.

Senator COLBECK: So you're expecting us to get to about 85 per cent?

Ms Harrison: We're expecting to get to 80 per cent by the end of the year for China. Midyear, we're looking at about 85 per cent capacity for all of Australia.

Senator COLBECK: What proportion of pre-pandemic levels are you projecting to get to?

Ms Harrison: By midyear—by June 2023—85 per cent.

Senator Farrell: That's 85 per cent of pre-COVID levels.

Senator COLBECK: What sorts of resources are you putting into marketing to achieve that? We talked at the last estimates about the new program that you launched late last year; what resources are you putting into that?

Ms Harrison: We work in the 15 markets that represented 80 per cent of the inbound traffic prior to COVID. We're still in those 15 markets. Our activity has kept going throughout the pandemic, but we're now ramping up and doing our brand campaign—our awareness campaign—which is really increasing the consideration for Australia as a leisure and business events destination.

We've also launched around 190 partnerships over the last six months that are now doing the hard work in terms of converting that demand into people coming to Australia. So we've got a whole range of things. We have our Australian tourism exchange, which is one of our 45 events where we connect industry and our partners offshore, and make sure that they're reconnected. We have our Aussie Specialist training program that makes sure that the frontline agents offshore really understand what they're selling when they're selling Australia. We have a whole range of things that we do, and we're back to a full service of activity to rebuild tourism into Australia.

Senator COLBECK: Could you give me some examples of the partnerships that you're working on, who you're working with and how you might leverage some of their skills, networks and databases to really push the growth in numbers that you're projecting?

Ms Harrison: Our partners are wide ranging. They are traditional travel agents and consortia of travel agents. We also work with online travel agents and we work with airlines—all of the people who really sell Australia. Part of our activity is tapping into their networks. A lot of them have really big loyalty programs that we tap into, and we jointly market, so we extend our marketing dollars. We put in a dollar; they put in a dollar. We've got a really stringent partnership criteria program that we use, and it's really around: Do we have the same audience in mind? Are they going to sell quality experiences of Australia? It's a really established and successful program that really works.

In addition to that, we also work in partnership with media agencies. Those media agencies are around telling the depth and the breadth of the Australian story. We have quite a few of those that we've rolled out around the world. One that we have in China, for example, is Ctrip, which is the largest online travel agent in China. We have a partnership with them that we work with all of the states on that tells the story as well as selling Australian holidays. We've also got the *LA Times*. We're all working on a partnership with the *LA Times* in California. We've got the *Daily Telegraph* and their suite of print and digital assets that we work with as well. We have a range of partnerships that we work on, where it's not just us telling the story but we have a third party telling the story of Australia.

Senator COLBECK: What about local providers here in Australia who might have networks that could partner with you to push their messages out? What work are you doing in that space?

Ms Harrison: When you say 'local providers', who do you mean?

Senator COLBECK: Providers of tourism product—maybe accommodation, those sorts of things that have scale and capacity to be supported with a partnership process in marketing product at any point in the range, but high end, for example. They would be a reasonable group to target because you're getting a good return. What work are you doing in that space?

Ms Harrison: We have a whole team that just focuses on our industry and getting them up to speed to be export ready and then taking them into market. We do the Australian Tourism Exchange. We also have Australian Marketplaces in each of our markets every two years. So we have a lot of opportunities where we connect Australian industry with our trade partners offshore. In terms of partnerships, part of our partnership criteria is around: do they have a significant audience that we can talk to, to sell to, to get them to come to Australia? That tends to be people who are based in market for our partnership marketing.

Senator COLBECK: The example that I have in mind—who I don't want to identify—are very keen to create partnerships. I just think that there is perhaps a capacity to go back and have another look in the local system as to what you might be able to do, perhaps even with some of the funding that was committed by the government at the election. I believe they clearly have the product and the capacity that you've talked about. You could really start to use their networks and structures as well as part of your overall marketing, to build what's going on. There is some concern out there in relation to what is happening.

Senator Farrell: Senator, if you want to tell us privately the name of that company—

Senator COLBECK: I'll test that.

Senator Farrell: Okay. We'd be very happy to follow up, I'm sure.

Ms Harrison: Absolutely. We are always happy to meet with new potential partners and talk to them about how we can work together to build Australian tourism. We have a very stringent and well-utilised set of partner criteria that we go through to make sure that all of the work that we do is incredibly equitable and is the best and

highest use of our funds. We're always really happy to speak to new partners and so we're happy to be referred to whoever you're talking about.

CHAIR: Senator Colbeck, I'm mindful that a few other senators have questions as well. I'm not trying to rush you, but I am mindful that we are getting close to 11 o'clock.

Senator COLBECK: You are trying to rush me, but I understand that. The proportion of visitors coming that are actually holiday-makers is a bit of a concern to the sector at the moment. A lot of people are short stay at the moment. What's your KPI for the percentage of inbound international visitors being actual holiday-makers as opposed to, say, visiting friends and family, which, as we heard before, is a pretty significant proportion of the people coming in at the moment?

Ms Harrison: At the moment about half of the international visitors are visiting friends and relatives. That's a pattern that we have seen play out. When a market opens, there is a rush of people who haven't seen each other for a long time, there is a rush of students and a rush of businesspeople, and then the leisure business comes after that. So all of the activity that we are doing at the moment is about building up that leisure so that it is back to the proportions that hit our KPIs. In our corporate KPIs we have a target for overall expenditure to Australia, but then we also have a specific leisure number that we're trying to reach as well, knowing that that is our key focus.

Senator COLBECK: What is that KPI?

Ms Harrison: It's a number. We only focus on a number because it's about yield for us. I will get that number to you shortly.

Senator COLBECK: Thanks. What about youth tourism and backpackers, which plays out into the economy in a whole range of different ways? What work are you doing in that space?

Ms Harrison: The youth market is an incredibly important market for us. They're high-yielding travellers; they come to Australia, they spend a long time here and they disperse around Australia. So they are a key market for us, as are specifically working holiday-makers. We have done a range of campaigns over the last 12 months to focus on working holiday-makers and attract them back to Australia. They have the dual benefit that they work here and they also spend their money here. We have had campaigns going out—we have done a range of working holiday-maker programs. When working holiday-makers were able to come back in November 2021, we went out with 'Work and play the Aussie way'. The markets we went out in were the UK, Germany, France and South Korea.

Senator COLBECK: So they would have been our key markets previously?

Ms Harrison: Correct.

Senator COLBECK: I just have a couple of questions on THRIVE 2030. Why did the THRIVE 2030 Implementation Advisory Group of November not take place? When is the next one due?

Ms Harrison: Is that a question for me?

Senator COLBECK: It may be one that should go to the minister. I think Austrade is the secretariat. I see a piece of paper, which is hopefully useful, coming for the minister.

Senator Farrell: I think that is a question that probably should have been directed to Austrade, because it's a project that is in their bailiwick. I am happy to pass that along to them and get an answer for you.

Senator COLBECK: So you don't know why the one in November didn't happen, and you don't know when the next one is going to be?

Senator Farrell: The new one hasn't yet been scheduled, but we expect it to be pretty soon.

Senator COLBECK: Can I ask what impact the \$35 million cut to funding to Tourism Australia has had on your marketing capacity as we ramp up our efforts into the market?

Ms Harrison: When that \$45 million was pledged, it was never a certainty, so we had two plans: the first plan was with the additional funds, and the second plan was without them. So it wasn't that we lost it; we just had one plan to activate versus the other. We had a few things that we decided not to do. The difference between the two plans, if you like, was that we adjusted the levels of campaign investment across our 15 markets; we wound down our investment on the National Experience Content Initiative—that was where we went and we filmed assets with 1,500 operators around Australia; that program was coming to a natural end anyway, and we just had a plan to boost it a little bit—and we also decided not to proceed with a program of regional tourism missions overseas. But all of our other B2B events were unaffected.

Senator COLBECK: Could you provide that on notice or table that document—I don't mind—so I can understand what you would have done but didn't do as far as marketing is concerned.

Ms Harrison: Sure.

Senator COLBECK: Senator Cadell went through the caravan parks program before. Minister, I think that's one of the programs that were part of the \$48 million that was committed by the government at the election?

Senator Farrell: Correct. It was \$10 million as part of a \$48 million commitment in the tourism sector at the last election.

Senator COLBECK: Can I get you to give me some advice on where you're at with the rest of those projects. I think you had \$10 million for marketing strategies to attract workers; \$10 million for tourism businesses to get back into the international market; \$10 million for expanding the hub, the hospitality portal run by the Accommodation Association; and \$8 million for the Quality Tourism Framework. Where are you at with each of those? Caravan parks we know about.

Senator Farrell: Yes; for caravan parks there were 111 successful applicants, and they're sharing \$10 million. We notified those applicants on 16 February. In the marketing space, with strategies to attract workers, the Department of Social Services is doing a pilot for disability workers, and that's open for application. We've developed and we're rolling out the bonus pensioner measure industry PR kit, and there are social media campaigns in support of that which are in development. Austrade is continuing to engage with the states and territories to investigate opportunities and avoid duplication of their career of choice program. In respect of the accommodation provider price parity, we've undertaken consultation with industry stakeholders, and policy development is underway.

Senator COLBECK: What does that mean—accommodation industry price parity?

Senator Farrell: Ms Harrison could perhaps explain it a little bit better than me, but, essentially, let's say you might advertise on a particular booking agency, which might have a price, and that booking agency could have a condition that didn't allow you to sell your accommodation at a lower price. We're consulting about whether or not we should remove that restriction. Do you want to explain a bit more, Ms Harrison?

Ms Harrison: Sorry; I'm not familiar with it. It falls into Austrade's remit.

Senator Farrell: Are you happy for me to keep going? The grant guidelines have been released, and we expect the formal application from the Accommodation Association of Australia imminently. For tourism wholesalers and exporter marketing, the program is in development, with Austrade undertaking targeted consultation and development guidelines. With the Quality Tourism Framework, the grant guidelines release is imminent. For TTNQ, which Senator Green has a very significant interest and role in, the grant guidelines are to be released imminently. Tourism Tropical North Queensland requested a reprofiling of the funding over three years to better enable it to maximise positive outcomes, and we hope to be able to accommodate that request.

Senator COLBECK: Okay. I'll stop there for a moment. Can you just give us the details of the 190 partnerships that you've entered into on notice, please.

Ms Harrison: Sure. No problem.

CHAIR: Thanks, Senator Colbeck. Senator Green, you have the call.

Senator GREEN: I have some questions about the Come and Say G'day campaign. In a moment I'll ask some questions about the broader campaign and how it's going and what you've seen in terms of reach and response. But while we're on the subject, Minister, on that support from the government to TTNQ, you said that you were going to consider reprofiling it over the three years. They've requested that because of the—

Senator Farrell: My understanding is that they have requested that reprofiling.

Senator GREEN: Yes. I think that's because the previous allocation would essentially have run out too soon for them to be able to properly use that funding for export.

Senator Farrell: Yes, that's correct.

Senator GREEN: Thank you. One of the things that that funding potentially has allowed or supported was for the Queensland government to come in and support Virgin Australia to establish a direct route from Cairns to Tokyo. I was there at the launch, and there was a lot of agreement that the two funding streams together were what actually managed to pull that direct flight route back into Cairns. They had one for a long time, and that is now being re-established post COVID. It's incredibly important. So I want to understand a little bit about how the campaign is going in Japan, particularly around that new flight route, and whether you're taking into consideration that there'll be direct flights from Cairns to Tokyo from 28 June.

Ms Harrison: I might hand over to Ms Coghill, my CMO, to talk about Japan specifically. But one of the things I want to note before I do that is that when we promote in a country we make sure that we promote all of

the destinations that have direct flights and beyond as well. So, as soon as there is a new route there, we would make sure that people understand that they can access Australia from multiple different destinations. That is a crucial part of all of our campaign activity, particularly when it comes to partnerships.

Senator GREEN: Sorry to stop you. I'll be really quick. The key for that flight is that the operators have always maintained that we needed a full-service airline, and that hasn't been the case for a while, so that's exciting.

Ms Harrison: Yes, that's correct. Actually, full-service airlines resonate particularly well in the Japanese market. One of the things that we would do to make sure that that is a success is that we'd work with our partners. We work with a range of agents over there, including JTB and HIS, and we make sure that they have itineraries that they're marketing that would have, say, an open jaw—so you could fly into Cairns and out of Sydney or vice-versa—so that those routes get some traction.

Senator GREEN: Ms Coghill, I think you were going to give us some information about how it's going.

Ms Coghill: Yes, absolutely. I might speak more broadly as to how it's doing globally.

Senator GREEN: Yes, that would be great. I was going to ask you that first—

Ms Coghill: That's okay.

Senator GREEN: but the minister started talking about North Queensland, and I get very excited.

Ms Coghill: Understandably. We look at how our campaign is performing over three phases. First, we look at how our media metrics are performing—are we reaching our target audiences and key markets? Then we look at perceptions and behaviours—are we influencing the way they think and they behave, particularly with regard to having a holiday here in Australia? Then, ultimately, we look at the longer term commercial results—are we starting to see the arrivals and are they spending the money that we want them to spend in the tourism industry here?

From a media perspective, media metrics, we have already reached 78 per cent of our global target audience at least once and often times many more times. We had set a target of 80 per cent by the end of year, by the end of June. We are tracking well ahead of schedule for that. From a media perspective, we were aiming for between 30 million to 50 million in media and PR coverage. We are currently at 40 million. In social media, we are seeing 90 million organic impressions. That is on top of the views we have for the short film we created. It has been viewed over 102 million times across all channels. The advertising has been seen over 500 million times across all channels and across all markets.

At that second level we are now starting to measure, as I said, the perceptions and behavioural change. We look at our brand measures and, amongst those who have seen the campaign, we are seeing an 11 point increase in experience awareness and an increase in 12 points in consideration, which are people who would be looking to come to Australia in the next four years, and an increase of 13 points in intention for people looking to come in the next two.

Then, amongst those people who have seen the campaign—because we want to understand how the advertising itself is working—in Japan, 55 per cent of respondents said that, as a result of seeing the campaign, they are more likely to come to Australia. We have also seen an increase in flight search. I do not have a number specifically for Japan, but we are seeing with Google Flights search, we are 19 per cent higher than the same period in 2019 for flights to Australia versus an increase of 17 per cent for the rest of the world. So we are tracking ahead of the competition and the rest of the regions.

As Phillipa said, we have started our partnership activity and it is starting to roll out in earnest around the world. We are starting to get really great results on it, but it is still early days. My understanding from the partnerships team is that we are tracking ahead of target, though.

Senator GREEN: I'm interested in the Japan market, given the direct flight connection now. What additional activities do you have planned to continue to build demand?

Ms Coghill: We will continue with additional phases of the brand activity. We will be flighting partnership activity through the course of the year. Ms Harrison spoke about working with JTB and our airline partners there, for example. We have our media hosting programs, where we bring journalists and other influential travellers down, and there's a range of other activity like that—PR and social media channels.

Senator GREEN: Where do you take them when they come?

Ms Coghill: We take them all around the country. We work with our STO partners and we work with our industry operators to help craft itineraries to help them see all the amazing parts of our country and have wonderful experiences to tell the story of an Australian holiday in their own voice back within their country.

Ms Harrison: As part of the prioritisation of our markets, I would say that Japan is one that we must win in. It does have our full service of marketing there and we have a team based in Tokyo. We will continue to grow that market back and beyond.

Senator GREEN: And you launched a campaign there, Minister.

Ms Harrison: Ruby was kicked off by the minister in October.

Senator Farrell: And we got a terrific response.

Senator GREEN: On the national experience content initiative, you said it was winding down but I was wondering how many tourism businesses were part of the initiative. I don't know if you have a breakdown, but I'd like to know how many businesses in tropical North Queensland and the Cairns area were able to benefit from that.

Ms Harrison: We did 1,405 photo shoots and video shoots at operator level around the 57 regions of Australia. We actually went to Cairns as our second destination, and we did 50 shoots in the Cairns region.

Senator GREEN: Was that 50 in terms of that individual location or 50—

Ms Harrison: It was 50 operators—experiences. We worked with Mark Olsen and his team at TTNQ to determine which 50 experiences we should focus on. It was really successful, and they were some of the first content we had out because it was the second destination that we went to.

Senator GREEN: I could ask further questions on that, but I know I'm not allowed to! Thank you very much for the call, Chair.

CHAIR: That's all right. Senator Colbeck.

Senator COLBECK: I want to go back to when we talked about getting to 85 per cent by June this year. The Middle East is currently at 83 and Europe is at 80. Why are we lagging behind those particular destinations? What are we going to do to try to catch up?

Ms Harrison: Are you talking about the Middle Eastern carriers?

Senator COLBECK: Their markets are already up at 83 and 80 per cent—Europe is at 80 per cent and the Middle East is at 83.

Senator Farrell: Which figures are you looking at? Mine seem to be a bit different.

Senator COLBECK: From my notes, those are the December TRA numbers.

Senator Farrell: On the figures I have, currently the UAE is 62 per cent—they look like going backwards a bit there by the middle of the year for some reason.

CHAIR: It would be worth checking that on notice, just in the interests of time.

Senator COLBECK: It's tourism, not aviation.

Ms Harrison: You're talking about tourism numbers?

Senator Farrell: For Qatar—

Senator COLBECK: Yes, not aviation.

Ms Harrison: Yes. We can come back to you on those numbers. The UAE isn't a priority market from our point of view, so it's not a market that we do a lot of activity in. But we do support it through our 'rest of the world strategy', which is that we provide our Aussie specialist program to them and we invite them to our events. But in terms of absolute numbers for Australia, it's not a massive leisure market for us.

Senator COLBECK: But that's not my question. They are ahead of us in where their tourism market has returned to—

Ms Harrison: Okay, I've got you.

Senator COLBECK: What are we doing to pick up our game to catch up? We don't want them picking up a share that we miss out on.

Ms Harrison: Right.

Senator COLBECK: I think that report also talked about us getting back to pre-pandemic levels in 2025—

Ms Harrison: Yes.

Senator COLBECK: Why is it taking so long?

Ms Harrison: As a general comment, the Middle East has an incredible focus on tourism and they're investing heavily in it. That speaks about the competitive nature of the global environment. There are the traditional kinds

of destinations, like Dubai, but Saudi Arabia is also growing as a tourism destination. It's a competitive world out there. They tend to do really well with short haul, and we have seen with the recovery that short haul—people travelling between two and five hours—has come back to pre-pandemic levels. There is a little bit of a lag in longer haul—we call it 'out-of-region travel', and it's anything five hours and beyond. That's not just an Australian thing; people just aren't travelling as far at the moment, but we're seeing that change month by month.

For us, it's a rebuilding process. We anticipate that at some time in 2024 we will be back to pre-pandemic levels and beyond. I would say that it's not a lack of desire for Australia. If we had a lack of demand, that would be a problem; but it just takes time for people to plan and book a long-haul holiday.

Senator COLBECK: An extra \$35 million would have helped our marketing in those global markets, to help get us back.

CHAIR: Thank you, Senator—

Senator Farrell: Don't worry, Senator, we'll get there!

Senator COLBECK: We could get there quicker if you hadn't cut \$35 million out of—

Senator GREEN: Oh! You—

Senator Farrell: No, we'll get there when the time is right—

Senator GREEN: So relieved that you're gone as tourism minister!

CHAIR: We'll hand over to Senator White.

Senator WHITE: As those capacities have increased have prices gone down, or are you seeing prices at a higher level than pre COVID?

Ms Harrison: Certainly, pricing has been one of those issues that we have faced. There's demand for Australia but, as capacity has been building and there has been huge demand on those seats, prices have been much higher than they were before the pandemic. We're seeing that normalise now. I can get you some data on where that is right at the moment, but I'll have to provide that to you at a later time.

Senator WHITE: Yes. And load factors: what are the load factors like for those planes that are coming here?

Ms Harrison: They're high. Again, I will provide that to you. I've been on several, and there haven't been many empty seats—

Senator WHITE: There's more than one thing that determines who comes here; isn't it true that Australia is at the end of a spoke and that those Middle Eastern airlines are right in hubs? They have airlines and people going through them, going to different places, and so that changes the nature of traffic—is that correct?

Ms Harrison: Yes, although I would say that for a lot of the carriers we work with we are an incredibly important strategic partner. We are at the end of a spoke—

Senator WHITE: Sure, they all say that—

Ms Harrison: Well—

Senator WHITE: How many that come have air services agreements here? It used to be about 43; how many are there now and how many are coming?

Ms Harrison: I'm not across the air services details, but I would say that they not only say that but they put their money where their mouth is and direct their planes towards us as well.

Senator WHITE: Yes, but as soon as the shit hits the fan they leave!

Senator Farrell: They haven't returned to South Australia yet, Senator, and—

Senator COLBECK: That's a black mark!

Senator Farrell: I raised that with Sir Tim Clark a couple weeks ago. He has now agreed to reconsider their decision not to fly into Adelaide.

Senator COLBECK: All the more reason to be a friend of Qatar, which has been very good to South Australia.

Senator GREEN: You—

CHAIR: On that note, thank you everyone—to every senator and also to Pip and your team for being very patient tonight after a very long day of waiting in the visitors room.

Ms Harrison: Thank you.

CHAIR: There being no further questions, the committee's consideration of 2022-23 supplementary estimates will conclude. The committee has set 3 March of this year as the date by which senators are to submit written

questions, and 31 March this year as the date for the return of answers to questions taken on notice. I thank Ministers Wong and Farrell, officers of the Department of Foreign Affairs and Trade, and all witnesses who have given evidence to the committee today. I also thank Hansard, Broadcasting and the secretariat. The committee now stands adjourned.

Committee adjourned at 23:02