



28 February 2017

Committee Secretariat  
Joint Standing Committee on Foreign Affairs, Defence, and Trade  
PO BOX 6021  
Parliament House  
Canberra ACT 2600

## Re ECCV response into the inquiry into the status of the human right to freedom of religion or belief

Dear Members of the Joint Standing Committee

The [Ethnic Communities' Council of Victoria \(ECCV\)](#), is the peak policy advocacy body for ethnic and multicultural communities and its organisations in Victoria and the *Voice of Multicultural Victoria*. For over 40 years we have been the link between multicultural communities, Government, and the wider community. ECCV's has 220 members comprising of ethnic and multicultural organisations, eight Ethnic Communities' Councils in regional areas of Victoria, affiliated member organisations and some individual members. We welcome the opportunity to review the terms of reference (ToR) of this Inquiry as ethnicity and faith are intrinsically linked and culture plays an important role in how religions are viewed and commented on in the media.

ECCV's comments below refer to the ToR, 1-4. We look forward to further discussions on these issues and would welcome sharing our views with the Committee at any future public hearing.

### ToR 1

ECCV highlights that a significant proportion of ECCV members and its constituents have fled their country of birth due to religious persecution and are now at home in Victoria. ECCV upholds the rights of people and their rights associated with their diversity and which is expressed in their indigenous, ethnic, cultural, linguistic, socio-economic diversity; religious, faith, and spiritual diversity; traditional knowledge and art; sexuality and gender diversity; political affiliation; and age-related diversity.

ECCV has significant expertise in commenting on freedom of religion and on faith-related issues as showcased in the ECCV social cohesion briefs; ECCV media releases on racial discrimination and Islamophobia; publications relating to recently arrived communities including featuring the importance of spiritually appropriate care in aged care settings.

## **ToR 2**

ECCV's media advocacy has focused on issues of religious freedom. An example has been a joint media release between the ECCV and the Islamic Council of Victoria (ICV) condemning anti-mosque protests ([ECCV media release October 2015](#)). ECCV noted the support for diversity and the promotion of inclusivity and social cohesion in Victoria. ECCV and ICV have work closely with the Victorian government in promoting social cohesion in the Victorian community.

ECCV also recognises the role of the Refugee Council of Australia in advocating for refugee and asylum seekers; the Federation of Ethnic Communities' Councils of Australia (FECCA) in advocating for culturally, linguistically, and religiously diverse communities, the Victorian Equal Opportunity and Human Rights Commission in addressing human rights issues and discrimination; the Australian Human Rights Commission in promoting and protecting human rights in Australia; the United National Educational, Scientific, and Cultural Organisation (UNESCO) in promoting interreligious and intercultural dialogue.

## **ToR 3**

ECCV is particularly concerned about the increase of hostility toward Muslims and other minority groups in Australia. ECCV notes that in recent years there has been a rise in anti-multiculturalism rallies and racist attacks resulting in feelings of exclusion and fear in the community.

In a 2015 [ECCV Social Cohesion Policy Brief](#) about the lived experiences of Australian Muslim mothers in Melbourne's outer suburbs, ECCV highlighted that Muslim mothers and their school children have perceived significant unconscious anti-Muslim and anti-migrant bias at school. These women expressed a feeling of diminished sense of belonging to Australia as a result of increasing discrimination and racism experienced through verbal and physical abuse in public places and witnessed by other locals.

ECCV is concerned about the proposed reform of *The Racial Discrimination Act 1975*, particularly in relation to the racial vilification provisions in the Act in Section 18C of the Act which provides important protections against racially motivated attacks, including hate speech against members of Australia's migrant, refugee and culturally, linguistically and religiously diverse communities. ECCV believes existing federal racial discrimination laws need to be maintained while at the same time social cohesion initiatives across jurisdictions need to be supported. We have explicitly recommended adding religion into the protections of the Bill with a view to protecting, valuing, and respecting multicultural and faith communities and their members.

ECCV reinforces its statement on *control orders* as part of the proposed counter-terrorism legislation amendment bill. The control orders are a set of powers under counter-terrorism legislation that can be enacted without arrest and with less evidence than that required under criminal law. ECCV held a roundtable that focused on some of the chapters of the bill that lower the age of control orders to the age of 14. ECCV believes that it is vital for culturally, linguistically, and religiously diverse communities to be informed about the Bill. ECCV emphasises the need to engage with ethno and faith-specific and multicultural community organisations on the implications of the proposed bill and

suggest working closely with Government and peak legal organisations. Representatives of faith communities in Victoria expressed their concerns at an ECCV roundtable relating to control orders and the fear that community members could be unreasonably affected by the proposed bill including the intrusion of privacy due to people's religious affiliation and expressions.

Further, ECCV expresses support for people of 'diverse sexuality and gender' who want to maintain both their faith and cultural identity without being excluded from public discussion over faith and sexuality. We strongly advocates for rejecting all forms of violence towards multicultural people of diverse sexuality and gender. ECCV has been bringing together faith and multicultural community leaders and members of the Lesbian, Gay, Bisexual, Transgender, intersex and Queer community (LGBTIQ) and facilitated discussions on 'diverse sexuality and gender'. The post-Orlando shooting and gay marriage debate had created conditions under which culturally diverse LGBTIQ people of faith felt ensnared between opposing media commentary, religious, community and government agendas.

**ToR 4**

ECCV is not in a position to comment on point 4 of the terms of reference as this is outside the scope of the organisation.

More information about the ECCV publications on social cohesion briefs can be accessed at the ECCV website on <http://eccv.org.au/projects/social-cohesion-policy-briefs/>.

ECCV welcomes the opportunity to speak to the Joint Standing Committee on Foreign Affairs, Defence, and Trade and to elaborate further on the issues highlighted in this letter.

For clarification or to arrange a meeting, please contact ECCV aged care policy officer, Nikolaus Rittinghausen, on telephone 03 9354 9555 and at email

Sincerely

Eddie Micallef  
Chairperson