

Attn. Committee Secretary
Joint Standing Committee on Foreign Affairs, Defence and Trade
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Sir/Madame,

In respect to the following terms of reference:

- 1. The enjoyment of freedom of religion or belief globally, the nature and extent of violations and abuses of this right and the causes of those violations or abuses;*
- 2. Action taken by governments, international organisations, national human rights institutions, and non-government organisations to protect the freedom of religion or belief, promote religious tolerance, and prevent violations or abuses of this right;*
- 3. The relationship between the freedom of religion or belief and other human rights, and the implications of constraints on the freedom of religion or belief for the enjoyment of other universal human rights;*
- 4. Australian efforts, including those of Federal, State and Territory governments and non-government organisations, to protect and promote the freedom of religion or belief in Australia and around the world, including in the Indo-Pacific region.*

Please find my submission below as per the points above:

1. At the moment in Australia, certain aspects of the religious freedoms are seriously curtailed and the religious rights are interpreted differently than in the past, thus causing a lot of confusion and distress.

a/ A vocal push to **redefine marriage as virtually anything else except** than the union of a man and a woman is the most pertinent example of the way in which the right to freedom of religion or belief is being brought into question in Australia. If marriage were so redefined it would expose people and organisations to the risk of complaints under state and territory anti-discrimination laws if they express their view of marriage or cannot comply with or conform to changed social, educational or legal requirements that flow from that redefinition. There are huge implications, not just for religious freedoms but for other rights and freedoms such as freedom of speech, employment and education.

Note that the right to freedom of religion does include the freedom to practice those beliefs – it is not confined only to being free to worship.

The International Covenant on Civil and Political Rights (ICCPRs, Article 18) for example expressly provides “Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to ... to manifest his religion or belief in worship, observance, practice and teaching.” The Universal Declaration of Human Rights (UDHRs, Article 18) also recognises the right of freedom of religion to include the right “to manifest his religion or belief in teaching, practice, worship and observance.” Numerous precedents exist in foreign jurisdictions of business people being prosecuted and fined for declining to provide services for same-sex weddings on grounds of religious beliefs or conscience. Here are some of them.

b/ a virtually unnoticeable **push onto the Australian citizens to buy foods which have Halal certification**. Halal and Kosher are terms defining “religious purity” of foods in Islamic and Jewish faiths, respectively.

While Kosher certification has never been an issue in the past (such foods have been sold, branded as such, in Jewish food shops), the recent relentless drive of various Muslim communities towards have the Halal certification for all foods, particularly at the level of supermarkets is a serious encroachment on religious freedoms of all non-Muslims, effectively curtailing freedom of choice.

Many consumers do not want to eat Halal food, as it would imply a tacit support for Islamic dietetics and religion. Yet by buying Halal certified food they contribute \$\$\$ to the Islamic cause with no choice not to.

The Halal certification is overseen by the Islamic Federation of Islamic Councils. In 2014 financial year, it had an income of almost \$6 million, which added to its \$63 million worth of assets. See:

<http://www.dailytelegraph.com.au/news/nsw/halal-certification-in-australia-is-big-business-and-worth-millions-to-certifiers/news-story/621b3f642d22f78a884a365c007e8def>

These substantial costs are passed onto unsuspecting customers who might be not aware that they automatically support a religion they may not agree with, leading thus to serious discrimination through violations and abuses of the right of religious choice.

Halal certification in Australia is big business and worth millions to certifiers. Considering Islamic global agenda is the question what is happening with the money a tantalizing one with potentially even more tantalizing answers.

Action: Halal and Kosher certified foods, if sold in supermarkets, must be placed in clearly marked section as to fully inform customers what they buy. They must be clearly marked as such.

A previous Governmental enquiry of 30 August 2016 has not covered the discriminatory aspects and abuses of customer choices bordering on violation of religious freedom.

http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/HalalCert

2. a/ **Same Sex Marriage** and LGBT issues. Anti-discrimination laws in Australian states and territories, which provide that you cannot discriminate on the grounds of a person's sexual orientation or gender identity, mean that people and organisations would be exposed to the risk of complaints of discrimination if they did not agree with or cannot comply with or conform to changed social, educational or legal requirements that flow from a redefinition of marriage as other than the union of a man and a woman. Rights and freedoms such as free speech, the prior right of parents to decide the education they want for their children and the right to hold and express religious or cultural beliefs about marriage without being discriminated against in employment or education would all be impacted by anti-discrimination laws if marriage were so redefined.
- Conclusion: It is imperative that the existing laws regarding marriage are kept in force.

b/ **Halal Foods.** The Government must enforce protection of the freedom to be informed which food has a halal certification and a freedom to refuse to purchase foods with halal brand. As halal is an integral part of Islamic religion, people should have a freedom to support it or to refuse it.

That freedom promotes a mutual religious tolerance by respecting a right to stay outside or inside a religious bondage. Otherwise, giving no choice in regards to halal /non halal products would be a violation or abuses of this fundamental right;

3. a/ **Abortion and Euthanasia Laws.** The right to conscientious objection in health care would be and is seriously impacted by Abortion Laws which require health professionals to refer a patient to another practitioner if they have a conscientious objection to abortion.

Section 8 of the Victorian Abortion Law Reform Act and Section 7 of the Tasmanian Reproductive Health (Access to Terminations) Act.

Proposed euthanasia/assisted dying laws in Australia have had similar provisions.

Laws such as Victoria's Health Complaints Act 2016 which restrict counsellors in counselling on homosexual attraction. Yet, perhaps psychological counselling is what in many cases would help. Sigmund Freud's therapeutical success in many cases of refractory sexual issues attest to it.

It is obvious that when the law is lax and lenient and no guidance is given apart of the standard acceptance, the society would move onto evolutionary dead end highway. When introducing the Bill, Health Minister Jill Hennessy revealed that a central motive of the Bill is to eliminate therapy sought for individuals with unwanted same-sex attraction. She said that the new Commissioner would be able to eliminate the "abhorrent" counselling for individuals seeking help for unwanted same-sex attraction – "gay conversion therapy". These are all unfortunate terms and the good Minister would be well helped by enquiring, exploring and applying alternatives which do not run against evolutionary advantages.

b/ **Halal Foods.** The push towards having all foods halal certified constitutes a **serious constraint** on the freedom of religion or belief for the enjoyment of other universal human rights. The religious freedom rights of Hindus, Christians or Buddhists etc. will be seriously curtailed via unwanted participation in Halal programme.

4. a/ **Abortions.** The Universal Declaration of Human Rights (Article 20 (1)) and the International Covenant on Civil and Political Rights (Article 21) both recognise "the right to freedom of peaceful assembly and association".

In Australia freedom of association is restricted by: two legal rulings:

- Part 9A of the Public Health and Well Being Amendment (Safe Access Zones) Act 2008 Victoria; and

- Section 9 of the Tasmanian Reproductive Health (Access to Terminations) Act 2013

which prohibit any communication or protest in relation to abortions within a radius of 150 metres of premises where abortions are provided.

Further, a Clause 24 of the Queensland Health (Abortion Law Reform) Amendment Bill 2016 prohibits "a protest by any means" within 50 metres of an abortion facility which is declared a "protected area."

No matter what words are being used to cover an act of killing an unborn (but existing already!) human being, it is still an immoral fact and it should be considered a crime. Many communities living in multicultural Australia would consider Abortion and Euthanasia to be abhorrent and consider they have an undisputable right to protest against such practices. No matter what distance.

b. **Halal Foods.** Considering the stealth methods by which halal certification is applied and practiced, the impression is that the halal food schema is an imposition onto the Australian public. In April 2016 a violent clash ensued in Melbourne which left some people injured. While the Multicultural Affairs Minister Robin Scott said everyone had the right to protest, and that it had to be peaceful and respectful, still a violent brawl ensued.

<http://www.theage.com.au/victoria/halal-festival-brawl-latest-incident-in-melbournes-multicultural-battle-20160403-gnx9zf.html>

This event and many others across Australia send a clear message to the politicians that the halal schema has to be seen as running against the protection and promotion the freedom of religious practices in Australia and therefore has to stop. Halal products, similarly as Kosher products, should be clearly marked and available only to those who need/require them without being pushed indiscriminately onto all Australians.

Hope that these points are going to be taken seriously when making political decisions concerning ALL Australians.

Thank you.

Dr. Paul Faiql

The following 3 people submitted versions of a Form Letter which were identical or substantially similar to Form Letter 8.

Dr Paul Faigl

Dr Michael Allam

Delima Faigl
