



Mr Grant Harrison
Secretary
Joint Standing Committee on Foreign Affairs, Defence and Trade
R1 – 120
House of Representatives
Parliament House
Canberra ACT 2600

Dear Sir

Please find attached AusAID's response to the questions taken on notice at the JSCFADT Review of Australia's relations with the United Nations on 2 July 2002.

Yours sincerely

A handwritten signature in cursive script that reads 'S. Connell'.

Sue Connell
Manager
Ministerial and Parliamentary Services Unit

**JSCFADT REVIEW OF AUSTRALIA'S RELATIONS WITH THE
UNITED NATIONS, 2 JULY 2002**

AUSAID RESPONSES TO QUESTIONS ON NOTICE

Question 1

Topic: Refugees and Internally Displaced Persons

Joint Hansard page 44. Mr Ferguson asked whether Iran was included as part of our region in UNHCR estimates of refugees and IDPs.

Answer: Yes, Iran is included in the estimates of refugees and IDPs provided to the JSCFADT during the 2 July hearings.

Question 2

Topic: Report of UN Office for Internal Oversight Services

Joint Hansard page 45. Senator Harradine asked, in relation to the report of the UN Office for Internal Oversight Services "One of the best ways, I assume, of dealing with this matter, is to make sure that the perpetrators are caught and dealt with. What has been the actual result, in those terms, of these reports?"

Answer: A study commissioned by the UNHCR and Save the Children (UK), released in February 2002, alleged that some aid workers in West Africa had been sexually abusing children in their care. These allegations have been the subject of an investigation by the UN Office of Internal Oversight Services (OIOS). At the 24th Meeting of the UNHCR Standing Committee in Geneva in June, the UNHCR High Commissioner advised that an OIOS interim report indicated that none of the specific allegations had been substantiated. However, OIOS had confirmed a separate case involving a humanitarian worker for UNHCR (but not UNHCR staff) and reported that the worker's employer was taking action in response to the finding. The report of the OIOS investigation will be released to the 5th Committee of the UN General Assembly later this year.

Question 3

Topic: Report of UN Office for Internal Oversight Services

Joint Hansard page 46. Senator Harradine inquired about the release date of the OIOS report on allegations against UNHCR staff based in Kenya.

Answer: The OIOS Report into allegations of refugee smuggling in Nairobi was released publicly on 25 January 2002. The report followed an investigation into allegations that refugees in and around Nairobi were asked to pay bribes to obtain registration and resettlement documents from UNHCR's Branch office in Nairobi. Kenyan authorities arrested nine individuals for their involvement in the smuggling operation, including three UNHCR staff members and two members of an affiliated Non-Government Organisation. OIOS has advised that it is pursuing the cases with the Criminal Investigation Division of the Kenya Police, and intends to conduct a follow-up investigation mission to Kenya in November.

Question 4

Topic: UNFPA in China

Joint Hansard page 47. Senator Harradine asked: "Give us the details on what has been put in place by the PRC in respect of those counties where UNFPA is present. You seem to be indicating to the committee that there is a different modus operandi on the part of the PRC in those provinces where the UNFPA is working as compared with the other provinces. Would you please provide the Committee with the particular laws."

Answer: There is a different modus operandi on the part of the PRC in those provinces where the UNFPA is working as compared with other provinces. The agreement between the PRC and UNFPA is for family planning targets and quotas to be waived. This agreement is not based on a particular law but was negotiated between province and county level authorities and UNFPA.

Question 5

Topic: Family Planning in China

Joint Hansard page 47. Senator Harradine asked: "Are there any published laws outlawing coercive tactics in family planning in any part of the PRC?"

Answer: Information currently available to AusAID indicates that there are legal provisions outlawing some coercive practices in the Law on Protection of the Rights and Interests of Women (article 47), the Law on Maternal and Infant Health Care (article 19) and the Law on Family Planning (articles 19, 39 and 44). In addition, there are also other mechanisms for individuals to sue government officials for malfeasance or abuse of authority, such as Ch.9 of the Administrative Procedure Law and the Law on State Compensation.

Question 6

Topic: UNFPA

Joint Hansard page 48. Mr Ferguson asked: "could you give us an appraisal of UNFPA operations in a number of other countries in the region, their success rates and how they are managing population control et cetera?"

Answer: As the lead United Nations agency for population and development issues, UNFPA is working with governments, other donor agencies, and community-based organisations in the Asia Pacific region to implement commitments made by UN member states at the 1994 International Conference on Population and Development (ICPD) and its five year review in 1999. Consistent with the outcomes of ICPD, UNFPA is opposed to population 'control' as such. Instead, the Agency is working to achieve balanced population growth by ensuring, wherever possible, that individuals and couples have the information and means to make informed and voluntary decisions about pregnancy and family planning.

The Australian Government appreciates, and continues to provide core funding in recognition of, the contribution UNFPA has made in the Asia Pacific region to improving health services during pregnancy and birth, for voluntary family planning, and for services to protect individuals from HIV/AIDS and other sexually transmitted infections. At UNFPA Executive Board meetings countries in our region have regularly expressed strong support for the Agency's work in the Asia Pacific.