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# Official Committee Hansard

JOINT COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND  
TRADE

(HUMAN RIGHTS SUBCOMMITTEE)

**Reference: Freedom of religion and belief**

MONDAY, 28 FEBRUARY 2000

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**JOINT COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE**

**Human Rights Subcommittee**

**Monday, 28 February 2000**

**Members:** Senator Ferguson (*Chair*), Senators Bourne, Brownhill, Calvert, Chapman, Cook, Gibbs, Harradine, O'Brien, Payne, Quirke and Schacht and Fran Bailey, Mr Baird, Mr Brereton, Mrs Crosio, Mr Hawker, Mr Laurie Ferguson, Mr Hawker, Mr Hollis, Mr Jull, Mrs De-Anne Kelly, Mr Lieberman, Mr Martin, Mrs Moylan, Mr Nugent, Mr O'Keefe, Mr Price, Mr Prosser, Mr Pyne, Mr Snowdon, Dr Southcott and Mr Andrew Thomson

**Subcommittee members:** Mr Nugent (*Chair*), Mr Hollis (*Deputy Chair*), Senators Bourne, Ferguson, Harradine, Payne and Schacht and Mr Baird, Mr Brereton, Mrs Moylan, Mr Price and Mr Pyne

**Senators and members in attendance:** Mr Hollis, Mr Nugent and Mr Price

**Terms of reference for the inquiry:**

To inquire into and report on Australia's efforts to promote and protect freedom of religion and belief, in particular:

1. the extent of violations of religious freedom around the world and the probable causes of those violations;
2. implications for other human rights arising from:
  - a lack of religious freedom and
  - religious differences; and
3. the most effective means by which the Australian government and NGOs can promote freedom of religion in the region and around the world.

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**Subcommittee met at 10.07 a.m.**

**ARMSTRONG, Ms Zena, Director, China General and Mongolia Section, East Asia Branch, North Asia Division, Department of Foreign Affairs and Trade**

**BOWKER, Mr Graeme Robert, Director, Middle East Section, Department of Foreign Affairs and Trade**

**GRENINGER, Mr Tony, Desk Officer Iran, Middle East Section, Department of Foreign Affairs and Trade**

**HACKETT, Mr Brett Anthony, Executive Officer, India and South Asia Section, Department of Foreign Affairs and Trade**

**HEYWARD, Mr Peter Maxwell, Director, Human Rights and Indigenous Issues Section, Department of Foreign Affairs and Trade**

**NAPIER, Dr Mark Donaldson, Executive Officer, China General and Mongolia Section, Department of Foreign Affairs and Trade**

**NOTARPIETRO, Mr Nicholas, Acting Director, Governance Group, AusAID**

**TOMI, Ms Janet Lesley, Assistant Secretary, International Organisations Branch, Department of Foreign Affairs and Trade**

**WOOD, Ms Lynette Margaret, Executive Officer, Indonesia Section, South and South East Asia Division, Department of Foreign Affairs and Trade**

**CHAIR**—The subcommittee receives as evidence and authorises for publication supplementary submission 37A from the Department of Foreign Affairs and Trade. That is the department's answers to questions on notice put to it on 24 September. A copy of the answers and the submission is in the briefing paper.

On behalf of the Human Rights subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I declare open this public hearing. Today's hearing is one of the last in our inquiry into Australia's efforts to promote and protect freedom of religion and belief. Over the past few months the subcommittee has held hearings in Canberra, Sydney and Melbourne and it will finalise its evidence gathering stage next month. Throughout this inquiry our aim has been to focus as clearly as possible on the terms of reference. So our efforts have been directed to considering three major issues: 1, the extent of violations of religious freedom around the world and, where we can get the evidence, the probable causes of the violations; 2, the effect of the lack of religious freedom or religious differences on other human rights; and 3, the most effective ways in which our government, as well as non-government organisations, can promote freedom of religion and belief in the Asia Pacific and around the world.

Something that has been said to us a number of times during the inquiry is that not only is the issue of religious freedom a sensitive one but it is too big to contend with, it is too hard to isolate from other basic freedoms and the factors that lead to its abuse can never be unravelled from the factors behind abuses of all human rights. The argument then follows that the problem can never be addressed on its own but must be dealt with in the context of promotion of all human rights. It may be that in our final considerations we will accept that argument, but we are still considering the alternative possibility because it seems that if sources of particular abuses can be identified then at least there is the option of targeting our response to the problem. From time to time the capacity to identify the problem and its source in quite specific ways may become a major factor in its resolution.

Our witnesses today appeared before us at the beginning of the inquiry – I think the submission you made was in June and you appeared in September – so a reasonable passage of time has gone since we spoke to you last. Of course, DFAT are a major source of information to this inquiry, and indeed to all of our inquiries. On behalf of the subcommittee, I welcome all the representatives from the Foreign Affairs and Trade portfolio. The subcommittee prefers that all evidence be given in public but should you at any stage wish to give evidence in private you may ask to do so and the subcommittee will give consideration to your request. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the House itself. I invite you to make a short opening statement if you wish before we proceed to questions.

**Ms Tomi**—Thank you, I will make a very short opening statement. I have not appeared before the committee on this inquiry before so, firstly, I would like to thank you for the opportunity to appear here with

my colleagues from the various geographic areas of the department and also, of course, from AusAID. As you noted, we last gave oral evidence before this committee in September last year – that was First Assistant Secretary Mr Michael Potts. There have been a number of new developments since then so we would be happy to provide an update and, where we can, answer any questions that you might have.

I just thought it might be useful to reiterate the three-pronged approach which we take to promoting religious freedom. As you will note from our original submission, we support the relevant multilateral framework, including provisions of international human rights law and mechanisms in the UN human rights system. The government has also been devoting increased attention to action at the regional level including, in particular, working for the Asia Pacific Forum of National Human Rights Institution which, as you know, has a secretariat based in Sydney. The third prong is our bilateral engagement, and through this we raise questions of religious freedom in appropriate bilateral channels through our dialogues. As you would know, religious freedom has been on the agenda in all the sessions that we have had so far of our bilateral dialogue with China, it is an important issue in our overall bilateral relationship with Iran, and at a number of posts officers are engaged to various extents in seeking information and reporting on human rights situations, and representing the Australian government's views on those issues. AusAID, of course, devotes significant resources to human rights related work in its development program.

For your information, since the last hearing in September Australia again co-sponsored the Third Committee resolutions in the General Assembly in New York on the Elimination of All Forms of Religious Intolerance and on the Effect of Promotion of the Declaration on the Rights of Persons Belonging to National Ethnic, Religious and Linguistic Minorities. We will be looking to continue our co-sponsorship resolution on the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief at the upcoming 56th Session of the Commission of Human Rights next month. Peter Heyward will be attending that meeting from Canberra.

We have also supported resolutions on individual country situations, both at the CHR and UNGA, which highlight the international community's concerns over abuses of religious freedom, most notably the resolutions relating to both Sudan and Iran. Bilaterally we continue on an ad hoc ongoing basis to register concerns as we see fit over alleged violations of religious freedom.

As you alluded to in your opening remarks, Mr Chairman, we see our work in the promotion and protection of human rights as underpinning the promotion of religious and other freedoms. In the department we also devote the resources of one section of my branch to full-time work on human rights issues, and the international law section of the sister branch in the international legal and international organisations division devotes a great deal of time to these matters as well. We also have officers deployed in the field, particularly in Geneva and New York, working full-time on human rights issues at the multilateral level. And then we have officers in the geographic areas in Canberra working on the China, Indonesia and Middle East desks – as you can see from the people who are represented here today – engaged in these issues and also out in the field.

In addition, out in the field we have organisations like the Australia-Indonesia Institute, with assistance from the Asia Foundation, providing funding for a workshop on intergroup relations in November last year in Jakarta. That was coordinated by the Australia-Indonesia Legal Development Foundation and the Indonesian Legal Aid Foundation. That workshop was designed to bring together key religious, ethnic and other interest groups to discuss a strategy for improving inter-communal relations, in particular dispute resolution and practical anti-discrimination measures.

The Australia-Indonesia Institute has also provided funding for two years to the South Asia Centre, ANU and the Universitas Paramandina Mulia to produce a publication for general audience on the role of Islam in contemporary Indonesian society and politics. Perhaps of less direct relevance, but still in the broader context of human rights and underpinning religious freedom, is a workshop planned for later this year funded from the Human Rights Technical Assistance Program with China to enhance the health and educational opportunities for ethnic and religious minorities. That is all I would like to say by way of opening comments.

**CHAIR**—Thank you very much indeed. Apart from that broad update focussed primarily on what the department does, since the department last appeared before the committee are there any particular events that might be relevant to this inquiry that you might like to put on the record to bring us up to date? I am thinking particularly in terms of Lynette Wood's area of Indonesia or maybe Zena Armstrong's area in China, but there may be other things too, just to get on the record events that may have occurred that are particularly relevant to this inquiry.

**Ms Tomi**—If we look at the Middle East, since this inquiry last convened we have made further representations in respect of the Baha'is and the 13 Iranian Jews in Iran. We have done that here in Canberra and we have raised the situation of the Jews in Iran. Aside from what I cited in my opening remarks on the multilateral front, I might get Peter Heyward to comment on the regional level.

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**Mr Heyward**—On the regional level it is probably worth mentioning that the regional workshop on cooperation for the promotion and protection of human rights in the Asia Pacific is being convened this week in Beijing. It is, I think, the ninth of a series. I think we mentioned this series in our last meeting before you. The focus of that workshop's activities is on human rights education, national human rights institutions, national action plans for human rights and realisation of economic, social and cultural rights. As you mentioned in your opening remarks, religious freedom comes into all of those in one way or another and I guess the context in China and the region is one which will lend itself to discussion of some of the issues arising on religious freedom.

**CHAIR**—As you have raised China, perhaps we will talk about some of the particular issues in China first and then we can move on to some of the other areas. As far as China is concerned would you be able to give us some detail on the situation in respect of Falun Gong? Do you think that the beliefs of its practitioners are regarded generally as falling within the protection of Article 18 of the International Covenant on Civil and Political Rights? What impact has the crackdown on Falun Gong had on its followers in China and around the world? What effect does China's official attitude to Falun Gong have on its international reputation in respect of human rights? I welcome back home Zena Armstrong from your posting in Guangzhou and there is your first question.

**Ms Armstrong**—Thank you very much. The government takes no position on the doctrine or practices of Falun Gong. Our representations in relation to Falun Gong have been under the human rights instruments which relate to peaceful expression of views, freedom of assembly and association, freedom of thought and conscience, but we take no position on the doctrine or the practices. Since September last year we have seen that some Falun Gong leaders have been given prison sentences of up to 17 or 18 years and this is a matter, I think, of some concern to us. We have made a number of representations about the treatment of Falun Gong and Mr Downer made the government's position clear in a speech to the Australia-China Business Council on 25 November urging China to comply with its international commitments under the international human rights instruments. What was the second part of your question?

**CHAIR**—What impact has the crackdown on Falun Gong had on its followers in China and around the world?

**Ms Armstrong**—Certainly we have seen tremendous interest in what is happening in China from Australian Falun Gong adherents. We have seen a number of Australian Falun Gong supporters enter China and they themselves have been taken into detention on occasions – they have been relatively quickly released, I think. In terms of around the world, clearly there is great concern about what is happening.

**Mr HOLLIS**—What is the Australian government's attitude to adherents of Falun Gong in Australia – Australian citizens who go to Beijing or go to China and are involved in protests against the Chinese government's attitude to Falun Gong?

**Ms Armstrong**—The Chinese government has made it very clear that people from Australia or other countries who enter China to participate in Falun Gong activities are acting illegally. The advice that we give to any Australian Falun Gong supporters who perhaps wish to go to China to become involved in these activities is that they are acting against Chinese law and they could be subject to certain reprisals because they are acting illegally.

**Mr HOLLIS**—Do we have any idea how many Australians have gone there to participate in activities? I believe at the celebration of the Year of the Dragon there were a number of Australians.

**Ms Armstrong**—The information I have to hand at the moment says that 16 Australian citizens have been detained in China since November but all were very quickly released and deported.

**CHAIR**—As a by-product question almost, we have recently entered into a new arrangement with the Chinese government about notification of when our citizens are arrested in China. Is that arrangement working more effectively and are we getting quicker information now than we did previously?

**Ms Armstrong**—We now have a consular agreement with China that was signed in the middle of last year. We would hope that China would adhere to the arrangements that were made under that agreement. Unfortunately, in the case of some of the Australian Falun Gong supporters who have been detained the notification has not been quite as speedy as we would have liked. There have been representations made in regard to that urging the Chinese to adhere to the arrangements reached in that consular agreement.

**CHAIR**—Also on China, the subject of the Catholic Church is obviously raised quite frequently. In fact, at the last hearing Mr Potts stated that in some areas of China there appeared to be almost dual recognition of both state-sanctioned churches and those loyal to Rome. Recently there have been reports of the arrest of Archbishop Yang, and Bishop Hang has been detained since late last year. Does this suggest to you that there

has not been real or widespread progress and acceptance of church leaders and followers who remain loyal to the Pope in terms of their religion?

**Ms Armstrong**—We are aware of the reports of Archbishop Yang's detention and we are looking into them. If they are true they would be of great concern to the government. The situation in China, I think, is that churches which are not registered – and where there is either a reluctance or a refusal to register – are perhaps subject to greater scrutiny than those churches which do register. I can speak a little more familiarly about the case of Pastor Li who is a Guangdong pastor. He is taken into detention on occasions. That church is not registered and does come under increasing scrutiny. Until we get more information about Archbishop Yang, I would have to take that on notice.

**CHAIR**—If you would I would be grateful. At the last hearing we were also told that during the recent dialogue some clerics' names were on a list handed to the Chinese officials during the last round of the bilateral dialogue. Do you have any recent information on the way Australia endeavours to promote religious freedom in China and, in particular, the situation of those particular clerics?

**Ms Armstrong**—In regard to the specific situation of the clerics, I would have to take that one on notice and get back to the committee. Within the framework of the human rights dialogue Australia does raise religious matters and our concerns about treatment of religious adherents in China.

**Ms Tomi**—Just in terms of compiling a list of names, we certainly add the names of individuals to the list and this list is regularly handed over to the Chinese government. Canberra sends instructions to the mission. I do not know when the last list was handed over but we certainly added that to the list.

**CHAIR**—I can tell you there was a list handed over last August, because I was actually a member of the Australian delegation.

**Ms Tomi**—Yes, but whether there has been a list handed over –

**CHAIR**—I suppose the question is whether we have had any feedback from it.

**Mr Heyward**—Perhaps I can help. Typically the Chinese would respond the following year on what had been the fate of the people that were on that list. They will give us information as to whether they are still in prison, whether they have been released, whether they have died or whatever. There is very little feedback outside that.

**CHAIR**—To be honest, I must admit that I do not recall at the last dialogue that there was a lot of feedback from the previous year, but I could be wrong.

**Mr PRICE**—I would be surprised if you were, Chair.

**CHAIR**—Thank you, Mr Price. When we talk about Catholics in China who remain loyal to the Pope and who may not therefore be able to practice their religion publicly, is it possible to estimate the numbers of people we are talking about and how those numbers compare to, for example, those in the state-sanctioned church? Is it known if there is any difference, other than loyalty to the Pope, between the beliefs of the state-sanctioned church and the other Catholics in China?

**Ms Armstrong**—I have no formal information about the members of registered or unregistered churches. Recent Hong Kong media reports give some very broad figures about the number of Protestants and the number of Catholics, if you wish to have those. This Central Committee document reports that there were about 25 million Protestants and an estimated 3.2 million Catholics. Given that it comes from a Central Committee document, I would assume that the 3.2 million Catholics would be registered Catholics.

**CHAIR**—Mr Hollis, do you want to ask some questions?

**Mr HOLLIS**—Not on China but on others.

**CHAIR**—Mr Price, do you have any other questions on China?

**Mr PRICE**—Does China have a human rights commission, as we would understand the meaning of a human rights commission?

**Ms Armstrong**—No.

**Mr PRICE**—Have we offered any assistance in encouraging them to set up a human rights commission, as we have in other countries?

**Ms Tomi**—Perhaps Mr Heywood is best placed to answer that question.

**Mr Heyward**—They do not have a human rights commission, as we understand human rights commissions. It is an issue that we raise regularly in bilateral contact with them. They would argue that the functions that a human rights commission would fulfil are fulfilled by other state organs, but clearly we see value in national human rights commissions. We have put the same sort of arguments to them as we have put to other states in the region, that such institutions are valuable for a whole range of reasons – for example, they concentrate

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those functions in one place, they are more accessible, they have a good role in terms of public education – but to date the response from China has not been very encouraging.

**Mr PRICE**—I noticed that when presidential candidate Bush opened his campaign at a university in South Carolina, whose name I have forgotten –

**CHAIR**—Was that Bob Jones University?

**Mr PRICE**—Yes, Bob Jones, thank you again, Mr Chairman. That particular university believed that Catholicism and Judaism were religious cults. How does the department define a cult, as opposed to a religion?

**Mr Heyward**—I think the answer is that since there is no international legal definition which distinguishes between the two it is not something that we would take up. The international human rights instruments talk about freedom of religion and belief and therefore cover the whole range of, if you like, formal organised religions and bodies which do not have that structure behind them. So, in terms of international human rights law, the distinction is not a strong one and therefore it is not one that we would normally use in the way we deal with freedom of religion and belief in our foreign policy.

**Mr PRICE**—The chairman raised the issue of Falun Gong and Catholics in China, but there are a large number of Muslims in China. How would you assess their freedom to practise their beliefs?

**Ms Tomi**—In general terms, religious practice in China is subject to legal regulation and all religious organisations and places of religious worship are required to register as such with the Ministry of Civil Affairs and the Religious Affairs Bureau. According to the information I have, to register they must have a fixed place of worship, a minimum number of believers, an income from legitimate sources and a capacity to manage their own affairs. Religious groups in China are expected to associate themselves with official umbrella groups.

The information I have states that there are 11 million Muslims in China and Islam is one of the five religions that are recognised by the Chinese government. My understanding would be that where they comply with the rules and regulations that are set out by the Chinese authorities they would be able to pursue their religious beliefs. I have no information beyond that to hand but perhaps either Ms Armstrong or Mark Napier could add to that in respect of Muslims in China being able to practice their religion.

**Dr Napier**—I think the point to add there is that China's Muslims are almost entirely located in the western border regions of China. It is an area with a lot of separatist activity, some of which has been quite violent over the last few years, and there has been some equally violent suppression of those religions. The Chinese would argue that it has nothing to do with religion and everything to do with violent terrorist separatist activity and I do not think we have enough information to separate whether they are persecuted for religion or the separatist activities that they have been engaging in.

**Mr PRICE**—So it would be the case that we have not made representations on behalf of the Muslims?

**Dr Napier**—We may have raised it in general terms in the human rights dialogue. We have added a number of Muslim names to the list and this will be presented at the next opportunity that we have to present a list.

**Mr PRICE**—Could I just return to the issue of a cult. You mentioned that the department does not have a view on Falun Gong and I presume also then that you do not have a view about whether it is a religion or a non-religion?

**Ms Tomi**—That is correct. The representations that Australia has made and the comments that have been made by Mr Downer publicly in respect to any crackdowns or arrest of Falun Gong practitioners have been in the respect that they have been seen to just be peacefully pursuing their interests; they have not been based on any interpretation as to whether we see Falun Gong adherents pursuing a particular religion or not.

**Mr PRICE**—So it would be the case that you neither agree nor disagree with the Chinese view that it is a cult?

**Ms Tomi**—As I said, no, we have not engaged with the Chinese on that. I think we would not see that as productive. We have been more concerned to raise issues in the context that these adherents should be allowed to peacefully pursue what they are doing and, of course, the Chinese are aware that –

**CHAIR**—So you have pursued their general human rights rather than their religious rights?

**Ms Tomi**—Yes. Of course, in Australia and other countries the Chinese are well aware that there are Falun Gong followers who are able to go about doing their exercises and whatever they pursue without having crossed the law in any shape or form. But, as the chairman said, we do not say that that is because they are an acceptable group in religious terms, we say it is because of basic human rights.

**Mr PRICE**—What representations has the department made in respect of Tibetan Buddhists?

**Dr Napier**—Firstly, in terms of the general religious rights that have been raised during the human rights dialogue, the list that we have handed over on each of the three occasions has had four, five or half a dozen

Tibetan individuals on that list. There is a project to deal with religious rights and minority rights in the human rights technical assistance program but religious freedom in Tibet is a very important part of the dialogue process.

**Mr PRICE**—And the department's view that Tibetan Buddhists are being persecuted; not persecuted; free to practice their religion?

**Dr Napier**—I think there are concerns about some aspects of how religion is administered in Tibet, particularly the patriotic education campaign which seems to be designed to separate Tibetan Buddhism from the Dalai Lama.

**Mr PRICE**—I have forgotten, is it the Panchen Lama who has recently –

**Ms Tomi**—It is the Karmapa Lama.

**Mr PRICE**—How do you interpret his flight to India?

**Dr Napier**—We do not yet have enough information on the reasons for his departure to make a judgment.

**Mr PRICE**—He has made public statements about it, I think, hasn't he?

**Dr Napier**—He has written a poem and we find it a little difficult to interpret what he is really getting at.

**CHAIR**—If I may just continue that line, didn't he say:

Tibet, where great religions and cultures have flourished in the past, is facing a great threat of extinction.

This is a man who has been approved by the Chinese government as well as the Dalai Lama. I would have thought the mere fact that he made the journey and has been speaking out in those terms might have had some significance.

**Ms Tomi**—To my knowledge we have not made any intervention, particularly as it would relate to this Karmapa Lama. As you would know, we do raise in general terms the human rights abuses in Tibet with the Chinese government and we have also encouraged Chinese authorities to participate in dialogue with the Dalai Lama in looking for a peaceful resolution to their differences. That has been our policy line.

**Mr PRICE**—I think the chairman was asking whether or not the departure of the Lama is very significant for its unstated commentary about freedom of religion in Tibet. I guess what I would be interested to know is what response the department has taken. I think you are saying none.

**Ms Tomi**—That is correct, we have not pursued with the Chinese government the particular issue of that Karmapa Lama fleeing from China to India.

**Mr PRICE**—Do you see it as significant? You appear not to see it as significant.

**Ms Tomi**—I do not think I said that I did not see it as significant.

**Mr PRICE**—Sorry, I am putting words into your mouth. I apologise, it is an old bad habit. When will the department be able to assess the flight of the Lama?

**Ms Tomi**—The broad policy premise, not just in respect of the flight but in respect of the situation in Tibet – because clearly there is a relationship, although whether one would make the assumption that the relationship is exclusively religious or whether in fact there is a political dimension because, of course, the Dalai Lama is of the view for there to be an independent state of Tibet, so that is getting right into a political area in respect of China. I can only really repeat myself: we take up the overall human rights situation in Tibet with the Chinese authorities and, in terms of hoping that China can seek a peaceful resolution with the Dalai Lama and his followers, we see that as something for the Chinese authorities to try and work out in a constructive way with the Dalai Lama. Australia does not see itself as interposing beyond that.

**Mr PRICE**—No, it is just that it seems to me that there has been a significant development in Tibet about which, with great respect, the department does not seem to have taken anything into account.

**Ms Tomi**—The department has not taken an interventionist line on that beyond registering our interest in what is happening in Tibet. To my knowledge we have not taken a public line or an active line in respect of that particular individual going to India.

**CHAIR**—It has been put to us that whilst the Dalai Lama acknowledges that Tibet will be part of China and officially does not pursue a separatist line, there have been closures of monasteries and restrictions on teaching of monks and nuns and so on. Apart from raising these issues at the annual dialogue, which is at an officials' level – it is a fairly senior officials level and I think more senior than most other countries have regular dialogues with – has the government in fact raised it at a more senior level? For example, when President Jiang Zemin came here were concerns about Tibet and what was happening there expressed to him or were those matters raised with him?

**Ms Tomi**—Unless Mr Napier can indicate whether Tibet was specifically raised with Jiang Zemin I would have to take that on notice.

**Dr Napier**—I do not know.

**CHAIR**—Okay, take it on notice, that is fine. We are aware it was raised with him in a non-official way by some of us but I would be interested to know whether the government actually raised it as well. Perhaps we could move on to another area and come a little bit closer to home for a moment. Let us talk about Indonesia where it seems to me that religion is at the heart of a number of the troubles. The situation in the Maluku province with clashes between Christians and Muslims appears obviously to be very serious and grave. Can you give us some of the history behind those exchanges, perhaps the role the army and the police are playing in resolving, or adding to, the conflict and the capacity of the vice-president – who I understand is responsible for trying to sort those problems out – to improve that situation.

**Ms Tomi**—I can perhaps just make a few overall remarks and then I will hand it to my colleague, Lynette Wood from the Indonesia section. I am not an Indonesia expert, but as you would appreciate the whole situation in Indonesia is undergoing very profound, far-reaching, and in some respects rapid, change and I think in the overall context of this changing, evolving Indonesia there are just a couple of points that I would like to note. Of course, the president now, President Wahid, is himself an important figure in defending tolerance in Indonesia and I think that is something that is significant and important to note.

**Mr PRICE**—Hear, hear!

**Ms Tomi**—He has put together an inclusive cabinet, including a Chinese Christian as the Minister for Finance and Industry. Indonesia is still constrained by its constitution which provides for the religious freedom of only five major religions; on the other hand, religious oriented political parties are now allowed. Indonesia has its own national human rights commission, KomnasHam, which is doing quite a lot. AusAID can elaborate, but Australia is trying to enhance the skill level and management of KomnasHam, and I think that is important. As I mentioned in my opening statement, we also have some activities of the Australia-Indonesia Institute.

**Ms Wood**—As you are aware, the situation in Maluku is serious and it has been serious for the last year. The recent spate of violence started in January 1999 and has continued with various ebbs and flows pretty much unabated ever since then, with the added area of conflict in North Maluku from October last year. I mention that because I think sometimes it is overlooked that there are now two significant areas of conflict within the same region and Maluku province in October last year was separated into two provinces, Maluku province and North Maluku province.

The specifics of the conflict in both provinces are slightly different but they share a lot of common features. As my colleague made the similar point in regard to China earlier, I think it is difficult to separate what are inter-religious conflicts and what are inter-ethnic conflicts. The violence seems to have roots not only in religious tensions but also in changing circumstances for the various populations in both areas. Movements in the Muslim populations in both places have probably added to some of the inter-communal tensions and the changing role that those groups have played in society, whether they have come in to dominate the commercial sector or the bureaucracy, have exacerbated the violence in both Maluku and North Maluku.

You were asking about the role of the Vice-President, Megawati. She has visited twice now, once in December and again at the end of January. She has been given the responsibility by the President for coming up with a solution to the situation in the Maluku area, and also Irian Jaya, but to date we have no indication of what she is planning to do in those areas. I might also note that although there is really no prospect in sight of a resolution for the problems in those areas, from what we can see so far President Wahid has taken action to change both the governor and the regional military commander in Maluku province. I am sorry, I cannot remember which one it is – I can look this up and let the committee know later – but at least one of them has been replaced with a Hindu, obviously aimed at bringing in a more neutral party.

As for the question of the role of TNI and the various security forces in the conflicts in both areas, we do not have enough information to form an opinion as to what their role has specifically been. In a number of conflicts over the last year there have been accusations by both the Christians and the Muslims that one or other of the security forces has taken sides in conflicts – may even have exacerbated them – but there does not seem to be a systematic pattern emerging of any particular security force acting consistently against or with one or other of the groups involved in the conflicts.

**CHAIR**—They are just incompetent.

**Ms Wood**—Well, I would not like –

**CHAIR**—You do not have to answer that.

**Ms Wood**—I would not like to make a comment on that but given the challenges facing President Wahid's administration right across the archipelago it would be fair to say that the resources of the security forces are fairly stretched.

**CHAIR**—Do you see those tensions between the Christians and the Muslims becoming more widespread across the entire country, rather than just the identifiable three or four areas where it has been the case in the last year or two? In other words, is it going to get worse or more widespread or do you think they are going to get it under control? Presumably we have made some sort of assessment.

**Ms Wood**—Given that it is impossible to predict events which have not yet happened, I think it really is impossible to tell. There is such widespread change going on in Indonesia at the moment. Although there have been incidents in Lombok, a small incident in Bali, and there have been demonstrations in parts of Java, so far the conflict in the Maluku/North Maluku area has not spread in an ongoing sense to other areas beyond that – it is still a fairly large area but it has not spread in an ongoing way to other areas. However, we would have to say that that is something you could not rule out.

**CHAIR**—How good is our intelligence about what is actually going on? How do we know what is going on? What does the department do to find out what is going on on the ground, do we just look it up on the Internet or watch CNN or is it more extensive? The fact that Mr Heyward is nodding his head, is that meant to be an answer, Mr Heyward?

**Mr Heyward**—I was just confirming that we actually do do those things, but that is not all we do.

**Ms Tomi**—Mr Chairman, we have a very large embassy in Jakarta and we have at our disposal all the normal means that diplomats out in the field are enjoined to use in gathering information, analysing that information and providing that back to us. Then we have the sources that you have mentioned as well, the public information through the media and the additional information that we get through exchanging views and assessments with other countries in respect of what is happening in Indonesia. In terms of general principles, that is how we conduct ourselves.

**CHAIR**—I would interpret that as saying we are a bit light on resources, or am I putting an unfair connotation on your words?

**Ms Tomi**—You are probably putting an unfair connotation on what I am saying. I am unsure of the exact numbers of people that we have on the ground in the mission at Jakarta but it is a large mission and, as you know, the ambassador is one of our most senior diplomats. Within the department back here in Canberra is one of the few areas where you have a whole section dedicated to one country – the Indonesia section. We only have those kinds of sections with countries which we look at in great detail. There are other agencies, of course, in the system that also dedicate resources to Indonesia. My understanding is that in fact Australia's information about Indonesia is very highly regarded internationally.

**CHAIR**—Obviously KomnasHam is heavily committed at the moment. What is our assessment on how effective it is and if it will be able to cope with the huge amount of cases that it needs to deal with? My perception is that internationally it is regarded as being quite competent and independent, but is it able to handle what it needs to handle?

**Ms Tomi**—Perhaps Peter Heyward can provide you with an assessment of how we see KomnasHam's abilities and capacities to deal with its, as you recognised, very challenging agenda. Perhaps also Mr Notarpietro might like to say something about the very practical ways that we are assisting KomnasHam to further enhance its capacities.

**Mr Heyward**—I think we have the same high opinion of KomnasHam that you referred to. It is an organisation which has a good track record in terms of its public profile and in terms of some of the issues it has dealt with, but I think it is also fair to say that the workload that it has is difficult to manage. Mr Notarpietro can give a bit more information about this. The focus of our help to KomnasHam has been in the area of improving its capacity to manage information and to manage the way it does its business, for example in terms of computerisation, case management and improving the professional competence of its staff. I think we are optimistic that it has the capacity to deal with the large amount of the work that is going to come its way. However, it is going to come across things that it is going to be difficult to work with and there is some work that, just because of work flow, workload, it is going to have difficulty coping with. It is an equivocal answer in some ways but I think it is doing the best it can and it is improving as it goes, but it does have a massive workload.

**Mr Notarpietro**—Mr Chairman, I do not have a lot to add to that. AusAID would see the KomnasHam project as the beginning of a longer term engagement and we have started off engaging at a technical level which is acceptable to the Indonesians. As Mr Heyward said, I think it is a \$1.5 million program over three years and it is managed by the Human Rights and Equal Opportunities Commission in Australia. Basically, it is

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a twinning arrangement to initially build up their computer systems and their management systems to deal with cases. As the relationship evolves we would hope that KomnasHam would look to Australia for further assistance in training and in exchanges of broader human rights principles.

This whole area of governance is something we see as a long-term exercise. You are looking really at changes over 10 to 20 years and I think we are in the first stage of confidence building there. It is a tremendous challenge for Indonesia and the whole question of these new institutions is something there is a lot of resistance to from within the Indonesia bureaucracy itself. From what we have heard there are parts of the bureaucracy that actually undermine these reforms, for example salaries not being paid for people in these agencies. It is a very difficult process.

The other area that we have started to look at in the area of governance in Indonesia is the question of legal reform. A mission led by Roland Rich, the head of the Centre for Democratic Institutions, visited Indonesia recently and has framed some recommendations to AusAID on areas of the legal system where the aid program may be able to provide some support to reform initiatives. We understand that President Wahid is interested in appointing a new reformist chief justice in June or July when the tenure of the current chief justice finishes. There may be opportunities, together with the World Bank and other donors, to provide support to that reform process.

**Mr PRICE**—Haven't we been providing assistance for some time in the reform of the legal system in terms of land tenure, like the records for land ownership?

**Mr Notarpietro**—Yes, but this is a broader reform. The World Bank is actually leading a blueprint for reform for a new legal system. I think essentially we are able to provide financial and technical support for that.

**Mr Heyward**—I will just add one point which I think is significant in this context. The Attorney-General in the Wahid cabinet is the ex-head of KomnasHam, the national human rights commission.

**CHAIR**—That is an interesting appointment. Do we know yet when President Wahid is coming to Australia?

**Ms Wood**—No dates have yet been finalised.

**CHAIR**—No date has been fixed. Why did it get slipped, was it just purely logistics or is there a deeper meaning?

**Ms Wood**—No dates have yet been finalised and that has been the case –

**CHAIR**—But there was talk about March and now they are talking about May or something.

**Ms Wood**—There have been discussions going on between Jakarta and Canberra ever since Mr Downer visited in January but at no stage have dates been finalised. It is still a subject for discussion.

**CHAIR**—You are not suggesting the media misled us, are you?

**Ms Wood**—No.

**Mr HOLLIS**—In the overview that you gave at the beginning you spoke of the situation of the Baha'i people in Iran and you mentioned that the department raised the situation of the Jewish people there. Can you give us a little bit more information? How did we raise the situation? Did we make formal complaints? Who did we raise the situation with?

**Ms Tomi**—It has been customary practice where we have had concerns in Iran to call in the Iranian ambassador stationed here in Canberra. He is usually called at first assistant secretary level into the department.

**Mr HOLLIS**—Is it like your reply about the Chinese, that you wait for a year before you get a reply? What sort of impact does our raising this situation have? What sort of reply do we get? If we are raising specific cases or individuals, how long do we have to wait until we get a reply on the situation of those individuals?

**Ms Tomi**—I do not think there is any specific time frame. For example, when we called in the ambassador most recently he undertook to report our representations back to Teheran and we would hope that we would get a response from him. We also, of course, have ongoing tasking of our mission in Teheran to provide us with information, which they do to the very best of their abilities. They operate an informal contact group with like-minded missions and have an exchange of information going on. Through our co-sponsorship of the resolution on Iran in UNGA and in CHR – at least at last year's CHR – we actively participate in the language of those resolutions. From memory, the resolution on Iran at the last UNGA made specific reference to the situation of both the Baha'is and the Iranian Jews.

**Mr HOLLIS**—If you don't mind me saying so, it is all a bit vague and bureaucratic, isn't it? I would be more interested if we had some sort of positive response. You have said, 'The ambassador undertook to make

representation and we hope we will get a reply.' What happens if our hopes are not fulfilled? Do we in a year's time call him in again and he will undertake it and again we will wait for 12 months? It seems to me that Australia runs around the world touting our record on human rights but any time we give anyone a touch-up on their human rights situation it most certainly is with a feather. We make a big play about this country's record on human rights – except as it applies within the country; we go awfully quiet then – but we pontificate to the rest of the world about human rights. We are toothless tigers, we only mouth these words.

We have a yearly dialogue with the Chinese and we do not have any view on Tibet and we do not have any view on this and we do not know what is a cult or what is a religion or anything like that. It seems to me that we are bending over backwards not to offend anyone. Let us put it on the record if we are frightened to offend the Chinese because they might not buy our wheat, and maybe it is the same in the Middle East. We will run around calling in the ambassadors and saying, 'Oh, well, we've got a few concerns about this. We don't want to upset you at all but maybe you could make a report back to the capital and maybe you'll give us a reply sometime.' It seems to me when they don't give us a reply we do absolutely nothing about it for another 12 months.

What is our record? Do we have the main priority as trade and human rights as a secondary thing – and that is a legitimate thing – or is human rights a priority part of our foreign policy? If such, are we even-handed and raise the issues wherever they are, and vigorously raise them and occasionally demand answers?

**Ms Tomi**—May I reply?

**Mr HOLLIS**—Please do, I would be delighted if you would.

**Ms Tomi**—You have raised a very large number of issues. If I just stay with the first one on Iran; I do not think that we are wishy-washy in respect of the representations we make on Iran. I know for a fact that the Baha'i community in Australia values highly and believes the fact that Australia has co-sponsored the UN resolution on Iran does make a difference. I think that Iran takes great notice of the fact that Australia is an active participant in the formulation of that resolution and is a co-sponsor. I also think that we use the diplomatic tools that we have available to us, and I speak here as a representative of the DFAT portfolio. I think calling in an ambassador and taking an ambassador through these kinds of issues in diplomatic parlance is quite a significant step.

I used the word 'hope' and perhaps I should not have said that. Bringing in the ambassador is a significant step. The ambassador undertakes to report these representations back to Teheran and I think how the Iranian authorities have in recent times treated some of these Baha'is and Jews would suggest, at least to me, that they are cognisant of international opinion. What I am saying is that through these diplomatic measures I believe what we do make a difference.

You talked about what we do in terms of human rights and where our balance of interest lies in trade. I think that we do not see the pursuit of our trade objectives and the pursuit of our concerns on human rights as trade-offs. We believe that we can pursue trade interests and we can pursue our human rights agenda simultaneously with different countries. I think that is manifest in the approach that we have to a country like Iran and I think it is also manifest in the approach that we take to the very important trading partner that we have in China.

**Mr HOLLIS**—What about when the two come into conflict?

**Ms Tomi**—In the time that I have been in my current position, and previously when I was head of the China bilateral section of the department, I did not feel in terms of policy advice and conducting policy that we undertook trade-offs. We have a capacity to pursue both agendas simultaneously. I have Mr Bowker here who is acting secretary of the Middle East branch. He has been stationed there and is one of our Middle East experts. Perhaps he might like to add something in respect of how we manage our broad equations with the Middle East.

**Mr HOLLIS**—Just before he does, I appreciate your comments but you say that in your experience there has never been any conflict. So therefore Australia would have no difficulty this year in co-sponsoring the human rights resolution on China in the UN?

**Ms Tomi**—That is not what I said. What I said in respect –

**Mr HOLLIS**—No, it is not what you said but it is my question to you. If you say that there is never any conflict –

**Ms Tomi**—No, I didn't say there was never any conflict.

**Mr HOLLIS**—Who am I to judge, but it seems to me that a couple of years back when Australia ceased co-sponsoring that resolution our trade seemed, by some strange coincidence, to improve, and I think the Chinese actually made comment on this. So if there is no real conflict, if we pursue the human rights issue in one way and the trade issue on another thing and never the twain shall meet, Australia would really have no difficulty

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this year, if it so wished, in co-sponsoring that resolution, which we used to co-sponsor until a couple of years ago.

**Ms Tomi**—This year the government has still to reach a final decision in respect of the resolution on China, but I think whether or not we choose to co-sponsor resolutions, we take account of that resolution as a resolution. I do not believe that we look at resolutions on human rights in the context of our trade relationship. We look at the resolution and make some judgments in terms of how we are conducting ourselves with that particular country and a whole range of factors that relate to that. For example, Iran is an important trading partner for us, it is a very important market for our wheat, but we have not resiled from co-sponsorship of the resolution that relates to human rights in Iran. In respect of whether or not we co-sponsor resolutions, whether we support a resolution or whether we abstain, whether we vote against a resolution, we look at the substance of the resolution and we look at how we are approaching managing human rights with the particular country.

**CHAIR**—Could I just interrupt proceedings for two seconds to welcome a delegation from Bangladesh who are here to have a look at the way Australia governs itself. You are welcome here this morning. I know you are only with us for a short time but members of the committee hope to meet you later to talk about the way we function. Thank you.

On the subject of China and the human rights approach, would it not be correct to say that the government has taken the view that it chose not to sponsor the UN resolutions on the basis that it saw adopting an alternative strategy as a more effective way of perhaps getting an advance in the human rights situation in China, as opposed to continually getting up and publicly passing resolutions that did not seem to make much difference in improving the situation?

**Mr PRICE**—I think you are leading the witness.

**CHAIR**—I am asking for confirmation.

**Ms Tomi**—I think the chairman has given a very accurate characterisation of the approach that the government has chosen.

**Mr PRICE**—Ms Wood, I did not understand your remarks about movements of Muslims in the province. What did you mean by that? You referred to movements of Muslims as being a factor in the problems there; what did you mean by 'movements'?

**Ms Wood**—I meant migration into both those provinces.

**Mr PRICE**—Transmigration; is that what you are saying?

**Ms Wood**—Not only transmigration. For example, in North Maluku a neighbouring island had a volcano on it and the volcano went up. The Muslim population sought refuge in North Maluku and that created a great change in the communal balance.

**Mr PRICE**—Do we have any idea of the number of deaths in that province?

**Ms Wood**—In Maluku?

**Mr PRICE**—Yes.

**Ms Wood**—I will take that one on notice.

**Mr PRICE**—Do you give any credence to the suggestion that in fact more people have died in the Moluccas than in East Timor?

**Ms Wood**—I have to say straight up that I am not an East Timor expert and I have not worked in the East Timor section. I do not think reports have been finalised about the death tolls in East Timor last year. Well over 2,000 deaths have been confirmed in Maluku and North Maluku. That seems to be a very high number and that is just in the last 15 months.

**Mr PRICE**—What specific assistance has Australia offered Indonesia in their attempts to resolve the problems there?

**Ms Wood**—My colleague from AusAID may prefer to answer this question. Most of our assistance has been offered through humanitarian assistance, not directly aimed at setting up some sort of reconciliation. Obviously we have very large numbers of internally displaced people. Humanitarian assistance aimed at helping them to go back to their homes and looking after medical conditions is one important factor in resolving the situation.

**Mr Notarpietro**—In terms of humanitarian assistance, in Ambon and the Kai Islands – where a reported 52,000 people have been displaced in Ambon and 23,000 in the Kai Islands – the government has provided in excess of \$1 million since February 1999 for food, clothing and medical supplies. I have details of the specific projects.

**Mr PRICE**—Since 1991?

**Mr Notarpietro**—Since 1999.

**Mr PRICE**—A million dollars in food aid?

**Mr Notarpietro**—Food, clothing and medical supplies. It consists specifically of \$50,000 through three Indonesian NGOs for food and clothing for about 3,500 people, a total of about \$750,000 to a French non-government organisation to assist internally displaced persons in Ambon and the Kai Islands, and \$657,000 for emergency medical supplies. A further \$803,000 is being provided this year. All that assistance can do is support people who are in need and who might add to the problems of ethnic conflicts over resources.

**Mr PRICE**—So if I have understood your figures right there are about 100,000 displaced people?

**Mr Notarpietro**—There are 70,000 in both groups: 52,000 in Ambon and 23,000 in the Kai Islands.

**Mr PRICE**—Does AusAID have a view about what the causes of the difficulties are?

**Mr Notarpietro**—I am not in a position to answer that question.

**Mr HOLLIS**—Why? You work for AusAID, you must have some view.

**Mr Notarpietro**—I could take it on notice for AusAID. I represent the governance group which deals broadly across the program, I do not work in the Indonesia section specifically on these questions. I could take the question on notice.

**Mr PRICE**—Does the department have a view about whether or not the army fermented the trouble in the province?

**Ms Wood**—I am not sure if I covered that in my previous answer about the role of the security forces in adding to or detracting from the conflicts in Maluku/North Maluku. President Wahid himself has said that perhaps there have been elements in the security forces which have acted improperly. That has been his assessment but we do not take a position on it.

**Mr PRICE**—What does that mean? Does it mean you are publicly not going to comment, or does it mean your intelligence sources have given you good information but you do not have a view, or does it mean you do not have the intelligence on it?

**Ms Wood**—As you are aware, there have been peaks and troughs in the conflict in Maluku/North Maluku over the last year and some of them have been more intense than others. Reports that we get come from NGOs on the ground, from people who maybe have left the area and are living in other parts of Indonesia and they report what they have seen, but we have no way of verifying what one side or another side says. We have heard reports about either the police or TNI perhaps taking sides in one conflict or another but we do not have any way of verifying it.

**Mr PRICE**—Could I ask a very unfair question. As there is not a Maluku province group that publicly agitates on its behalf in Australia, has the department had a lesser focus on the problem because there is relatively no Australian agitation about it?

**Ms Wood**—I think there has been quite a bit of awareness raising, particularly by church groups in Australia. The Muslim communities in Maluku are not as closely connected with their international counterparts as perhaps the Protestant and Catholic groups in Maluku and they have been quite effective in keeping in touch with church organisations in Australia, Europe and the USA.

**Mr PRICE**—If I could just ask one last question on Indonesia. In the current reform environment how would you rate the likelihood that the police function will be split completely and separately from army?

**Ms Wood**—It already has been split. The police are already a separate entity to the military, but they are both still under the Minister for Defence.

**Mr PRICE**—So what are you saying was the pre-existing situation?

**Ms Wood**—Previously, the police were part of the military.

**Mr PRICE**—Okay, so they are now completely split?

**Ms Wood**—They are separate.

**Mr PRICE**—I was not aware of that.

**Ms Wood**—Since April last year they have been separate.

**Mr PRICE**—How long do you think it will be before the full benefits of that split will emerge?

**Ms Wood**—That is a very difficult question to answer.

**CHAIR**—That is why he asked it.



**Mr PRICE**—Are we providing any assistance to them in terms of becoming a separate entity, given that we have previously provided assistance to different police organisations in the region? Are we currently providing any assistance to the Indonesian police?

**Ms Wood**—Either AusAID or the AFP would have to answer that.

**Mr Notarpietro**—If I can take that, Mr Chairman. The recent governance mission to Indonesia looked at that question and I can take that question on notice and get back to you with details.

**Mr PRICE**—Sorry, the recent governance mission to Indonesia?

**Mr Notarpietro**—We sent a mission to Indonesia to look at what assistance in the broad area of governance we could provide. I think they considered assistance to the police and to the legal sector, as well as assistance to the economic sector and to decentralisation. You can appreciate that we need a focus in our program, that it would not make any sense to do lots of little bits across such a broad sector and that we need to target it strategically. I think that question is being considered now.

**Mr PRICE**—Do you have any more detail? Could you take it on notice to provide the committee with more information about the split, for example are there any joint facilities still being used, all that sort of stuff?

**Ms Wood**—I would prefer to take that on notice.

**Mr PRICE**—Yes, of course.

**CHAIR**—That was Mr Price's last question, he promised.

**Mr PRICE**—Yes, it was, thanks.

**CHAIR**—Mr Bowker, I think you were about to leap into action before Mr Price started that series of questions so perhaps we should return to you.

**Mr Bowker**—Thanks, Mr Chairman. I just wanted to elaborate on some points that Ms Tomi made about our dialogue with Iran on human rights and put it in its historical context in a sense. When the government re-engaged with Iran, following a decision in 1998 to do so, it did so with the clear intention of having a balanced approach to that government. It recognised that change was happening in Iran, and change in positive directions since the election of President Khatami in 1997, and that there was greater scope at that point for Australian interests to be pursued in a range of fields.

Clearly, our economic relations were important to us and we wanted to pursue those actively. We were aware of the growing role of Europeans and some other potential competitors for Australian interests in that market, but it was also clearly understood at the time that decision was made that the approach to Iran was going to have to take into account the fact that there were serious issues that would have to be addressed extending well beyond the economic relationship. For their part, the Iranians have taken a very positive and forthcoming approach to dialogue with Australia across a range of issues, including human rights, consistent with our interest and, I believe, the approach that the reformist elements in Iran have wished to pursue since Khatami's election.

On the specific question of human rights, the committee might like to be informed that it was during the visit of the then Deputy Prime Minister, Mr Fischer, that the question of a formal dialogue on human rights with Iran actually came up. Interestingly, it was a proposal put forward by the Iranian side. They themselves, in the form of their foreign minister, proposed to Mr Fischer that it would be a subject which they would wish to engage Australia upon. Mr Fischer had made it quite clear in his discussions that there were certain aspects about Iran's public record on human rights which caused concern to the government. So it was a very frank and free exchange between the two but it was one which was approached in a very positive sense by the Iranians, to the extent that they indeed offered to engage with us on that issue.

On the 13 Iranian Jews who have been arrested, I might also like to inform you that the foreign minister himself has personally raised, on three separate occasions, his concerns about this particular case, including most recently with the Iranian foreign minister in October of 1999. I cannot give you a lot of detail about individual representations and specific responses to them, but in general the response from Iranian officials has been that the protections provided by the Iranian constitution to all Iranians would apply in the case of the 13. We have been assured repeatedly by the Iranians that when the 13 go to trial it will be in a public court. At this stage there is no information about where the trial will be or when it will be. There have been concerns expressed that the individuals may not have adequate access to legal counsel in advance of the trial and officials at division head level have expressed those concerns to the Iranians here so they are fully aware of our concerns on that score.

I might also mention that the Australian parliament has also been active on this particular case. The Speaker, Mr Andrews, wrote to the speaker of the Iranian parliament, Dr Nategh Nouri, on 23 August last year. As I recall, the response from the speaker of the Majles was to the effect that the protection of the Iranian

constitution would indeed apply and that the issue was one which would continue to be of concern so far as the presentation of Iran's position to the international community applied.

**Mr HOLLIS**—Mr Bowker, you mentioned dialogue raised by the Iranians; has there been any progress on that? Have we followed it? Have we pursued that issue.

**Mr Bowker**—I will pass over to Ms Tomi on that.

**Ms Tomi**—We have had some preliminary discussions with the Iranian foreign ministry and the matter is currently with Mr Downer for decision.

**Mr HOLLIS**—What would that be? Would it be a yearly dialogue like with the Chinese officials or what, or is this still to be worked out?

**Ms Tomi**—The final details still have to be worked out. We are still awaiting a response from Mr Downer on how, if he wishes to proceed, he wishes to proceed.

**Mr HOLLIS**—I know nothing happens overnight and there is always a considerable gestation period, but how long has the gestation period for this been? When did Mr Fischer first raise the issue and report back? Has it been a year?

**Ms Tomi**—As Mr Bowker mentioned, it was when the former Deputy Prime Minister visited Iran, I think in March 1999, that the matter was raised by the Iranian foreign minister and that was brought back. It has been under consideration and it was quite intentional on Australia's part to proceed slowly with looking at the pros and cons of engaging in a dialogue with Iran on human rights. A decision was then taken that we should investigate that more forensically. That has been done and the material is now with Mr Downer.

**Mr HOLLIS**—As I say, nothing moves terribly quickly on these things, but if it is such an issue for us with Iran – there is the case of the 13 that has exercised our mind for some time and on which you even have the speakers of the parliament exchanging correspondence – one would think that if the human rights situation is of a fairly high priority to the department maybe it will not take another year before a decision is made one way or the other. It would seem to me that having a form of dialogue, whatever form it takes, would speed up this representation of calling in the ambassador and getting the reply back. It would seem to me that smooths the path of human rights somewhat.

**Ms Tomi**—I think that is why Australia has looked very constructively at having a human rights dialogue with Iran. As I said, it is now up to the Minister for Foreign Affairs to make a decision as to whether to proceed along that basis or not.

**CHAIR**—Could I ask that if the minister makes that decision in the immediate future you let the committee know.

**Ms Tomi**—Yes, of course.

**CHAIR**—And I am delighted to see my colleague supports bilateral dialogues.

**Mr HOLLIS**—If I may raise another issue, in the last week or fortnight we have had a delegation, led by Colin Heseltine, visiting North Korea, and I see the weekend papers seem to be full of reports on North Korea for about the first time in a year. I heard on the radio this morning that the mission is now back in, I think, Beijing and making a report. Would you have any idea of the issues raised there? Was the question of human rights, religious freedom et cetera part of the issue that was raised in that, to quote the media, 'high level departmental dialogue' with the North Korean officials?

**Ms Tomi**—Perhaps Mr Heyward can give some answer. Like you I saw last night on the news Colin Heseltine giving what looked like a media conference in Beijing. I have not myself read any official report of that visit but perhaps Mr Heyward –

**Mr HOLLIS**—Before Mr Heyward does, that visit did not just happen overnight, it was planned for sometime. I guess you would be the people who would brief the participants of that delegation – I think there were four – on the human rights situation in North Korea, which as I understand is pretty horrendous. Did they go with any briefing or any riding instructions or anything?

**Mr Heyward**—That is where I was going to come in. Yes, we did brief them on the human rights situation as we knew it there, and also on the areas which were of particular concern to Australia. As Ms Tomi says, we do not know yet what role those concerns played in the discussions that they had and what answers were given, but they were certainly briefed on those issues.

**CHAIR**—As for the previous question, perhaps when you have some feedback you could let the committee know. Being an inherently fair person I hate to see Mr Hackett sitting there without having an opportunity to speak so perhaps we should move on to India and Pakistan. Obviously it is up to Ms Tomi to decide whether Mr Hackett performs or whether she wishes to take the questions, and I do not want to pre-empt that, but in

terms of India could you update us on the Staines murders. There have been various reports in the media and so on and I wonder if you could update us on that. Do you think that they are actually going to bring a successful conclusion to that case? We are also conscious that there is some history of attacks on Christian churches and religion, allegedly because of their conversion of poor people. I assume that is not confined to Christians, but what degree of religious tolerance operates in India currently? Perhaps I will let you have a go at that and then we will come to Pakistan.

**Ms Tomi**—I am happy for Mr Hackett to answer.

**Mr Hackett**—Mr Chairman, the prime suspect in the Staines murders has been apprehended after about 12 months at large.

**CHAIR**—Dara Singh?

**Mr Hackett**—That is right, Dara Singh. In addition to Dara Singh there has been one other apprehended in recent weeks. They are still undergoing exhaustive questioning, if you will, but both are in detention. It is fair to say that there remains widespread community outrage in India at the fact that this terrible murder has occurred and there is continuing scrutiny of the police in Orissa state to ensure that now that Dara Singh has been apprehended there is no further bungling of the investigation and subsequent trial. I think it is also worth drawing to the committee's attention the fact that the report of Justice Wadhwa remains on the table and remains the subject of some criticism within the Indian community, particularly as it relates to assertions that Dara Singh was acting as an individual and not a member of any particular organisation or as an affiliate of any particular organisation.

**CHAIR**—Apart from that particular incident, is there widespread anti-Christian feeling in India? Is there a lot of religious intolerance?

**Mr Hackett**—I think it is fair to say that India is a secular country and the right to freedom of religious worship is enshrined in the Indian constitution.

**CHAIR**—It is enshrined in the Chinese constitution.

**Mr Hackett**—Indeed. Successive Indian governments have made public statements abhorring any violence along religious lines and I think it is fair to say also that when problems occur they are a localised rather than a national issue. You raised the question of forced conversions or conversions which do give rise to tensions. It is true that the majority of people in India who do convert do so from lower caste Hindu backgrounds to either Christianity or Buddhism. Those who choose to convert to Buddhism do not encounter the same problems, because under the Indian constitution Buddhism is still caught up under the definition of Hinduism, but when converting to Christianity there are problems occurring because effectively these lower caste Hindus are taking themselves outside the caste system as properly defined. That creates some problems in local communities.

There is also the problem in a lot of local communities where there are perceptions that these conversions are being purchased – you know, convert now and get a toaster, that sort of thing – and there are some allegations that those conversions are not freely reached, that there are inducements being offered which distort the whole process.

**CHAIR**—Can you bring us up to date on the situation in Pakistan with the removal of Mr Shareef and a move towards Islamic fundamentalism, more on the Afghan model in some senses. What really is happening there currently and what do you see as the implications for religious tolerance, particularly of, say, minority Islamic sects?

**Mr Hackett**—I think last time I gave evidence before the committee I said that religious intolerance was but just one small factor in all the problems confronting Pakistan. I think that the dynamics have certainly changed in Pakistan with the rise to power of General Musharraf but I think it is probably too early to tell the extent to which that is going to impact on the plight of religious minorities, including minority Muslims.

**CHAIR**—Thank you. I am conscious of time so I am trying to cover some fairly wide ground. When the department appeared before us last time we talked about Russia and the situation of religious freedom in that country. We discussed the law of freedom of conscience and religious association and its effects on non-traditional churches. Mr Potts – you will notice I am quoting Mr Potts a lot this morning; he has a lot to answer for if you can't answer the questions – told us the situation there was 'an evolving one'. How much further have things evolved?

**Ms Tomi**—Mr Chairman, I don't have to hand any specific updating information on the situation in Russia so regrettably I will have to take that on notice.

**CHAIR**—Okay. Moving on to Vietnam, as I understand it the Unified Buddhist Church of Vietnam has not been recognised by the government, and certainly as a member of parliament I get a lot of representations on

behalf of that organisation, as I am sure my colleagues do. Could you perhaps update us on the extent of religious freedom and belief in Vietnam generally and for members of that particular church?

**Ms Tomi**—Which was the particular church you were interested in?

**CHAIR**—The Unified Buddhist Church of Vietnam.

**Ms Tomi**—I do have a note about religious freedom in Vietnam – please stop me if you have heard this before. I will go through some of the key elements. On Catholicism we note that there has been a continued improvement in state relations since the appointment of four new bishops in 1999. Back in August 1999, the La Vang Catholic Festival was again allowed to take place peacefully and that had an even larger gathering than in the previous year of some 100,000. Vietnamese Catholic bishops attended a synod of Catholic Asian bishops in Delhi in November last year where a Vatican spokesman said that the relationship between Vietnam and the Vatican was moving towards normalcy, although it was premature to talk yet of a date for the resumption of diplomatic ties – you would not have had that information since it was only in November last year.

With respect to Buddhism, the Hoa Hao Buddhist Sect has been an officially recognised religion since May of last year. A celebration of the 60th anniversary of the founding of that sect was officially sanctioned in June last year and an official Hoa Hao committee was established. According to this note, the leader of the United Buddhist Church of Vietnam, Thich Huyen Quang, remains under pagoda arrest – whatever that may mean – in Quang Ngai province in central Vietnam.

**CHAIR**—Isn't that the equivalent of house arrest?

**Ms Tomi**—Yes, I would imagine so, maybe an up-market version of it. He had a meeting in early December last year with a representative from the US embassy. It is believed that this was the first time that he had met a westerner since he had been imprisoned back in 1982, despite frequent requests from foreign diplomats, journalists et cetera.

**CHAIR**—Including ours?

**Ms Tomi**—That is not entirely clear to me. I will have to check whether we have made representations in respect of this particular individual. The UN Special Rapporteur on Religious Intolerance was prevented from meeting Quang when he visited Vietnam in October 1998. According to this note, UBCV members believe the increased pressure they are under is as a result of official unease at their re-emerging profile and the declining influence of the officially sanctioned Buddhist Church of Vietnam.

I have a short note on Protestantism in Vietnam and we note that that appears to be faring less well than the Catholic Church. Authorities in North West Vietnam remain opposed to the spread of evangelical Protestantism amongst ethnic minorities. It is not entirely clear as to why the authorities seem to be a bit more nervous about the activity of Protestant groups than others. I have a note on the Cao Dai group but I do not know if this is of interest to you. We are not aware of any recent dissident activity by members of the Cao Dai religion, nor of the release of any followers who are believed to be imprisoned, including two clergy arrested during the visit of the UN Special Rapporteur on Religious Intolerance. The Cao Dai clergy continue to operate under close official monitoring but they themselves do not consider that they face serious restrictions on their religious activities.

**CHAIR**—If you could perhaps just see if there is anything particular on that –

**Ms Tomi**—Yes, whether Australia has made representations.

**Mr PRICE**—In relation to Pakistan, has the plight of the Ahmadiyyan Muslims improved with the change of government there?

**Mr Hackett**—It is too early to tell. It is something that we are obviously going to keep an eye on but it is still very much in a state of flux. The initial priorities for the Musharraf team have been to try to get the economy back on track and to try, in recent weeks anyway, to launch some sort of rapprochement process with India. I think there is a reasonable expectation on our part that issues such as that are going to be second string issues when, after all, the economy was basically facing collapse when Musharraf stepped in.

**Mr PRICE**—When do you think you will be able to tell? Can you put a time frame on it?

**Mr Hackett**—Rather than my time frame I think you can probably look at what the Commonwealth has dictated to the Pakistani regime which is basically two years, with the prospect of reviewing it within the next 12 months to ensure that there is progress back towards democratisation.

**Mr PRICE**—Thank you, Chair.

**CHAIR**—I do not know whose bailiwick Sudan is, but religious freedom there has obviously been of concern for quite some time and perhaps you could bring us up to date on that situation.

**Ms Tomi**—There is not very much I can say about Sudan. Our approach has been to support the United Nations' efforts, in other words Australia has not taken a bilateral approach and it is an area in which we do not have a great deal of leverage. In respect of our international efforts, as I mentioned in our opening statement we again co-sponsored resolutions at both CHR and at the UN General Assembly last year and it was those resolutions which expressed concern about the severe restrictions on the freedom of religion and peaceful assembly. At the upcoming CHR next month in Geneva we will be looking to continue our co-sponsorship. Our embassy in Cairo, which has accreditation to the Sudan, does make some bilateral representations. I think Mr Notarpietro can add something to this.

**Mr Notarpietro**—Just on the aid front, we have had very recent reports that apparently non-government and humanitarian organisations are being expelled by the Sudan People's Liberation Movement in the south. An expulsion order basically is asking NGOs to vacate their staff and assets from project sites by 26 February. The government is obviously concerned about the serious implications that this has for humanitarian assistance to the people of Sudan. Australia supported a demarche by the special envoy of the UN Secretary-General for Humanitarian Affairs for Sudan to the chairman of the SPLM and the government is disappointed that the demarche was unsuccessful.

So as things stand NGOs are being asked to leave southern Sudan this week. The UN will undertake the evacuation of NGO personnel and the Australian government is liaising with non-government organisations and the UN to ensure the safe evacuation of staff from Australian supported projects in south Sudan. The Australian high commission in Nairobi is monitoring the situation closely and obtaining advice on any Australian nationals working in south Sudan.

**CHAIR**—Thank you. I am pleased you raised the subject of Cairo and Egypt because I was going to move on to Egypt itself.

**Mr PRICE**—Mr Chair, before you leave Sudan, is it ever the case that we decide a country is just so much of a basket case in terms of fighting and a lack of prospects for peace that we refuse to provide any humanitarian aid? We are being thrown out of the Sudan, or everyone is being thrown out of southern Sudan –

**Mr Notarpietro**—I think basically that judgment is one of whether non-government organisations, which essentially is how we provide relief assistance in these situations, can operate effectively in providing relief. In a place like Sudan we are obviously a very small player by international standards and all we can do is provide support to the Australian non-government organisations that are active there and that have expertise and experience. In a sense we can monitor, we can talk to them about where their assistance is being effective. For example, from talking to the Sudan desk officer just last week I think we are looking at a project to support the Sudan Council of Churches which is trying to use aid – things like wells and small roads, infrastructure – to bring rival communities that are in conflict together around a development project. So I guess at the micro level in situ it is possible to do some useful things and non-government organisations are in a sense best placed to make those assessments. We talk to them and where it seems that there is benefit to be derived from providing support then there seems to be no reason, just because at the macro level there is conflict, to not support those people who can be helped.

**Mr PRICE**—Are any regional organisations on the African continent taking any initiatives in relation to Sudan?

**Mr Notarpietro**—Beyond what I have been able to provide across the detail of the international situation in Sudan, obviously the UN agencies are very heavily involved in making representations to try and resolve that conflict, or at least provide an environment that allows people to be assisted.

**Mr PRICE**—Could you take that on notice if you are not aware?

**Mr Notarpietro**—Yes.

**Mr PRICE**—Thanks, Chairman.

**CHAIR**—Egypt – you had time to find your notes because I forewarned you. I understand there were allegations at the beginning of the year that 25 Copts in upper Egypt were killed and a number of people were wounded and property was destroyed. Can you tell us anything about the truth of those reports and further allegations that the deaths were as a result of Muslim clerics calling for a holy war against the Copts? If you have any history on the extent of religious tolerance in Egypt that might be helpful, and the reaction by the Egyptian government and our own government to any recent incidents.

**Ms Tomi**—Mr Chairman, I can make a few comments and then perhaps if Mr Bowker has some more detail he can chip in. As you noted, in that inter-communal violence that took place in the period 31 December last year to 3 January the Egyptian government itself confirmed that 20 Christians were killed, a number of Christians and Muslims were injured and that violence appeared to have been sparked by commercial dispute. Australia made representations on that particular incident and as a result of those representations Egyptian

officials advised that the violence was ended through the intervention of Egyptian security forces. On 11 January this year the Egyptian Ministry of Social Affairs announced that the government would pay compensation to the families of those killed and to those who had been hospitalised or had their shops destroyed. In addition, the Egyptian government ordered an investigation and announced that the results of the investigation would be released publicly.

**Mr Bowker**—I do not think I can add to that, apart from saying that there has been no suggestion that the origins of the clash were other than commercial. The Egyptian government has been at pains to provide information about this latest clash, which has not always been the case in the past. We have the impression that they took very seriously the fact that there would be international interest in this particular event and were at pains to set the record as straight as they could.

**CHAIR**—Okay, thank you.

**Mr PRICE**—In terms of Coptic immigration out of Egypt, where does Australia rate?

**Ms Tomi**—I do not have the immigration figures to hand of how many Coptics come to Australia. I think I could get those figures from the Department of Immigration.

**Mr PRICE**—I was just wondering are we –

**CHAIR**—It is not just how many come to Australia but you want to know where they are ranked; is that right?

**Mr PRICE**—Yes, that is right.

**Mr Heyward**—You mean the percentage of Copts that come to Australia as opposed to other destinations?

**Mr PRICE**—Yes. Do you think the Pope's visit and meeting with Pope Shenouda is going to have an impact at all on relationships in Egypt between Christian minorities?

**Ms Tomi**—I would have to say that I have not seen any specific assessments of that. Certainly the media coverage that I have read has been very positive and one can only presume that where you have the leaders of different religious groups talking to one another, I think there is symbolism in that. As I said, the media coverage certainly seems to have been very positive on that score.

**Mr PRICE**—I think Pope Shenouda has visited Australia twice now, has he not?

**Mr Bowker**—It probably is twice, yes.

**Mr PRICE**—When he visits Australia does the department meet with him to discuss the situation in Egypt?

**Mr Bowker**—I am afraid we would have to check and find out.

**Mr PRICE**—He certainly met with the Prime Minister on his last visit, did he not?

**Mr Bowker**—Yes, he is normally received at government level. If I may just add slightly to Ms Tomi's response about contact between Pope Shenouda and Pope John Paul, the fact that the relationship between the Vatican and the Palestinian authority is very close has been noted quite widely in the Middle East. I believe that His Holiness enjoys particular respect among Islamic groups throughout the region, not least because of the very forthright stance that the Vatican has taken on certain political issues, including Jerusalem. For that reason I think the fact that he has met with Pope Shenouda could only be a positive in terms of the situation of the Coptic community in Egypt – which, by Pope Shenouda's own account, is one where particular attention is paid by the Egyptian government to protect the wellbeing of Copts on an equal basis to other Egyptians.

**Mr PRICE**—Thank you.

**CHAIR**—Can I move on to some more general questions, and I am very conscious that we are starting to run out of time. During this particular inquiry a number of NGOs who normally we would expect to make submissions to this committee on these sorts of topics have not provided a submission – it is not your fault and I am not suggesting it is. Their resources are obviously heavily committed but I would have to say that that does not normally stop them; they are always heavily committed. When we have asked why they have not submitted, some of them have taken the view, and I alluded to this in my opening remarks, that abuse of freedom of religion and belief is too big an issue and too entwined with other abuses to profit from detailed scrutiny. I think in a couple of cases – for example, when we were talking about aspects of western China and when we were talking about Indonesia – you were making some of the same sorts of comments – that it may be portrayed as Christian and Muslim or some such but nevertheless it is very difficult to unravel them from economic issues or ethnic issues and so on.

Our NGOs have said to us that the issue is almost a taboo one, something they are reluctant to comment on. From your experience and against that background, is this an issue that somehow is too hard or too sensitive to be tackled as a separate issue? Does it form any part of regular consultations with NGOs, and, if not, why is that the case?

**Ms Tomi**—I will defer to Peter Heywood, who spends a great deal of his time interacting with the NGOs. I will also inform you that from this afternoon for the next day and a half we have our annual consultations with NGOs. They happen now and then, and they will happen again in August and Peter can just let you know what the precise nature of the agenda is. With regard to the point you have made about the NGOs saying in a way it is too difficult to try and disentangle religious issues from the broader issues of human rights, there is a resonance of that on the opening page of our own formal submission where we set out religious intolerance and probable causes.

It is noteworthy that some of those key quotes really do talk about broader issues relating to legislation, personal prejudices, cultures of tolerance and the obverse, education and, again, the full raft of international instruments. There is just the one noteworthy international instrument which deals with religion, and that is the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. I do know, having just gone through the last UNGA and looking at what we co-sponsor and what is in various texts et cetera – for example, in the resolution on Iran, which is of the broad situation, obviously, on human rights in Iran, but there are religious components in that – that they do definitely get caught up in the broader area of human rights. But in respect of the NGOs and what we talk about with them and what we are planning to talk about with them shortly, Peter has been involved now for weeks in arranging all of that.

**CHAIR**—Is it on the agenda for the next day and a half?

**Mr Heyward**—There is no formal agenda item on religious freedom but it will come up in a number of different contexts, yes; it is certainly not a taboo subject. For some of our NGO interlocutors it is the main focus of their interest – I believe groups like Christian Solidarity have given evidence to this committee focused very much on that particular issue. Some of the other NGOs, for example Amnesty and the Australian Council for Overseas Aid, would fall into the category that you mentioned of those who would say that it is difficult to disentangle what is religious intolerance from other questions, and I think that comes through in some of the evidence we have given you too.

It is a difficult issue to disentangle but I think the way we deal with it demonstrates that we see the issue in much the same terms as you outlined in your opening comments, that that notwithstanding, it is worth the effort to try and do so because it can still shed light on situations and the best way of dealing with them. It is certainly true to say that in many of the cases and the situations that come before our attention it is an element, and it is an element which you have to look at on its merits and certainly take into account in the way that you are looking at either raising the situation with another country or looking at multilateral or regional action. So while I can understand the difficulties that this must have caused the inquiry, I think the reasons are pretty much as you outlined them. It is not a taboo subject –

**CHAIR**—But what you are saying is that whilst you don't say it is not on the agenda, you don't take any specific action to put it on the agenda?

**Mr Heyward**—For this particular round of our consultations, no. The one country situation we are dealing with this time is Indonesia and East Timor. We have already recognised that there are elements of religious intolerance in some of those issues so I am sure they will be discussed again. We will be talking also about the Commission on Human Rights and there is an agenda item there which will be raised. If NGOs want to raise questions about it, we will be prepared to respond to them. So whilst there is not an agenda item on religious intolerance, there certainly are agenda items under which it will come up.

**Ms Tomi**—Also, by clear implication NGOs are quite free to raise those issues if they wish.

**CHAIR**—Before I ask my last question I will just see if my colleagues have any other questions.

**Mr PRICE**—In relation to the department meeting Pope Shenouda, could you take that on notice to check?

**Ms Tomi**—Yes, I have taken a note of that.

**Mr PRICE**—If you didn't meet, could you let the committee know why.

**Ms Tomi**—Yes, certainly.

**Mr PRICE**—That is all, thanks, Chair.

**CHAIR**—My last question is actually from Senator Harradine, who could not be with us this morning but has asked me to ask a question specifically on his behalf. Essentially, we are interested to know, not in absolute terms but, I suppose, in percentage terms, the amount of effort Australia puts into its pursuit of religious intolerance type subjects compared with America, in terms of where it ranks on the government's priority list of human rights issues compared with America and the amount of effort and resources that we put into pursuing religious intolerance around the world compared with the United States. I reiterate my point: if they have 5,000 people in their State Department on the subject we do not expect to have the same number here, but proportionately we are interested to know whether we accord religious intolerance the same degree of priority

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and whether proportionately we put in the same degree of effort and resource. I do not expect that you will necessarily have that at your fingertips, but if you could take it on notice and come back to us we would be most grateful.

**Ms Tomi**—Thank you for letting us take it on notice, but just by way of general comment I do not know that even taking it on notice one can come back with an exact proportionality as between what Australia does and the United States does. As you know, we are countries of vastly different sizes with different resource capacities. But as I think it has been made clear through the original submission, through the statements that Mr Potts made back in September, and I think through some of the comments that have been made today, the pursuit of human rights does loom large in our overall foreign policy approach. Within the overall scope of our resources, I believe that considerable resources are dedicated to that element of our foreign policy and that is reflected both in the range of resources that are dedicated on an ongoing basis in Canberra, through the activities of dedicated officers in our two key multilateral missions in Geneva and in New York, through the time that different desk officers across the geographic divisions in the department devote to human rights issues in conjunction with the human rights section in my branch, through the consultations that we have, both formally and informally, with the Australian NGO community. It is also reflected through the extent to which human rights issues are written into briefs for ministers, the extent to which human rights issues are raised at the political level, and not only at the bureaucratic level, the fact that we do have a dialogue with China, the fact that we devote considerable resources in respect of extensive correspondence we get from members of the Australian community, from the parliament, from NGOs on a whole range of human rights issues globally. I guess my preference would be to give you a sense of where it stands in our overall approach to foreign policy, to look at it in terms of a relativity to what the United States does –

**CHAIR**—Let me try and give you an indication of where I think we are coming from. As I understand it, the final report of the Advisory Committee on Religious Freedom Abroad was made to the United States President and Secretary of State in May of last year. That report asserts as its starting point that the principles of freedom and conscience and belief are founding principles of the USA and it goes on to talk about that legal situation in the constitution:

Increasingly, and particularly in the last couple of years, the protection of the rights of religion and belief guaranteed in international instruments has become a critical component in US foreign policy.

I am not saying that we are not doing enough, but I just wonder whether we accord the same priority to religious freedom – and I am not talking about human rights in general, I am talking about religious freedom – compared with the States? For example, in late 1998 Congress unanimously adopted the International Religious Freedom Act of 1998; I do not think we have done anything comparable. This provides the US government with a renewed mandate and appropriate mechanisms to promote religious freedom as an integral part of the US foreign policy. One of the institutions that act created was the Office for International Religious Freedom within the State Department and that office has assumed responsibilities previously assigned to the secretary as special representative on the Religious Freedom Board. So they seem to be being quite proactive and very specific on the issue.

The question that I think Senator Harradine is particularly interested in is to see whether our approach, whilst recognising it is important, is embedded in a more general approach, if you like, or whether we are taking steps in this area to be specific as well, and proportionately as specific and proactive as America. Does that make sense?

**Ms Tomi**—Yes, that makes sense.

**CHAIR**—As I say, I am quite happy for you to take that on notice.

**Ms Tomi**—Yes, and I will give you a considered answer.

**CHAIR**—Unless my colleagues have any other questions, I think we will probably wrap it up there. Ms Armstrong, I understand it is much less interesting being here than in China, I am sorry about that, but welcome home nevertheless.

**Ms Armstrong**—Thank you.

**CHAIR**—I thank you all for your attendance here today. If there are any matters on which we need additional information the secretary will write to you, and that, of course, is in addition to the questions you have already taken on notice. We will send you a copy of the transcript of your evidence to which you may make corrections of fact. Thank you very much for coming, it is nice to see you all again.



Resolved (on motion by **Mr Price**):

That the subcommittee authorises the publication of evidence given before it at public hearing this day.

**Subcommittee adjourned 12.13 p.m.**