

Foreign Affairs, Defence and Trade Legislation Committee

Additional estimates 2009-2010; February 2010

Answers to questions on notice from Department of Foreign Affairs and Trade

Question 1

Program overview

Topic: Staffing

Question in writing

Senator Barnett asked:

- A. How many permanent staff have been recruited since the Supplementary Budget Estimates in October 2009?
- B. What level are these staff?
- C. How many temporary positions exist or have been created since Budget Estimates in June 2009?
- D. Since Supplementary Budget Estimates, how many employees have been employed on contract and what is the average length of their employment period?

Answer

- A. Since 30 September 2009 and as at 19 February 2010, there has been a net increase of 74 Australia-based staff on a “full-time equivalent” (FTE) basis.
- B. Of these, the majority were Graduate Trainees (approximately 46%); APS 6 and EL1s (approximately 28%); and APS4 and 5s (approximately 22%).
- C. As at 1 March 2010 we have 83 non-ongoing employees in the Department.
- D. Since 30 June 2009, there have been 130 new non-ongoing contracts comprising 34 new hires, 62 re-hires, and 34 contract extensions. The average length of a non-ongoing contract is six months.

Question 2

Program overview

Topic: Staffing—Efficiency dividend/budget cuts

Question in writing

Senator Barnett asked:

- A. Have staffing numbers been reduced as a result of the efficiency dividend and/or other budget cuts? If so, where and at what level?
- B. Are there any plans for staff reduction? If so please advise details ie reduction target, how this will be achieved, services/programs to be cut etc.
- C. What changes are underway or planned for graduate recruitment, cadetships or similar programs? If reductions are envisaged please explain including reasons, target numbers, etc.

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Answer

- A. To date, there have been no reductions in staffing numbers in 2009-10 as a result of the efficiency dividend or budget cuts.
- B. At Additional Estimates on 11 February, DFAT mentioned that it was in the process of withdrawing one officer each from seven posts as part of the savings measures announced through the 2009-10 Mid-Year Economic and Fiscal Outlook.
- C. No changes are planned.

Question 3

Program 1.1

Topic: Government advertising

Question in writing

Senator Barnett asked:

- A. What communication programs has the Department/Agency undertaken, or are planning to undertake?
- B. For each program, what is the total spend?

Answer

Department of Foreign Affairs and Trade (DFAT)

- A. The Department of Foreign Affairs and Trade (DFAT) manages the Smartraveller campaign, which is a campaign to inform Australians about how they can minimise risks while overseas and avoid difficulties. The Smartraveller campaign is the Australian Government's primary tool for informing Australians of DFAT's consular assistance and travel advice service and reminding travellers of the importance of properly preparing for overseas travel.
- B. The department has been funded through two budget measures to run the Smartraveller campaign. The initial funding (Phase I) was from 2003-04 to 2005-06 and total expenditure was \$9,734,174. In the 2006-07 Budget, additional funding of \$13.137 million was provided for Phase II, from 2006-07 to 2009-10. Since the launch of Phase II up until December 2009, \$13.007 million had been spent on the campaign. The total advertising expenditure for the Smartraveller campaign for the 2008-09 financial year can be found in the *Campaign Advertising by Australian Government Departments and Agencies Full Year Report 2008-09* (page 35).

Australian Centre for International Agricultural Research (ACIAR)

- A. ACIAR has not undertaken, and is not planning to undertake, any communication programs.
- B. N/A

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AusAID

- A. Australian Government departments and agencies undertaking specified information and advertising campaigns are bound by guidelines overseen by the Department of Finance and Deregulations and the Auditor-General. The Agency has not undertaken any communications programs which are subject to these guidelines.
- B. N/A.

Austrade

- A. The Australian Trade Commission (Austrade) manages the Building Brand Australia Program. The Program is a four year program commencing in 2009–10. The program will provide a strategic and holistic approach to positioning Australia in the global market place. The Building Brand Australia Program is designed to ensure that the nation is as highly regarded as a global citizen and global business partner, as it is a holiday destination. It will shape and promote Australia's image as a unique, strong, fair and future focused nation.
- B. Austrade has received funding of \$20 million over four years for the program.

Export Finance and Insurance Corporation (EFIC)

- A. Export Finance and Insurance Corporation has placed general brand awareness advertising in publications targeting Australian exporters who may be in need of finance or insurance solutions to support their exporting activities. In 2009/10 this campaign was extended to both print and online targeting both SME and larger corporates.
- B. For the 2008/09 financial year, total advertising spend was \$390,000. For the financial year ended 30 June 2010, total advertising spend (print and online) is forecast to be in the region of \$500,000.

It should be noted that EFIC is a self funded statutory corporation. EFIC works with the Government appointed media buying agency, Universal McCann, when booking advertising.

Question 4

Program 1.1

Topic: Hospitality

Question in writing

Senator Barnett asked:

- A. What is the department's hospitality expenditure FYTD?
- B. Please detail date, location, purpose and cost of all events.
- C. For each Minister/Parliamentary Secretary's Office, please detail the total hospitality expenditure FYTD.
- D. Please detail date, location, purpose and cost of each event.

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Answer

- A. As at 31 January year-to-date 2009/10, the department spent a total of \$3.4 million at posts and in Australia on hospitality.
- B. Hospitality has an important facilitative role in the practice of diplomacy and the Department of Foreign Affairs and Trade (DFAT) has long-established instructions on the proper management of hospitality funds. A comprehensive schedule defines admissible expenditure. This expenditure is primarily intended to facilitate contacts with politicians, government, civic and military officials, business people, journalists, academics and other influential people and organisations in the host country that will assist officers in promoting Australia's interests and policies and in seeking information that will form the basis of future analysis and reporting.

For expenditure to be claimable under the guidelines, activities must be clearly warranted and be of specific value to Australia. All staff are required to account fully and justify their use of the funds. They must maintain written records of purpose, attendees, venue and final costs of each item of expenditure and certify that the criteria for expenditure have been met. These records are maintained on individual files across DFAT's Australian and overseas network. To provide hospitality expenditure by date, location, purpose and cost of each event would entail a significant diversion of resources and, in these circumstances, I do not consider the additional work can be justified.

C & D. Questions relating to expenditure by ministerial and parliamentary secretary offices should be referred to the Department of Finance and Deregulation.

Question 5

Program 1.1

Topic: Board appointments

Question in writing

Senator Barnett asked:

What is the gender ratio on each board and across the portfolio?

Answer

As at 1 March 2010 the gender ratio on each board was as follows:

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Department of Foreign Affairs and Trade (DFAT)

Foundation or Council	Female	Male
Australia-China Council	3	4 (plus 1 additional male <i>ex officio</i> member from DFAT)
Australia- Korea Foundation	1	6 (plus 1 additional male <i>ex officio</i> member from DFAT)
Australia-Japan Foundation	3	5 (plus 1 additional male <i>ex officio</i> member from DFAT)
Council on Australia Latin America Relations	3	5 (plus 3 additional male <i>ex officio</i> members from DFAT, Austrade and DEEWR)
Australia-Indonesia Institute	3 (plus one additional female <i>ex officio</i> member from DFAT)	6
Australia-Malaysia Institute	4 (plus one additional female <i>ex officio</i> member from DFAT)	3
Australia-Thailand Institute	1 (plus one additional female <i>ex officio</i> member from DFAT)	7
Council for Australian-Arab Relations (CAAR)	2	5 (plus 2 additional male <i>ex officio</i> members from DFAT and Austrade)
Australia-India Council	3	5

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Export Finance and Insurance Corporation (EFIC)

Board of the Export Finance and Insurance Corporation	1	8
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Australian Centre for International Agricultural Research (ACIAR)

Australian Centre for International Agricultural Research Commission	2	4
Australian Centre for International Agricultural Research Policy Advisory Council	2	10

Austrade

There are no boards managed by Austrade.

AusAID

AusAID does not currently have any boards.

Department of Foreign Affairs and Trade (DFAT)

The gender ratio of the Department of Foreign Affairs and Trade as detailed in the 2008-09 Annual Report is as follows:

Category	Female	Male
Ongoing employees	1132	1020
Non-ongoing employees	47	27
Overseas employees	797	780

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Export Finance and Insurance Corporation (EFIC)

The gender ratio of the Export Finance and Insurance Corporation as detailed in the 2008-09 Annual Report is as follows:

	Female	Male
Export Finance and Insurance Corporation	40	44

Australian Centre for International Agricultural Research (ACIAR)

The gender ratio of the Australian Centre for International Agricultural Research (ACIAR) as detailed in the 2008-09 Annual Report is as follows:

Category	Female	Male
Full-time ongoing employees	16	5
Full-time non ongoing employees	4	12
Part-time ongoing employees	7	1
Part-time non ongoing employees	2	0

Austrade

The gender ratio of Austrade, as detailed in the 2008-09 Annual Report, is as follows:

Category	Female	Male
Ongoing employees	227	261
Non-ongoing employees	22	13
Overseas engaged employees	314	210

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AusAID

The gender ratio of AusAID, as detailed in the 2008-09 Annual Report, is as follows:

Category	Female	Male
Ongoing employees	456 (Dept funded) 86 (Admin funded)	247 (Dept funded) 62 (Admin funded)
Non-ongoing employees	17 (Dept funded) 16 (Admin funded)	12 (Dept funded) 18 (Admin funded)

As at 30 June 2009 AusAID had 430 O-Based staff. AusAID do not capture Diversity statistics for our O-Based staff.

Question 6

Program 1.1

Topic: Grants

Question in writing

Senator Barnett asked:

Has the Department complied with interim requirements relating to the publication of discretionary grants?

Answer

The Department generally complies with the Commonwealth's Grant Guidelines. There were 14 instances between 6 December 2007 (when the interim requirements were introduced) and 22 February 2010 where it took longer than the mandated number of days for the results to appear on the department's website. In addition, for the period preceding 1 July 2009 the Department did not provide information on the purpose of a grant on its website.

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Question 7

Program 1.1

Topic: Freedom of information

Question in writing

Senator Barnett asked:

- A. Has the Department received any advice on how to respond to FOI requests?
- B. How many FOI requests has the Department received since November 2007?
- C. How many have been granted or denied since November 2007?
- D. How many conclusive certificates have been issued in relation to FOI requests?

Answer

- A. In considering FOI requests, the Department follows the *Freedom of Information Act 1982* and the Guidelines issued by the Department of Prime Minister and Cabinet (PM&C) to all Commonwealth agencies.

On 30 April 2009, the Department also received a letter from the then Special Minister of State, Senator the Hon John Faulkner, outlining proposed reforms to the FOI Act and requesting agencies “embrace the disposition towards disclosure which informs the FOI Act reforms”.

The Department has on occasion received external legal advice in relation to specific FOI requests.

- B. 199 as at 11 February 2010
- C. 137 as at 11 February 2010, being 21 requests that have been granted in full, 99 granted in part and 17 denied since November 2007. (*Note the figure does not include requests that have been withdrawn or transferred to another agency, or requests that are still being processed*).
- D. No certificates have been issued in relation to FOI requests received by DFAT since November 2007.

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Question 10

Portfolio overview

Topic: Consultancies

Question in writing

Senator Barnett asked:

- A. How many consultancies have been undertaken or are underway since November 2007? Please identify the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement, and the method of procurement (ie. Open tender, direct source, etc). Please also include the value for all consultancies.
- B. How many consultancies are planned for this calendar year? Have these been published in your Annual Procurement Plan (APP) on the AusTender website and if not, why not? In each case, please identify the subject matter, duration, cost and method of procurement as above, and the name of the consultant if known.

Answer

- A. All agencies subject to the Financial Management and Accountability Act 1997 are required to report Australian procurement contracts awarded where the contract value is \$10,000 or more on AusTender, the government's tender and procurement reporting system. From 3 September 2007, departments and agencies have been required to include on AusTender details of those contracts which are consultancies and the reason for the consultancy. The information sought by the honourable Senator in relation to consultancies valued at \$10,000 or more is therefore available on the AusTender website (www.tenders.gov.au). Details of consultancies over \$10,000 in the relevant period are also listed in Appendix 11 of the 2007-08 Annual Report (page 316) and Appendix 12 of the 2008-09 Annual Report (page 297) of the Department of Foreign Affairs and Trade.

To provide details of consultancies valued at less than \$10,000 would entail a significant diversion of resources and, in these circumstances, I do not consider the additional work can be justified.

- B. Six (6) consultancy areas are planned for 2009-10 Financial Year and they have been published in the Department of Foreign Affairs and Trade's 2009-10 Annual Procurement Plan available on the AusTender website (www.tenders.gov.au).

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Question 11

Portfolio overview

Topic: Parliamentary Secretary for Pacific Island Affairs

Question in writing

Senator Hanson-Young asked:

What have been the savings to the Government since the role of the Parliamentary Secretary for Pacific Island Affairs was vacated in December?

Answer

The former Parliamentary Secretary for Pacific Island Affairs, The Hon Duncan Kerr SC MP, retired from the position at the end of October 2009.

Responsibility for the costs of Parliamentary Secretaries is shared between the Department of Finance and Deregulation (DoFD) and the relevant portfolio department. DoFD's publication "Parliamentary Secretaries Entitlements" contains advice on the respective responsibilities of DoFD and the relevant portfolio department in relation to the entitlements of Parliamentary Secretaries. The Department of Foreign Affairs and Trade (DFAT) is only able to provide information on financial matters in relation to the former Parliamentary Secretary for Pacific Island Affairs for which DFAT was responsible.

It is not possible to provide precise information on the savings to DFAT since in the position of Parliamentary Secretary for Pacific Island Affairs was vacated at the end of October 2009. As departmental expenditure in support of the former Parliamentary Secretary for Pacific Island Affairs varied from month to month, it is not possible to predict what the department's future expenditure would have been should Mr Kerr have continued in the role.

Question 12

Portfolio overview

Topic: Staffing

Question in writing

Senator Trood asked:

- A. Has the Department been able to recruit the "additional 110 staff" that Mr Wise mentioned at the October Senate Estimates?
- B. How many have been employed?
- C. In what areas of the Department?
- D. How many are A-based staff?
- E. How many are Locally Engaged Staff?
- F. At what level/band have new recruits been employed?

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Answer

- A. Since 30 September 2009 and as at 19 February 2010, the Department has recruited 74 Australia-based staff on a “full-time equivalent” (FTE) basis and 16.5 locally engaged staff. The target mentioned at the October hearing was reduced following the savings announced through the 2009-10 Mid-Year Economic and Fiscal Outlook.
- B. See A above.
- C. Additional staff have been deployed across various divisions of the Department and at overseas posts.
- D. See A above.
- E. See A above.
- F. Of the 74 A-based FTE, the majority were Graduate Trainees (approximately 46%); APS 6 and EL1s (approximately 28%); and APS4 and 5s (approximately 22%). Locally engaged staff are employed at varying levels at overseas posts.

Question 13

Portfolio overview

Topic: Security clearances

Question in writing

Senator Trood asked:

- A. How many staff are currently awaiting security clearance?
- B. Which positions are currently awaiting clearance?

Answer

- A. 28 as at 3 March 2010.
- B. 13 at the BB2 level, 12 at the BB3 level and three at the BB4 level – currently being processed.

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Question 14

Program 1.1

Topic: Afghanistan

Question in writing

Senator Trood asked:

- A. Does the Department agree with President Karzai's assessment that "The West is not here primarily for the sake of Afghanistan, it is here to fight the war on terror." Why is Australia in Afghanistan?
- B. According to Minister Smith's Ministerial Statement on Afghanistan of 2 February "Australia is committed to stepping up our civilian engagement in Afghanistan, including enhancing our diplomatic and civilian presence in Kabul and Oruzgan and increasing resources for development assistance and capacity-building in Oruzgan".
- How is the diplomatic presence in Kabul to be enhanced?
 - When will this occur?
 - Will additional funds be allocated? If so how much?
 - Who currently provides security for the Australian mission in Kabul?
 - How many Australian civilians are currently working in Afghanistan?
 - In what areas are these civilian workers currently working?

Answer

- A. As the Prime Minister said during his statement on Afghanistan, delivered on 29 April 2009, Australia has two fundamental interests at stake in Afghanistan:
- to deny sanctuary to terrorists who have threatened and killed Australian citizens; and
 - to support Australia's commitment to the United States under the ANZUS Treaty, which was formally invoked at the time of the September 11 attacks in New York and Washington.

The Prime Minister also said that Australia's mission in Afghanistan had three components:

- strategic denial of Afghanistan as a training ground and operating base to terrorist organisations;
- stabilisation of the Afghan state through a combination of military, policing and civilian effort to the extent necessary to consolidate the primary mission of strategic denial; and
- in partnership with our allies, enhance the capacity of the Afghan National Army, police and provincial administration in Oruzgan to enable them to hand over responsibility for the province to the Afghans themselves.

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B. How is the diplomatic presence in Kabul to be enhanced?

When will this occur?

Will additional funds be allocated? If so how much?

As announced by the Prime Minister on 24 April 2010, Australia will increase our civilian commitment in Afghanistan, focused on Oruzgan province. This will comprise additional diplomatic, development assistance and policing support, which will bring our total civilian contribution to around 50 personnel, representing around a 50 per cent increase in our total existing civilian contribution and roughly a doubling of our diplomatic and aid presence. The additional diplomatic and development assistance staff will be based in Kabul, Kandahar and Tarin Kowt. Details on additional funding for this measure will be made public as part of the 2010-11 Budget.

Who currently provides security for the Australian mission in Kabul?

Security for Australia's diplomatic mission in Kabul is currently provided by a private company, Control Risks. They provide static security at the new Chancery and residential locations and also provide close personal protection for all diplomatic staff movements.

How many Australian civilians are currently working in Afghanistan?

In what areas are these civilian workers currently working?

There are currently around 30 Australian Government civilians deployed in Afghanistan, across Kabul, Kandahar and Tarin Kowt, in support of Australia's mission (outlined above). This number varies from time to time due to staff rotations.

- Australian Federal Police officers provide expertise in counter-narcotics and criminal intelligence, as well as training and police capacity building in Afghanistan.
- AusAID has committed around \$600 million in development assistance from 2001 to 2011. In-country advisers and contractors provide capacity-building to key ministries and coordinate development and reconstruction initiatives, with a focus on Oruzgan province.
- DFAT maintains a diplomatic presence in Afghanistan to advocate and advance Australia's interests in Afghanistan.

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Question 17

Program 2.1

Topic: Nigel Brennan

Question in writing

Senator Trood asked:

- A. The Australian foreign minister, Mr Smith, was reported (Bundaberg News, 21 December 2009) as saying that the Australian Government did “everything possible” to assist Nigel Brennan while he was in captivity. What was done to assist Mr Brennan and his family?
- B. Was Mr Brennan’s family regularly advised on the progress of negotiations to free Mr Brennan?
- C. How often was the Australian government in contact with the Brennan family?
- D. Were they **fully** informed of the progress of negotiations?
- E. Has DFAT received any criticism of the assistance it gave to the Brennan family?
- F. Has the Department debriefed Mr Nigel Brennan or his family since his release? If not, why not? Does the Department intend to do this?
- G. Has the Department conducted a review into the handling of Mr Brennan’s case? If not, does it intend to do so? If not, why not?
- H. How many times did the Department brief the Prime Minister on the Brennan case during his period of detention? Can the Department provide a list of the dates this occurred?
- I. To what extent was the coordination of Nigel Brennan’s release complicated by the fact that Australia does not have diplomatic ties with Somalia?

Answer

- A. From the time of Nigel Brennan’s abduction in August 2008 the Australian Government did all that was reasonable and feasible to secure Mr Brennan’s release within its no ransom policy framework. Government agencies were fully engaged on this matter and remained committed to the case, including at the highest levels, for the duration of Mr Brennan’s captivity. At all times the Government worked closely with the Canadian Government to ensure a coordinated approach to the release of Mr Brennan and Ms Lindhout, a Canadian national.

A task force of up to 10 officers from the AFP, the ADF and DFAT was deployed to the Australian High Commission in Nairobi. Representatives from relevant government agencies met weekly in Canberra to assess information and coordinate the Government’s approach. A separate task force of DFAT officers in Canberra worked exclusively on the case from the day Mr Brennan was kidnapped until after his release

In the course of this exercise, the Government consulted numerous experts, including Somali political and security experts, individuals with experience as intermediaries in kidnappings, and security companies experienced in securing the release of kidnap

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victims from Somalia. The Government was also in frequent and regular contact with the Somali Transitional Federal Government and other governments that have had experience in dealing with kidnappings in Somalia. The Government consulted the United Nations and a range of aid agencies and NGOs and thoroughly explored all leads and suggestions which arose from these discussions.

It would not be helpful for the handling of future kidnappings to reveal further details of government strategies in this case.

- B. Yes
- C. The Department provided continuous consular support, through regular contact with the Brennan family, including by phone, visits and meetings. Mr Smith met the family and also telephoned and wrote to them on several occasions.
- D. The Government was as comprehensive as it could be in sharing information, including details of negotiating strategies and activities, with the Brennan family on a regular basis throughout the case. The Government could not, however, reveal details that would have put at risk the lives of those who had provided information to government negotiators. The Government is also obliged to adhere to its agreements with other governments and intelligence partners regarding the protection of material provided by them.
- E. Yes.
- F. Departmental officials met with Mr Brennan and his family members following his release. They answered various questions Mr Brennan had in relation to his case. The AFP undertook a debrief of Mr Brennan and questions on this should be addressed to the AFP. Government officials are in contact with the Brennan family regarding a further debrief in Australia.
- G. The Department is currently coordinating a review of management of hostage and kidnap situations, including lessons learnt from the Brennan case.
- H. The Department of Foreign Affairs and Trade does not directly brief the Prime Minister.
- I. During the period of Mr Brennan's detention, the Australian Government regularly sought assistance and advice from members of the Transitional Federal Government of Somalia, including the President, Prime Minister and other cabinet Ministers, as well as other politicians and local authorities, and the African Union mission in Somalia (AMISOM).

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Question 20

Portfolio Overview

Topic: Electoral reports

Question in writing

Senator Trood asked:

- A. Are there plans to publish a full suite of electoral reports on the Department's website? If not, why not? If so, when? What data will be included?
- B. Does the Department prepare electorate level reports for Ministers? What data is included in these reports? How often is this updated? Why is this material not publicly available? Request copy of latest reports.
- C. Has electoral specific data been used by the current Government in any grants scheme since November 2007?

Answer

- A. No. The department does not have a requirement to produce electoral reports on its website.
- B. No.
- C. No.

Question 21

Portfolio overview

Topic: Consultancies

Question in writing

Senator Trood asked:

- A. How much has the Department spent on consultancy services since November 2007? How can the department justify this expenditure?
- B. Could the Department provide a complete list of current consultancy services. For each consultancy, please indicate the rationale for the project and its intended use. For each consultancy, please indicate why the Department or its agencies could not have undertaken the work themselves.

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Answer

- A. All agencies subject to the Financial Management and Accountability Act 1997 are required to report Australian procurement contracts awarded where the contract value is \$10,000 or more on AusTender, the government's tender and procurement reporting system. From 3 September 2007, departments and agencies have been required to include on AusTender details of those contracts which are consultancies and the reason for the consultancy. The information sought by the honourable Senator in relation to consultancies valued at \$10,000 or more is therefore available on the AusTender website (www.tenders.gov.au). Details of consultancies over \$10,000 in the relevant period are also listed in Appendix 11 of the 2007-08 Annual Report (page 316) and Appendix 12 of the 2008-09 Annual Report (page 297) of the Department of Foreign Affairs and Trade.

To provide details of consultancies valued at less than \$10,000 would entail a significant diversion of resources and, in these circumstances, I do not consider the additional work can be justified.

The department employs consultants for a range of purposes. The department's approach is consistent with the Government's policy to focus available resources on core functions. It also recognises the valuable perspectives that consultants can often bring to policy and operational issues. All decisions to engage consultants are based on the principle of value for money and efficient, effective and ethical use of public funds.

- B. Details of current consultancies over the value of \$10,000 can be obtained from the AusTender website. To provide details of current consultancies valued at less than \$10,000 would entail a significant diversion of resources and, in these circumstances, I do not consider the additional work can be justified.

The decision to use a consultant is based on whether there is a need for specialised or professional skills, independent research or assessment skills, or a set of skills that is currently unavailable in the department.

Question 22

Portfolio overview

Topic: Advertising and Marketing

Question in writing

Senator Trood asked:

- A. How much has the Department spent on advertising and marketing since November 2007? Ask for justification of expenditure.
- B. Could the Department provide a complete list of current contracts. Please indicate the rationale for each service provided and its intended use.

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Answer

- A. \$6.553 million to 31 January 2010. This expenditure has primarily related to the Smartraveller campaign, for which the department has received funding since 2003. Only expenditure items over \$10,500 (the 2007-08 threshold for inclusion in APS agencies' annual reports) have been included. To provide details of payments valued at less than this would entail a significant diversion of resources and, in these circumstances, I do not consider the additional work can be justified.

DFAT's pattern of advertising expenditure has remained constant over funding periods since 2003 when DFAT first received funding for Smartraveller.

- B. Details of current advertising and marketing contracts over the value of \$10,000 can be obtained from the AusTender website.

The department employs advertising and marketing services for the Smartraveller campaign. There is a need to procure these specialised skills as they are not available in the department.

Question 23

Portfolio Overview

Topic: Discretionary grants

Question in writing

Senator Trood asked:

Could the Department provide a list of all discretionary grants, including ad hoc and one-off grants since November 2007? Please provide details of the recipients, the intended use of the grants and what locations have benefited from the grants.

Answer

A list of grants for the aforementioned time-frame is publicly available on the department's website, except details on the purpose of the grant for the period November 2007 to 30 June 2009. To provide this information retrospectively would entail a significant diversion of resources and, in these circumstances, I do not consider the additional work can be justified.

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Question 28

Program 1.1

Topic: Securrency

Hansard, pages 9-10

Senator Trood asked:

- A. Until the announcement of the AFP inquiry on 23 May 2009, did Mr Smith have any knowledge of the doubts, uncertainties or the questions about corruption within Securrency?
- B. Can the department clarify the Minister's understanding as to when he first learnt of the allegations that now surround Securrency?
- C. Is the department aware of whether the Minister has made any representations subsequent to that matter of the reference to the AFP becoming public knowledge?

Answer

- A. No.
- B. Mr Smith became aware of the allegations against Securrency on 23 May 2009.
- C. Mr Smith has made no representations on behalf of Securrency since 23 May 2009.

Question 29

Program 1.1

Topic: Safeguards training

Hansard pages 75-76

Senator Ludlam asked:

- A. Can you confirm for us that, in August 2001, ASNO conducted a safeguards training course designed primarily to assist the DPRK to develop its national safeguards system and that, at the time, that was funded by AusAID?
- B. How much do you believe the DPRK learned from this safeguards training that was provided by Australia?

Answer

- A. As reported in ASNO's annual report of 2001-2002, ASNO conducted a nuclear safeguards training course, primarily for safeguards personnel from the Democratic People's Republic of Korea (DPRK), in Sydney and Canberra over the period 13 to 24 August 2001. The course was conducted in association with the IAEA, with funding provided by AusAID, and with the assistance of ANSTO and safeguards experts from

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the IAEA, the Republic of Korea, and Japan. In addition to 6 personnel from the DPRK, the training course included participants from China, Indonesia, New Zealand, ROK and Australia for a total of 15 participants.

- B. The objective of the course was to assist the DPRK to establish the systems and skills necessary to support effective safeguards implementation by the IAEA pursuant to an eventual resolution of the nuclear situation. The content of the training course followed a standard IAEA approved syllabus on safeguards including, establishing a national safeguards system, strengthening International and national safeguards, accounting and reporting, and understanding IAEA verification procedures.

Question 30

Program 1.1

Topic: General Fonseka

Hansard, page 66

Senator Trood asked:

What do you understand General Fonseka's offence to have been to lead to his arrest by Sri Lankan authorities?

Answer

The Sri Lankan High Commission in Canberra provided DFAT with a Third Person Note on 12 February 2010 providing the statement made by Sri Lanka's Foreign Minister Rohitha Bogollagama at a Diplomatic briefing held at the Ministry of Foreign Affairs in Colombo on 11th February about the arrest of General Fonseka.

The text of the TPN is as follows:

In relation to the detention of General Fonseka, Mr Bogollagama explained "the Government had very strong reasons to apprehend General Fonseka as he acted in manner prejudicial to the responsibilities of the senior posts he held during his service as a military officer. The Armed Forces of all our countries have the sacred duty of protecting the security of the nation. It is therefore a universal practice that military officers are held to a perhaps necessarily higher standard of accountability than that which is applied to their peers in other walks of life.

It was in this context ladies and gentlemen, that careful consideration of all the legal issues involved, led the authorities to conclude that in this particular instance, the application of the Army Act No. 17 of 1949 would be the most appropriate."

Mr Bogollagama also said " where a person subject to Military Law commits any offence and thereafter ceases to be a person subject to military law, he may be taken in and kept in military custody and be tried and punished for that offence by a court martial. Provided that

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he shall not be so tried after the lapse of six months, from the date of the commission of such offence unless such offence is the offence of mutiny, desertion or fraudulent enlistment. General Sarath Fonseka was a serving military officer until the 14 of November 2009, when he resigned from the post of Chief of Defence Staff. The provisions of Section 57(1) therefore were invoked to effect the arrest last Monday.”

Question 31

Program 1.1

Topic: EFIC

Hansard, pages 105-108

Senator Ludlam asked:

With reference to the alleged harassment of local communities by police and security forces engaged to protect the LNG PNG project assets:

- A. What safeguards are in place to ensure that Australian loans are not contributing to conflict?
- B. What happens when the assessments that EFIC conducts originally do not catch the contingencies or predict the sorts of outcomes that occur?
- C. Has any agency or person involved with the PNG LNG loan done anything to substantiate these very serious allegations of conflict in the region of the project?

Answer

- A. Loans provided by EFIC typically include pre- and post-commitment safeguards and this is the case for the PNG LNG loan.

With respect to the former, before EFIC commits to support an Australian company in its export activities, EFIC undertakes an appropriate level of due diligence. Amongst the various risk factors considered in this due diligence, EFIC considers the social and environmental impact a transaction may have on local communities, and the ability of EFIC's counterparty and/or the Australian exporter to mitigate identified risks. Social reviews are undertaken in accordance with EFIC's Environment Policy, which is based on internationally-recognised benchmarks, such as the International Finance Corporation's (a member of the World Bank Group) Performance Standards. Where appropriate, EFIC engages the services of independent consultants to assist in this due diligence process and to consider risk mitigation strategies. For projects with potentially significant environmental and social risks, such as the PNG LNG project, submissions are sought from the public or other relevant stakeholders. Prior to providing a loan, EFIC examines whether the relevant parties, including the borrower and/or the Australian exporter, as appropriate, have appropriate management frameworks and systems in place to address social risk factors. Depending on the circumstances, EFIC may have specific

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requirements of the relevant parties before making any commitment to support a transaction.

Post-commitment safeguards typically include an ongoing monitoring regime and compliance and performance undertakings, which are specified in the transaction documentation. These would usually include commitments by EFIC's counterparty and/or the Australian exporter to act in accordance with the laws and guidelines of the host country, and maintain appropriate systems to ensure compliance with the international standards applied by EFIC with respect to, amongst other things, social matters. Failure to adhere to such requirements could represent a breach of contract, which in turn, may enable EFIC to access the remedies provided in the transaction documentation. In the case of a loan, the ultimate remedy is typically cancellation of the facility and a demand for the early repayment of the loan.

Other factors that may lead to conflict include bribery and corruption. EFIC transaction documentation, including that for the PNG LNG project, includes representations from EFIC's counterparty or the Australian exporter regarding anti-bribery and corruption compliance and reporting and other undertakings relating to those matters. If proven, breach of those obligations may also be a trigger for early repayment of loans or cancellation of cover.

- B. EFIC requires and receives detailed information relating to financial and other aspects (including social and environmental impacts) of any project for which it is asked to consider providing a loan. Should issues arise that have not been foreseen during EFIC's due diligence, EFIC would work with the Australian exporter, its counterparties and government agencies (both Australian and foreign) to consider options to resolve the situation or mitigate the impact. Ultimately, responsibility for the enforcement of laws and the protection of individuals and property rests with the host Government.

With respect to the PNG LNG project, the project sponsors are working closely with each level of Government to promote a stable and conflict-free environment for the project and people. The LNG Project has a community support strategy to work with local communities and the various levels of the PNG Government. The strategy has a variety of programmes, including health, work force development and training and institutional strengthening to help avoid the creation of conditions conducive to community tension and conflict.

- C. The Australian High Commission in Papua New Guinea continues to monitor developments in and around the LNG project sites, and across a range of issues of importance to PNG and Australia. Management of landowner issues is a very complicated and involved process in which the PNG Government and LNG project developers are presently engaged. Inter-tribal conflict, particularly in PNG's Highlands, has been an element of PNG's culture for generations, and disentangling the underlying causes of this conflict is a complex task.

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Question 32

Program 1.1

Topic: David Wilson

Hansard pages 33-40

Senators Heffernan and Trood asked:

- A. Can you provide details on what sort of documents were made available to the Coroner's Inquest into the murder of Mr David Wilson?
- B. When did State Coroner Graeme Johnstone make his first request to see the 1994 David Wilson consular case file from our embassy in Phnom Penh?
- C. Can the department confirm that it was present at the first day of the coronial inquest?
- D. Which departmental officials gave statements to the Victorian Coroner in 1994?
- E. Can the department explain why it has taken so long to provide the documents that were requested in 1998?
- F. Can the department present to the Committee the documents that have been seen by the Wilson family?
- G. Can you confirm whether or not the department complied with the coroner's request for documents?
- H. When were these documents supplied? Were they requested or subpoenaed and, at the time of either the request or the subpoena, were any documents supplied in relation to that request or subpoena?
- I. Who was the head of the consular area in DFAT in 1994?

Answer

- A. The Department provided to the Victorian Coroner in June 1998 a number of statements by Departmental officials who had been involved in the handling of the consular case involving David Wilson. The Department also provided to the Coroner in July 1998 a document responding to a "Question and Answer Paper" that had been submitted to the inquest by the Wilson family. Following the indefinite adjournment of the inquest on 28 August 1998, the Department provided to the Coroner periodic updates on legal proceedings in Cambodia against the Khmer Rouge officers alleged responsible for David Wilson's death, including transcripts of these proceedings.
- B. The (former) Victorian State Coroner, Mr Graeme Johnston, did not directly request to see the 1994 David Wilson consular case file from the Australian Embassy in Phnom Penh. On the second day of the Inquest's hearings (6 March 1998), the issue of access to files held by DFAT was raised. Counsel representing the Department told the Coroner that "the Department is...absolutely willing to permit inspection of files by, or on behalf of, the Coroner". In response, the Coroner noted he would decide whether he wanted to inspect DFAT's files based on the evidence presented to the Court.

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On the fourth day of the Inquest's hearings (20 April 1998), Counsel representing the Department proposed that the Coroner's assistant, Senior Sergeant Phillip have access to confidential material on Departmental files after certain submissions had been filed. The Coroner agreed with this proposal, however the Inquest was adjourned indefinitely by the Coroner and access to this material was never subsequently requested by the Coroner.

- C. The Department was not represented on the first day of the Inquest (5 March 1998).
- D. The Coronial Inquest had not commenced in 1994. When the Coronial Inquest started in 1998, a number of DFAT officials provided statements to the Coroner's Court. A DFAT official who was at the time of the inquest suspended from duties in the Department, Mr Alastair Gaisford, also gave both oral testimony and written statements to the Coroner's Court at his own initiative.
- E. The Department did not receive any subpoenas or requests to produce specific documents in 1998. The Coroner adjourned the Inquest indefinitely on 28 August 1998 because the Khmer Rouge officers alleged to have been responsible for David Wilson's murder were being prosecuted in the Cambodian courts. This adjournment occurred before the Coroner requested access to the Department's files.

The Coroner held a mention hearing in the Inquest on 7 March 2000. At this hearing, the Coroner continued the indefinite adjournment, pending the outcome of the Cambodian prosecutions. The Coroner requested that DFAT provide the Coroner and the Wilson family with updates and court transcripts of the trials. The Department continued to do this until these trials ended.

- F. Yes. The Department provided 447 documents in full and 254 documents in part to the Wilson family in three tranches, in 1995, 2000 and 2003, under the *Freedom of Information Act 1982*. The Department is able to provide to the Committee those documents made available to the Wilson family, if required.
- G. The Department has complied at all times with the Coroner's requests.
- H. The Department's response to the Wilson family's Question and Answer Paper was submitted to the Coroner on 1 July 1998. The statements by Departmental officials were supplied on 23 June 1998. These documents were not produced in response to a subpoena.
- I. Robert Hamilton was the Acting Assistant Secretary of the Consular and Passports Branch at the time of the hostage crisis in 1994.

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Question 36

Portfolio overview/Program 3.1

Topic: Security contractors—Kabul

Hansard, page 28

Senator Trood asked:

- A. Can the department provide details of the security guarding contract for the Kabul Embassy?
- B. Can you confirm the number of people who were provided under that arrangement?

Answer

- A. The security guarding contract for the Australian diplomatic presence in Kabul is provided by a private company, Control Risks (CR). CR provide static security at the chancery and residential locations, and also provide close personal protection for all diplomatic-staff movements.
- B. The numbers of staff provided by Control Risks and the cost of the contract are both Commercial-in-Confidence.

Question 38

Portfolio overview/Program 1.1

Topic: Richard Woolcott/Asia Pacific community

Hansard, page 71

Senator Trood asked:

Can you tell me what the total cost of the Asia Pacific community initiative is at the moment?

Answer

At 10 March 2010 the total cost to the Government of the Asia Pacific community initiative is around \$1,404,000.

This amount is made up of around \$194,000 in consultancy fees for Mr Woolcott, around \$298,000 in incidental costs, including travel costs for Mr Woolcott and his accompanying officer, and around \$912,000 in costs associated with hosting the conference.

This amount does not include costs incurred by posts in supporting Mr Woolcott or the conference, or indirect costs such as time spent on the initiative by departmental officers, as they are difficult to quantify.

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Question 39

Portfolio overview

Topic: Ministerial travel–Botswana, South Africa and London

Hansard, page 22

Senator Macdonald asked:

- A. How much did the trip to Botswana cost the portfolio?
- B. What was the cost of the round trip to South Africa and London to the portfolio?

Answer

The Department of Finance and Deregulation (DoFD) is responsible for the payment of overseas travel costs of Ministers, their spouses and *Members of Parliament (Staff) Act 1984* employees. Such costs associated with Mr Smith's travel to Botswana, South Africa and the United Kingdom are not "costs to the portfolio" and have not been included in the answers below. For information on these costs please refer to the report *Parliamentarians' travel costs paid for by the Department of Finance and Deregulation* which is tabled biannually giving details of dates, purpose of travel, countries of destination and costs of visits.

Costs to the portfolio are set out below and are accurate as at 4 March 2010. These include the costs of DFAT and AusAID staff who accompanied Mr Smith, the cost of temporary offices, portfolio-related hospitality, equipment hire/purchase and other associated costs. As at 4 March 2010, some costs relating to this travel are still outstanding.

- A. Mr Smith travelled from South Africa to Botswana on 24 January 2010, returning to South Africa on 25 January 2010. The cost of the trip to the portfolio was AUD 7,133.80.

In response to Question A, costs have been included where they are specifically identifiable as relating only to the trip to Botswana. For instance, it is not possible to disaggregate the costs of airfares for those staff who accompanied Mr Smith on other legs of the trip for the purpose of identifying the cost of airfares to/from Botswana only. The amount noted above therefore only includes the cost of airfares for staff of the High Commission in Pretoria who travelled by air to Botswana, and other airfares (i.e. of staff based in Canberra), where it was possible to identify that the airfares related specifically to the Botswana leg.

Not all costs incurred by the High Commission in Pretoria have been finalised. These include costs for overtime for staff, some travel allowances for staff and mobile phone costs.

- B. Mr Smith travelled to South Africa, Botswana and the United Kingdom from 24 to 30 January 2010, including a transit stop in Dubai on 29 January 2010.

The cost of the entire round trip (i.e. including the Botswana leg) to the portfolio was AUD 88,965.79.

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Not all costs have been finalised. These include costs for overtime for staff, some travel allowances for staff and mobile phone costs.

Question 40

Portfolio Overview

Topic: Exchange rate

Hansard, page 13

Senator Ferguson asked:

What is the Australian dollar equivalent of 2,300 Kroner?

Answer

Using the Reserve Bank's official rate at 15 December 2009, 2,300 Danish Kroner were equivalent to 502.92 Australian Dollars.

Question 41

Program 2.1

Topic: Robert Langdon

Question in writing

Senator Trood asked:

- A. Has Mr Langdon received any Australian consular access? If not, why not?
- B. Are Australian consular officials intending to visit Mr Langdon in the future?
- C. Did Australian consular officials attend Mr Langdon's two trials? If not, why not?
- D. What is Mr Langdon's physical and emotional state?
- E. Has the Prime Minister made representations to the Afghanistan government about his sentencing? If so, when did this occur?

Answer

- A. As at 15 March 2010 Mr Langdon has been visited in prison 17 times by consular staff from the Australian Embassy in Kabul.
- B. Yes, consular staff will continue to schedule regular prison visits to Mr Langdon.
- C. Consular officials did not attend Mr Langdon's trials. Kabul is a dangerous environment and travel by embassy staff around the city is subject to judgements on the prevailing security situation. At the time of Mr Langdon's trials, embassy staff judged that the security situation prohibited travel to the court room.
- D. Due to privacy concerns, the Department cannot provide information on Mr Langdon's health and welfare without Mr Langdon's express consent to do so.

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- E. No. The Department has been consulting closely with Mr Langdon's lawyers about appropriate representations in this case. Mr Langdon's lawyers and other legal experts in Afghanistan have advised that as long as Mr Langdon's case is still subject to an ongoing appeals process, high-level representations in support of clemency may not be effective and could be counterproductive.

Question 44

Program 1.1

Topic: Transfer of nuclear material to China

Hansard, page 76

Senator Ludlam asked:

Is it your reading of it that Australia will not be provided with a breakdown of which material is enriched where; they have just provided us with a list of plants which may or may not enrich the material for China?

Answer

As part of the Administrative Arrangements that ASNO has concluded with its Chinese counterpart, the China Atomic Energy Agency (CAEA), established pursuant to Article X of the Agreement between the Government of Australia and the Government of the People's Republic of China on the Transfer of Nuclear Material, accounting of Australian Obligated Nuclear Material will be on a facility by facility basis.