

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Sub Program 1.1.2

Question No. 5

Senator Barnett asked the following question at the hearing on 8 February 2010:

Has the Government expressed a view to the Commission with respect to the fact that the Commission attended and, at Estimates, confirmed its support for the outcome of the Durban II conference?

The answer to the honourable senator's question is as follows:

The Government's position is as outlined by the Minister for Foreign Affairs in a press release dated 19 April 2009, the text of which is attached.

19 April 2009

Durban Review Conference

Australia has decided not to participate in the Durban Review Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in Geneva from 20 to 24 April 2009.

Australia has taken this decision with regret as Australians are a people committed to eliminating racism and racial discrimination. Our nation thrives on and draws strength from its rich diversity.

The Australian Government has worked actively to advance the human rights of all Australians, especially those who have suffered most from disadvantage, notably indigenous Australians. Since taking office, the Government has put in place significant policies and programs to close the gap between indigenous and non-indigenous Australians. We have also increased our overseas development assistance in the field of human rights and engaged strongly in multilateral human rights mechanisms.

The Durban Review Conference should be an occasion for the world to unite against racism in all its forms.

Australia has worked with a range of countries in Geneva these past weeks to promote an acceptable outcome document from the Review Conference and to ensure that the Conference does not see a repeat of the problems that marred the Durban World Conference Against Racism in 2001.

These efforts, the hard work of the Russian Chair and the flexibility shown by many countries, has led to significant improvements in the document to be presented to the Conference on Monday.

Australia, however, cannot support a document which reaffirms the 2001 Durban Declaration and Program of Action in its entirety - as is currently the case. The 2001 Declaration singled out Israel and the Middle East. Australia expressed strong concerns about this at the time. The Australian Government continues to have these concerns. Regrettably, we cannot be confident that the Review Conference will not again be used as a platform to air offensive views, including anti-Semitic views.

Of additional concern are the suggestions of some delegations in the Durban process to limit the universal right to free speech.

In recent weeks, I have spoken to a number of my foreign ministerial colleagues who share these concerns about the process. Canada, Israel, Italy and the United States have already indicated that they will not participate.

The Australian Government remains determined to combat racism and racial discrimination wherever it exists.

Media inquiries: Mr Smith's office 02 6277 7500 - Departmental Media Liaison 02 6261 1555

<http://www.foreignminister.gov.au/releases/2009/fa-s090419.html>