Senate Legal & Constitutional Affairs Committee Capy to O see commissioners **Budget Estimates 2008-2009** 25-28 May 2009

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BY: AUST. HUMAN RIGHTS COMMISSION THE HON. CATHERINE BRANSON

25 MAY 2009 .

THE HON STEPHEN SMITH MP

MINISTER FOR FOREIGN AFFAIRS PARLIAMENT HOUSE CANBERRA ACT 2600

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The Hon John von Doussa QC President Human Rights and **Equal Opportunity Commission** GPO Box 5218 SYDNEY NSW 2001

Dear Mr von Doussa

Thank you for your letter dated 25 July 2008 about the Durban Review Conference, scheduled to be held in Geneva, in April 2009. I apologise for the delay in response.

I am concerned that the Durban Review Conference could mirror the tone of the 2001 Durban World Conference against Racism (WCAR), and become a forum for the dissemination and expression of anti-Semitic sentiment. As you are aware, Australia welcomed some outcomes of WCAR, while strongly criticising its anti-Semitic focus. For this reason, Australia has a well-established policy of observing, but not participating in, processes related to WCAR.

Accordingly, the Government has not yet decided whether Australia will participate in the Review Conference. In reaching a decision, the Government will weigh up both the genuinely positive outcomes of the WCAR, and also the potential for the Review Conference to become an international stage for anti-Jewish sentiment.

Thank you for bringing your interest in this important issue to my attention. I have requested that the Department of Foreign Affairs and Trade (DFAT) contact the Commission as soon as possible once a decision on this issue is made by the Government.

Yours sincerely

Stephen Smith