



## **Submission No 27**

### **Inquiry into Human Rights and Good Governance Education in the Asia Pacific Region**

**Organisation:** Department of Defence

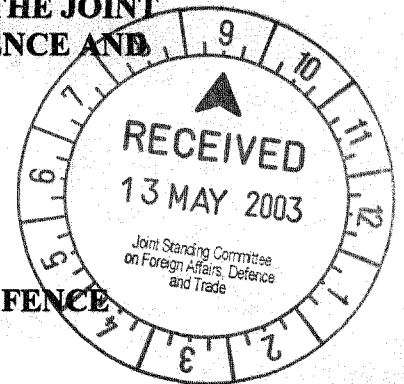
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**AUSTRALIAN DEFENCE ORGANISATION REPORT TO THE JOINT  
STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND  
TRADE**

**HUMAN RIGHTS SUB-COMMITTEE**

**HUMAN RIGHTS EDUCATION AND TRAINING IN DEFENCE**



**INTRODUCTION**

1. The personnel of the Australian Public Service (APS) and the members of the Australian Defence Force (ADF) have a reputation for fairness and upholding Defence's values in peacetime and in time of conflict. It is important when representing Australia and the ADF that individual members display the standards of conduct and fairness expected, irrespective of the circumstances. Defence is dedicated to ensuring a culture in which principles of human rights and equity and diversity make a positive contribution to improved capability and efficiency. At a time of increased operational focus this is particularly necessary.

2. Defence is therefore committed to ensuring that knowledge of human rights is inculcated in all its personnel. This results in retention of the best people for the job, increased effectiveness of teams and a more focussed and productive workforce. In addition, an ADF that has an understanding of the depth and complexity of cultural and societal aspects, is an ADF that is more able to successfully engage in operational deployments.

**AIM**

3. The aim of this paper is to provide information about the human rights training provided to Defence personnel.

**BACKGROUND**

4. Defence has issued a number of instructions that provide policy guidance to ADF and APS staff in the matter of equity and diversity. These policy instructions outline not only Defence policy, but also provide guidance on, management and leadership responsibilities in relation to implementation and promulgation of policy, as well as management of situations in which policy is not successfully implemented. Instructions are listed at Annex A. In addition to the instructions issued by Defence; a series of brochures and booklets has been promulgated to ensure a high profile of equity and diversity issues across Defence. These are listed at Annex A.

5. Defence has a Defence Workplace Equity and Diversity Plan. The Plan aims at creating a workplace in which:

- a. equity and diversity are recognised as being essential to best practice and need to be incorporated into day-to-day business in Defence;
- b. an accountability framework will be established to make visible the performance of leaders and executives and hold them to account for that performance; and
- c. measures implemented to incorporate equity and diversity will take into account the corporate business plans of Defence.

6. The Plan has grouped the responsibilities for actions into four areas: Service Chiefs and Group Heads, Commanders and Managers, Defence Equity Organisation and various other organisations with specific responsibilities. It sets out actions which must be achieved during the reporting period, with measurable performance indicators.

## **TRAINING PROVIDED TO AUSTRALIAN DEFENCE PERSONNEL**

### **Workplace training**

7. As Defence has personnel dispersed widely around Australia and overseas, with access to varying levels of technology, Defence aims to develop its workplace equity and diversity-related training in three formats: on-line on the Defence Intranet, CD Rom and for face-to-face delivery. The courses developed to date are awareness courses, and can be used as a preliminary to further in-depth training.

8. **Equity and Diversity Awareness.** There is an annual mandatory requirement for all Defence personnel to be acquainted with equity and diversity in the workplace. The 2002 training addresses equity, diversity, unacceptable behaviour, options for resolution, and equity resources.

9. **Defence: Fair, Inclusive and Bully-free.** The 2003 version includes a brief revision of equity and diversity and then focusses on workplace bullying, which consists of four modules. The first module assumes that Defence staff are familiar with the content of previous annual equity and diversity sessions, and it tests their knowledge by means of 10 questions. The remaining three modules then focus on bullying in the workplace.

10. **Cultural Diversity.** This is a training package which contains a broad picture of multiculturalism in Australia and the benefits it can offer Defence. The modules consist of several exercises that not only teach the participant issues relating to cultural diversity, but which are also designed to test knowledge. Role-playing scenarios are shown in a workplace environment. It includes non-assessed tests on Australia's diversity, the benefits of diversity to Defence, valuable information on intercultural communication, and how to access extra resources.

11. **Understanding Sexual Orientation.** The *Understanding Homosexuality* session seeks to educate, not to change religious beliefs or personal values. It starts by

defining the terms gay, lesbian, homosexual and bisexual. It then differentiates between sexual identity, orientation and behaviour, and gender identity and characteristics. Discussion then focuses on attitudes towards homosexuality, the invisible barriers of homophobia and heterosexism, the impact of hiding sexuality, the fear of disclosure and also working and living alongside homosexual and bisexual personnel. The package provides behavioural tips to all personnel and guidance to managers on managing sensitive issues.

12. **Equity Adviser training.** Defence has some 3,500 Equity Advisers around Australia. The DEO fosters good equity and diversity outcomes within workplaces through the training of contact. The course covers theory, policy as well as administrative and practical aspects. In addition there is a workshop-based approach to dealing with equity and diversity issues, attending skills and role plays.

## **TRAINING PROVIDED TO AUSTRALIAN DEFENCE FORCE MEMBERS**

### **Workplace training**

13. Since January 1999, Defence has conducted a Fair Go workshop for staff of the ADF career management agencies. The aim of this course is to enable staff of ADF career management agencies to identify and lawfully manage equity and diversity issues within personnel management policies and practices. The course covers Australian anti-discrimination legislation and international human rights instruments; career manager tips; frequently asked questions and includes discussions of case studies.

### **Career development training**

14. Defence has developed equity and diversity workplace competencies for ADF career development training. The competencies are used to develop appropriate modules of training for inclusion in ADF career development courses appropriate to recruit through to senior commanders. The workplace competencies have been developed to more closely reflect the requirements of the three Services. There are four levels of competencies:

- a. ADF Junior Ranks
- b. ADF Supervisor
- c. ADF Manager
- d. ADF Commander

### **Leadership education**

15. The Australian Defence College (ADC) has a significant role in developing good leaders and managers. ADC course members are exposed to a range of topics dealing with issues of human rights. An important element of the ADF curriculum is to deepen students' knowledge on international humanitarian law and the philosophical underpinnings of the Just War tradition and how Non-Governmental Organisations operate within the international system.

### **Pre-deployment training**

16. **Law of Armed Conflict.** The requirement for training in Law of Armed Conflict (LOAC) is based on the following considerations:

- a. Australia is bound by the Hague and Geneva Conventions and their Additional Protocols to disseminate their texts for study by the military.
- b. Insufficient knowledge or lack of application of the laws may cause commanders to assume that they are more constrained than in fact they are.
- c. Violations of the law of armed conflict will have an adverse impact on public opinion (both national and international). In the event of any violation, close media scrutiny could leave the ADF and Australia vulnerable to adverse comment and loss of domestic and international support.
- d. Knowledge of LOAC will enable ADF personnel to recognise, investigate, and report suspected LOAC violations.

16. **Training Objectives.** ADF members are to be trained to the level of understanding appropriate for their duties and responsibilities. They are to:

- a. be aware that LOAC regulates the conduct of armed conflict;
- b. know LOAC rules which control the means and methods of combat;
- c. know what is prohibited and what is specifically protected under LOAC; and
- d. be aware of the rules which, if violated, make an individual personally liable for breaches of LOAC.

17. **Levels of Training.** LOAC training is undertaken in four job related categories:

- a. **Level A.** Level A is the minimum level of understanding required of all ADF personnel. The aim is to inform soldiers, sailors and airmen of

the basic principles of humanitarian law, their individual responsibilities and to emphasise the rules which are absolute.

- b. **Level B.** Level B builds on this understanding and is designed for members of operational units which could have direct contact with the enemy. It also makes provision for military specialisation and the level of rank.
- c. **Level C.** Level C training is a requirement for those personnel involved in planning and directing combat operations and post-combat administration at headquarters/command level.
- d. **Level D.** Level D training is for service legal officers and is designed to equip them with the necessary expertise to provide advice to operational commanders.

18. **LOAC scenarios** are included in all major command post Exercises and field training

19. **Training on personal conduct.** Training is conducted on the ten United Nations Rules of Personal conduct if members are deploying in the role of United Nations Peacekeeper.

20. **Cultural briefing.** Prior to deployment, ADF members receive a cultural briefing on the country to which they are deployed. Topics include:

- a. Language and ethnicity;
- b. Government;
- c. Religion and cultural impact of the religion;
- d. Currency and shopping;
- e. Communication styles;
- f. Body language and attitudes;
- g. Social interaction;
- h. Meeting and greeting; and
- i. Do's and Don't's of behaviour.

### **TRAINING FOR APS MEMBERS**

21. APS employees in Defence are encouraged to undertake units of the Public Service Training Package. These units are entitled *Work Effectively with Diversity* and *Manage Diversity*.

### **ADDITIONAL TRAINING**

22. In Financial Year 2002/2003 Defence established a Multicultural Training Fund on a trial basis. This Fund permits commanders and managers to identify the multicultural training required in their areas of responsibility as well as training providers. This system permits training to be developed for local needs, for example in relation to indigenous training, specific information and contact with local indigenous groups can be facilitated. To date, the Fund has provided funding for the following

- a. indigenous training for Norforce and RAAF Base Tindal;
- b. the development of a course on cultural aspects of Islam prior to deployment for HMAS STIRLING; and
- c. training on Vanuatu for ADF members posted to the area.

### **CONCLUSION**

23. Defence considers knowledge of human rights and equity and diversity as a strategic necessity. They are not an end in themselves but are important components of operational capability and effectiveness.

March 2003

## ANNEX A

## INSTRUCTIONS FOR AUSTRALIAN DEFENCE FORCE PERSONNEL

Instruction Number	Title
DI(G) 35-3	Discrimination, Harassment, Sexual Offences, Fraternisation, and Other Unacceptable Behaviour in the Australian Defence Force
DI(G) 50-1	Equity and Diversity in the Australian Defence Force
DI(G) 32-2	Defence Equity Adviser Network
DI(G) 26-2	ADF Policy on Religious Practices of ADF Members
DI(G)35-5	Defence Multicultural Policy

## INSTRUCTIONS FOR AUSTRALIAN PUBLIC SERVICE EMPLOYEES

Instruction Number	Title
DPI 3/1999	Preventing, Managing and Eliminating Discrimination, Harassment and Unacceptable Behaviour in the Department of Defence
DPI 1/2000	Defence Equity Adviser Network
DPI 3/2000	Procedures for the Provision of Equipment and Services for Departmental Civilian Personnel with Disabilities
DPI 1/2001	Equity and Diversity in the Department of Defence
DPI 2/2001	Indigenous Cadetships in the Department of Defence
DPI 3/2001	Defence Indigenous Study Award
DPI 1/2002	Defence Multicultural Policy
DPI 2/2002	Department of Defence Access and Disability Policy

## DEFENCE PUBLICATIONS

Type	Title
Brochure	Equity and Diversity in Defence
Brochure	Who Can I Call
Brochure	Defence Disability Staff Network
Brochure	Technical Equipment for Disabled Commonwealth Employees Program
Brochure	Equity and Diversity on Deployment
Brochure	Who can I ask? The Equity Adviser
Booklet	Guide to Equity and Diversity in Defence
Booklet	ADF Sexual Assault Information Pack
Booklet	A Guide to Fair Leadership and Discipline in the Australian Defence Force
Booklet	Defence plain-English guide to Managing and Eliminating Unacceptable Behaviour in the Workplace