November 2018

**Australian Response to OHCHR Request for Information pursuant to HRC Res. 37/38**

The Department of Foreign Affairs and Trade hereby presents the Australian Government’s response to the Office of the High Commissioner of Human Rights’ (OHCHR) Request for Information pursuant to Human Rights Council (HRC) Resolution 37/38 dated 23 October 2018.

The Australian Government refers the OHCHR to its response to the Request for Information pursuant to Human Rights Council (HRC) Resolution 34/32 provided in November 2017, and has the pleasure to provide an update to that submission.

**Australia’s position with regard to Freedom of Religion or Belief**

Australia believes firmly that freedom of religion or belief is a fundamental human right belonging to all individuals – including those belonging to religious minorities – and this freedom must be respected in all countries in accordance with international human rights law. This belief is a keystone of our Human Rights Council membership from 2018-2020, and is at the core of our voluntary pledges.

Australia is home to a diversity of faiths, united by tolerance, mutual respect and a commitment to democratic traditions. As a traditional migrant country, we have a long and proven history of welcoming people from many different cultures, language groups and religions. As a result, more than one in four Australians has been born overseas.

Freedom of belief is an essential feature of our multicultural and diverse democracy. In recognition of this, in 2016 the Government instructed the Human Rights Sub-Committee of the Parliament’s Joint Standing Committee on Foreign Affairs, Defence and Trade to undertake an inquiry into the protection and promotion of the human right to freedom of religion or belief worldwide, including in Australia.

The scope of the Inquiry’s terms of reference[[1]](#footnote-1) includes a review of Australian efforts, including those of Federal, State and Territory governments and nongovernment organisations, to protect and promote the freedom of religion or belief in Australia and around the world, including in the Indo-Pacific region. The inquiry has received nearly 700 submissions, the majority of which focused on issues concerning the protection of religion and belief in Australia.

The Human Rights Sub-Committee determined to commence its inquiry with an examination of what Australia does domestically to protect religious freedoms. In November 2017 the Sub-Committee released an interim report (attached), entitled “*Legal Foundations of Religious Freedom in Australia*” which focused on the current status of laws protecting the freedom of religion or belief in Australia. This report examined laws at Commonwealth, State and Territory level, discussed the strengths and weaknesses of Australia’s legal framework and canvassed a range of opinions on how to strengthen religious protection in Australia.

The Sub-Committee subsequently held further public hearings to examine what challenges there might be to freedom of religion or belief and to determine whether Australian protections for the human right to freedom of religion or belief need further strengthening in light of these challenges. The Sub-Committee is awaiting the release of the Religious Freedom Review’s (see below) findings and recommendations before it finalises its second interim report.

In November 2017, the Australian Government appointed the Hon Phillip Ruddock to chair an Expert Panel into Religious Freedom. The Religious Freedom Review was a timely opportunity to examine whether rights relating to religious freedom are adequately protected under Australian law. The former Prime Minister received the Panel’s report on 18 May 2018, reflecting the extensive input from the Australian community, research undertaken, and the expertise of the Panel members. Given the importance of this issue, the Government is carefully and methodically considering the findings of the Review.

To inform the High Commissioner’s report on this occasion, the Government is pleased to provide the update below on its efforts and measures to implement the action plan outlined in paragraphs 7 & 8 of Resolution 37/38 and to foster a domestic environment of religious tolerance, peace and respect.

**7 (a) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the field of education, health, conflict prevention, employment, integration and media education;**

In 2018-19 the Australian Government implemented the Fostering Integration Grants scheme. This scheme promotes social cohesion by providing $5 million in grants to community organisations to complete activities that will assist migrants by:

* encouraging the social and economic participation of migrants by developing skills and cultural competencies to integrate into Australian social, economic and civil life, and build community resilience
* promoting and encouraging the uptake of Australian values and liberal democracy and amplifying the value of Australian citizenship
* addressing issues within Australian communities that show potential for, or early signs of, low social integration
* promoting a greater understanding and tolerance of racial, religious and cultural diversity.

Fostering Integration Grants prioritise activities that assist young people and women, and promote successful regional migration.

**7(c) Encouraging the training of government officials in effective outreach strategies;**

Training is delivered to the Australian Government’s network of Community Liaison Officers, a primary conduit between the Government and culturally, religiously and linguistically diverse community organisations and leaders. This training assists officers to develop relevant knowledge, skills and attributes to effectively engage with members of the community and non-government organisations.

**7(h) Recognizing that the open, constructive and respectful debate of ideas and interfaith and intercultural dialogue at the local, national and international levels can play a positive role in combating religious hatred, incitement and violence.**

The Australian Government is committed to pursuing activities that foster interfaith and intercultural dialogue at all levels of government and recognises the role such dialogue plays in strengthening social cohesion.

In March 2017, the Government launched its multicultural statement: *Multicultural Australia: united, strong, successful*. The statement emphasises the importance of interfaith and intercultural dialogue to reduce the possibility of tensions within communities and to strengthen cohesion and harmony. Everyone in Australia, regardless of cultural background, place of birth or religion has a duty to engage with and seek to understand each other and reject any form of vilification and intolerance.

In support of this objective, the Community Liaison Officer network engages with diverse communities across Australia, including religious groups and key stakeholders, to foster productive and collaborative relationships and to promote a productive and diverse multicultural society. This engagement assists the Government to identify potential areas of tension between members of different religious communities and helps facilitate whole-of-government outreach to diverse communities.

On 22 June 2018, the Government announced a new term for an expanded Australian Multicultural Council. The Council consists of 12 members selected for their expertise, leadership and demonstrated commitment to multicultural affairs and social integration. The Council will focus on strengthening public understanding of a shared Australian identity, building stronger and more cohesive communities and promoting greater intercultural and interfaith understanding and dialogue. The Council has been convened for a period of three years, from 2018 to 2021.

The Australian Government promotes the celebration of Harmony Day throughout Australia on 21 March as a day of cultural respect for everyone who calls Australia home. Harmony Day has become a significant day of the year when Australians are encouraged to celebrate the vibrant, cohesive and inclusive nature of our country. Community-driven events remain the backbone of Harmony Day celebrations, firmly embedding in communities a sense of belonging for all Australians, regardless of cultural, religious or linguistic backgrounds, united by a set of core Australian values.

The *Strong and Resilient Communities grants program* (SARC) supports the Government’s commitment to building stronger, resilient and more cohesive communities by supporting local community organisations in their efforts to solve complex social problems, including combatting religious intolerance.

SARC helps to ensure that all individuals, families and communities have greater opportunities to obtain a greater sense of belonging – through a greater sense of connection to and pride in their community and cross-cultural dialogue.

SARC commenced on 1 April 2018, replacing the Strengthening Communities Activity (which expired on 31 March 2018). A total of A$45.2 million has been allocated to SARC, from 1 April 2018 until 30 June 2021.

SARC comprises three grant programs:

1. Inclusive Communities grants – to improve the social and economic participation of vulnerable and disadvantaged individuals to enhance overall life-time wellbeing and community belonging.
2. National Research grants – for research and advisory projects that address emerging issues or provide innovative solutions to issues of national significance which impact upon community resilience in Australia; and
3. Community Resilience grants – to support projects in communities to address potential or early signed of low social cohesion and/or racial, religious and cultural intolerance.

While SARC funds a diverse range of service types and activities relating to social cohesion, combating religious intolerance remains a primary area of focus of the Activity through the *Community Resilience grants program*. This program aims to build strong, resilient and cohesive communities to help make Australia more secure and harmonious as a whole. The program provides grants designed to address issues in communities that show potential for or early signs of low social cohesion, and/or racial, religious or cultural intolerance.

The types of projects funded under the program include projects aimed at:

* strengthening community leadership to foster greater community cohesion;
* promoting mutual respect, understanding and fair treatment for all Australians;
* promoting understanding of Australia’s democratic principles, rights and obligations and the unifying value of citizenship;
* addressing racial, cultural or religious tensions between particular groups in the community through educational, social, cultural or sporting activities that bring people of different cultures or faiths together;
* facilitating increased participation in social, economic and community life;
* facilitating initiatives and activities to better build understanding of Australia’s cultural diversity; and
* providing youth at risk of marginalisation with welcoming and non-threatening access to services that aim to build trust and increase their community participation.

**8(c) To encourage the representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society;**

Australia’s *Multicultural Access and Equity Policy* obliges government departments and agencies to ensure their policies, programs and services are accessible to, and deliver equitable outcomes for, all eligible Australians, regardless of their cultural, religious or linguistic backgrounds. The aim of the policy is to ensure that all Australians have the opportunity to achieve their potential and participate in the social, economic and cultural life of Australia, helping to drive our future prosperity and build stronger, more cohesive communities.

1. Available at: https://www.aph.gov.au/Parliamentary\_Business/Committees/Joint/Foreign\_Affairs\_Defence\_and\_Trade/Freedomofreligion/Terms\_of\_Reference [↑](#footnote-ref-1)