

Introduction

The inquiry process

- 1.1 On 28 April 1999, the Minister for Foreign Affairs, the Hon Alexander Downer MP, asked the Committee to undertake an inquiry into Australia's efforts to promote and protect freedom of religion and belief.¹
- 1.2 This inquiry was advertised in national and regional newspapers on 15 May 1999, and in a number of ethnic community newspapers in late May/early June 1999.
- 1.3 All the major Australian Churches were asked to forward submissions to this inquiry.²
- 1.4 In addition, letters seeking submissions were sent to the Deans of the Faculties/Schools of Arts/Social Sciences and Law at a range of Australian universities. Letters were also sent to the Professors of Studies of Religion at the Universities of Sydney and Queensland. Submissions were also sought from Australian human rights organisations, relevant Commonwealth departments and other interested bodies, such as the United Nations Association of Australia.
- 1.5 Including a number of confidential documents, over 100 submissions were received.
- 1.6 The closing date for submissions to this inquiry was originally 30 June 1999 but that deadline was progressively extended to 7 March 2000. Further submissions were received after that date. All the submissions received are listed in Appendix A.

1 The terms of reference for this inquiry are set out at page xiii.

2 See Chapter 8, paragraphs 8.3-8.46.

- 1.7 Public hearings were held:
- in Canberra, on 24 September 1999, 28 February and 6 March 2000;
 - in Sydney on 15 October 1999, and
 - in Melbourne on 22 October 1999.
- 1.8 The people and organisations that gave evidence at these hearings are listed in Appendix B.
- 1.9 In addition to the submissions, a considerable body of other material was received during this inquiry. These exhibits are listed in Appendix C.

The structure of this report

- 1.10 The Terms of Reference approved by the Minister are the principal focus for this Report. Some other issues that arose during the inquiry are also addressed.
- 1.11 Chapter 2 considers the concepts of freedom of religion and belief, and the supporting framework of instruments and bodies within in the United Nations (UN), including accredited non- government organisations (NGOs).
- 1.12 The history of the principle of freedom of religion and belief from Classical times is examined in Chapter 3.
- 1.13 Chapter 4 introduces a predominantly Australian focus by surveying aspects of freedom of religion and belief in this country, including provisions in the Commonwealth Constitution and the roles of the States/Territories. It also:
- examines recommendations and proposals about the ways Australia could advance freedom of religion and belief, both domestically and internationally;
 - examines the link between religious tolerance and multiculturalism raised in some submissions, and
 - considers the recommendation, also made in a number of submissions, that Australia should pass a Religious Freedom Act.
- 1.14 Chapter 5 surveys many violations of religious freedom around the world. The causes of these violations, and Australia's efforts to counter them, are in Chapter 6.
- 1.15 In part, Chapter 7 uses several case studies to examine the implications of religious differences and the lack of religious freedom for other human

rights. It also addresses the issue of the right not to believe in a religion, or not to have any religious beliefs.

- 1.16 Chapter 8 draws some conclusions on these matters, and makes recommendations.
- 1.17 Chapters 9, 10 and 11 address in turn Indigenous religious traditions, cults, and exemptions from taxation allowed to religions and religious bodies.

Previous reports

- 1.18 In previous reports on human rights by this Committee, the issue of freedom of religion and belief was addressed indirectly in many different areas and ways. These Reports included:
- **A Review of Australia's Efforts to Promote and Protect Human Rights** (December 1992);
 - **A Review of Australia's Efforts to Promote and Protect Human Rights** (November 1994);
 - **Improving but...: Australia's regional dialogue on human rights** (June 1998).
- 1.19 By contrast, this Report examines this specific aspect of human rights in religion and belief in some detail.

