

**Department of Foreign Affairs and Trade – Budget Estimates 2022-23 QON Index**

<b>Portfolio Question No</b>	<b>Senator</b>	<b>Broad Topic</b>	<b>Question Text</b>	<b>Written/Hansard</b>	<b>Proof Hansard Page</b>	<b>Due Date</b>
<b>001</b>	Abetz	In-person voting - overseas posts	<p>1. Did all overseas posts undertake a risk-assessment as to whether it would be safe to offer in-person voting? If not, why not?</p> <p>2. What happened to overseas posts that did not undertake a risk-assessment? Did DFAT take that to mean they could offer in-person services? If not, why not?</p> <p>3. Given the importance of the right for Australians to vote, I would think there would need to be a very compelling case to close in-person overseas voting.</p> <p>4. Was there an impetus placed on overseas posts to demonstrate why COVID-19 would prevent overseas voting at their location?</p> <p>If not, are we sure all missions genuinely could not offer services, or could there be some instances of our overseas posts seeking to use COVID as an excuse not to participate?</p> <p>Communications to affected voters</p> <p>1. What communications has DFAT made with voters in affected areas?</p> <p>2. What communications will be made once the election campaign begins?</p>	Written	N/A	20/05/2022
<b>002</b>	Wong	Australian High Commission Honiara - Staffing	<p>Senator WONG: I would like to know what the average DFAT A-based staffing level at the high commission in Honiara over the last five years is.</p> <p>Mr McDonald: I think I will have to take that on notice. I don't have it on hand. My apologies. I can get it for you quickly.</p> <p>Senator WONG: I would like to know whether there has been any change, either increase or decrease, over that five-year period.</p> <p>Mr McDonald: I will take that on notice too.</p> <p>Senator WONG: Are you aware of positions being removed, Counsellor or Minister?</p> <p>Mr McDonald: At the moment, there's still the division head HOM, or head of mission, and band 1 deputy head of mission. So I don't believe they've been removed, but I will check for you. I will check and get back to you quickly so you have that answer.</p>	Spoken	61	20/05/2022
<b>003</b>	Ayres	High Commissioner to UK - car incident	<p>Mr Hudson: The original incident to which you are referring occurred on 2 November 2021.</p> <p>Senator AYRES: This preliminary investigation commenced when?</p> <p>Mr Hudson: The engagement occurred on 1 December 2021.</p> <p>Senator AYRES: A month later the investigation commences. No advice was sought. Were you aware of the incident between 2 November and 1 December, Secretary?</p> <p>Ms Campbell: I was aware of the incident immediately. I think the people division here in Canberra were engaging with post.</p>	Spoken	71	20/05/2022

			<p>Senator AYRES: Why didn't the investigation happen immediately?</p> <p>Ms Campbell: I think we would have to take that on notice to work out. I think Mr Hudson has talked about when he was engaged. We'll need to determine whether there was a process where terms of reference were established and there was engagement with Mr Devonshire before that and then the engagement took place on 1 December.</p> <p>Senator AYRES: But you didn't direct or otherwise engage with the engagement of Mr Devonshire prior to that happening?</p> <p>Ms Campbell: No. I think this was occurring at post. There could have been some consultation with our people division. We can check that. As I gave evidence last time, it was quite a narrow framing.</p> <p>Senator AYRES: We'll come to that framing in a moment. I am wondering why nothing happened between 2 November and 1 December. You say you became aware of it essentially the day after or thereabouts—soon after.</p> <p>Ms Campbell: I did. You are talking about Mr Devonshire's investigation. I'd like to—</p> <p>Senator AYRES: No. I'm talking about Mr Brandis's incident.</p> <p>Ms Campbell: Mr Brandis's incident?</p> <p>Senator AYRES: When did you become aware of that?</p> <p>Ms Campbell: I became aware of it not long after it occurred. I would have to refer back. It was within days.</p> <p>Senator AYRES: I don't understand. In between 2 November and 1 December at the post end and Canberra end, was any action undertaken?</p> <p>Ms Campbell: That is what I am just asking. We might see whether we can get some more detail about when the discussion first occurred with Mr Devonshire about a terms of reference. When we do these investigations, usually you have to engage the person and you have to get a terms of reference. That sometimes takes time. So we can determine whether that was occurring during that period. I think the evidence I gave last time was that in early December I asked for an external party, run through Canberra, to investigate this matter.</p>			
005	Wong	Appointment of Deputy Secretary	<p>Senator WONG: And Mr Maclachlan has been appointed as deputy secretary.</p> <p>Ms Campbell: Yes.</p> <p>Senator WONG: Mr Maclachlan is a former staffer of Mr Dutton?</p> <p>Ms Campbell: And before that an employee of the Department of Home Affairs and an employee of the Department of Foreign Affairs and Trade.</p> <p>Senator WONG: Was he a personal staff member or was he seconded from the departments to Mr Dutton?</p> <p>Ms Campbell: I understand that he was employed under the Ministerial and Parliamentary Services Act.</p>	Spoken	75	20/05/2022

			<p>Senator WONG: So not seconded?</p> <p>Ms Campbell: I don't know. I can take that on notice.</p>			
007	Wong	Diversity and inclusion policies	<p>Senator WONG: When I go to your website, I see there is the 2017-20 Disability Action Strategy. Is that still active or is it going to be updated?</p> <p>Mr Hudson: That will need to be updated with those dates.</p> <p>Senator WONG: So the one on the website is the old one—former Secretary Adamson's strategy?</p> <p>Mr Hudson: I'm not sure.</p> <p>Ms Campbell: Can we take that on notice? I reckon that I have signed off on another one.</p> <p>Senator WONG: Sure. It might just be your website.</p> <p>Mr Hudson: It could be.</p> <p>Senator WONG: It is saying the 2016-20 Indigenous Recruitment and Career Development Strategy. Is that going to be updated?</p> <p>Mr Hudson: The Leadership@DFAT strategy was launched in September 2020. The one that is on the website that you have just referenced may well indeed be the prior one. Again, I would have to check that to confirm.</p> <p>Senator WONG: Great. Is the 2018-21 Cultural and Linguistic Diversity Strategy still active or is it to be updated?</p> <p>Mr Hudson: I suspect that one has been replaced by the broader Diversity and Inclusion Framework I've mentioned. Again, I'm happy to look at our website to see what I can do about that.</p> <p>Senator WONG: And is the 2018-21 LGBTI Workplace Strategy still active or is that being updated as well?</p> <p>Mr Hudson: I'll look at all of these for you, Senator, to clarify which on the website have been subsequently replaced.</p> <p>Senator WONG: Stop. You have a Diversity and Inclusion Framework. Do I understand what you are saying is the previous strategies in relation to disability, Indigenous recruitment and career development, cultural and linguistic diversity and LGBTI workplace strategy have all been subsumed into the Diversity and Inclusion Framework?</p> <p>Mr Hudson: What we would normally have is an overarching framework that covers all of our diversity and inclusion approaches. Then you would normally have a specific action plan for different cohorts. What I will need to check for you is whether or not any of those cohorts that you have mentioned have been included in that single document or whether they are still maintained as separate documents. I will check that for you on notice.</p>	Spoken	79	20/05/2022

<b>008</b>	Sheldon	MOU with Vietnam	<p>Senator SHELDON: Thank you. The fact sheet refers to a number of documents. Are we able to get a copy of the MOU with Vietnam? Is that available to this committee?</p> <p>Senator Payne: I'll take that on notice.</p> <p>Senator SHELDON: Can you explain that to me, Minister? You will take on notice whether you will make it available? It is available?</p> <p>Senator Payne: I will take on notice whether it can be made available to the committee. I'm not sure whether there are any aspects of the MOU that need to be dealt with in confidence or otherwise or any aspects of the MOU that need to be dealt with in confidence for a period of time while the sorts of processes that Ms Heinecke has referred to are undertaken, so I will take it on notice.</p>	Spoken	83	20/05/2022
<b>009</b>	Ayres	Varghese report	<p>Senator AYRES: So with regard to the Varghese report, 29 out of 41 recommendations are either closed off—I think you said done—and/or ongoing?</p> <p>Mr Cowan: Yes.</p> <p>Senator AYRES: I take it to mean that they are things that are required. You can't close them off. Is that right?</p> <p>Mr Cowan: Yes. You are right; 12 of the 41—</p> <p>Senator AYRES: Twelve are still in progress. Before I come back to the India economic strategy, can you provide us with an outline, not verbally now before close but shortly, of where each of those recommendations are up to?</p> <p>Ms Campbell: We'll take that on notice.</p> <p>Senator AYRES: I would like to know what the 12 are and how far away we are from completion.</p>	Spoken	84	20/05/2022
<b>010</b>	Wong	Expulsion of diplomatic staff	<p>Senator WONG: You've given evidence, Secretary and Ms Cooper, that these options are under consideration. I just want to ask: when was the department first tasked with presenting options on diplomatic consequences, including the expulsion of diplomatic staff?</p> <p>Ms Campbell: I would have to take the exact detail on notice. But my recollection is that this has been a factor for consideration from the commencement of the invasion.</p>	Spoken	13	20/05/2022
<b>011</b>	Rice	Commonwealth leases Myanmar	<p>Senator RICE: Who is the Commonwealth leasing property from in Myanmar and have any payments being made to a military-controlled entity or family since the coup?</p> <p>Ms Campbell: I will just see if there is an officer who can provide that detail. I think we might have to take that one on notice.</p> <p>Senator RICE: If we could get a comprehensive assessment about both of those questions.</p> <p>Ms Campbell: We will take it on notice and see what we can find out.</p>	Spoken	24	20/05/2022
<b>012</b>	Wong	Support to Poland	<p>Senator WONG: Are we providing support to Poland?</p> <p>Ms Cooper: Some of our support is going to Poland. I could ask our head of humanitarian assistance, James Gilling, to come to the table to talk to you.</p> <p>Senator WONG: That's alright. I don't want to get distracted from taking you through this. Perhaps</p>	Spoken	7	20/05/2022

			<p>someone can come back and tell me if there's any additional support to Poland over and above the multilateral and regional support that you described in your update on the humanitarian assistance and what, if any, the international community's plan is to support Poland at a time of that kind of influx.</p> <p>Ms Cooper: I can provide you with further details during the day.</p>			
013	Rice	The Human Rights Watch and Amnesty Report	<p>Senator RICE: Thank you. In the Human Rights Watch and Amnesty report, the Secretary General of Amnesty International states:</p> <p>The response of Ethiopia's international and regional partners has failed to reflect the gravity of the crimes that continue to unfold in western Tigray.</p> <p>They have a number of recommendations in their report to the United Nations member states as well as to the African Union. I'll just take you through each of these and get a response. There are six recommendations that they were asking states to do something about. The first one is: Press all parties to the conflict to immediately facilitate safe, sustained, and unhindered access to humanitarian assistance in conflict-affected areas.</p> <p>I presume you—</p> <p>Mr Innes-Brown: We've been doing that. Now there is a channel that's been opened, but it would have been much more preferable if it hadn't been closed in the first place and opened much earlier.</p> <p>Senator RICE: Absolutely. The second is:</p> <p>Security Council member states should place Ethiopia on the council's formal agenda and establish a comprehensive arms embargo on all parties to the conflict in northern Ethiopia, and a UN monitoring body to report on the implementation of the embargo.</p> <p>Mr Innes-Brown: I'll have to take that one notice and study it more closely.</p> <p>Ms Campbell: We haven't had an opportunity to study it in more detail yet, but we'll take these on notice.</p> <p>.....</p> <p>Senator RICE: The next is:</p> <p>In consultation with displaced communities, and with the involvement of relevant UN agencies, assist with the establishment of an independent body that can organise and monitor returns that are safe, voluntary, well-informed and dignified.</p> <p>Mr Innes-Brown: We'll take that on notice.</p> <p>Senator RICE: Okay. The next is:</p> <p>... the international commission of human rights experts on Ethiopia should include events in Western Tigray, since November 2020 as part of its investigations, identify individuals responsible where possible, and make recommendations on how perpetrators can be held accountable, including through national, regional, and international justice bodies.</p>	Spoken	40	20/05/2022

			<p>Mr Innes-Brown: The commission of experts, as I understand it, is going to look at a whole range of human rights issues in Ethiopia. So, again, we need to probably just check what their precise terms of reference are, but I imagine, given this report, they'll be looking at the situation.</p> <p>Senator RICE: Could you take a notice whether we have advocated on that one? The final one is: Support, under the principle of universal jurisdiction and in accordance with national laws, the investigation and prosecution of those credibly implicated in serious crimes under international law.</p> <p>Mr Innes-Brown: Sure. We'll take that one on notice too.</p>			
014	Wong	Russian diplomats in Australia	<p>Senator WONG: Would you anticipate those retaliatory actions to involve—again, this is an assessment but based on historical practice. One country expels a certain number at a certain level, and you get an equivalent response.</p> <p>Ms Cooper: Often times that is the case. That's what happened in the Skripal case for example.</p> <p>Senator WONG: So we expel two of theirs and they expelled a couple of ours.</p> <p>Ms Cooper: Correct.</p> <p>Senator WONG: How many Russian diplomatic staff are here in Australia, or can you not tell me that?</p> <p>Ms Cooper: I can come back to you with a precise number.</p>	Spoken	10	20/05/2022
015	Wong	Sexual and gender based violence - resolutions	<p>Ms Klugman: Our concerns about the use of rape in war are very prominent, including in statements we've made along the lines that Ms Smith has just outlined. You've got your declaratory, norm-building set of activities in the Human Rights Council, in the General Assembly, in CSW and in other things—</p> <p>Senator WONG: Are you saying that the resolution that Ms Cooper referred to also references sexual violence?</p> <p>Ms Klugman: We'll have to check that.</p> <p>Senator WONG: Have we sought to push for a resolution either at the Human Rights Council or in other fora that talk about this?</p> <p>Ms Klugman: My recollection is that rape in war and atrocities of the kind that you're talking about have been referred to in some of those resolutions.</p> <p>Senator WONG: On Russia or Ukraine?</p> <p>Ms Klugman: On Russia, but I'll need to check for you.</p>	Spoken	17	20/05/2022
016	Wong	Myanmar - Advice on targeted sanctions	<p>Senator WONG: Has the government sought or received advice in relation to targeted sanctions?</p> <p>Ms Campbell: Yes.</p> <p>Senator WONG: When was that advice provided?</p> <p>Ms Cooper: We would have to go back and have a look. As I said, it is regular, so I can't give you one specific date.</p>	Spoken	19	20/05/2022

017	Rice	Ambassadors - Myanmar	<p>Senator RICE: Are there any precedents of other countries when their ambassadors have changed since the coup?  Ms Cooper: There are.  Senator RICE: Can you outline for me what those precedents have been.  Ms Cooper: I don't have a list with me but I am aware there have been a number of ambassadors who have presented credentials. There have been others who have put in a Charges d'affaires. They would be the two options that a country would normally consider in a situation like this.  Senator RICE: Which countries have put in a Charges d'affaires rather than a new ambassador?  Ms Cooper: I don't have that with me but I'm happy to take that on notice.</p>	Spoken	24	20/05/2022
018	Rice	General Jagath Jayasuriya	<p>Senator RICE: The Sri Lankan general retired. There are very credible reports that he oversaw war crimes against the Tamils during their civil war. Further to the questions I asked on Friday, what involvement if any has the Australian High Commission in Colombo had in accessing and processing the visa application of General Jagath Jayasuriya in 2019?  Mr Hayhurst: I don't know the answer specifically to that question. We will have to take it on notice and come back to you. Visa processing, of course, is a responsibility of the Department of Home Affairs but let me check and come back to you.  Senator RICE: I am asking because we have reports from 2013 that it was Home Affairs and the High Commission in Colombo that refused visa and entry to another commander of the Sri Lankan army, Jagath Dias, in 2013, so it would seem there are precedents in the High Commission having been involved in such visa applications. I want to know: How would they assess that someone would pass the visa character provisions in the Immigration Act when he is very credibly accused of the most serious crimes of concern to the international community—named in UN reports, law suits filed against him in Latin American countries, reports he has been denied visas to enter the US? I just cannot understand why the High Commission and, indeed, Home Affairs approved what appears to be a multiple entry visa for him to Australia.  Mr Hayhurst: We will have to check the detail and come back to you.</p>	Spoken	25	20/05/2022
019	Abetz	Anti Semitism	<p>CHAIR: Exactly. And thank you for that. The International Holocaust Remembrance Alliance—is that what it's called?—IHRA, have submitted a statement in relation to what anti-Semitism looks like, and the Australian government has now adopted it, as I understand it.  Mr Innes-Brown: Yes.  CHAIR: What other countries have now adopted it? And take that on notice. But is there a growing number of countries that are willing to accept this definition?  Mr Innes-Brown: I'll have to take that on notice in terms of the trend line.</p>	Spoken	41	20/05/2022

020	Wong	Locally engaged employees - certifications	<p>Senator WONG: Yes, I know. Can you tell me about where we're at in terms of that? What's outstanding? How many are outstanding? I know it's a Home Affairs figure, but you must know broadly how many other visa classes. What are we processing? What are you processing within DFAT? Can you give me an update on that?</p> <p>Mr Maclachlan: Sure; no problem. Since 2013, but in particular over the past year, we've certified 151 applicants as locally engaged employees. Once they've been certified, they effectively go into the Home Affairs visa processing stream.</p> <p>Senator WONG: Of the 151, how many have got a visa?</p> <p>Mr Maclachlan: Of the 151, 86 are in Australia; five are in the UK and Canada; 14 are in Afghanistan; and there are a number whose location we're still trying to identify.</p> <p>Senator WONG: But we've processed them, so they haven't just been certified by you; they've been issued with the relevant Home Affairs visa, which I've forgotten the number of.</p> <p>Mr Maclachlan: I'd have to double-check how many of those have actually got the visa. Clearly, the people who've arrived in Australia have got the visas.</p> <p>Senator WONG: Eighty-six, 5, 91: you've still got people missing in that number.</p> <p>Mr Maclachlan: It should be 15 in Afghanistan, although it might now be 14. I've got 30 who are in a location unknown. I've got 86 in Australia—</p> <p>Senator WONG: And five in the UK—</p> <p>Mr Maclachlan: and five in the UK and Canada, and then I've got 15 who are in other locations. We have another 50 applications for locally engaged employees on hand at the moment, which we're going through and assessing.</p> <p>Senator WONG: When did you get those?</p> <p>Mr Maclachlan: I'll have to take that on notice, I'm sorry.</p>	Spoken	27	20/05/2022
021	Antic	Definition of 'woman'	<p>Senator ANTIC: Thank you. I have one last question. It's a question I've been asking departments all over this great process of Senate estimates, and I want to give the Department of Foreign Affairs and Trade an opportunity. Given the amount of gender-based programs there are, I would like to know whether or not the department has a definition for 'woman'.</p> <p>Ms Campbell: I'll ask one of the other officers to come to the table. I think we would stick with the Public Service Commission, but I'm not sure. I hadn't heard that question before. I will ask if there's anyone who can assist.</p> <p>Senator ANTIC: Thank you.</p> <p>Ms Klugman: Do we have a definition of 'woman'? No; I don't think we do. As the secretary said, if you're talking about us as a department of government, our approach is consistent with and governed by the Australian Public Service standards and rules. I'm not aware of any particular standards and rules going to that question in particular. If you're talking about the support we provide internationally for gender programming, it hasn't come up.</p>	Spoken	32	20/05/2022



			<p>Senator ANTIC: Thank you. I won't labour this point, except to suggest that it is obviously relevant. We've seen instances in Ukraine, for example, where men identifying as women have been returned to the combat zone, as I understand it. So it is relevant. So no-one can give a basic summary? An 'adult human female' is one. Is someone born as a woman not the one we use?</p> <p>Ms Campbell: I suppose we'd be thinking about in what context a definition would be used. You've quite rightly raised some issues about people who may identify as women but may, I think you were saying, biologically be male being returned because of, I assume, conscription laws in Ukraine. We have not turned our mind to that definition. We can take that on notice and consider that matter.</p>			
022	Abetz	Bangladesh and Pakistan Christian Churches	<p>CHAIR: There are reports from, I think, Bangladesh that, under the excuse that roads need to be widened, Christian churches are being demolished. Is anybody able to provide confirmation of that? And similar things are happening in Pakistan.</p> <p>Mr Hayhurst: I don't have any information about that specific discriminatory action. We'll have to take that on notice and come back to you.</p> <p>CHAIR: If you could. But, if you're not aware of it, one assumes that no representations have been made.</p> <p>Mr Hayhurst: We'll check. We will have done so—the post in both of those countries engages regularly on human rights concerns. But I'm not able to—</p> <p>CHAIR: In that case, I will ask that question on notice.</p> <p>Mr Hayhurst: Thank you.</p>	Spoken	42	20/05/2022
023	Ayres	Agriculture Visa	<p>Senator AYRES: Can you tell me whether the ag visa was a decision of cabinet last year prior to its announcement?</p> <p>Senator Duniam: That I can't tell you. I don't have that information, but I'm happy to take it on notice.</p>	Spoken	44	20/05/2022
024	Rice	Funding to coal-fired plants	<p>Senator RICE: Yes. Can you please take on notice as to whether there is any consideration of providing funding to coal-fired plants that claim to have some level of abatement?</p> <p>Ms Klugman: Through the overseas development assistance program? We don't do that.</p> <p>Senator RICE: No. Through EFA. It was EFA that you were just talking about.</p> <p>Ms Klugman: It was. You will have to refer those questions to EFA. I can pass them on.</p> <p>Senator RICE: Please pass them on.</p>	Spoken	88	20/05/2022
025	Ayres	High Commissioner to UK - car incident	<p>Senator AYRES: It was initiated by the post. Mr Brandis is the high commissioner. Who at post initiated the investigation?</p> <p>Mr Hudson: I don't know who specifically initiated that. My advice is that it was on the recommendation of the local labour lawyer at post. But I don't know who actually did the initiation.</p>	Spoken	71	20/05/2022

		<p>Ms Campbell: The local lawyer. I understand it was probably the deputy head of mission, but we'll check that out. That is my understanding; it was the deputy head of mission.</p>			
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