

HRW Questionnaire: SENATOR RICHARD DI NATALE (The Greens)

Domestic policy

1 *What changes, if any, should be made to Australia's laws covering the rights of journalists, whistleblowers, and activists to speak out on matters of public interest?*

- The Greens negotiated with the Labor Party in the last parliament to strengthen the *Public Disclosure Act* for public sector whistleblowers.
- We argued then as we continue to argue today that this regime has to be extended to cover the private and not-for-profit sectors.
- But providing legal protection on its own is not enough. To encourage whistleblowers to come forward without having to sacrifice their work and financial security, the Greens advocate for a model based on the US *False Claims Act* where whistleblowers can be supported by getting a set proportion of any additional revenue collected by government agencies as a result of the information provided. This is a particularly important measure in relation to companies or individuals evading the tax office.

2 *Should Australia permit gay and lesbian couples to marry? Why or why not?*

- The Greens have been strong, long-time supporters for marriage equality.
- The Greens believe that all love is equal, and that our marriage laws should reflect that fact.
- The Greens oppose the Government's proposed plebiscite. A plebiscite on marriage equality would open a divisive campaign that would adversely impact on the mental health of LGBTI Australians. This matter should be resolved in the parliament.

3 *What would you do to address the disproportionate incarceration of indigenous people in Australian prisons and jails?*

- Australian Greens spokesperson on Aboriginal and Torres Strait Islander issues Senator Rachel Siewert has repeatedly spoken out about the appalling incarceration rates of Aboriginal and Torres Strait Islander peoples.
- The Greens have repeatedly called for the Government to adopt a national justice target to address the disproportionate incarceration of Aboriginal and Torres Strait Islander peoples, in line with the recommendation of the *Change the Record* campaign.
- The Greens have also called for the implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody, want an end to mandatory detention and are strong supporters of justice reinvestment.
- The Australian Greens have also called for reversing the funding cuts to key Aboriginal and Torres Strait Islander services, in particular the half a billion cut as part of the shift to the Indigenous Advancement Strategy.

4 *What changes would you make, if any, to Australia's laws, policies, and practices regarding irregular migrants and asylum seekers?*

- The Australian Greens believe that we need to create a safe way for people to seek asylum in Australia, giving them a better option than a boat journey. Families don't want

to have to use a people smuggler and if there is a safer alternative, they will take it. The other parties' policies have failed. It's up to us to build a better way.

- Children don't belong in detention and the Greens will remove all children and their families from closed immigration detention immediately, including those in offshore detention on Nauru.
- The Greens will close the detention camps on Manus Island and Nauru and abolish the practice of offshore detention. Those yet to be processed will have their claims assessed efficiently and fairly and those found to be refugees will be flown to Australia for resettlement.
- The Greens want to abolish temporary protection visas and provide permanent protection to people seeking safety.
- The Greens support a maximum 30 day time limit for people held in on-shore immigration detention. This is ample time to conduct the necessary checks and to assess their claims for asylum. Once essential health and security checks are complete, people will live in the community while they wait for their visas to be assessed and processed.
- The Greens will increase the number of people Australia helps from 13,750 to 50,000 per year. This includes increasing our humanitarian intake to 40,000 people per year and creating a new category of 10,000 skilled migrant visas for refugees.
- Using the money we will save from closing the camps on Nauru and Manus Island, the Greens will invest \$500 million to speed up the refugee assessment process in our region. This money will be directed towards the UNHCR in Indonesia and Malaysia and organisations on the ground in these countries in order to ensure that people awaiting processing and resettlement will have access to housing, health care, education and work rights. Once people are assessed as refugees they will be flown to Australia.
- The Greens strongly believe that Australia has a leadership role to play in responding to the global refugee crisis in our region. By increasing our humanitarian intake and becoming a good global citizen of the Asia Pacific region, we will work with our neighbours to encourage other States to increase their intake.

Foreign policy

5 What should be done about the situation of refugees and people seeking asylum who are being held on Manus and Nauru?

- The Greens will remove all children and their families from detention immediately, including those in offshore detention and on Nauru.
- The Greens will save \$2.9 billion by shutting the detention camps on Manus Island and Nauru and abolishing the practice of offshore detention.
- We will give \$500 million to assessment and support organisations in our region to speed up the process and give people access to education and work rights while they wait. The Greens want to abolish temporary protection visas and provide permanent protection to people seeking safety.
- The Greens will introduce a 30 day time limit for people held in on-shore immigration detention. This is ample time to conduct the necessary checks and to assess their claims for asylum.

- To provide safety for 50,000 people, the Greens will increase the number of people Australia helps from 13,750 to 50,000 per year; fairly and efficiently assess people's refugee claims where they are waiting and establish a Skilled Refugee visa program for 10,000 people.
- <http://greens.org.au/refugees>

6 *Should Australia work towards ending the use of the death penalty in Asia? How?*

- The Greens believe we have a responsibility to do all we can to oppose the death penalty and protect people from it, wherever it exists.
- Campaign for an end to the death penalty wherever it is, raising the issue in all Australia's diplomatic representations to the more than 100 countries that still practice it.
- Secure an international investigation into the alleged interference in the judicial system that resulted in the death penalty being imposed in the case of Myuran Sukumaran and Andrew Chan.
- Cease collaborating with drug authorities of nations such as Indonesia until they cease executing drug smugglers of any nationality.
- A full independent investigation into the role of the AFP and ASIO in the information sharing with those countries in Asia that still use the death penalty
- <http://greens.org.au/node/10985>

7 *How can Australia improve the human rights of people in countries with poor rights records with whom Australia is seeking closer commercial and other ties?*

- Promotion of international human rights with other countries, including the application of diplomatic and commercial pressures on regimes and governments that violate human rights.
- In United Nations forums such as the Human Rights Council, Australia must be willing to advocate on behalf of people in countries with poor rights records, and give honest and open statements about the situation on the ground.
- Australia should support UN-backed investigations into human rights abuses and war crimes (for example, that proposed in relation to the Sri Lankan civil war, which Australia refused to support).
- Develop and maintain strong partnerships with civil society organizations at home and in the Asia-Pacific region who are working toward improving the situation in countries with poor human rights records.
- Begin to address the widespread human rights abuses in the extractives sector, particularly in developing countries, through implementation of the Greens' Publish What You Pay legislation, which would require mandatory disclosure of payments made by mining, oil, forestry and gas companies listed or based in Australia to all governments for the extraction of natural resources.
- Ensuring that foreign security, police and military units that receive Australian Government funding are subject to a full vetting process to ensure we don't fund those units associated with human rights violations.
- Tackle corruption, which is often associated with human rights abuses, through cracking down on multinational tax avoidance.

8 *Australia has established ongoing “human rights dialogues” with China, Vietnam, and Laos. How will you make these dialogues more effective in promoting the human rights of the people in those countries?*

- Ensuring strengthened involvement of non-government organisations, human rights experts and civil society in these dialogues would strengthen credibility, transparency and accountability of the process.
- Far greater resources are currently directed toward other aspects of our relationships with these countries, like trade. Far greater resources should be directed toward supporting the dialogue process and ongoing engagement on human rights.
- Each dialogue should be results oriented, with clear, time bound objectives so that progress can be measured.
- Greater transparency of the process should be a priority. For example, at the conclusion of each dialogue process, the Government should table a report on progress, and time set aside for consideration of this report in the parliament.

9 *What role is there for public – as opposed to private or “quiet” – diplomacy in promoting human rights abroad?*

- The Greens believe in a right-based foreign policy that uses our bilateral relationships and multilateral forums to ensure that all countries act to prevent acts of genocide and/or violations of human rights.
- Australia should give much greater weight to public diplomacy in determining its human rights approach.
- Australia should speak more forthrightly about human rights violations in countries, particularly in our region and those with whom we have direct trade and political relationships.
- Australia should ensure human rights are raised in discussions of other issues, rather than decoupling them for political expediency.

10 *What should Australia do to address the growing crackdown on human rights in China?*

- Australia should use its relationship with China as an avenue to advocate, both privately and publicly, for an end to human rights abuses in China.
- That’s why, when President Xi Jinping visited Australia in the last Parliament, Greens Leader Christine Milne personally handed him a letter regarding our concerns about human rights abuses, the protest movement in Hong Kong, and political prisoners, and persecution of minorities including Tibetan and Uighur communities, and people of the Falun Gong faith.
- Australia should ensure that in supporting initiatives led by China like the Asia Infrastructure Investment Bank, we only commit our support with the inclusion of high environment and human rights standards.

11 *On your first visit to Indonesia, what human rights issues will you raise with Indonesian officials?*

- The Australian Greens have raised numerous issues regarding Indonesia’s human rights record in the past, and will continue to do so domestically and when representatives travel to Indonesia.

- We are deeply concerned about the ongoing use of the death penalty in Indonesia, as outlined above, and believe we have a responsibility to do all we can to oppose the death penalty.
- We are deeply concerned about the situation in West Papua, and will continue to raise this as a key human rights issue, including detention of peaceful protesters and advocates, continued limitations on media and research access, and the right to self-determination.
- Discrimination against women is a continuing concern in Indonesia, with Human Rights Watch reporting Indonesia has a total of 279 discriminatory local regulations targeting women. Bylaws also discriminate against LGBTIQ and religious minorities.
- Religious minorities in Indonesia continue to be the target of attacks from militant groups, and this is a key human rights concern.

12 Rape and other violence against women and girls is common in Papua New Guinea and other countries in the region. What can Australia do through its aid program or other means to reduce violence against women?

- Australia's aid program is a key way we can address human rights concerns in our region, including reducing violence against women.
- This begins with addressing the Abbott-Turnbull Government's unprecedented cuts to foreign aid. The Government have gutted Australia's foreign aid budget by over \$11 billion since 2013, plunging our aid investment to a shameful 0.22% of our GNI.
- The Greens have committed to increase foreign aid to a minimum of 0.7% GNI by 2025.
- In conjunction with increasing foreign aid overall, the Greens have introduced a bill to Parliament that includes gender equality assessments with our overseas aid by linking reporting requirements for all programs with their impact on women and girls in low income countries. The Greens Bill would require the Minister to report on how aid money is spent and specifically how the aid funded projects promote gender equality.