

AUSTRALIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution bars the federal government from making any law that imposes a state religion or religious observance, prohibits the free exercise of religion, or establishes a religious test for a federal public office. A Melbourne court affirmed the right of a Sikh student to wear a religious turban to a Christian school even though the turban was not consistent with the school's obligatory uniform. The political platform of the One Nation Party, which had four senators in the federal parliament, included cessation of Muslim immigration and limits on some Islamic practices. Parliament passed legislation legalizing same-sex marriage on December 7. Former Prime Ministers John Howard and Tony Abbott expressed concern prior to passage that the legislation provided inadequate protection of religious freedom. The attorney general said current law provided adequate protections for religious freedom. The prime minister stated in his July National Security Statement that the country's national identity is defined by a commitment to a shared set of values, including freedom and democracy, rather than by reference to issues such as religion or race. The government continued to run extensive programs to support religious pluralism.

In April a Greek Orthodox Christian wearing a large cross reportedly was beaten by men of "Middle Eastern appearance." The attackers reportedly ripped the crucifix off his neck and stomped on it. In May the president of the Australian Human Rights Commission, an independent statutory organization, said "there is consistent evidence that Muslims are subject to higher rates of racism than pertains for all other racial and religious groups within the Australian community ... the headscarf has become a lightning rod for attacking Muslim women. The Muslim community is disproportionately subject to 'hate speech' and discrimination in employment and the delivery of goods and services." The Australian Christian Lobby organization said its activities were disrupted during the period preceding a national federal government-run postal survey on same-sex marriage by threats of violence.

The U.S. embassy and the U.S. Consulates General in Melbourne, Perth, and Sydney regularly engaged government officials and a wide range of religious leaders, faith communities, and groups to promote religious freedom. Embassy and consulate general officers at all levels, including the Charge d'Affaires, engaged with religious communities and promoted religious tolerance in person and through social media.

Section I. Religious Demography

The U.S. government estimates the total population at 23.2 million (July 2017 estimate). According to the 2016 census, 52.1 percent of residents are Christian, including 22.6 percent of residents who are Roman Catholic and 13.3 percent Anglican. Buddhists constitute 2.4 percent of the population, Muslims 2.6 percent, Hindus 1.9 percent, and Jews 0.4 percent. An additional 9.6 percent either did not state a religious affiliation or stated other religious affiliations such as “new age,” “not defined,” or “theism,” while 30.1 percent reported no religious affiliation.

The 2016 census indicated indigenous persons constitute 2.8 percent of the population. The most recent breakdown for indigenous population remained the 2011 census, which estimated that 1 percent of indigenous respondents practice traditional indigenous religions. Among this group, affiliation with a traditional indigenous religion is higher in very remote areas (6 percent) than in all other areas (less than 1 percent). Approximately 60 percent of indigenous respondents identify as Christian, and an estimated 20 percent report having no religious affiliation. The remainder either did not state a religious affiliation or stated other religious affiliations.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution bars the federal government from making any law that imposes a state religion or religious observance, prohibits the free exercise of religion, or establishes a religious test for a federal public office.

The right to religious freedom may be limited only when deemed necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. Individuals who suffer religious discrimination have recourse under federal discrimination laws or through the court system and bodies such as the Australian Human Rights Commission.

The state of Tasmania is the only state or territory whose constitution specifically provides citizens with the right to profess and practice their religion; however, seven of the eight states and territories have laws prohibiting discrimination on the basis of a person’s religion or ethnoreligious background. South Australia is the only state or territory that does not explicitly prohibit discrimination on the

grounds of religion. All other states and territories have independent agencies to mediate allegations of religious discrimination.

Religious groups are not required to register. To receive tax-exempt status for income or other benefits and an exemption from the goods and services tax (sales tax), however, nonprofit religious groups must apply to the Australia Tax Office (ATO). Registration with the ATO has no effect on how religious groups are treated, apart from standard ATO checks. To receive tax-exempt status, an organization must be a nonprofit entity. An organization's activities, size, and permanence are some of the factors taken into account when determining its tax-exempt status.

The government permits religious education in public schools, generally taught by volunteers using approved curricula; parents may decide whether their children will attend or not. There is no national standard for approving religious curricula, which happens at the state and local levels.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

In September a Melbourne court ruled that a Christian school that accepted half of its pupils from non-Christian families could not reasonably exclude a five-year-old Sikh boy from attending classes on account of his parents' belief that he should wear a turban. The court said the parents and school were free to negotiate appropriate new agreements to the school's uniform code, possibly including and not limited to colors of all clothing worn, but that the boy's turban worn for religious reasons could not be excluded.

The One Nation Party had four senators in the federal parliament and maintained a platform calling for ceasing Muslim immigration and admission of Muslim refugees, banning the burqa and *niqab* in public places, installing surveillance cameras in all mosques, and prohibiting members of parliament from being sworn in under the Quran. In August One Nation Party leader and federal Senator Pauline Hanson wore a burqa in the senate chamber and called on the government "to ban the burqa." Attorney General George Brandis immediately rejected the call and called Hanson's action a "stunt."

The government continued to begin each session of parliament with a recitation of a short prayer and then the Lord's Prayer, as has been the practice since 1901.

Participation in the prayers remained optional. The Australian Greens and other groups continued to call for the practice to end.

In September three men from the United Patriots group were convicted of inciting contempt and ridicule of Muslims following a 2015 event protesting the construction of a mosque in Bendigo, located 90 miles from Melbourne. They were each fined \$2,000 Australian dollars (\$1,600). Construction on the mosque began in August.

The Victorian State Government Multicultural Commission published a report in December 2016 on the debate over construction of the mosque in Bendigo. The study concluded that the Bendigo Muslim community faced abuse. Muslim children reported being bullied at school, and women wearing the hijab said they were shouted at by people passing by in their cars. The commission said it hoped the findings of the report could help other regional cities better engage their Muslim communities.

In New South Wales (NSW), a Muslim organization called the Women of Hizb ut-Tahrir said Muslim men were permitted to strike a disobedient wife as long as it was soft and “symbolic.” The women faced backlash for their video post from the NSW police commissioner and Deputy Prime Minister Barnaby Joyce, who said, “If you want to beat up your wife, you can’t become a citizen of this nation.”

The government continued to provide funding for security installations –lighting, fencing, closed-circuit television cameras, and others – and for the cost of employing security guards, in order to protect schools and preschools facing a risk of attack, harassment, or violence stemming from racial or religious intolerance. This funding was available at both government and nongovernment schools, including religious schools.

The Australian Multicultural Council continued to provide guidance to the government on multicultural affairs policy and programs. The government’s national multicultural policy, *The People of Australia*, was based on a government-wide approach to maintaining social cohesion and included religious tolerance as a component. The government provided a range of youth-focused early intervention, outreach, and education programs to promote religious tolerance as well as “deradicalization” programs for prison inmates convicted of terrorism-related offenses.

Former Prime Ministers John Howard and Tony Abbott expressed concern that the proposed legislation to legalize same-sex marriage provided inadequate protection of religious freedom. The attorney general said current law provided adequate protections for religious freedom. Parliament passed legislation legalizing same-sex marriage on December 7.

A multiparty group of legislators in Victoria did not allow a vote on legislation introduced in 2016 that would protect LGBTI students, employees, and job seekers at faith-based schools.

Section III. Status of Societal Respect for Religious Freedom

In April a 30-year-old Greek Orthodox Christian wearing a large cross outside his clothing reportedly was beaten on a train in Western Sydney by a group of young men of “Middle Eastern appearance.” The attackers reportedly ripped the crucifix off his neck and stomped on it while uttering a religious profanity.

In May the president of the Australian Human Rights Commission, an independent statutory organization, said “there is consistent evidence that Muslims are subject to higher rates of racism than pertains for all other racial and religious groups within the Australian community ... the headscarf has become a lightning rod for attacking Muslim women. The Muslim community is disproportionately subject to ‘hate speech’ and discrimination in employment and the delivery of goods and services.”

The Australian Christian Lobby organization said its April conference in Sydney was disrupted and it was forced to cancel an earlier conference in Sydney due to threats of violence during the period preceding a national postal survey on same-sex marriage. The national headquarters of the Australian Christian Lobby organization in Canberra was severely damaged by a car explosion and fire attack in December 2016. The attacker told police that he opposed religion and the organization’s views on sexuality.

In September an employee in Canberra who opposed same-sex marriage due to her Christian beliefs was fired by her employer for posting on her personal social media page that she intended to vote against the measure to legalize same-sex marriage in the national postal survey.

In June a group of female Muslim students attending a career expo at the Perth Convention and Exhibition Centre were reportedly made to leave the event because

other participants felt threatened by their wearing of hijabs in the aftermath of the May 22 Manchester bombing.

According to media reports, an academic study published in February using data gathered in 2015 and 2016 found Australians less anti-Muslim than most commentators had previously stated. According to the study's interpretation of a survey, 9 percent of respondents showed "high or very high Islamophobia," while nearly 70 percent of respondents showed low or very low levels.

The Q Society – a self-proclaimed "Islam-critical" organization – held fundraising dinners in February headlined by two members of the federal parliament. The group's leaders said that "there is more support than ever across Australia and the world for the Islam-critical Movement." The Q Society opposed halal certification programs and construction of mosques and advocated for a moratorium on immigration from Afghanistan, Lebanon, Syria, and Iraq. The group said it had more than 1,000 members in the country and held monthly meetings in each Australian state.

In August a group called the Antipodean Resistance posted fliers at three Melbourne universities and the Australian National University in Canberra. The fliers featured anti-immigrant and anti-Semitic messages, including, "Stop the Hordes" and "Reject Jewish Poison." Political leaders and educators denounced the fliers. The group also said it placed swastika stickers at the University of Sydney.

In August swastikas and racist graffiti were found inside the University of Sydney Business School and the International Student Lounge. The graffiti was removed the same day, and the university said it was working with police to identify the perpetrators.

In August three men were charged with a December 2016 firebomb attack on an Islamic community center in Melbourne in which the words "Islamic State" were scrawled on the building. The blaze destroyed the building, which was a center of worship for the Shia community. Police stated that these anti-Shia acts were "inspired" by the Islamic State. All three were charged with engaging in a terrorist attack, an offense that can carry a sentence of life in prison.

The Executive Council of Australian Jewry reported 230 anti-Semitic incidents of threats or abuse during the year, up from 210 in the previous year. In May paper slips and leaflets containing content that denied the occurrence of the Holocaust

were distributed on cars and noticeboards across the University of Western Australia campus.

Section IV. U.S. Government Policy and Engagement

The U.S. Embassy in Canberra and Consulates General in Melbourne, Perth, and Sydney met with government officials from the federal and state-level departments of social services and multicultural affairs to promote interfaith understanding and tolerance programs.

U.S. officials, including the Charge d’Affaires, engaged a wide range of religious leaders, faith communities, and groups, including the Islamic Council of Victoria and the Australia Arab Association of Perth. The embassy and consulates general used social media platforms to increase awareness of U.S. policy and activities supportive of religious freedom through posting and sharing of articles and events.

The Consulate General in Melbourne hosted its eighth annual Youth Iftar and welcomed Muslim and non-Muslim guests from political, legal, sports, government, entertainment, educational, and faith backgrounds. The dinner facilitated young leaders in meeting a diverse group of people for discussions including religious diversity.

A representative from the Consulate General in Perth gave an address at the Australia Arab Association’s Multicultural Eid al-Adha events to celebrate diversity.

Members of the Consulate General in Sydney attended interfaith dinners hosted by leaders of Sydney’s Lebanese Muslim community to discuss tolerance and inclusion.