



Australian Federation
of Islamic Councils

AFIC addresses parliamentary joint select committee on the Anti Discrimination Amendment Bill

AFIC has a strong mandate to help make Australia safer for all Australians, including especially Muslim Australians.

Following the AFIC submission to the Joint Select Committee (JSC) on the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020 (the Bill), AFIC was invited to speak to the submission before the JSC. The points raised before the committee pertain to topics such as:

1. Obligatory and optional requirements of our faith
2. Faith-based institutions
3. Unscientific vilification or persecution of Muslims
4. Religion and culture
5. large well-funded media institutions
6. Protection from discrimination
7. Halal certification



AFIC president Dr. Rateb Jneid

AFIC president Dr Rateb Jneid passed the following message to the JSC via video link:

The law has equal provisions for all Australian residents regardless of their background when it comes to paying taxes, the law should therefore put us on an equal footing when it comes to our security and safety from physical harm and from vilification.

I would like to thank Mark Latham MLC for proposing this Bill and thank the members of the joint select committee. I along with our nationwide members believe that this Bill if passed will cover an unintended gap in anti-discrimination laws in NSW.

Faith based institutions need this Bill to be passed in order to protect us and allow us to safeguard our faith teachings from being undermined in a surreptitious manner.

The Australian constitution protects "Freedom of Religion". This proposed Bill will help bring NSW Anti-discrimination laws in line with the Australian constitution.



AFIC CEO: Keysar Trad

At the NSW Parliament to address the JSC, AFIC CEO, Br Keysar Trad stressed the following points:

1 Our faith has obligatory as well as optional requirements for every adherent. There is nothing in the obligatory requirements that is in breach of our laws. If we don't perform the obligatory requirements in the intended manner, then we will feel anxious and our day will transform from a nice day or a good day to a bad or miserable day. We must be allowed to feel protected from all forms of persecution when we perform the obligatory requirements of our faith or any of our faith teachings that are not in breach of the law.

2 Faith-based religious institutions and associated peripheral businesses must be protected from external as well as internal attacks on their religious ethos. In subsequent points on Notice, Br. Keysar stated that there are situations where an employee in a key position in a faith based organisation or its peripheral business activity has a change of heart and begins to preach ideas that are alien to the faith tradition. The faith-based organisation has a duty to protect its faith teachings from unsolicited expressions by employees that are anathema to the faith and should have a right to dismiss this employee from his or her duties without fear of falling foul of anti-discrimination laws if these employees don't heed warnings to stop undermining the faith ethos of the faith-based institution. Examples of this point include where an Imam, a rabbi, a priest or even a shaman become atheists, such individuals who are required to preach the faith as "believers" would no longer be able to do so. The congregation would expect persons holding such positions to be believers in the faith that employs them and expects of them to uphold the tenets of their respective belief systems in their public utterances and practices. Hence a conversion of such people would render them unable to fulfill the task for which they were employed. The same would apply for persons in key positions in faith-based schools, key positions would include school principals and individuals in senior positions on school boards.

3 We are not opposed to freedom of speech, but this freedom must have limits that are based on scientific facts. We do not oppose the right of individuals to be critical of other faiths of their own in an interfaith debate or any genuine scientific debate about faith. What we oppose is gratuitous unscientific vilification or persecution that is not based on credible historical evidence or scientific fact.

4 Religious belief is quite distinct from cultural practices. Culture is to a large extent related to race and ethnicity, and to a large extent enjoys legal protections accorded to races. Laws generally have exemptions and definitions that can ensure that there is no conflation of Religion and culture when passing this Bill.

5 AFIC stresses that the defence of Discrimination laws must not be at the expense of the aggrieved individual when such matters are taken against large well-funded media institutions. For this to be workable, complaints can continue to be vetted by statutory bodies such as the NSW Anti-Discrimination Board (ADB), if the matter complained of is judged to be a material breach of the law, the ADB or Legal Aid must be funded to assist aggrieved individuals.

6 Non faith-based institutions must gain a level of protection from discrimination if they engage in a faith-related activity for commercial reasons. In Australia, we've seen many businesses threatened with boycott if they choose to Halal certify their products. Halal certification is obtained to reassure people of faith that the certified product meets rigorous industry and Halal or Kosher standards. Halal certification opens a big domestic and export market for Australian businesses. Such businesses must be protected from persecution for such a commercial decision.

Authorised by: Dr Rateb Jneid
President