



COMMONWEALTH OF AUSTRALIA

SENATE

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CORRECTIONS

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Wednesday, 19 September 2007

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BY AUTHORITY OF THE SENATE

PROOF

ther integrating our professional and financial service sectors.

With regard to Tasmania specifically, there are many benefits but tonight I want to refer to the benefits across the board, not only in agriculture but in mining and manufacturing. And I want to acknowledge and comment on the Tasmanian poppy industry. The US has what is called an 80-20 rule, where 80 per cent of their poppies or opiate comes from Turkey or India and 20 per cent from the rest of the world. Tasmania is definitely the sole area in Australia where poppies can be planted. Crop areas have declined over recent years, but I hope and I understand that there is good news, because it was announced in March that poppy plantings in Tasmania are set to increase this year to 17½ thousand hectares. I want to pay tribute to the Poppy Growers Association, to Lindley Chopping, to Keith Rice and to the Poppy Advisory and Control Board and the work done by Dr Peter Patmore and his team there. I note that the Tasmanian Liberal Senate team is very supportive of that industry. I know that, under the US free trade agreement and the representations made, the benefits will proceed. I seek leave to continue my remarks. (*Time expired*)

Leave granted; debate adjourned.

Consideration

The following orders of the day relating to government documents were considered:

Northern Territory Fisheries Joint Authority—Report for 2005-06. Motion to take note of document moved by Senator Ian Macdonald. Debate adjourned till Thursday at general business, Senator Ian Macdonald in continuation.

Treaties—

Multilateral—

Text, together with national interest analysis and annexures—Constitutional amendments to the *Convention Establishing the World Intellectual Property Organization* and other WIPO administered treaties adopted by the WIPO General Assemblies in September 1999 and October 2003: *Convention Establishing the World Intellectual Property Organization*; Paris Convention for the Protection of Industrial Property; Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of Registration of Marks; Patent Cooperation Treaty; Strasbourg Agreement concerning the International Patent Classification; Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure; Berne Convention for the Protection of Literary and Artistic Works, 1971. Motion to take note of document moved by Senator Bartlett. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

General business orders of the day nos 29 to 31, 33 to 40 and 43 relating to government documents were called on but no motion was moved.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Crossin)—Order! It being 7.15 pm, I propose the question:

That the Senate do now adjourn.

Middle East

Senator TROETH (Victoria) (7.15 pm)—I wish to bring to the attention of the Senate tonight the gross violation of human rights, as I understand it, in the Middle East. I would like to inform the Senate that over a year has passed since the unprovoked abduction of two Israeli soldiers, Eldad Regev and Ehud Goldwasser, on the Israeli side of the Lebanese border—an action that precipitated widespread confrontation between Israel and the Lebanon based Hezbollah terrorist organisation. In that action, on 12 July 2006, Hezbollah launched rockets into Israel and entered Israeli territory. They captured the two soldiers that I have named and they killed a further eight. In the armed conflict which followed, an estimated 43 civilians in Israel were killed and an estimated 1,191 people in Lebanon were killed. Earlier, on 25 June 2006, Hamas irregulars attacked an Israeli position on the edge of the Gaza Strip. They killed two soldiers and captured a third, Gilad Shalit. He was abducted. Nothing has been heard of the two captive soldiers and only a tape has been heard of soldier Shalit's voice. Neither their families nor the government of Israel have any knowledge of their whereabouts or their current state of health.

Especially grave is the fact that these unprovoked abductions were carried out on sovereign Israeli territory. The trespassing of Hezbollah into Israel arguably constituted an armed attack for the purposes of article 51 of the UN charter, which says:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations ...

The argument that cross-border assaults by non-state actors can constitute armed attacks is supported by UN Security Council resolutions 1368 and 1373. If that Hezbollah incursion was an armed attack, it enlivened Israel's inherent right of self-defence under article 51.

This is a deplorable state of affairs. Not only were many innocent people killed in the subsequent retaliation by both sides but these unfortunate soldiers have not been able to be looked at by international agencies, and nor have their families heard anything from them. As I said, on the anniversary of the single soldier's abduction in 2007 Hamas released a recorded message of Gilad Shalit's voice—the first sign of life since he was abducted. His father indicated that the voice, if not the wording, of the message, was indeed that of his son. That recording is an important development but it

cannot be seen as a substitute for what Hamas must do—namely, allow the International Red Cross to immediately visit the soldier and allow him to receive proper medical attention. These captive soldiers are being denied the most basic of human rights.

The Israeli foreign ministry are active in their efforts on all levels to obtain the release of the soldiers. The Israeli foreign minister and her fellow ministers, alongside the Prime Minister, have raised the issue at the highest level in their diplomatic meetings in Israel and abroad, as has our own Minister for Foreign Affairs, Mr Alexander Downer, who, in answer to a question on notice on 30 November 2006, replied that he was aware of the issue and:

... Australia utterly condemns taking hostages for political purposes and calls for the immediate and unconditional release of the IDF soldiers—

including the one abducted in the first abduction, because the abduction of those soldiers:

... will do nothing to advance the cause of the Palestinian people. We are deeply concerned at the complicity of Hamas' armed wing in the initial attack and at the subsequent action by Hezbollah on the Israel Lebanon Border.

And he reminded those countries:

All states have a responsibility to abide by their obligations under international humanitarian law in response to any conflict.

So at least Australia has had a comment on that, about which I am very pleased.

The other evening, I think some time last week, there was an interview on *The 7.30 Report* on the ABC with the wife of one of the soldiers. When you look at the level of individual human misery, it is simply unconscionable to allow those families, let alone the respective governments, to go on wondering what has happened to their soldiers.

The report of the UN Secretary-General on this matter says it has been the focus of further intense efforts made by the UN to handle these issues. It says:

Hizbullah publicly rejected the concept of an immediate and unconditional release of the two Israeli soldiers at an early stage ...

And they have continued to do that, which is a matter for great concern. On 17 April the UN Security Council noted the lack of progress. On 25 June 2007, as I said, an audio message was released from one of the soldiers. On 20 July 2007 Israel released 256 prisoners and negotiations were ongoing for the release of Hamas prisoners in exchange for the return of Shalit. On 25 August 2007, Khaled Mashaal, the exiled Hamas leader, said Shalit is alive and in good health, but the outgoing UN envoy for the Middle East peace process, Michael Williams, told the Security Council that Hezbollah had, after 20 meetings, rejected an Israeli offer for a prisoner exchange for Regev and Goldwasser. There had been no evidence that they

were still alive. An Israeli report concluded that they had been 'seriously wounded during their capture and at least one of them could now be dead'. That information came from a Reuters report of 29 August 2007.

The electorate in Victoria, for which I am patron senator, Melbourne Ports, has many families and Jewish organisations who are seriously interested in this case. Together with me, a senator, and others of goodwill, they are seriously asking our government and any international agencies to progress this case and find out the fate of the prisoners, whether they are still alive and when a release may be expected. As I said, it is bad enough at an international level but at an individual level wives and families of these soldiers are wondering what has happened to them after at least a year of captivity with no medical attention being instanced, no international visits being allowed and no bulletins on their condition. We have every right to be seriously worried and I think it is a case that needs our immediate attention.

Social Enterprise

Senator STEPHENS (New South Wales—Parliamentary Secretary to the Leader of the Opposition) (7.22 pm)—The next time you pass someone in that street who is selling the *Big Issue*, look seriously at how this person represents a new model of small business. At first glance he or she might look like another homeless person haranguing a busy public, but nothing could be further from the truth. He or she is the face of many new social enterprises in Australia. Perhaps you do not know that the *Big Issue* is a fortnightly magazine packed with current affairs, entertainment, photography, comment and mischief. It is sold on the streets of towns and cities throughout Australia by people experiencing homelessness or long-term unemployment. It helps people help themselves. As vendors they are allocated their sales territories and keep half of the \$4 cover price of every magazine they sell.

The *Big Issue* does not push a party-political or a religious line. It is just an independent magazine committed to all forms of social justice. As an independent national magazine it publishes quality articles and images on a range of subjects, including arts and entertainment, current affairs, street culture and lifestyle. Each fortnight the magazine tackles the tough issues while keeping a sense of humour. So the *Big Issue* is a hand up, not a handout. If you are one of the people who were fortunate enough to watch the series on the ABC recently about the Choir of Hard Knocks you will know that one of the people who featured strongly in that program is a vendor of the *Big Issue*.

In Australia more than 3,000 vendors have joined the *Big Issue* family and sold the magazine as a way of getting back on their feet and gaining confidence. By selling the *Big Issue*, people who are experiencing homelessness, unemployment or serious disadvantage