

**Submission
No 82**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

Organisation: Australian Sikh Association Ltd

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Submission to the Committee on Measures to Prohibit Slogans that Incite Hatred

From:

Australian Sikh Association (ASA)
Glenwood, New South Wales

Re: Proposed laws to prohibit slogans that incite hatred and threaten community safety

Introduction

The Australian Sikh Association (ASA), Glenwood NSW, welcomes the opportunity to provide a submission to the Committee on proposed measures to prohibit slogans that incite hatred and threaten community safety.

The Australian Sikh Association represents a diverse and well-established Sikh community in Western Sydney. Our members are proud, law-abiding Australian residents and citizens who actively contribute to local, national, and international society through employment, business, education, charitable work, and community service. The Sikh community strongly supports laws that protect public safety, social harmony, and mutual respect.

Commitment to Peace, Law, and Social Cohesion

Sikh values are founded on principles of equality, justice, freedom of belief, and peaceful coexistence. The Australian Sikh Association unequivocally condemns hatred, violence, discrimination, and incitement against any individual or community.

Sikhs respect Australian laws and democratic institutions and have consistently demonstrated a commitment to multicultural harmony. Any speech that genuinely incites violence or hatred against a community should be addressed appropriately under the law.

Historical Experience and Collective Remembrance

The Sikh community is also shaped by historical experiences of persecution and mass human rights abuses. Sikhs have been victims of **state-sponsored violence**, including events recognised by many international human rights bodies and scholars as genocide.

Like Jewish communities commemorating the Holocaust, the Sikh community observes remembrance days, educational programs, and peaceful marches to:

- Honour victims
- Preserve historical memory
- Promote accountability
- Advocate for the prevention of future atrocities

These events are **not directed at any religious, ethnic, or national community**. They focus on historical actions of **governments, state institutions, or officials**, and are conducted peacefully, lawfully, and respectfully.

Community Concerns Regarding the Proposed Law

The Australian Sikh Association respectfully raises concerns about how the proposed legislation will distinguish between:

- Hate speech that targets or endangers communities; and
- Legitimate political expression, historical remembrance, and human rights advocacy

During genocide remembrance events, Sikhs may express strong criticism of governments or officials responsible for historical atrocities. The community is concerned that, without clear safeguards, such expression could be misinterpreted as hate speech, despite:

- No intent to incite hatred or violence
- No targeting of any racial, religious, or ethnic group
- A clear focus on accountability and historical truth

Criticism of a **government, state policy, or historical conduct** must not be conflated with hatred toward a **people or community**.

Importance of Clear Legal Safeguards

We respectfully submit that the proposed legislation should include explicit protections to ensure:

1. **Intent is central**
Prohibited speech should require a clear intention to incite hatred, hostility, or violence.

2. **Clear distinction between governments and communities**
Lawful criticism of governments, political actors, or historical events must remain protected.
 3. **Protection of remembrance and advocacy**
Peaceful commemoration of genocide, human rights advocacy, and calls for justice should not be restricted.
 4. **Alignment with Australian democratic values**
The legislation should uphold freedoms of expression, religion, and peaceful assembly.
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Conclusion

The Australian Sikh Association supports strong measures to protect Australians from hatred and violence. However, we respectfully urge the Committee to ensure that the proposed law does not unintentionally silence minority communities, suppress historical remembrance, or restrict peaceful democratic expression.

The Sikh community remains committed to:

- Upholding Australian law
- Promoting social cohesion
- Engaging in respectful dialogue
- Contributing positively to Australian society

We thank the Committee for considering this submission and for its commitment to balancing community safety with fundamental democratic freedoms.

The Australian Sikh Association Ltd
www.asaltd.org.au