



## **Submission No 20**

**Inquiry into Australia's aid program and its impact on human rights and security in the Pacific**

**Organisation:** Human Rights and Equal Opportunity Commission

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**Human Rights and  
Equal Opportunity Commission**

**President**  
*The Hon. John von Doussa, QC*

8 August 2006

Ms Sarah Edson  
Secretary  
Human Rights Sub-Committee  
Joint Standing Committee on Foreign Affairs, Defence and Trade  
Parliament House  
Canberra ACT 2600

Dear Ms Edson

**Inquiry into Australia's Aid Program in the Pacific**

Thank you for your letter of 30 June 2006, inviting comments from the Human Rights and Equal Opportunity Commission (HREOC) on the parliamentary inquiry into Australia's aid program in the Pacific. The Commission welcomes the opportunity to contribute to this important inquiry.

The inquiry has the potential to encourage a more concerted application of human rights principles in the delivery of Australian aid in the Pacific region. This would clearly be a positive development. Given that human rights issues invariably have a disproportionately large impact on the most economically and socially disadvantaged members of societies, a focus on human rights assists the broader development aims of the aid program.

HREOC does not have extensive experience in matters related directly to Australia's aid program in the Pacific. For that reason, I do not propose providing detailed comments on each of the terms of reference for this inquiry. However, I would like to submit two documents which I hope will assist the Sub-Committee in its deliberations.

Enclosed is the text of a speech 'Promoting Human Rights, Good Governance, the Rule of Law and Democracy', which I presented at the Pacific Judicial Conference in Vanuatu in July 2005. In that speech I described the evolution of efforts in recent years to encourage greater cooperation on human rights in the Pacific region, including through the Pacific Islands Forum. The speech canvassed a variety of initiatives for enhancing protection and promotion of human rights in the Pacific region. They included development of regional human rights machinery, establishment and strengthening of national human rights institutions, public education programs and measures to increase access to justice. In relation to access to justice, I emphasised in particular the importance of a robust and accountable legal profession, an independent judiciary and a well-resourced legal aid system. These continue to be areas of high need which warrant consideration in determining future directions for Australia's aid program in the Pacific.

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**Human Rights and Equal Opportunity Commission**

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Also enclosed is a briefing paper describing a program of technical cooperation that may be of some interest, albeit indirect, to this inquiry. The China-Australia Human Rights Technical Cooperation Program (HRTC), established under the China-Australia Human Rights Dialogue, is funded by the Australian Agency for International Development (AusAID) and managed by the Human Rights and Equal Opportunity Commission. HRTC activities focus on three main theme areas, i) legal reform ii) women and children's rights and iii) ethnic and minority rights. Each activity is designed and implemented through a cooperative venture between HREOC and particular Chinese organisation. Cooperating organisations on the Chinese side include the Ministry of Foreign Affairs (the lead counterpart organisation), the Supreme People's Procuratorate, the Supreme People's Court, the National Judges College, the State Ethnic Affairs Commission, the Ministry of Justice, the Ministry of Public Security, the All-China Women's Federation, the United Nations Association of China and the National Population and Family Planning Commission.

While there are obviously major differences between the circumstances of China and other Pacific nations, this paper may be of interest to the inquiry in highlighting the benefits of bilateral technical cooperation programs in encouraging human rights reform. The paper includes information on the methodologies applied to activities in the HRTC Program, some of which may be useful in considering such activities with Pacific neighbours. The HRTC Program demonstrates, among other things, the concrete results that can be achieved through technical cooperation activities that have a practical emphasis, bring together Australian and overseas professionals working in similar fields and focus on areas in which Australian expertise is relevant to the needs and priorities of the recipient organisations.

I trust that these documents will be of assistance to the Sub-Committee and I look forward to hearing of the inquiry's outcomes in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John von Doussa', written in a cursive style.

John von Doussa, QC  
President