



**Submission No 2**

**Review of the Department of Foreign Affairs and Trade  
Annual Report 2009 - 2010**

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# **A Human Rights-Based Approach to Foreign Policy**

**Submission to the Joint Standing Committee on  
Foreign Affairs, Defence and Trade:  
Review of the *Department of Foreign Affairs and Trade  
Annual Report 2009 – 2010***

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### **About the Human Rights Law Centre**

The Human Rights Law Centre protects human rights and, in so doing, seeks to alleviate poverty and disadvantage, ensure equality and fair treatment, and enable full participation in society.

The Centre also aims to build the capacity of the legal and community sectors to use human rights in their casework, advocacy and service delivery.

The Centre achieves these aims through human rights litigation, education, training, research, policy analysis and advocacy. The Centre undertakes these activities through partnerships which coordinate and leverage the capacity, expertise and networks of pro bono law firms and barristers, university law schools, community legal centres, and other community and human rights organisations.

The Centre works in four priority areas: first, the enhanced legal protection of human rights at the local, national, regional and international levels; second, socio-economic rights, particularly the rights to health and adequate housing; third, equality rights, particularly the rights of people with disabilities, people with mental illness and Indigenous peoples; and, fourth, the rights of people in all forms of detention, including prisoners, involuntary patients, asylum seekers and persons deprived of liberty by operation of counter-terrorism laws and measures.

The Centre has been endorsed by the Australian Taxation Office as a public benefit institution attracting deductible gift recipient status.

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## 1. Summary

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1. The Human Rights Law Centre (**HRLC**) welcomes the Joint Standing Committee on Foreign Affairs, Defence and Trade's review of the *Department of Foreign Affairs and Trade Annual Report 2009 – 2010 (Annual Report)*.
2. This submission considers the Annual Report with regard to international human rights standards and Australia's foreign policy obligations in this regard.
3. After first outlining the utility and importance of a human rights-based approach to foreign policy, the submission identifies specific areas in which Department of Foreign Affairs and Trade's (**DFAT**) position in respect of human rights could be improved. It also makes concrete recommendations for reform which will enhance DFAT's capabilities to address human rights issues, namely by:
  - (a) developing an overarching, comprehensive human rights policy;
  - (b) utilising and promoting social media as a form of communication and diplomacy;
  - (c) appointing a human rights ambassador; and
  - (d) increasing the resourcing of the Human Rights & Indigenous Issues Section within DFAT to facilitate these recommendations.

## 2. A Human Rights-Based Approach to Foreign Policy

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4. Human rights should be both a goal and an instrument of Australian foreign policy. As a goal, we should commit ourselves to promoting and protecting freedom, dignity, equality and justice for all as a key foreign policy priority. As an instrument, we should promote human rights to secure the underlying conditions for other goals, such as security, development, economic participation and social inclusion.
5. A human rights focus should permeate all areas of foreign policy. This has been formally recognised by a number of like-minded countries. The overriding goal of Sweden's Ministry of Foreign Affairs' human rights policy is to 'influence all areas of foreign policy, including security policy, development cooperation, migration policy and trade policy'.<sup>1</sup> In outlining the UK's foreign policy strategy in respect of human rights recently, Foreign Secretary William Hague stated that 'human rights are essential to and indivisible from the UK's foreign policy priorities' and that 'human rights values are woven deeply into the decision making process of foreign

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<sup>1</sup> Ministry for Foreign Affairs of Sweden, *Human rights in Swedish foreign policy*, Government Offices of Sweden, March 2009, 1.

- policy at every stage'.<sup>2</sup> The reasons and imperatives identified by the Foreign Secretary for such comprehensive engagement with human rights is based on:
- (a) recognition of the UK's responsibility as a democratic society to exercise all areas of foreign policy with a 'human rights conscience';
  - (b) the strategic interest in the promotion of human rights values by acknowledging that where human rights abuse continues internationally, the UK cannot achieve long term security and prosperity;
  - (c) an appreciation that a vital component of the UK's international influence and standing relies on the appeal of the UK's culture, perceptions of the openness of its society and its conduct towards other countries, not simply its military and economic might.<sup>3</sup>
6. Other countries likewise recognise these needs and the benefits of such an approach not only for the international community, but for the country itself. For example, the Netherlands Foreign Ministry's human rights policy notes that 'respect for human rights also contributes to security and to social and economic progress both nationally and internationally ... [which] ... is in the direct interest of the Dutch society'.<sup>4</sup>
7. The value and necessity of a human rights-focused foreign policy were recently outlined by US Secretary of State Hillary Clinton, in a speech entitled 'A Human Rights Agenda for the 21st Century'.<sup>5</sup> The Secretary of State outlined the Obama Administration's view that the means and ends of US foreign policy are best served by a commitment to:
- (a) universal human rights standards and accountability and an approach to human rights that is principled and agile;
  - (b) multilateralism, working with and through the UN; and
  - (c) empowering communities, including through financial and technical support to NGOs.
8. Similar to the above countries, Australia's national interest would be positively served by more explicitly, deeply and consistently integrating human rights in foreign policy. The benefits of a strengthened commitment to human rights as a central goal and instrument of Australian foreign policy could include:
- (a) the development of more stable and predictable international and regional policy environments;

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<sup>2</sup> UK Foreign Secretary, 'Britain's values in a networked world', Speech at Lincoln's Inn, London, 15 September 2010 at <http://www.fco.gov.uk/en/news/latest-news/?view=News&id=22868136>.

<sup>3</sup> Ibid.

<sup>4</sup> Ministry of Foreign Affairs of the Netherlands, *Human dignity for all: a human rights strategy for foreign policy*, Ministry of Foreign Affairs of the Netherlands, November 2007, vii.

<sup>5</sup> US Secretary of State, 'A Human Rights Agenda for the 21<sup>st</sup> Century', Speech at Georgetown University, Washington DC, 14 December 2009 at <http://www.state.gov/secretary/rm/2009a/12/133544.htm>.

- (b) enhanced international credibility and diplomatic capital;
  - (c) strengthened domestic and international policy coherence and effectiveness; and
  - (d) the mobilisation of a positive, unifying national identity and values.<sup>6</sup>
9. In addition to having the imperative to position ourselves as a principled human rights advocate, Australia also has the characteristics to be an effective human rights promoter state, including that:
- (a) we are a democratic and politically stable middle power;
  - (b) we are globalised and multicultural;
  - (c) we have an active and well networked civil society; and
  - (d) we enjoy low levels of social stratification and high levels of economic development.
10. Geopolitically, Australia is well placed to broker deals and bridge divides between the global North and the global South, and between East and West, on human rights issues. Australia has played just such a role in the past on crucial human rights issues, including in relation to the negotiation of the Universal Declaration of Human Rights and the development of effective sanctions against apartheid South Africa.<sup>7</sup>
11. The timing for a commitment to a human rights-based approach to foreign policy is opportune. Australia is running for the Security Council in 2013-14 and has positioned itself as a 'principled advocate of human rights for all'. The adoption of a comprehensive human rights-based foreign policy would give additional substance and credibility to this commitment.

### **3. Developing a Comprehensive Policy on Human Rights and Foreign Affairs**

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#### **3.1 The need for and benefits of a comprehensive human rights policy**

12. Although Australia has demonstrated a significant commitment to human rights in practice, DFAT has not developed a comprehensive, consistent and coherent policy on human rights and foreign affairs. Such a policy could integrate human rights in all areas of Australian foreign affairs and capitalise on the benefits of doing so.
13. The importance and imperatives of a human rights-focused foreign policy is recognised by a number of like-minded countries. Some countries, such as the Netherlands, France and

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<sup>6</sup> See generally, Alison Brysk, *Global Good Samaritans: Human Rights as Foreign Policy* (2009); David P Forsythe, *Human Rights and Comparative Foreign Policy* (2000).

<sup>7</sup> For a discussion of the crucial role played by Australia in the negotiation of the *UDHR*, advocating successfully for the inclusion and interdependence of civil and political rights and economic, social and cultural rights: see Ashley Hogan, *Moving in the Open Daylight: Doc Evatt, an Australian at the United Nations* (2008) 39-43.

Sweden, have formal human rights policy documents. Others, such as the US Department of State, the UK Foreign & Commonwealth Office and the German Federal Foreign Office, do not disseminate formal policy documents in respect of human rights, yet the websites of these departments engage in significant discourse on the department's human rights policy and the departments periodically produce a report setting out human rights priority areas and actions taken by the departments to address human rights issues. In these reports the human rights policy of the departments is clearly discernable.

14. To achieve the objectives discussed in section two above, these countries have recognised the need to develop concrete policies which articulate the specific human rights objectives of that department, and state the practical measures which will be used to achieve these goals. When acknowledging Germany's commitment to human rights as 'a major task cutting across all areas of policy', German Federal Minister Westerwelle noted that in today's ever growing and changing global environment, 'no policy-maker could afford to ignore human rights.'<sup>8</sup>
15. Such policies, consistently applied, 'ensure that good intentions and fine words are actually converted into deeds'<sup>9</sup> and 'turn rhetoric on human rights into accountability and lasting change'.<sup>10</sup> For example, the Netherlands' policy has identified six areas in which serious human rights violations are occurring, such as child labour, and outlined strategic initiatives to address these issues which it will subsequently measure itself against.<sup>11</sup> France's approach sets out seven human rights commitment areas which predominantly focus on developing human rights awareness and knowledge in diplomatic staff and the wider French community.<sup>12</sup> The Swedish Government is working towards incorporating human rights into a range of different policy areas, including trade policy and development cooperation.<sup>13</sup>
16. The common hallmarks of the human rights documents, reports and policy statements produced by these countries are:
  - (a) a commitment to ensuring that consideration of human rights permeates all aspects of foreign policy;
  - (b) articulating definite human rights priority areas and objectives;

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<sup>8</sup> German Federal Foreign Office, 9<sup>th</sup> Human Rights Report webpage, accessed at [http://www.auswaertiges-amt.de/EN/Aussenpolitik/Menschenrechte/9.MR.Bericht\\_node.html](http://www.auswaertiges-amt.de/EN/Aussenpolitik/Menschenrechte/9.MR.Bericht_node.html).

<sup>9</sup> Ministry of Foreign Affairs of the Netherlands, *Human dignity for all: a human rights strategy for foreign policy*, Ministry of Foreign Affairs of the Netherlands, November 2007, viii.

<sup>10</sup> UK Foreign Secretary, 'Britain's values in a networked world', Speech at Lincoln's Inn, London, 15 September 2010.

<sup>11</sup> Ministry of Foreign Affairs of the Netherlands, *Human dignity for all: a human rights strategy for foreign policy*, November 2007. The policy is underpinned by article 90 of the Netherlands Constitution, which requires that 'The government promote the development of the international legal order'.

<sup>12</sup> French Ministry of Foreign Affairs, *Democratic Governance and Human Rights*, 2010.

<sup>13</sup> Ministry for Foreign Affairs of Sweden, *Human rights in Swedish foreign policy*, Government Offices of Sweden, March 2009, 1.



- (c) setting out practical methods by which the department seeks to achieve these objectives;
  - (d) identifying countries which will be the focus of human rights initiatives and reporting on each individual country, the issues, the initiatives and action taken; and
  - (e) reporting on the progress of the action.
17. Such an approach gives the department a blueprint for addressing human rights and provides transparency and a measure of accountability. An overarching human rights policy is a vital and valuable tool in providing a definite framework for priority areas and actions which can be administered by the department and referred to as a means of measuring progress and effectiveness.
18. A comprehensive human rights policy can also significantly strengthen policy coherence, consistency and effectiveness. According to Baehr and Castermans-Holleman, 'much of the real and remediable inconsistency in international human rights policies arises from inattention and lack of coordination'. They argue that 'inconsistency reduces the efficacy of even well-meaning and otherwise well-planned initiatives' and call for much greater 'coordination', 'strategic vision' and 'bureaucratic organisation' in the area of foreign policy and human rights.<sup>14</sup>

### **3.2 Developing a comprehensive human rights and foreign affairs policy for Australia**

19. A comprehensive policy on human rights and foreign affairs would enhance DFAT's existing human rights work, improve its capacity to continue this work going forward, and better communicate the work the Department undertakes, on both a national and international stage.
20. In contrast to the detailed and substantive documents mentioned above, the DFAT Annual Report's mention of DFAT's human rights objectives and activities is very brief given the overall length and breadth of the report as a whole. Neither the Annual Report nor DFAT's human rights webpage set out DFAT's human rights objectives in detail. Neither medium sets out human rights strategic initiatives with any specificity or identifies the framework and actions by which any human rights objectives may be addressed.
21. It is only by developing and implementing such a detailed, coherent policy that consideration of human rights issues and actions to address those issues will be embedded in the decision-making processes of the Department and its human rights objectives will be realised.
22. The HRLC **recommends** that DFAT develop and implement a comprehensive human rights policy as a matter of priority. The policy should: explain the benefits and imperatives of a human rights-based approach to foreign policy; set out Australia's human rights and foreign policy objectives; and detail the means by which the Government will pursue these strategic

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<sup>14</sup> Peter Baehr and Monique Castermans-Holleman, *The Role of Human Rights in Foreign Policy* (3<sup>rd</sup> ed, 2004).

objectives. The policy should also identify priorities for action and make concrete, measurable commitments across all areas of Australian foreign policy which impact on human rights.

23. Relatedly, the HRLC further **recommends** that:

- (a) Australia develop and undertake Human Rights Impact Assessments as a key aspect of doing business abroad, including particularly in the areas of aid, development, trade, investment, business, migration, defence, military cooperation, security and the environment;
- (b) where appropriate, Australia negotiate for bilateral and multilateral agreements to include human rights clauses and safeguards;<sup>15</sup>
- (c) Australia ensure that the promotion and protection of human rights are incorporated into the objectives and activities of all regional organisations and processes that impact on human rights and of which Australia is a part; and
- (d) the Government consider establishing a high-level Human Rights Advisory Committee, comprising experts from NGOs, academia and human rights bodies, to provide external advice on human rights in foreign policy and on options for addressing human rights problems.<sup>16</sup>

## **4. The Use of Social Media to Promote DFAT's Human Rights Agenda**

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### **4.1 Global internet use, the rise of social media and digital diplomacy**

24. As the internet has become more accessible, it has also become more mobile. By 2014, it is estimated that mobile internet reception will overtake fixed internet reception.<sup>17</sup> Currently, there are four to five billion mobile phones in the world, with around one billion of these devices capable of accessing the internet. Many mobile phone users who cannot access the internet from their phone access the internet daily from their laptop or work or home computer.<sup>18</sup>

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<sup>15</sup> In March 2010, the Joint Standing Committee on Treaties called for the inclusion of human rights safeguards in Australia's extradition arrangements with other countries. Similarly, in its 2009 report on *Australia's Relationship with ASEAN*, JCFADT recommended that 'human rights, core labour standards, and the environment be pursued in future free trade agreements' and the review of existing free trade agreements: 159 [Recommendation 8].

<sup>16</sup> The UK Foreign Secretary, William Hague, has recently established a Human Rights Advisory Group comprising thirteen human rights experts appointed in an individual capacity to provide expert external advice to the Government on human rights and foreign policy: see <http://www.fco.gov.uk/en/global-issues/human-rights/around-the-world/advisory-group/>. The Group meets twice per year in meetings chaired by the Foreign Secretary. Junior ministers also chair ad hoc meetings of the group on key issues.

<sup>17</sup> Fergus Hanson, *The New Public Diplomacy*, The Lowy Institute, 35.

<sup>18</sup> Eric Schmidt and Jared Cohen at the Council on Foreign Relations, 3 November 2010, available at <http://www.youtube.com/watch?v=eJAMD5p5tQo>.

25. One of the key features of the internet is that it is networked. This has allowed for the development of social media tools which have substantially reduced costs of and barriers to communication, and which provide a platform for the dissemination of information, coordination and engagement between vast and loose networks in an instant.
26. Digital diplomacy, actively employed by a number of foreign ministries in other countries, is the use of the internet – particularly blogs and sites such as Facebook, Twitter, YouTube and Flickr – for the purposes of achieving diplomatic objectives.

#### **4.2 Social media and human rights**

27. Increasingly, social media is being used as a tool to promote and protect human rights, including by:
  - (a) providing a low cost and relatively secure means of communication, for both individuals and civil society actors;
  - (b) documenting and sharing images and information regarding human rights issues and abuses;
  - (c) connecting actors 'on the ground' with support networks, human rights advocates, media outlets and supportive governments;
  - (d) accessing and disseminating information that may otherwise be censored by the state;
  - (e) informing and influencing the news agenda of 'traditional media'; and
  - (f) mobilising and coordinating social action, often involving vast and loosely connected individuals, networks and groups.<sup>19</sup>

#### **4.3 Digital Diplomacy: The UK Foreign and Commonwealth Office and the US State Department**

28. Two entities which have embraced digital diplomacy as a means of achieving diplomatic objectives are the United Kingdom's Foreign and Commonwealth Office (**FCO**) and the US State Department.
  - (a) ***The United Kingdom***
29. The UK Foreign and Commonwealth Office has a team of web, communication and campaign experts who are located in the Digital Diplomacy Group (**DDG**). This group has established a digital diplomacy strategy which leads to the development of technology to support campaigns initiated by the FCO.<sup>20</sup>

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<sup>19</sup> See, for example, Clay Shirky, 'The Political Power of Social Media: Technology, the Public Sphere and Political Change', *Foreign Affairs*, January/February 2011 at <http://www.foreignaffairs.com/articles/67038/clay-shirky/the-political-power-of-social-media>.

<sup>20</sup> See the UK Foreign & Commonwealth Office's webpage at <http://digitaldiplomacy.fco.gov.uk/en/about/how-to/>.

30. The DDG is responsible for the way the FCO communicates through the internet. The FCO's digital diplomacy strategy includes the use of Twitter, Facebook, YouTube, Flickr and blogs. The FCO website shows that the office has 70 Twitter streams and tweets in more than 14 languages.<sup>21</sup> These tweets come from British embassies, high commissions and ambassadors throughout the world. Notably, there is a very active Twitter stream, @FCOHumanRights, entirely devoted to sharing information and insights on human rights issues around the globe. The scale of the digital diplomacy undertaken by the FCO has led to the creation of a full time position within the DDG for the purpose of using of social media sites.
31. The FCO has divided their use of social media into three different groups: intensive campaigns, post-led campaigns and long-term campaigns.
- (i) Intensive campaigns**
- (a) These campaigns provide information relating to discrete events happening in the world. The FCO uses digital diplomacy to advance the UK Government's position in relation to these events as they develop. The benefits for the FCO are the ability to update the information published about these events as well as to promote their achievements in generating global support for their campaigns.
- (b) An example of an intensive campaign is the Burma: '64 for Suu' campaign. This campaign set out to generate opposition to attempts by the Burmese government to extend Aung Sang Suu Kyi's period of house arrest.<sup>22</sup>
- (c) Another example is the Nuclear Non-Proliferation Treaty Review Conference. The DDG group had an ongoing role throughout the conference. This included providing live coverage of the Conference on Twitter and monitoring commentary about the FCO and the UK Government posted on blogs for the purposes of feeding this information into policy development and communications. The approach of the FCO enabled the UK Government to promote their objectives for the Conference and to update this position to ensure that the UK remained relevant and at the forefront of debates surrounding Nuclear Non Proliferation throughout the Conference.<sup>23</sup>
- (ii) Post-led campaigns**
- (d) Post-led campaigns have been used by the FCO to distribute information on an ongoing basis during the course of a crisis. In late May 2010, following the flotilla

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<sup>21</sup> See the UK Foreign & Commonwealth Office's webpage at [http://blogs.fco.gov.uk/roller/leach/entry/foreignoffice\\_twitter?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+BloggerJimmyLeach+%28FCOBloggerJimmy+Leach%29](http://blogs.fco.gov.uk/roller/leach/entry/foreignoffice_twitter?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+BloggerJimmyLeach+%28FCOBloggerJimmy+Leach%29).

<sup>22</sup> For more information see the UK Foreign & Commonwealth Office's webpage at <http://digitaldiplomacy.fco.gov.uk/en/about/case-studies/intensive/64-suu>.

<sup>23</sup> A summary of the role played the DDG can be found at the UK Foreign & Commonwealth Office's webpage at <http://digitaldiplomacy.fco.gov.uk/en/about/case-studies/intensive/npt-revcon>.

crisis between Israel and pro-Palestinian activists, the FCO used its social media infrastructure to post information relating to the UK's position in relation to the event and to inform interested observers about the incident as it developed.<sup>24</sup>

**(iii) Long-term campaigns**

- (e) This initiative has little to do with human rights and more about creating the infrastructure to support British nationals who travelling outside the UK.<sup>25</sup>

**(b) The US State Department**

32. The State Department has also been active in using and encouraging social media and operates 230 Facebook accounts, 80 Twitter feeds (including @State\_DRL, a tweet stream devoted to 'promoting democracy, protecting human rights and international religious freedom and advancing labor rights globally') and 55 YouTube channels and has 40 Flickr sites.<sup>26</sup> These sites are updated on a regular basis and allow subscribers and users to comment on news items and posts added by the State Department. In a sign of the US Government's intentions to interact with the Arab world, it has been reported that the State Department has nine full time Arabic language bloggers, two Farsi bloggers and two Urdu bloggers.<sup>27</sup>

**4.4 DFAT and digital diplomacy**

33. At the time of writing, DFAT had just activated a Twitter account – @DFAT – and sent its first tweet. As far as we are aware, however, DFAT does not otherwise use social media as a tool for information dissemination, communication, coordination or engagement.
34. The HRLC considers that social media provides a very useful tool for Australia to transmit universal and Australian human rights values, particularly in the region.
35. Better engagement with digital diplomacy would also enhance DFAT's engagement with human rights breaches and issues – better connecting the Department with civil society actors on the ground – and in turn, enable Australia to play a more informed, proactive role in responding to and addressing these issues.
36. A further benefit of DFAT increasing its use of social media would be to provide the Australian public with more information about DFAT's aims, role and objectives, thereby enhancing public understanding and support and improving DFAT's transparency and accountability.
37. The HRLC **recommends** that DFAT develop and resource a comprehensive digital diplomacy strategy, which includes at a minimum:

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<sup>24</sup> A summary of the work carried out by the DDG can be found at the UK Foreign & Commonwealth Office's webpage at <http://digitaldiplomacy.fco.gov.uk/en/about/case-studies/post/gaza-flotilla-engagement>.

<sup>25</sup> Further information can be found at the UK Foreign & Commonwealth Office's webpage at <http://digitaldiplomacy.fco.gov.uk/en/about/case-studies/long-term/consular-twitter>.

<sup>26</sup> Fergus Hanson, *A Digital DFAT: Joining the 21<sup>st</sup> Century*, Lowy Institute of International Policy, November 2010, 9.

<sup>27</sup> Fergus Hanson, *The New Public Diplomacy*, The Lowy Institute, 38.

- (a) staff training in the benefits and utility of digital diplomacy;
- (b) providing Ministers and Parliamentary secretaries with information and updates in relation to the development and benefits of e-diplomacy;
- (c) aligning the implementation of an overarching human rights policy at DFAT with the use of digital diplomacy within the department; and
- (d) the use of websites, blogs and social media tools by ambassadors, missions and posts.

## 5. Creating the Post of Human Rights Ambassador

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38. The HRLC considers the Australian Government should establish the post of Australian Human Rights Ambassador to promote human rights across all areas of foreign policy and ensure a coordinated and coherent approach to human rights at the international level.
39. Over the last 20 years, a number of states have established the post of Human Rights Ambassador, including the Netherlands, Norway, Sweden, France and Spain. The posts seek to promote and integrate human rights across all areas of foreign policy. They also often play a role in engaging with domestic and international civil society, and visit countries where human rights are in issue. Germany has established the post of Commissioner for Human Rights Policy, whose functions are broadly the same as those of human rights ambassadors in other countries.
40. In Canada, the Standing Senate Committee on Human Rights has recommended that the Government appoint a human rights ambassador to work in coordination with relevant federal departments', to 'be Canada's permanent representative to the Human Rights Council' and to 'coordinate Canada's negotiations on human rights issues in a consistent manner across all international forums.'<sup>28</sup> The Committee noted the benefits of such a post as follows:
- Such an ambassador could ensure that Canada has the capacity to undertake elevated diplomatic initiatives and fully evolve its bridge builder role on the [UN Human Rights] Council. The ambassador could essentially play the role of focal point within the Canadian government to concentrate on human rights as part of Canadian foreign policy. Ultimately, a human rights ambassador would significantly enhance Canada's role and capacity at the Council, raise the profile and standing of human rights as a foreign policy issue, and re-focus Canada on the necessity of implementing its international human rights obligations in domestic law.<sup>29</sup>
41. The creation of a position for an ambassador for human rights could serve the following purposes:

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<sup>28</sup> Senate Standing Committee on Human Rights, *Canada and the United Nations Human Rights Council: A time for serious re-evaluation*, 39.

<sup>29</sup> *Ibid*, 38.

- (a) integrating human rights into all areas of foreign and development cooperation policy, and across all issues in which human rights play a role;
  - (b) conducting missions, engaging in human rights dialogue and on occasion, forming part of the delegation of foreign and development ministers when human rights are identified as an issue in respect of the delegation; and
  - (c) maintaining and developing contacts with Australian society (in particular parliament, universities, businesses, the media and human rights organisations) to propagate human rights policy and acquire new ideas.<sup>30</sup>
42. The HRLC **recommends** that the Australian Government establish the post of Australian Human Rights Ambassador.

## **6. Increase in Resourcing to Pursue a Human Rights Agenda**

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### **6.1 Current lack of DFAT resources and funding**

43. The Annual Report sets out DFAT's 2009 – 2010 budget. In March 2009, the Lowy Institute for International Policy's Blue Ribbon Panel Report, *Australia's Diplomatic deficit: Reinvesting in our instruments of international policy* identified a clear lack of DFAT funding and resourcing which is encumbering DFAT's ability to effectively deliver a foreign policy agenda appropriate to Australia's standing as an active and creative middle power.<sup>31</sup> While the report identifies the erosion of funding disproportionately affected DFAT's overseas representation, the lack of resourcing is affecting all areas of DFAT's operations, which encompasses its ability and capacity to undertake human rights work.
44. Despite the need for a greater allocation of funding to maintain DFAT's existing operations and enable it to expand its capabilities, the 2010 – 2011 DFAT budget was insufficient to address these needs and the government to date has not indicated this under-resourcing will be substantially addressed in the 2011 – 2012 budget.<sup>32</sup>

### **6.2 Need for increase in human rights resourcing and training**

45. The human rights work of the Human Rights & Indigenous Section, and DFAT more broadly, would be immeasurably assisted by an increase in funding and staff resources. As acknowledged by the Lowy Institute

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<sup>30</sup> See for example the purpose of creating the position of Dutch Ambassador for Human Rights, set out at the Netherlands Ministry of Foreign Affairs webpage, accessed at [http://www.minbuza.nl/en/Key\\_Topics/Human\\_Rights/Dutch\\_Human\\_Rights\\_Policy/The\\_human\\_rights\\_ambassador](http://www.minbuza.nl/en/Key_Topics/Human_Rights/Dutch_Human_Rights_Policy/The_human_rights_ambassador).

<sup>31</sup> Lowy Institute for International Policy, *Australia's Diplomatic deficit: Reinvesting in our instruments of international policy*, Blue Ribbon Panel Report, March 2009.

<sup>32</sup> *Portfolio Budget Statements 2010 – 11 Budget Related Paper No. 1.10: Foreign Affairs and Trade Portfolio*, Commonwealth of Australia, 2010.

a well-resourced and revitalized Department ... would be better equipped to understand international developments, inform the executive arm of government and formulate appropriate policies in the face of an increasingly complex and challenging international environment.<sup>33</sup>

46. The HRLC **recommends** that the Government allocate more funding and resources to the DFAT Human Rights & Indigenous Section, and across the Department more broadly, to facilitate DFAT's engagement with human rights and activities in relation to human rights issues.
47. The HRLC also recommends that, consistent with the commitment in Australia's Human Rights Framework to 'promote a stronger focus on human rights in the public sector through education and training',<sup>34</sup> DFAT intensify human rights education and training for all departmental officers and staff, including through both induction and pre-deployment training programs.

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<sup>33</sup> Alex Oliver, 'Australia's deepening diplomatic deficit', *Lowy Institute for International Policy – Government, Business, Foreign Affairs and Trade*, 30 November 2010, 30.

<sup>34</sup> Australian Government, *Australia's Human Rights Framework*, April 2010, 4.