



Submission No 11

**Inquiry into Australia's Human Rights Dialogues with China
and Vietnam**

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**Submission to the Inquiry of the Joint Standing Committee on Foreign Affairs, Defence and Trade
into Australia's Human Rights Dialogues with China and Vietnam**

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We make this brief submission to the Committee's inquiry as a Catholic Church body which has been deeply involved in the defence and promotion of human rights for over a quarter of a century.

Our principal concern in making this submission is to encourage the Committee to recommend the adoption of a dialogue mechanism in relation to human rights in Sri Lanka.

Since 2009, our Commission has taken an active interest in the human rights of minorities in Sri Lanka. In particular, we have been concerned to defend the human rights of the Tamil people who have been subjected to systematic discrimination since the country gained its independence over sixty years ago.

In the final stages of the conflict between the Sri Lankan Government and the Liberation Tigers of Tamil Elam (LTTE), the human rights of Tamil civilians were ignored by both Government and LTTE forces with the most horrifying consequences for hundreds of thousands of Tamil civilians. The recent report on possible human rights violations in Sri Lanka of the advisory panel of experts to the United Nations Secretary-General indicates the extent to which their human rights were abused by both sides during the conflict. The BBC Channel 4 documentary, *Sri Lanka's Killing Fields*, and further evidence subsequently reported on by the BBC's Channel 4 provides compelling proof of the gross abuses of human rights committed by both sides in the conflict.

The United Nations Secretary-General's advisory panel report draws attention to the need for the Sri Lankan Government to address the root causes of the conflict in order to establish the conditions for a durable reconciliation in Sri Lanka. The long-standing discontent of Tamils with the discrimination they experience has not been addressed by the Sri Lankan Government and, two years after the conflict, reports from Sri Lanka indicate that no effective attempts to address these concerns are being made by the Sri Lankan Government.

Our private discussions with Catholic Church representatives over the last two years confirms our belief that there is no improvement in the human rights situation for Tamils.

It is our contention that Australia should prioritise engagement with Sri Lanka on human rights issues for two reasons:

Sri Lanka is a Commonwealth country in our region and that special bond imposes a greater obligation on Australia to take an active interest in the affairs of our sister nation;
Australia has felt the impact of the Sri Lankan conflict directly with the arrival of many Sri Lankan asylum seekers in the last two years and has a right to raise concerns about the causes of this situation with the Sri Lankan Government.

As Chair of the Asia/Pacific Catholic Justice and Peace Workers Minority Peoples Working Group and as Convenor of the Sri Lanka Justice Forum in Brisbane, our Commission's Executive Officer, Peter Arndt, continues to obtain information from various Catholic Church and NGO sources in Sri Lanka, in Australia and internationally. These confirm the urgent need to address the human rights situation in Sri Lanka.

In terms of how these dialogue mechanisms might be most effectively employed for the improvement of the human rights situation in Sri Lanka, the Commission recommends that the participation of Australian Parliamentarians in the dialogue process be continued and strengthened. Engagement at the highest levels will demonstrate the importance Australia gives to the defence of human rights in Sri Lanka.

We also recommend that the Government engage relevant NGOs in the dialogue process. These NGOs often have extensive connections on the ground in countries like Sri Lanka. Their knowledge of what is happening to individuals and communities serves to better inform Australia's representatives. NGO representatives may also be less afraid to speak about particular situations in Sri Lanka and other Asian neighbours. It has certainly been our experience that many Tamils with whom we have communicated are very reluctant to speak openly for fear of the negative consequences for themselves.

We urge Australia to adopt such dialogue mechanisms with Sri Lanka as a matter of the highest priority.