

**Submission from: Civil Liberties Australia
to the Joint Standing Committee on Foreign Affairs, Defence and Trade
*Inquiry into the Role of Australia's International Development Program in Preventing Conflict***

Executive Summary

Australia is judged in international forums by its actions at home. Australia preaching human rights protection to other countries is severely undermined by our lack of a federal Human Rights Act. Trust in government relies on its citizens getting a fair go. This is achieved by good governance and transparency, with governments being held accountable for their actions.

A federal Human Rights Act would help provide this, for Australia, and demonstrate by this example a credible model of governance.

Background/Interest

Civil Liberties Australia is a national group whose current main campaign is a Human Rights Act for Australia. CLA produces a monthly newsletter CLArion and takes up current issues on concern to defend human rights and civil liberties nation wide.

Response to Terms of Reference (ToR)

Term of Reference 1: The role of Australia's international development program in building resilience in fragile states, including by strengthening community and civic participation, governance, security reform and human capital.

- Grass roots involvement in decision making and governance is essential to lasting reform
- Local civil society groups are the most effective agents for reform
- Accountability and human rights must be integral to design of services
- Long-term investment in health, rights and education is foundational to success

Recommendations:

- Direct funding to local groups, human rights defenders, and women's peace networks
- Support local anti-corruption bodies and independent media
- Dedicate a substantial portion of aid to health and education programs
- Enable human rights protection through legislation

Term of Reference 2: The strategic use of Australia's international development program to prevent conflict in the Indo-Pacific.

- The definition of 'strategic use' is overly aligned with military strategies
- Aid programs should address specific needs and local conditions
- The climate crisis is an acknowledged cause of displacement, and political instability
- The environmental impact of militarisation is substantial

Recommendations:

- Redefine 'strategic' to focus on shared regional threats, particularly climate change
- Ensure that all aid delivery explicitly respects the non-aligned foreign policy positions

Term of Reference 3: Options for effective support through Australia's aid program in pre-conflict and/or post-conflict zones.

- Effective aid requires conflict sensitivity and flexibility
- The economic benefits of peace and human rights are self evident
- Australia's leadership role in the Cambodia peace process demonstrates the potential for middle-power diplomacy to achieve transformative results

Recommendations:

- Pre-conflict: Invest in independent early warning systems using local knowledge and gender analysis
- Post-conflict: Focus aid on transitional justice and human rights, alongside economic recovery
- All aid interventions must be subject to a rigorous assessment to ensure they adhere to the 'Do No Harm' principle.

Term of Reference 4: The impact of international development in the maintenance of peace and prevention of conflict, including for early identification and mitigation of conflict.

- When development is implemented with a focus on peace and human rights, it is an inherently powerful tool for conflict prevention
- Women are disproportionately affected by conflict but are also the most effective agents of peace

Recommendations:

- The Australian Government should mandate that all major investments undergo an assessment to guide project design and implementation
- Australia must significantly increase funding for programs that implement the Women, Peace and Security (WPS) agenda

Conclusion

To advocate believable aid and development advice, Australia must demonstrate our own credibility and credentials by enacting federal Human Rights Act which incorporates valid complaints resolution mechanisms.

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