

Submission on the Use of Targeted Sanctions to Address Human Rights Abuses

Yun Jiang and Adam Ni, China Policy Centre

30 April 2020

About us

China Policy Centre is an independent, non-profit research organisation based in Canberra. We aim to inform and promote public discussion and policy debate on China issues.

The authors of this submission both have extensive experience working on China issues across government and academia. This submission only reflects the views and opinions of the authors and not the position of the China Policy Centre.

Recommendations

1. Australia should use targeted sanctions to send a signal to the international community that it takes human rights seriously.
2. Australia must work closely with partners to form a united front on human rights.
3. Clear and detailed guidelines on when to consider targeted sanctions must be published publicly to ensure transparency.
4. All decisions made about targeted sanctions (both to proceed and not to proceed with sanctions) should be published publicly.

Rationale

Advancing human rights globally is an important part of Australia's national interest. Human rights underpin long-term and sustainable peace and security. Using targeted sanctions will send a strong message to the international community that Australia takes human rights seriously.

Targeted sanctions are unlikely to work by themselves to influence or effect change in human rights situations in other countries. For example, officials in the People's Republic of China, one of the biggest violators of human rights in the world, have strong incentives to carry out orders from the ruling Chinese Communist Party. Being the target of travel bans or financial sanctions in Australia is unlikely to do much to change the calculus of individual officials in China, whose careers and lives are much more intimately linked to China than to foreign countries.

This points to the limits of targeted sanctions as a means of deterring human rights abuses. Indeed, there should be recognition that targeted sanctions is only one tool among many for punitive and deterrence purposes.

Compared to sanctions on an entire country, targeted sanctions punish only those individuals involved in human rights violations. This means that unnecessary harm can be avoided.

To make targeted sanctions more effective, Australia must work closely with like-minded partners and coordinate the efforts. The Australian Government will need to work with different partners on different human rights issues.

Implementation

Clear, consistent and detailed guidelines on when targeted sanctions should apply must be drafted and made publicly available. This ensures full transparency of decision-making. Australia must take a principled and consistent stance on promoting human rights globally. Human rights violations are detrimental to Australia's national interest regardless who is the perpetrator. Indeed, a human rights violation committed by China should be treated the same as if it was committed by the United States, Saudi Arabia or Israel.

All decisions about whether to proceed with targeted sanctions or not must be published publicly in a timely manner. This ensures that the decisions can be scrutinised publicly.