



DIPLOMACY TRAINING PROGRAM

AFFILIATED WITH THE FACULTY OF LAW AT THE UNIVERSITY OF NEW SOUTH WALES
A training program for peoples of the Asia-Pacific region

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Committee Secretary
Joint Standing Committee on Foreign Affairs, Defence and Trade
PO Box 6021
Parliament House
Canberra ACT 2600

Submission by Diplomacy Training Program and Asia Indigenous Peoples Pact to the Australian Parliamentary Joint Standing Committee on Foreign Affairs, Defence, and Trade Inquiry into supporting democracy in our region.

The [Diplomacy Training Program](#) (DTP) and Asia Indigenous Peoples Pact (AIPP) welcome this opportunity make a submission to the inquiry into Australian support for democracy in our region.

Our submission focusses largely on your TOR about the role of civil society organisations in supporting democracy in our region.

Yours sincerely



Patrick Earle
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Submission by Diplomacy Training Program and Asia Indigenous Peoples Pact to the Australian Parliamentary Joint Standing Committee on Foreign Affairs, Defence, and Trade Inquiry into supporting democracy in our region

This submission suggests that Australia could play a more strategic and effective role in defending and investing in democracy through principled, targeted and sustained action, particularly in support of human rights defenders, Indigenous peoples rights defenders and their movements for human rights and the rights of Indigenous peoples.

DTP's and AIPP's Recommendations:

1. Australia's diplomatic missions (Embassies and High Commissions) should clearly and consistently promote Australia's commitment to democracy, human rights and the rights of Indigenous peoples, including through the home pages of its Embassy/High Commission websites and the role of its Ambassador for First Nations People and its Human Rights Ambassador.
2. The Australian Department of Foreign Affairs and Trade should adopt Guidelines on Human Rights Defenders, similar to the Guidelines of the European Union, Swiss, Finnish and UK governments. Such guidelines would facilitate and encourage a more consistent approach to supporting the important work of human rights defenders and democracy activists in the region and globally.
3. Australia should support, join or replicate good international practices of supporting human rights defenders applied elsewhere such as Shelter Cities and Scholars at Risk.
4. The Australian aid program should increase funding and develop specific and flexible funding mechanisms to support civil society movements working for human rights in the region.
5. The Australian aid program should make more explicit the integration of human rights and democracy into other programs – including its cooperation programs with military and police forces in the region, its Australian Awards Program and the New Colombo Plan scholarships.
6. Australia should consider establishing a lasting and sustainable institutional framework for supporting human rights and democracy with a more explicit focus on civil society and dialogue.
7. The Australian government should consider supporting the establishment of Indigenous /First Nations institutions managed and run by them which will be dedicated to uncovering and recovering their democratic values and principles to innovate their knowledge, institutions and practices to meet their future and strengthen democracy.
8. The Australian Government should establish one or two not-for-profit and independent foundations which will dedicate their resources to foster democracy in the region.

9. The Australian Government increase support for organisations who are providing human rights training to local human rights and democracy advocates who need it.
10. The Australian Government should hold human rights abusers accountable by using targeted sanctions under the Magnitsky-style amendments.
11. The Australian Parliament should consider an annual review of Australia's efforts to promote democracy and human rights.
12. The Australian Parliament could consider hosting a dialogue / visit and roundtable with Parliamentarians from the region to mark the 75th Anniversary of the adoption of the Universal Declaration of Human Rights on December 10th, 2023.
13. Australian Parliamentarians should explore linkages with, and support to, ASEAN Parliamentarians for Human Rights and similar organisations.

1. Introduction

This submission suggests that Australia could play a more strategic and effective role in defending and investing in democracy through principled, targeted and sustained action, particularly in support of human rights defenders and their movements for human rights. In doing so, DTP recognises that Australia's Department of Foreign Affairs, individual diplomats and MPs have all made very important and valuable contributions to the promotion and defence of human rights and democracy in the region. DTP also recognises the work of many Australian NGOs, institutions and academics for their engagement in initiatives and programs in support of democracy. The recommendations we make hopefully supplement the recommendations of others, and are not intended to be comprehensive. We emphasise the role of civil society, particularly human rights organisations and human rights defenders in upholding democracy and democratic values.

2. The Diplomacy Training Program and Asia Indigenous Peoples Pact

The Diplomacy Training Program (DTP) is an award winning independent Australian NGO committed to advancing human rights and empowering civil society in the Asia-Pacific region through quality education and training, and the building of skills and networks. DTP is a registered charity, a member of the Australian Council for International Development (ACFID) and affiliated with the Faculty of Law and Justice at UNSW Sydney.

DTP was founded in 1989 by HE José Ramos-Horta, 1996 Nobel Peace Laureate and President of Timor-Leste with Emeritus Professor Garth Nettheim. DTP was inspired by the efforts of the Timorese people and others using "peoples' diplomacy", international law, peaceful advocacy and international solidarity in their struggles for democracy and human rights.

The focus of DTP's work since 1990 has been on building the capacity of human rights defenders¹. DTP has delivered over 150 practical human rights training programs to over 3500 human rights defenders and Indigenous community advocates in the Asia-Pacific and MENA region. The relationship between democracy and human rights is clear to see in the work of these human rights defenders for human rights and democracy. Human Rights Watch, Amnesty International, Global Witness and Front Line Defenders have documented the increasing challenges and threats human rights defenders are facing, from authoritarian and populist governments.

In 2019, DTP received the Asia Democracy and Human Rights Award from the President of Taiwan, President Tsai Ing-wen.

"The Diplomacy Training Program has made it possible for the seeds of human rights to flourish and bear fruit around the world, and offer mutual support".

DTP alumna Yuyun Wahyuningrum, Representative of Indonesia to the ASEAN Intergovernmental Commission on Human Rights (AICHR), 2019-2021; 2022-2024 wrote in nominating DTP:

I believe that over 30 years DTP has made a uniquely valuable contribution to human rights and democracy in Asia... If our region seems to be resilient despite rampant human rights abuses and violence, perhaps that is because of DTP's contribution to our capacity to cope and resist the challenges.

DTP receives funding support from the Australian Government through DFAT's Australia NGO Cooperation Program, the National Endowment for Democracy, Humanity United and the Swiss Government.

The Asia Indigenous Peoples Pact (AIPP) is a regional organization founded in 1992 by Indigenous Peoples' movements. AIPP is committed to the cause of promoting and defending Indigenous Peoples' rights and human rights and articulating issues of relevance to Indigenous Peoples. At present, AIPP has 46 members from 14 countries in Asia with 18 Indigenous Peoples' country-level formations. The uniqueness of AIPP is its large footprint and has been clean and clear standing up for the rights and recognition of Indigenous Peoples with its strong foundation at the country and sub-country levels. *For more information on AIPP's work on Indigenous self-governance and democracy, see: <https://aippnet.org/>.*

DTP and AIPP have been working together in partnership for over a decade to build the knowledge, skills and networks of Indigenous peoples rights defenders and advocates, and their movements in Asia.

3. The relationship between democracy and human rights

This is a timely inquiry as democracy is threatened by a variety of challenges. The gravity of the situation is captured in the latest [Variety of Democracy Index](#) report which finds that the level of democracy enjoyed by the average global citizen in 2021 is down to levels last registered in 1989.

¹ The term human rights defenders was most clearly defined in the UN Declaration on Human Rights Defenders. Australia was involved in the drafting and adoption of this Declaration in 1998.

The shift towards authoritarianism and autocracy poses a series threat to democracy in the region with significant implications for Australia. The trend towards authoritarian and autocratic governance is evident in both new and older democracies in the region. Deteriorating civil and political rights are reflected in the rise of state repression against human rights defenders, the diminishing space for free media and passing of detrimental laws overriding existing rights of Indigenous Peoples and other minoritie. It is seen in investment frameworks, patterns of corruption and lack of corporate accountability that have negatively impacted on Indigenous peoples in recent years.

The shallowness of democracy in the region is a cause of fragility of democratic institutions and is a constant threat to democratic polity and governance. Most States in the region do not have a long and uninterrupted history of democratic rule. The variations in the region, in terms of authoritarian government, suppression of human rights, civil conflict and violence, have frequently been severe which reflects the fragility and weakness of the State insitutions.

From a historic perspective, the concept and practice of modern-day democracy is new to many countries. One may say that democracy, that has some semblance with modern day democracy, was in practice in the precolonial times perhaps only among the tribes who are today referred to as 'Indigenous Peoples'. However, Indigenous Peoples' assesertion for the right self-determination and autonomy is seen by many governments as a threat to national security and unity, rather than as an opportunity to reexamine democratic institutions to deepen and strengthen democracy. Lack of recognition of Indigenous peoples rights has contribution to a consolidation of majoritarian rule and authoritarianism. It is important to acknowledge diversity as a reality and see diversity as a basis for more successful democracies and not something to be "managed, "overcome" or suppressed. Pluralism as a lens can offer an important frame for supporting indigenous self-governance and democratization.

It is timely also as we approach the 75th Anniversary of the adoption of the Universal Declaration of Human Rights (UDHR) – the universal values that underpin peace, international cooperation and the international rules-based system. Australia played a major role in the drafting and adoption of the UDHR after the end of World War II. As human rights and democracy are intertwined in a symbiotic relationship, the inquiry is an opportunity to consider how Australia can increase its support for democracy at this time.

International human rights standards are critical to democracy. They provide standards that all governments should be held accountable to. They define the responsibilities of governments and constrain them from violating the rights of individuals, including individuals who exercise their rights to peaceful dissent.

While all governments have a responsibility to respect, protect and fulfill human rights, it is democracies that emphasise the right to participation and the importance of accountability and the rule of law.

The deterioration of democracy in our region can be seen in the increasingly restricted space for civil society, the threats to human rights defenders and to critics of governments.

[Freedom House](#) is a respected international NGO that clearly draws the links between human rights and democracy and their annual index describes disturbing trends in our region. Their 2021 Report is titled “Democracy Under Siege” and their 2022 report “The Global Expansion of Authoritarian Rule”. It states:

Global freedom faces a dire threat. Around the world, the enemies of liberal democracy—a form of self-government in which human rights are recognized and every individual is entitled to equal treatment under law—are accelerating their attacks.²

The rise and expansion of autocracy begins with the violation of human rights and human dignity and everything else (unfree and unfair election, attacks on journalists and the freedom of the press, bending rule of law in favor of the rulers, attacks on free speech, enforced disappearances and extra judicial killings) are cascading effects of the normalisation of autocratic rule that does not respect human rights and human dignity. It is in measuring respect for human rights that it is possible to assess the quality of a democracy.

This Inquiry could helpfully affirm that protecting human rights and defending democracy is in Australia’s national interest. Democratically elected governments respectful of human rights are more likely to create stability, support the rule of law and the rules based international order, promote equality and sustainable development and deter refugee flows.

In the context of Australia’s commitment to establishin the post of Ambassador for First Nations People to lead work to embed Indigenous perspectives, experiences and interests into our foreign policy, including to help grow First Nations’ trade and investment. The Australian government should consider supporting the establishment of Indigenous /First Nations institutions managed and run by them which will be dedicated to uncovering and recovering their democratic values and principles to innovate their knowledge, institutions and practices to meet their future and strengthen democracy. In this way, the government would enable Indigenous Peoples to be prepared for meaningful collaboration with relevant institutions, governments, and CSOs to foster democracy and democratic practices in the body politic in societies across Asia. This is a critical gap that exist and a long-term strategic need for Indigenous Peoples as a pillar of work towards democratic reforms, democratization and self-governance.

4. The role of civil society and human rights defenders in relation to human rights and democracy

2023 will mark the 30th Anniversary of the [Bangkok NGO Declaration](#), when civil society came together to assert the universality of human rights in defiance of a concerted push by some authoritarian governments to assert “Asian values” to undermine international human rights commitments.

² Repucci, S. & Slipowitz, A. (2022) “The Global Expansion of Authoritarian Rule”. *Freedom in the World*. Freedom House, available at https://freedomhouse.org/sites/default/files/2022-02/FIW_2022_PDF_Booklet_Digital_Final_Web.pdf, p.1

Human rights defenders are active in every country in our region – defending democracies, holding governments to account, and promoting democracy. Human rights movements in Asia and the Pacific have played a critical role in transitions to democracy in Asia, including South Korea, the Philippines, Indonesia, Sri Lanka and Myanmar. In these countries, and others, human rights movements are now looking for international support to prevent, or reverse retreats from democracy. Human rights defenders strengthen democracy by affirming religious freedom, and challenging religious intolerance. They uphold the rights of Indigenous peoples and minorities where these are threatened through majority rule and populism.

The courageous defenders of democracy in Myanmar look to Australia for support now in their hour of need, and they have every right to do so, and to expect that support will be given. In standing up for democracy they are making a stand for the values that Australia holds dear. This is true across the region.

DTP works closely with regional movements for human rights and democracy. These include the Asian Forum on Human Rights and Development, Migrant Forum in Asia, Asia Indigenous Peoples Pact, Asia Democracy Network and the Pacific Island Association of NGOs.

In the context of development of the Australian Government’s First Nations Foreign Policy, the denial of Indigenous peoples rights by many governments in the region is a particular threat to Indigenous peoples human rights defenders. The denial of Indigenous peoples rights by governments excludes the participation of Indigenous peoples, denies their voice, and undermines democracy. The proposed First Nations Ambassador is expected to “lead Australia’s engagement to progress First Nations rights globally”³. Similarly, the Ambassador for Human Rights is tasked with “work[ing] to advance rights and protections” as part of “Australia’s commitment to employ every strategy at our disposal towards upholding human rights, consistent with our values and with our interests”⁴. It will be important that those appointed to these positions do so.

The Australian Government understands the value of investing in knowledge and that is why every year DFAT supports scholarship worth of millions of dollars to support higher studies of competent foreign nationals in Australia. Dedicated support to those studying human rights and democracy could be considered. In that similar spirit Australia could focus more on increasing support for organisations who are providing human rights training to local human rights and democracy advocates who in many instances may not have competent educational background. DTP offers highly useful human rights trainings to regional activists who have used knowledge gathered from DTP training in their advocacy and campaigns. Here are examples of an [Indigenous](#) young person in Malaysia, a [former MP](#) in Singapore, a [former Rohingya Refugee](#) and a [Myanmar Diaspora activist](#) in Australia who have explained how DTP training helped them in defending democracy and human rights. Human rights defenders in the Pacific countries have also [credited](#) DTP for the establishment of the Pacific Human Rights Defenders Network (PHRDN).

³ <https://www.foreignminister.gov.au/minister/penny-wong/media-release/ambassador-first-nations-people>

⁴ <https://www.foreignminister.gov.au/minister/penny-wong/media-release/ambassador-human-rights>

5. How the Australian Government could strengthen its support for Human Rights and Democracy in the Asia-Pacific Region

DTP believes that Australia could play a more strategic and effective role in defending and investing in democracy through principled, targeted and sustained action, particularly in support of human rights defenders and their movements for human rights.

Australia's diplomatic missions (Embassies and High Commissions) could clearly and consistently promote Australia's commitment to democracy, human rights and the rights of Indigenous peoples, including through the home pages of its Embassy/High Commission websites and the role of its Ambassador for First Nations People and its new Human Rights Ambassador. Currently there appears to be little consistency in the way Australia's policies are expressed or promoted. One consequence of this is that human rights defenders in different countries may not feel supported or encouraged to approach Australia's diplomatic missions to share concerns or seek support.

The Australian Department of Foreign Affairs could adopt Guidelines on Human Rights Defenders, similar to the Guidelines of the European Union, Swiss, Finnish and UK governments. Such guidelines would facilitate and encourage a more consistent approach to supporting the important work of human rights defenders and democracy activists in the region and globally. It can help to legitimate the work of human rights and democracy defenders and make this important work safer.

The Australian Government should increase support for Australian and regional and national civil society organisations who are working to defend human rights, gender discrimination, business and human rights, and Indigenous peoples' rights. Regional civil society organisations working in PNG, Fiji, Philippines, Indonesia, Thailand, Sri Lanka, Nepal and Bangladesh have expressed strong interest to DTP to enhance their capacity in using international protection mechanisms in their advocacy and campaigns. Australia should capitalise on this opportunity to support local and regional civil society organisations.

Australia could specifically increase its support of human rights defenders in the Asia Pacific region by supporting, joining or replicating international practices of supporting human rights defenders applied elsewhere. For example:

- [Shelter Cities](#), offering shelters to human rights defenders, artists and writers who are at risk in their home countries for defending human rights and freedom of expression.
- [Scholars at Risk](#)⁵ and allocate funding to Australian universities in supporting this type of program which helps foreign academics facing legal and physical intimidation, imprisonment and bodily harm to safely relocate to another country where they can continue their research.

⁵ DTP staff member Dr. [Mubashar Hasan](#), a survivor of enforced "disappearance" in Bangladesh in 2017 for his outspoken critical voice in support of democracy and human rights benefited from the Scholars at Risk program which helped him to relocate to Oslo, where he continued his research at Oslo University before relocating to Australia permanently. His research is now consulted by policy makers in a number of liberal democracies.

The Australian aid program should increase funding and develop specific and flexible funding mechanisms to support civil society movements working for human rights in the region. (It previously operated a small grants program for human rights organisations, but no longer does). The aid program could also consider the more explicit integration of human rights and democracy into other programs – including its cooperation programs with military and police forces in the region, its Australian Awards Program and the New Colombo Plan scholarships. It is particularly important that programs of training and cooperation with the military and police integrate objectives and content on democracy and human rights.

The Australian Government should also consider establishing a lasting and sustainable institutional framework for supporting human rights and democracy with a more explicit focus on civil society and dialogue, noting that the Centre for Democratic Institutions, established in 1998, appears now to be defunct. In the 1990's The Human Rights Council of Australia proposed the establishment of a regional centre on human rights and dialogue.

For example, it should establish one or two not-for-profit and independent foundations which will dedicate their resources to foster democracy in the region. In this way the government could distance itself from directly engaging in democracy promotion in sensitive contexts. These foundations could recruit researchers, offer fellowships to foreign nationals from strategically important countries, support programs and projects on investigative journalism, human rights protection, civil society activism and so forth. The establishment of such foundations will help Australian government to gather fresh insights from the field, locate and identify allies and adversaries at a micro level, and help shape more meaningful policy. The examples of the National Endowment For Democracy (NED) and Taiwan Democracy Foundations are examples that enjoy bipartisan support and an independence from government.

The Australian Government should hold human rights abusers accountable by using targeted sanctions under the Magnitsky-style amendments. Civil society organisations have campaigned hard for these Magnitsky amendments and human rights defenders often urge governments to take such actions against their dictatorial governments. In the past 12 months the Australian Government has used targeted sanctions against 39 Russian individuals. This practice needs to be widened and applied to corrupt officials of Asia-Pacific countries. Australia should understand that one of the core inspirations of officials serving autocratic regimes is to generate wealth by suppressing rights and democracy. They send their children for higher education to Australia, buy properties here and consider Australia with other liberal democracies as a lucrative destination for retirements. By placing targeted sanctions on these officials, Australia could send a strong message to the bureaucrats, politicians and military officials violating human rights and undermining democracy that “Australia would be out of bounds if you suppress your own people.” This technique will also empower citizens struggling for rights and democracy in the countries where autocracies are on the forward march.

The Parliament could consider hosting a dialogue visit and roundtable with Parliamentarians from the region to mark the 75th Anniversary of the adoption of the Universal Declaration of Human Rights on December 10th, 2023.

Finally, to monitor and assess the effectiveness of the Government's efforts to promote human rights and democracy in the Asia and Pacific, the Australian Parliament could consider an annual review of Australia's efforts to promote democracy and human rights.

DTP's and AIPP's Recommendations:

1. Australia's diplomatic missions (Embassies and High Commissions) should clearly and consistently promote Australia's commitment to democracy, human rights and the rights of Indigenous peoples, including through the home pages of its Embassy/High Commission websites and the role of its Ambassador for First Nations People and its Human Rights Ambassador.
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