
The Parliament of the Commonwealth of Australia

Reform of the United Nations Commission on Human Rights

Joint Standing Committee on Foreign Affairs, Defence and Trade

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Canberra

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Chair's Foreword

On 14 -16 September 2005, more than 170 Heads of State and Government will gather at the United Nations (UN) in New York for the 2005 World Summit. Leaders will review progress made since the UN Millennium Declaration adopted by all member states in 2000.

The agenda will be based on the UN Secretary-General's report *In Larger Freedom* which focuses on strengthening the three central pillars of the United Nations: development; security, and human rights. The report contains a number of proposals for reforming elements of the UN's human rights machinery, including replacing the Commission on Human Rights with a Human Rights Council.

It is in this context that the Committee decided to convene a public hearing, to discuss the current human rights reform agenda and to hear the views for and against the establishment of a Human Rights Council.

The Committee invited a broad range of witnesses from the Australian community to participate in its roundtable discussions. Participants included UN representatives, non government organisations (NGOs), and human rights and legal experts, from Canberra and inter-state.

The Committee was pleased with the level of interest that the inquiry generated. Many witnesses commented on how important it was for these topics to be debated in the Parliament and that they appreciated the opportunity to address them in this forum. The Committee certainly found the discussions engaging and hopes that the hearing and this report can contribute to informed debate on UN reform, both within the Parliament and in the wider Australian community.

At this stage, it is difficult for the Committee to comment on the suitability of the Human Rights Council proposal. Details remain vague for the implementation of the proposal and views are varied. Nonetheless, the Committee will follow the outcomes of the September summit with interest. Irrespective of whether member states adopt the Human Rights Council proposal at the summit, the Committee wishes to see this important human rights body continue to function in a strengthened rather than weakened form.

In conclusion, and on behalf of the Committee, I would like to extend my appreciation to all those who contributed to the inquiry - witnesses, officers from the Department of Foreign Affairs, Defence and Trade, and secretariat staff.

Senator M A Payne

Chair

Human Rights Sub-Committee

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Membership of the Committee – 41st Parliament

Chair Senator A B Ferguson

Deputy Chair Hon G J Edwards, MP

Members	Senator the Hon N Bolkus <i>(to 23/06/05)</i>	Mr M Danby, MP
	Senator G Campbell <i>(from 23/06/05)</i>	Mrs T Draper, MP
	Senator the Hon P Cook <i>(to 30/06/05)</i>	Mrs J Gash, MP
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	Senator B Harradine <i>(to 30/06/05)</i>	Mr B W Haase, MP
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	Senator N Scullion <i>(from 17/08/05)</i>	Mr C P Thompson, MP
	Senator N Stott Despoja	Mr M B Turnbull, MP
	Senator R S Webber <i>(from 23/06/05)</i>	Ms M Vamvakinou, MP
	Hon B G Baird, MP	Mr B H Wakelin, MP
	Mr P A Barresi, MP	Mr K W Wilkie, MP

Secretary Dr Margot Kerley

Membership of the Human Rights Sub-Committee – 41st Parliament

Chair	Senator M A Payne	
Deputy Chair	Senator the Hon N Bolkus, MP (<i>to 30/07/05</i>)	Ms M Vamvakinou, MP (<i>from 10/08/05</i>)
Members	Senator George Campbell (<i>from 23 June 2005</i>)	Hon B G Baird, MP
	Senator A B Ferguson (<i>ex-officio</i>)	Mr M Danby, MP
	Senator B Harradine (<i>to 30/07/05</i>)	Hon G J Edwards, MP (<i>ex-officio</i>)
	Senator L Kirk	Mr R C G Sercombe, MP
	Senator C M Moore (<i>from 23 June 2005</i>)	Mr C P Thompson, MP
	Senator N Stott Despoja	

Committee Secretariat

Secretary	Dr Margot Kerley
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Inquiry Secretary	Ms Sara Edson
Administrative Officer	Mrs Jessica Butler



Terms of reference

Pursuant to paragraph 1 (b) of its resolution of appointment, the Joint Standing Committee on Foreign Affairs, Defence and Trade is empowered to consider and report on the annual reports of government agencies, in accordance with a schedule presented by the Speaker of the House of Representatives.

On 12 May 2005 the Human Rights Sub-Committee resolved to examine the 2003-2004 annual report of the Department of Foreign Affairs and Trade, focusing specifically on reform of the United Nations Commission on Human Rights.



List of abbreviations

ACFID	Australian Council for International Development
DFAT	Department of Foreign Affairs and Trade
CAT	Convention Against Torture
CEDAW	Convention on the Elimination of Discrimination Against Women
CERD	Convention on the Elimination of Racial Discrimination
CHR	Commission on Human Rights
CROC	Convention on the Rights of the Child
ECOSOC	Economic and Social Council
GONGO	Government Sponsored Non-Government Organisation
HREOC	Human Rights and Equal Opportunity Commission
ICJ	International Commission of Jurists
JSCFADT	Joint Standing Committee on Foreign Affairs, Defence and Trade
NGO	Non-Government Organisation
P5	Permanent Five Members of the Security Council
OHCHR	Office of the High Commissioner for Human Rights
UN	United Nations

UNDP United Nations Development Programme

UNHCR United Nations High Commissioner for Refugees

UNIC United Nations Information Centre



List of recommendations

2 Issues and Conclusions

Recommendation 1

The Committee recommends that the Department of Foreign Affairs provide it with a briefing on the outcomes of the United Nations September summit, with particular regard to issues surrounding reform of the United Nations Commission on Human Rights.

