

**AUSTRALIAN GOVERNMENT RESPONSE TO THE
REPORT OF THE JOINT STANDING COMMITTEE ON
FOREIGN AFFAIRS DEFENCE AND TRADE**

**“AUSTRALIA’S HUMAN RIGHTS DIALOGUE
PROCESS”**

RECOMMENDATION 1

The Committee recommends that the Government encourage dialogue partners to include parliamentary representatives from their own countries to participate in future rounds of the bilateral human rights dialogues

The Government acknowledges that the inclusion of parliamentary representatives in the bilateral human rights dialogues has the potential to enhance the dialogues. The Government, therefore, agrees to make a case-by-case decision based on the state of the bilateral relationship and the maturity of the dialogue whether to suggest to partners they include parliamentary representatives.

RECOMMENDATION 2

The Committee recommends that the participation in and oversight of the bilateral human rights dialogues by Australian parliamentarians be fully supported and formalised by:

- (a) party leaders or the Minister for Foreign Affairs nominating one or more parliamentarians from the Government and non-Government parties to attend each dialogue**
- (b) conferring official delegation status on the nominated parliamentarians; and**
- (c) the Department of Foreign Affairs and Trade providing regular private briefings to the Human Rights Sub-Committee on the status of each of Australia's dialogues with China, Vietnam and Iran.**

(a) Accepted, provided that it is acceptable to the dialogue partner. The Government notes that in the past the Minister for Foreign Affairs has directly invited Government Parliamentarians to participate and has written to the Leader of the Opposition/Opposition Spokesperson for Foreign Affairs to invite them to nominate representatives. The Government considers that the human rights dialogues have benefited from the participation of Australian Parliamentary representations and is keen to enhance that participation.

(b) Accepted.

(c) Accepted. The Government notes that officials have already provided briefings to the Human Rights Sub-Committee upon request.

RECOMMENDATION 3

The Committee recommends that the Government consider preceding each of the bilateral human rights dialogues hosted in Australia with a forum, at which Australian NGOs have the opportunity to brief members of the Australian delegation on human rights issues of particular concern.

The Government has established a number of effective mechanisms through which NGOs are able to convey their concerns about upcoming dialogues. These include written invitations to provide input which are then distributed to all members of the Australian delegation in advance of the dialogue. Points raised by NGOs are frequently included in the brief and are raised during the formal talks. NGOs also have the opportunity to raise particular concerns about human rights in dialogue partner countries during DFAT's biannual consultations with them on human rights issues. DFAT also uses these forums to brief NGOs on the outcomes of dialogue including, where appropriate, any responses to points NGOs raised prior to the dialogue. The Government has also facilitated NGO involvement in the dialogue with China through invitations to a cocktail reception with the Chinese delegation and arranging the parallel discussions that take place at the time of the eighth round of the dialogue in 2004. The Government is happy to brief NGOs at their request in advance of dialogue rounds, as we have done in the past.

RECOMMENDATION 4

The Committee recommends that the Minister for Foreign Affairs table an annual statement in Parliament on the status and proceedings of Australia's bilateral human rights dialogues with China, Vietnam and Iran.

Not accepted. The Government considers that formally tabling a report in Parliament would compromise the guarantees of confidentiality that have been so important in ensuring that the dialogues feature frank discussions of sometimes quite sensitive issues. The Human Rights Dialogues are conducted at an officials-to-officials level and it is not customary to make publicly available extensive detail of such discussions, nor to table reports in Parliament. Nevertheless, the Government recognises the special nature of its human rights dialogues and, through its interaction with NGOs and Parliamentarians and websites, makes publicly available as much information as possible while respecting the confidence and trust our partners have placed in us. The Government is prepared to provide *in camera* briefings to Parliamentarians at their request.

RECOMMENDATION 5

The Committee recommends that the Department of Foreign Affairs and Trade, the Australian Agency for International Development and the Human Rights and Equal Opportunity Commission, make more effective and regular use of their websites to convey up-to-date information on those aspects of Australia's bilateral human rights dialogues with China, Vietnam and Iran, for which they have responsibility.

Accepted. The Department of Foreign Affairs and Trade, the Australian Agency for International Development and the Human Rights and Equal Opportunity Commission have taken steps to ensure that their websites are up-to-date and are discussing ways to make better use of the websites to disseminate information about the dialogues.