



# **Submission No 7**

## **Inquiry into Australia's Human Rights Dialogue Process**

**Organisation:** International Commission of Jurists

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15 June 2004

#### AUSTRALIAN SECTION

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Dear Ms Ellis,

### Re: Inquiry into Australia's Human Rights Dialogue Process

We wish to convey our support for the Human Rights dialogue as one significant means of advancing the cause of human rights internationally. The Australian Section of the International Commission of Jurists ("ASICJ") considers that Human Rights dialogue is, however, only one of the avenues that should be pursued, and should not be in many cases the sole means of advancing human rights.

Judge John O'Meally AM RFD  
President, Dust Diseases Tribunal of NSW

Mr Colin McDonald QC  
William Forster Chambers, NT

Hon Justice Rosalyn Atkinson  
Supreme Court of Queensland

Hon Justice David Bleby  
Supreme Court of SA

Assoc Prof Spencer Zifcak  
La Trobe University, Victoria

Hon Justice Robert Nicholson AO  
Federal Court of Australia, WA

International monitoring through the United Nations and its agencies, and pressure for the ratification and enforcement of international treaties and the Protocols that arise from them are in many cases more effective.

We are concerned that Australia's commitment to the Human Rights dialogue does not result in the preclusion of pursuing other options, or the use of other mechanisms.

The ASICJ considers that there is a need for the establishment of clear reporting requirements resulting from Australia's involvement in Human Rights dialogue, with particular attention to reporting on the outcomes of each stage of the dialogue.

It is vital that all interested parties should have access to such reports, and we support the recommendation that those involved in the Human Rights dialogue and the reports of the resulting deliberations be required to report to Parliamentary committees.

Experience has shown that non-government organisations (NGOs) continue to have a positive and effective role to play in the carrying out and evaluation of the Human Rights dialogue process. The involvement of NGOs and greater openness will give credibility to the process and will at the same time use the expertise of NGOs, which can often give a perspective not necessarily available to government agencies.

Yours sincerely,

The Hon Justice John Dowd AO  
President  
Australian Section  
International Commission of Jurists