



Submission No 13

Inquiry into Australia's Human Rights Dialogues with China and Vietnam

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Joint Standing Committee on Foreign Affairs, Defence and Trade Human Rights Sub-Committee

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ACTU Submission

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The Australian Council of Trade Unions (ACTU) is the peak council for Australian trade unions, representing approximately 1.8 million union members Australia-wide.

The ACTU welcomes the opportunity to make this brief submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade Human Rights Sub-Committee's Inquiry into Australia's Human Rights Dialogues with China and Vietnam.

The ACTU supports the Australian Government's focus on the human rights dimensions of its relationships with other countries in our region, including China and Vietnam. In the past, we have welcomed the opportunity provided by the Department of Foreign Affairs and Trade (DFAT) to provide relevant information and communicate issues of concern in the lead up to bilateral human rights dialogues. However we have consistently expressed our reservations to these processes. We take this opportunity to briefly reiterate these concerns.

The ACTU believes that, properly structured, human rights dialogues can provide an important avenue through which to facilitate cooperation between countries on human rights issues and to have a meaningful and practical impact on respect for human rights. Like many other civil society organisations in Australia, however, the ACTU questions whether the bilateral dialogue process as it is currently constituted is effective in achieving these objectives. In particular, we are concerned that the process lacks adequate transparency and accountability. At present, there is no means of determining what, if any, meaningful exchanges took place through the dialogue processes or whether dialogue has produced or contributed to any tangible outcomes.

The ACTU recommends that the dialogues be restructured in such a way as to improve accountability and to ensure that they engender real value, with measurable indicators of success. In this respect, we note that at least two reports issued by this Committee have already made recommendations directed at improving parliamentary oversight and reporting as to the outcomes of these dialogues.¹

¹ Joint Standing Committee on Foreign Affairs, Defence and Trade, *Australia's Human Rights Dialogue Process*, September 2005, Recommendations 4 and 5; Joint Standing Committee on Foreign Affairs, Defence and Trade, *Human Rights in the Asia Pacific: Challenges and Opportunities*, April 2010, Recommendation 1.

The ACTU welcomes the opportunities that DFAT currently provides for civil society organisations to provide relevant information prior to the commencement of a dialogue. However we believe that greater participation of civil society organisations in the dialogue process is critical to rendering the process more effective and credible. This participation could involve a parallel dialogue process and/or the provision of briefings to civil society organisations concerning each dialogue session. The Australian government should ensure it conveys its expectations to dialogue-partner countries that civil society organisations from those countries are also involved prior to, and following, the dialogues.

Finally, we believe it is critical that the bilateral human rights dialogues are not regarded by the Australian Government as the sole or dominant means of promoting human rights in our region. We continue to emphasise the importance of the Australian Government promoting respect for human rights through all available avenues, including multilateral human rights processes (including through the International Labour Organisation), bilateral and multilateral trade agreements, and through its international aid program.