



**ASIA PACIFIC FORUM**  
ADVANCING HUMAN RIGHTS IN OUR REGION

# APF Members Regional Cooperation Reports

APF Annual Conference Paper

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## **APF 13**

The 13th Annual Meeting of the Asia Pacific  
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***Human Rights and Equal  
Opportunity Commission***

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**REGIONAL CO-OPERATION ACTIVITIES**

**THE AUSTRALIAN HUMAN RIGHTS AND EQUAL OPPORTUNITY  
COMMISSION**

**13<sup>th</sup> Annual Meeting**

**Monday 28 July - Thursday 31 July 2008**

**Kuala Lumpur, Malaysia**

## **SUMMARY OF HREOC REGIONAL CO-OPERATION ACTIVITIES (July 2007-August 2008)**

### ***HREOC's International Function***

While the role and functions of the Human Rights and Equal Opportunity Commission (HREOC), as set out in legislation, are primarily directed towards human rights issues within Australia, HREOC undertakes an international education and training role, with a specific focus on agencies in the Asia Pacific region.

In 2007-08, as in past years, most of this has taken the form of technical cooperation programs with other countries. These programs, which are based around sharing knowledge and expertise, are generally delivered through the framework of the Australian Government's development cooperation program administered by the Australian Agency for International Development (AusAID). This international technical cooperation work is externally funded (not from HREOC's core budget which is devoted to fulfilling its domestic mandate).

### ***China-Australia Human Rights Technical Cooperation Program***

HREOC's most substantial international program involvement is with the China-Australia Human Rights Technical Cooperation Program (HRTC), which is an integral part of Australia's annual inter-governmental Dialogue on Human Rights with China. HREOC participates in dialogue meetings and has attended the annual dialogue meetings since 1999.

The HRTC program encompasses three principal themes: protection of the rights of women and children; protection of ethnic minority rights; and reform of the legal system.

The program aims to provide an important information base of human rights principles, ideas and strategies which can be drawn upon in the development of Chinese policies and practices. The program includes activities conducted in both China and Australia. Each activity in the program is implemented as a cooperative venture between HREOC and particular Chinese organisations. Some selected examples of activities implemented in the 2007-08 HRTC Program are given below.

- A model UN Human Rights Council was held in Harbin, Heilongjiang Province in October 2007. The program was attended by some 200 university students from 40 universities throughout China and by an Australian delegation from the University of New South Wales
- In November 2007 a Women's Labour Rights Workshop was held in Fuzhou, Fujian Province. The activity, which brought together representatives from most provinces of China, was designed to instruct provincial operatives in their new roles as law supervisors under the new *Labour Law*.

- In November 2007 a delegation from the Penitentiary Administration Department of the Ministry of Public Security visited Western Australia in order to examine corrections management in that jurisdiction.
- In November 2007 a delegation from the National Population and Family Planning Commission visited Australia in order to study Australian approaches to family planning. The visit was intended to assist participants in the voluntary approach to family planning being piloted in six provinces to better develop their strategies and to develop methodologies for extending the pilot.
- In February 2008 a delegation from the Supreme People's Court, as part of their review of China's criminal compensation legislation, visited Australia in order to examine Australian practices in compensating victims of crime. A subsequent seminar, held in May 2008 in Qingdao, was intended to assist the court develop legislative devices to strengthen the capacity of the legal system to better compensate the victims of crime.
- In April 2008, in cooperation with the Ministry of Civil Affairs, a workshop directed at exploring the development of partnerships between the government and non-government organisations was held in Beijing
- In April 2008 a delegation led by a Deputy Procurator-General visited Australia in order to examine the development of anti-corruption measures in a number of jurisdictions in Australia. A subsequent workshop, exposing a wider body of procurators to anti-corruption developments, was held in Tianjin, China in May 2008.
- In April 2008 a workshop exploring the use of Alternative Dispute Resolution within the court system was held in Kunming, Yunnan Province. The workshop compared Australian and Chinese practice and explored developments in particular jurisdictions in China.
- In April 2008 a Women's Law Workshop was held in Hefei, Anhui Province under the auspices of the All-China Women's Federation. The workshop was intended to develop provincial coordination groups in order to facilitate the implementation of the *Law on the Protection of the Rights and Interests of Women*. A senior solicitor from the legal section presented a paper on the *Sex Discrimination Act 1984* (Cth), the process for dealing with complaints made under that Act and the work of the Sex Discrimination Commissioner. The participants were members of the ACWF from various provinces throughout China as well as government officials from various government departments who deal with women's issues.
- In May 2008 a delegation from the Beijing Legal Aid Office for Rural Migrants visited Australia to study Australian legal aid practices and

to develop strategies for the expansion and refinement of their network of legal aid offices.

### ***Vietnam-Australia Human Rights Technical Cooperation Program***

HREOC also participates in the annual Australia-Vietnam Dialogue on International Organisations and Legal Issues, including Human Rights and has attended the annual dialogues since 2002.

A program of human rights technical cooperation with Vietnam was established as part of the dialogue and commenced in late 2006. The HRTC program with Vietnam focuses on four areas: access to justice; dissemination of information about legal rights and obligations; the rights of women; and raising awareness of international human rights treaty obligations. HRTC activities implemented in 2007-08 included the following:

- In June 2007 and in August 2007 seminars on Vietnam's obligations under international human rights treaties were held in Da Nang and Ho Chi Minh City respectively. The seminars were intended to assist Vietnamese officials to develop practical methods for the domestic implementation of the treaty provisions.
- In July 2007 workshops were held in Hanoi and Ho Chi Minh City to assist District Court staff understand and develop their role in facilitating access to justice within their jurisdictions.
- In August 2007 a Seminar on Dissemination of Legal Information was held in Ho Chi Minh, in cooperation with the Ministry of Justice. The seminar provided capacity building for the ministry in its role of disseminating information to government officials and the general population about legal rights and responsibilities under Vietnamese law;
- In August 2007 a series of District and Commune Training in cooperation with the Vietnam Women's Union was completed. The training was designed to assist local operatives to develop their roles in advocating for the protection of women's rights generally. The training was followed up by the publication of a series of legal bulletins and other advocacy materials, by "talk shows" and a series of local legal consultations, the entire series being completed in February 2008.
- In June 2008 the Ministry of Justice completed the preparation of legal booklets to assist participants in the preceding seminars and other officials to better disseminate legal information.

### ***Other International Training and Consultation***

In July 2007 CHS staff developed and presented two training programs in Hong Kong for staff of the Hong Kong Equal Opportunities Commission. The first course provided basic training in investigation and conciliation for new employees. The second course dealt with implementation of race discrimination legislation including knowledge and skills relating to the investigation and resolution of race discrimination complaints.

In 2007-08, HREOC was also awarded a tender by the Asia Pacific Forum of National Human Rights Institutions to provide training for staff of the National Human Rights Commission of Korea. This project involved staff of the CHS developing and presenting two three-day training courses in human rights investigation. The training took place in Seoul from 31 October to 7 November 2007. There was 47 staff from the Korean Commission completed the training.

From 12-14 November the Director of the Sex Discrimination and Age Discrimination Unit at HREOC was funded by the Norwegian Centre for Human Rights to participate as a trainer in the *Economic Social and Cultural Rights Training Workshop*, held in Yogyakarta, Indonesia.

In April 2008 a HREOC disability rights senior policy officer also travelled to Samoa to provide training on the *Convention on the Rights of Persons with Disabilities* at the National Women with Disabilities Forum held in Apia and consult on the Convention with colleagues at the Pacific Disability Forum Council meeting.

In June 2008 the Director of the Sex Discrimination and Age Discrimination Unit participated in the *Strategies for the Future: Protecting Rights in the Pacific Conference*. The aim of the conference was the identify key human rights challenges in the Pacific as well as strategies for strengthening national, regional and international mechanisms for the protection and promotion of human rights. The main discussion at the conference centred on the establishment of a regional human rights mechanism. There was also a significant debate on the marriage of universal human rights with customary law and culture in the Pacific. A number of models for a regional mechanism were canvassed, with the strengths and limitations of each debated.

### ***International visitors***

In addition to formal programs of bilateral technical cooperation, HREOC frequently receives international visitors and participates in meetings with representatives of organisations concerned with human rights. A summary of these meetings is given below.

- In October 2007 HREOC hosted a large delegation from the Iraqi Ministry of Human Rights and other relevant agencies as part of the Ausaid human rights training program;

- In October 2007 a delegation from Bangladesh visited HREOC with the objective of learning from the experiences of Australia in enacting necessary legislation to set up the Human Rights and Equal Opportunity Commission, as well as discovering first hand the activities of the Commission;
- In December 2007 HREOC hosted a large delegation from the Malaysian Human Rights Commission, SUHAKAM, for the purpose of looking at programmes or activities undertaken to integrate human rights into the school curriculum, as well as programmes for indigenous people and people with disabilities. They were also interested in finding out about public awareness programs and publications and the use of the internet by HREOC in promoting human rights.
- In March 2008 HREOC hosted a delegation from the Iraqi Ministry of Human Rights and other relevant agencies to expose the participants to the human rights institutions and network of relevant Australian organisations so that they can obtain an understanding of how this totality functions both among the institutions themselves, but also how they interact with government and the community.
- In March 2008 HREOC hosted eight Chinese lawyers who were in Australia as part of the Attorney-General's Australia-China Legal Profession Development Program. The objectives of the program is to provide focused training and placements for Chinese lawyers to enable them to make a contribution to China's on-going law reform process and to provide opportunities for Australian law firms and the legal profession generally to build and strengthen direct links with the Chinese legal profession.
- In April 2008 HREOC hosted Angela Kerins, Chairperson of the Irish Equality Authority. Ms Kerins was interested in finding out about HREOC's work under in handling complaints under the sex, race, disability and age discrimination legislation; policy work in the areas of race, sex, disability and age discrimination and media and education work.
- In April 2008, HREOC hosted Gay McDougall, the UN Independent Expert on Minority Rights and the Chairperson of the Coordinating Committee of UN Human Rights Special Procedures to talk about The Fight against Racism and for the Rights of Minorities in the 21<sup>st</sup> Century.