

Notes for a Talk at the Showing of *Conviction* on Tuesday, 22 March 2011 at the Palace Barracks

Let me welcome you here on behalf of both Australians Against Capital Punishment and Australian Lawyers for Human Rights. This joint function builds on the very successful David Marr dinner that we held last year. I see a number of faces from last year's function and a number of new faces. In both cases, your support for the very important causes pursued by each organisation does wonders for us both logistically and in terms of morale.

A number of you will be aware that AACP was founded largely through the efforts of Chris and Lee Rush. The arrest of their son, Scott, in Indonesia, and Scott's subsequent trial, appeal and imposition of the death penalty, of course, raised their consciousness of the inhumanity and injustice of capital punishment as a tool of the law.

What is impressive and singular about Lee and Chris's reaction is that have not restricted their efforts to trying to save the life of their son but have campaigned strenuously through AACP against capital punishment everywhere and at all times. We share their campaign.

We also share their hopes, their fears, their tears and their prayers as they wait to see if the encouraging report of the local panel of the Indonesian Supreme Court is vindicated by the central Jakarta panel so that Scott's punishment is reduced to a period of imprisonment.

Chris and Lee are in Indonesia supporting Scott as I speak and send their apologies and thanks.

AACP is a small organisation of hard working individuals. If you would like to contribute, contact Don at don.sinnamon@gmail.com or Justine at justine.hampson@gmail.com.

As for ALHR, we are awaiting our AGM to be held next Monday. I have offered to remain president of that organisation for at least another year. The last 12 months has been quite hectic. A significant group of very talented lawyers get through a prodigious amount of hard work, preparing submissions, writing opinion articles and press releases, lobbying and attending various consultations with government agencies and other NGOs. Australia's performance against its voluntarily accepted human rights obligations is placed carefully under the microscope and practical recommendations for improved performance are made and passed on.

Just watching this work unfold through my inbox is exhausting in itself. Understanding, signing and promulgating many of the products of that work is exhausting indeed. I feel privileged, however, to place my name to these documents and to create the illusion that I have contributed in a substantial way to such excellent work.

There is plenty of room however for more members of ALHR. You are eligible if you are a lawyer, practising or non-practising, judicial officer, or law student. All you have to do is go to the website (Google ALHR) and join online. We did resolve about 8 months ago to charge new members. However, our ancient technology and the difficulties of getting our provider to do exactly what we want have meant that you can still join free. And there is no annual membership even in theory at this stage. I am obsessed with getting the membership numbers above two thousand so joining does not mean that you have to commit yourself to anything more than receiving my discursive emails every now and again.

There is also room for active members. If you want to join and work on a submission or some other important work, I will do my darndest to facilitate you achieving that.

We are here to watch the movie. I am told it is a good movie. I am told that it will give the hard bitten activists and lawyers who have grown cynical with our experiences over the years a fresh burst of energy and idealism. So I intend to let the movie do most of my talking.

I just want to say this. I am glad that the Security Council decided, only just before it was too late, to act in Libya. I feared another great betrayal. I feared that another Rwanda or Srebrenitsa was about to occur while the world twiddled its thumbs.

Bombing for democracy is a strange call to action but I think it is justified in the present circumstances. Whatever happens, it is important that high standards are to be maintained. It is important that, if the chance arises, that Gaddafi is called to account for any crimes against humanity for which he is responsible. Any calling to account must be of the highest standards. No unfair local process like that faced by Saddam in Iraq. The death penalty must not be an option in any trial that ensues. Any trial should occur in an international tribunal with the highest standards of fairness, objectivity and proper provision for the judges, prosecutors and defence counsel to be able to carry out their work without fear and in safety.

The Nuremberg principle, that heads of state and high officials, are responsible and accountable for their high crimes, often gets puts aside in international diplomacy and domestic politics in favour of self-interest so as not to offend a future ally or a future vote on some other issue. It is however the default principle.

It was comforting to see countries which eschew the International Court of Justice for their own nationals rush to claim it for Mr. Gadhafi when his support was falling away. It does not matter that he is vulnerable to such action as a once and future pariah. The important thing is that, every time the Nuremberg principles are endorsed and acted upon, they become stronger and more difficult to avoid in the future on grounds of unprincipled convenience. We should continue to insist that everyone is made accountable for their serious crimes against humanity and serious war crimes.

That is the end of my little preach. Have a great night. Thanks for coming. Thank you to the team from both organisations that worked so hard to put this together in a short time.

Thanks everybody.

Stephen Keim
Palace Barracks
22 March 2011