



**Australian Government**  
**Department of Foreign Affairs and Trade**

27 May 2014

Mr Stephen Keim SC  
President  
Australian Lawyers for Human Rights Inc  
PO Box A147  
Sydney South NSW 1235

Dear Mr Keim

On 6 May, DFAT Deputy Secretary Gillian Bird, who led the Australian delegation, held a meeting with Australian NGO representatives to discuss the outcome of the recent Human Rights Dialogue. I attach an overview of that meeting, as well as further information on the Australia-China Human Rights Technical Cooperation Program, DFAT's media release on the Dialogue, and the transcript of the joint press conference that followed the Dialogue.

The government values the work of Australian NGOs in the area of human rights and welcomes your continuing input and advice on these important issues.

Yours sincerely

A handwritten signature in black ink, which appears to read 'Sally Moyle'. The signature is written in a cursive, flowing style.

Sally Moyle  
Assistant Secretary  
Human Rights and Gender Equality Branch

# Department of Foreign Affairs and Trade

## 15<sup>th</sup> Australia-China Human Rights Dialogue: summary of debrief session with Australian NGOs

Date: 6 May 2014

Deputy Secretary Ms Gillian Bird thanked NGOs for their input to the Government's human rights dialogues, including the 15<sup>th</sup> Australia-China Human Rights Dialogue.

Ms Bird said Australia's human rights dialogue with China had begun in 1997 as an officials-only meeting between foreign ministries, and had since evolved to become a wide-ranging discussion between delegates including parliamentarians, senior officials from a range of agencies, and the Australian Human Rights Commission. The frank and constructive manner under which the 15<sup>th</sup> Australia-China Human Rights Dialogue had been conducted was a significant improvement over the early dialogues when the Chinese side spoke only in broad generalities and refused to engage on specifics.

Ms Bird reported that in the recent dialogue Australia had raised a broad range of concerns, including: freedom of speech, association and the media; legal reform and the rights of lawyers; ethnic minorities, including in Tibet and Xinjiang; the petition system; freedom of religion; forced labour; the death penalty; and organ harvesting. Australia also raised individual cases of concern and urged China to release all individuals detained for peacefully expressing their political views.

NGOs asked if specific issues were raised during the dialogue, including media ownership and censorship, Tibet, the ban on Falun Gong, and China's policy on house churches.

Ms Bird reported that Australia had encouraged China to remove restrictions on lawyers, activists, journalists, internet bloggers and protesters, and highlighted the importance of a free and critical media, including foreign media. Australia also expressed concern over China's suppression of online dissent and internet censorship.

Ms Bird said that Australia had urged China to exercise restraint in managing the security situation in Tibet, and encouraged China to protect the cultural, linguistic and religious heritage of Tibetans. Australia had also expressed concern about restrictions on the flow of information in and out of Tibetan regions and about conditions underlying self-immolation protests. Australia again urged China to lift its ban on Falun Gong, expressed concern about growing restrictions on the freedom to practise religion in China, and encouraged China to invite the UN Special Rapporteur on Freedom and Religious Beliefs to visit.

China had responded that freedom of speech, alongside other rights, was protected in China's Constitution, but that Chinese citizens must exercise their rights and freedom within the scope of the law. China also claimed that it had a good record in religious freedom and had introduced laws and regulations in this area. On the UN Special Rapporteur on Freedom and Religious Beliefs, China said they welcomed a visit at a mutually convenient time.

Ms Bird explained that the Government draws on a variety of sources in making its assessments of the human rights situation in China, including reporting from the Australian Embassy in Beijing, NGOs, parliamentary groups, the Human Rights Commission, other governments, and the UN. Ms Bird outlined the importance placed on the work of NGOs. In the 16<sup>th</sup> Australia-China Human Rights Dialogue, expected to be held in Canberra in 2015, Australia hopes to arrange a meeting for Australian NGOs with the Chinese delegation.

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

The Australia-China Human Rights Technical Cooperation Program (HRTC) was established following the inaugural Australia-China Human Rights Dialogue in 1997. The program aims to assist key Chinese organisations to improve the administration, promotion and protection of human rights in China. Over the last 15 years, the program has worked in the areas of legal reform, women's and children's rights, rights of disabled persons, and ethnic and minority rights. The current program focuses on progressing Chinese-identified human rights reforms.

**Duration:** 1998–ongoing, current program runs from 2012-2016

**Australian contribution:** Approximately AUD2.5 million annually

**Managing contractor:** Australian Human Rights Commission

**Chinese partner organisations:** The Chinese Ministry of Foreign Affairs is the lead counterpart agency for the HRTC. Current partner organisations include: Ministry of Civil Affairs; All China Women's Federation; Supreme People's Court; National Health and Family Planning Commission; United Nations Association in China; China Disabled Persons Federation; and, Beijing Zhicheng Legal Aid Organisation.

**Activities and achievements:** Each year the HRTC oversees around 20 practical activities implemented by Chinese government agencies. Activities are identified by the participating agencies, with the final work plan developed with the input of the Australian Human Rights Commission, and approved by both DFAT and the Chinese Ministry of Foreign Affairs. Activities include study tours, workshops, seminars and visits between Australian and Chinese agencies working in fields with human rights dimensions. In recent years the HRTC has also supported pilot projects designed to implement human rights policies. Achievements of the program have included:

- Supporting the drafting of China's national domestic violence legislation and establishing domestic violence protection orders in courts in six provinces.
- Supporting the introduction of national standards on privacy protection in family planning service delivery.
- Working with the NGO department of the Ministry of Civil Affairs, and with the Beijing Zhicheng Legal Aid Organisation to help protect the legal rights of NGOs and build demand for better governance.

HRTC activities are designed to have immediate and longer term outcomes. The program encourages the development of linkages between Chinese and Australian organisations and between Chinese and Australian professionals in specific areas. Increasingly activities support existing Chinese programs of reform and the development of new policy and practice.

**NGO involvement:** HRTC program activities are identified by participating Chinese agencies including NGOs (as listed under 'Chinese partner organisations' above), with the final work plan developed with the input of the Australian Human Rights Commission, and approved by both DFAT and the Chinese Ministry of Foreign Affairs. Implementation of HRTC activities has included technical input from a wide range of Australian organisations, including NGOs. The experience shared by NGOs has been valuable in demonstrating to Chinese partners the important role played by these organisations in protecting and promoting human rights.



**Australian Government**

**Department of Foreign Affairs and Trade**

*Advancing the interests of Australia and Australians internationally*

# 15<sup>th</sup> Australia-China Human Rights Dialogue

## Media release

20 February 2014

The 15th round of the Australia-China Human Rights Dialogue was held on Thursday 20 February at the Chinese Ministry of Foreign Affairs in Beijing.

The Dialogue began in 1997 as an officials-only meeting between foreign ministries and has evolved to become a wide-ranging discussion between delegates including parliamentarians, senior officials from a range of government agencies, and the Australian Human Rights Commission.

The Dialogue allows both governments to engage in a frank and constructive exchange of views at a senior level on human rights issues, including progress on human rights technical cooperation.

As per previous practice, the Australian delegation raised a range of ongoing human rights concerns in China, including freedom of expression, assembly and religion; the treatment of political activists; press freedoms; use of the death penalty; as well as Tibet and Xinjiang.

The Australian delegation was led by Ms Gillian Bird, Deputy Secretary of the Department of Foreign Affairs and Trade. Other delegation members included Mr Luke Simpkins MP, Chair of the Australian Parliament's Human Rights Sub-Committee, Senator Anne McEwen, Deputy-Chair of the Australian Parliament's Human Rights Sub-Committee, Professor Gillian Triggs, President of the Australian Human Rights Commission, and other representatives from the Australian Human Rights Commission and a range of Australian Government agencies.

The Chinese delegation was led by Mr Li Baodong, Vice Minister of China's Ministry of Foreign Affairs, and included delegates from a range of organisations, including the State Administration of Religious Affairs, the Ministry of Justice, the Ministry of Public Security and the State Council Working Committee on Child and Women.

Meetings between the Australian delegation and Chinese non-government organisations and human rights and legal academics are scheduled to take place on 21 February in Beijing.

## Chinese version

[第十五次澳中人权对话 \(http://www.china.embassy.gov.au/bjngchinese/140220MRhrd\\_ch.html\)](http://www.china.embassy.gov.au/bjngchinese/140220MRhrd_ch.html)



新闻稿 澳大利亚大使馆

2014年2月20日

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第十五次澳中人权对话

第十五次澳中人权对话于2月20日（星期四）在北京的中国外交部举行。

对话始于1997年，最初仅为两国外交部官员间的会议，如今已演变成为涵盖议会议员、来自多个政府机构的高级官员和澳大利亚人权委员会代表的广泛讨论机制。

对话让两国政府高层就人权问题，包括人权技术合作方面的进展，进行坦率和富有建设性的交流。

按照以往的做法，澳大利亚代表团提出一系列对中国人权方面持续的关切，包括言论、集会和宗教自由，对政治活动人士的处置，新闻自由，死刑的使用，以及西藏和新疆问题。

澳大利亚代表团由澳大利亚外交贸易部副部长吉莉安·伯德（Gillian Bird）带队。成员包括澳大利亚议会人权分支委员会主席卢克·辛普金斯众议员（Luke Simpkins）、副主席安·麦克尤文参议员（Anne McEwen）、澳大利亚人权委员会主席吉莉安·特里格斯教授（Gillian Triggs），以及其他来自澳大利亚人权委员会和澳大利亚政府机构的代表。

中方代表团由中国外交部副部长李保东带队，成员包括来自国家宗教事务局、司法部、公安部和国务院妇女儿童工作委员会等机构的代表。

澳大利亚代表团与中国非政府机构及人权和法律学者间的会议将于2月21日在北京举行。

媒体咨询

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