



News - Opinion

**Australia should now become a human rights leader (again)**

Philip Lynch - Philip Lynch is director of the Human Rights Law Resource Centre. He was one of 20 Global Young Leaders invited to attend the InterAction Council Meeting of Former Heads of Government and State in Sweden

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COMMENT & DEBATE

The core minimum rights for humans should be enshrined in law.

RECENTLY, more than 25 former presidents and prime ministers gathered in Sweden to discuss and propose solutions to some of the most pressing challenges confronting humankind. They came from all corners of the globe, from Australia to Germany to Jordan. They represented states in all stages of development, from Canada to Brazil to Nigeria.

And they came from across the political spectrum, from conservatives to liberals to social democrats. They were joined in their deliberations by 10 high-level experts from institutions including the World Bank, the United Nations and the United States Government.

The discussions considered issues such as food security, climate change, international financial stability, nuclear proliferation, poverty and inequality. The issue that received the most significant attention, however, was the urgent importance of renewing and restoring respect for human rights, international institutions and the rule of law. Without a rule-based international social order, without states that adhere to the rules and without a genuine commitment to tackling global problems multilaterally, urgent challenges such as climate change and food insecurity will not only remain unresolved but will also have grave implications for global, regional and national peace, security and development.

The early part of the 21st century witnessed a tendency on the part of some powerful states - Australia, the United States and the United Kingdom among them - towards unilateralism and disrespect for international laws and institutions. Such a tendency, particularly from states that have historically been at the forefront of promoting international human rights and the rule of law, poses a real threat to developing global solutions to global problems.

While the UN may not be a perfect institution, too often the failings of its member states have been attributed to the organisation itself. In the United States, Barack Obama and John McCain appear to be far more multilateralist than President George Bush. They have both recently endorsed progressive proposals on nuclear non-proliferation, arms control and disarmament.

In the United Kingdom, Gordon Brown continues efforts to increase overseas aid and achieve the Millennium Development Goals. Both the Labour Party and the Conservatives are discussing the development of a British bill of rights to build on existing protections under the UK Human Rights Act and the European Convention on Human Rights.

In Australia, the Foreign Minister speaks of "effective international citizenship" and middle power diplomacy while, just last week, the Attorney-General affirmed that the "Rudd Government places a very high priority on our commitment to human rights and to rebuilding a strong relationship with the UN". Significant steps in this direction are evident already through a renewed and more

constructive dialogue with UN human rights bodies and the proposed ratification of a number of key international human rights instruments neglected by the Howard government.

The former world leaders also recognised that a peaceful, just, secure, rule-based international social order requires that the members of that community themselves respect human rights and the rule of law, both internally and in their foreign relations. Recognising this, they recommended that international human rights norms - those core minimum standards that ensure that people can live with dignity, fully participate in the community and fulfil their potential - be incorporated into national law through a charter or bill of rights.

It is no accident that Europe, one of the most powerful regions, and certainly the most peaceful and prosperous, in the world, comprises a community of states with a shared commitment to the European Convention on Human Rights and to robust regional institutions. The legitimacy and ability of Australia to promote human rights and good government internationally and in the region is significantly compromised by the lack of a charter of bill of rights at the national level.

The former leaders also discussed the critical role of civil society and non-government organisations in promoting human rights and the rule of law. Mature states support a vibrant and strong non-government sector and welcome constructive criticism by NGOs as an opportunity to identify and collaboratively address human rights problems. In Australia, greater resources and a more enabling regulatory and taxation framework are required for NGOs to undertake the critical work of human rights analysis and advocacy.

This year marks the 60th anniversary of the Universal Declaration of Human Rights, a historic instrument that recognises human rights as the foundation of peace, justice, security and human development. Australia was a key architect of the declaration, its attorney-general, H. V. "Doc" Evatt, being president of the UN General Assembly when it was adopted. Sixty years on, it is time for Australia to bring this legacy home by establishing human rights as a central pillar of both domestic and foreign policy. No less is required if we are to successfully confront the major problems of the 21st century and build a rule-based social order that respects the rule of law and enables all people to live with freedom, respect, equality and dignity.

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