

President's Report: Dr Kristine Klugman

The small wins we have within Australia, making new laws better and achieving one-off justice or policy reform, motivate us to carry on when times are tough. But just sometimes, we're part of an unheralded victory of international significance.

In September, I represented Civil Liberties Australia at a government-government dialogue with China. This was the first occasion when China asked for these govt-govt dialogues to be extended to the Australian Non-Government Sector (NGOs), to organisations like ours and like-minded bodies such as the International Commission of Jurists, Amnesty, and local representatives of human rights bodies.



We were able to raise issues directly with highly-ranked Chinese officials. On behalf of CLA, I asked about the death penalty in China, and for the first time anywhere in the world got an official answer that China was trying to cut down on executing people as a prelude to eventually phasing out the death penalty.

Left: Chinese Ambassador to Australia Chen Yuming, CLA President Dr Kristine Klugman, and Chinese Vice Foreign Minister, Cui Tiankai.

Photo: Howard Moffatt, AUSPIC

Others raised the issues of 34 political prisoners, freedom of speech, media, assembly, and minorities, as well as Tibet. China raised all the myriad UN Human Rights Council's Universal Periodic Review criticisms of Australia. Questions about organ harvesting (a practice since ceased from those executed), and the Arab Spring effect were answered. Tibet proved the most difficult topic. Dialogue process were necessarily very slow, due to translations. It remains to be seen whether such interchanges have any effect, but it was an achievement for CLA to be part of this embryonic process.

During the year, I held networking meetings with a wide range of people from the following organisations: Australian Privacy Foundation, Public Interest Advocacy Centre, SA Council Civil Liberties, Dying With Dignity, Rule of Law, Australian Institute of Criminology, Ombudsman, Information Commissioner, ACT Law Advisory Committee, National Congress Australia's First Peoples, Australian Lawyers Alliance, Law Council, Law Society, U3A, Centre Excellence Police and Security, the National Police Accountability Network, the Human Rights Commissioner, Falun Gong (*Songfa Liu, now a CLA member, pictured*) and the ACT Human Rights Commission. These meetings, often accompanied by CEO Bill Rowlings, allow us to extend our influence informally at the preliminary stages of many issues. Sometimes, this gram of prevention can produce a kilo of positive outcome



1-2-3 years from now. For example, with the Information Commissioner, we were able to sow a seed of supporting Qui Tam legislation, which operates in the USA, where whistleblowers get rewarded proportionately for the funds they save government.

In August, I took part over two days with a total of 90 representatives from a wide range of NGOs in consultations hosted by the Foreign Minister, Bob Carr, and the Attorney General, Nicola Roxon, who both fielded questions including cluster bombs, Bahai in Iran, Tibet, and capacity building in Laos and Sri Lanka. In reply to a question, the Ministers confirmed that the government's position on Julian Assange is that it has sought from the US on a number of occasions assurances that Assange will not be extradited to the US. If the US had wanted to extradite Assange, it was stated, they would have done so, because extradition from UK is easier than from Sweden. Consular assistance has been on-going, we were assured. There would be concern re extradition because the US has the death penalty. Despite these assurances, CLA continues to believe the government is not sufficiently or adroitly active in supporting an Australian citizen caught up in circumstances where national mediation appears needed.

The elephant in the room was the contentious issue of policy on asylum seekers. As we met, the legislation enabling off-shore processing was under way in the House of Representatives. A number of delegates sought admission to listen to the debate, but were refused entry by security staff. The UN High Commission for Refugees has since warned Australia risked breaching its international obligations. CLA's position is that Australia should see refugees as a future asset, just like the Greek, Italian, Lebanese, Vietnemenese, Sri Lankan, Burmese and African refugees to Australia over the past 70 years have proven to be. With a changed attitude by government and bureaucracy, we can act humanely as a nation...in our own long-term best interests.

I have concentrated on the international aspects of our work in my report this year, because members may not be aware that their support and their annual subscriptions allow us extend our influence both locally and internationally. It is important to maintain a sensible balance, and I'm happy to report that I believe CLA has had a good year in both areas.

In commending the Annual Report for 2012 to you, I would like to set out one of our aims for 2013, that it be the Year of Moral Courage, which we will stress to the following groups:

- American Administration (against drones)
- Church (against pedophiles)
- Defence (against rape, bullying)
- Public servants (against process corruption and for the rights of civil society)
- Politicians (for asylum seekers)

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