

UNITY

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to the United Nations

Editor: Ian Mathews Ph: (02) 6281 4025 Fax (02) 6285 2529

Post: 4 Stone Place, Garran ACT 2605

E-mail: imathews@ozemail.com.au

Earlier editions of UNity 2004-05 and 2006 are on the UNAA website: www.unaa.org.au
or e-mail the editor.

UNity will not be published next Friday, April 14

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[1] Visa review in the wake of the ship that never was

In the deteriorating relationship between Australia and Indonesia over asylum seekers from West Papua the **Prime Minister, John Howard**, says he will review the visa system that enabled 42 people to be given temporary protection visas. In future foreign policy interests will take precedence over individual human rights.

Earlier he had said that while Australia would fulfill its international obligations towards people seeking asylum, the relationship with Indonesia was of prime importance.

He told the ABC's PM program on April 6, "We regard West Papua as part of Indonesia, we regard West Papuans as citizens of the Republic of Indonesia, and we will not support any kind of independence movement.

"I would say to people in West Papua, and I would say to any people in Australia who are working with them, and any who may be encouraging them to come to Australia, that is not something the Australian Government, or I believe the majority of the Australian public wants. ..."

For a boat that never arrived, let alone landed a group of West Papuans on Australian soil, this vessel has caused a further souring of relations between Australia and Indonesia – and some contortions by both the Government and Opposition in stating their positions on the primacy of Indonesia in Australia's relations.

ABC Online news reported on April 6 that Coastwatch had called off the search for six Papuan asylum seekers reported to have landed on an Australian island. The Customs service says it has information the Papuan family never landed in Australia. It was later said that the people had landed in Papua New Guinea when their boat ran out of fuel.

Leader of the Opposition, Kim Beazley, said on April 7, "We certainly don't support independence for West Papua. We do not. We recognise that as part of Indonesia. That is recognised globally by all countries. We are not in the business of dismantling Indonesia. ..."

"We take the view that anybody who comes into this country, who actually manages to make land fall, is entitled to having their claims for refugee status assessed. The Government takes that view as well."

Greens Leader Bob Brown says the Prime Minister's description of West Papuans as Indonesians, was selling out their Melanesian right to self-determination.

"This tramples on Australian values. Mr Howard will divide Australia. There is obvious hypocrisy in Mr Howard sending Australians to war in the names of liberty and democracy but turning his back on the same rights of the West Papuans next door to us," he said.

The **Australian Democrats** say the Australian Government must instigate bilateral talks with the Indonesian Government to heal the rift over West Papua. "The recent arrivals of asylum-seekers demonstrate the ongoing problems faced by the province and the need for a firm commitment to resolution for all parties," Democrats' Foreign Affairs Spokesperson Senator Natasha Stott Despoja said.

"Australia, as a leader in the region, should seek talks to discuss the continuing unrest and human rights abuses and make it clear that ignoring the problem will not make it go away. ... The continuing human rights problems in Papua and the discrimination against Indigenous Papuans must enter the dialogue.

"In 2001, Indonesia passed progressive autonomy laws for Papua, these laws have never been realised because the military and ultra-nationalists have undermined these laws and hence have undermined the Papuans' right to be free from oppression and poverty. ... Papua needs the international community's assistance for a peaceful solution to this conflict in our region," she said.

In a letter to Greens Senator Nettle, former Labor Minister of Health in the Whitlam government, Doug Everingham, has commended her moves "to alleviate the colonial status of West Papuans. I think the UN has long been at fault in not investigating the validity of the 'act of free choice'"

which allegedly found most West New Guineans in favor of their formerly Dutch-ruled section of New Guinea being incorporated as a province of Indonesia.

He goes on, "I think the UN, the Whitlam government which included me, and later Australian governments should not have recognised the elections conducted by Indonesia which allocated East Timor and West New Guinea to Indonesia. These non-validated acquisitions contrast with the multilaterally supervised decolonisation of East Timor, and also with the Whitlam government's initiative in promoting and achieving de-colonisation of eastern New Guinea. ..."

Doug Everingham **07 3376 7763** e-mail: Doug Everingham dnevrghm@powerup.com.au
News report: <http://www.abc.net.au/news/newsitems/200604/s1609579.htm>

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[2] Mixed reception for N-deal with China

The two nuclear agreements signed by the Minister for Foreign Affairs, Alexander Downer, and China's Foreign Minister Mr Li Zhaoxing – a Nuclear Transfer Agreement and a Nuclear Cooperation Agreement - have prompted general agreement from the Opposition, caution from the Democrats and rejection from the Greens. In addition, sales of Australian uranium to Taiwan via the United States, and outside the Nuclear Non-Proliferation Treaty have suggested hurdles for the future.

Announcing the expected agreements, Mr Downer said, "These agreements will allow for the supply of Australian uranium to China's nuclear power program, and cooperation in peaceful uses of nuclear technology.

"These agreements establish strict safeguards arrangements and conditions to ensure Australian uranium supplied to China, and any collaborative programs in applications of nuclear technology, is used exclusively for peaceful purposes.

"These agreements are consistent with Australia's long term policy of applying safeguards and restrictions on uranium exports. The agreements also further build on and consolidate 25 years of development of safeguards requirements since agreements with other nuclear weapon states were first negotiated.

"Given China's high projected growth in electricity demand over the coming years, there are clear environmental benefits in diversifying from fossil fuels to low greenhouse-emission technologies such as nuclear power. Having the world's largest uranium resources, Australia has a particular responsibility and opportunity to consolidate its position as a secure supplier of energy resources, and leads by example in the application of strict safeguards.

"The Cooperation Agreement provides for collaboration in a broad range of peaceful applications of nuclear equipment and technology. Early areas of work may be in material science research at OPAL, the new research reactor at the Australian Nuclear Science and Technology Organisation in Sydney. Other opportunities provided under the Cooperation Agreement include collaborative projects in nuclear safeguards and security with the Australian Safeguards and Non-Proliferation Office. ..."

The agreements will be reviewed by the Joint Standing Committee on Treaties before binding treaty action is taken. Texts of the agreements with accompanying information are at www.asno.dfat.gov.au/

For more information, call the Minister for Foreign Affairs **(02) 6277 7500**
e-mail: A.Downer.MP@aph.gov.au Departmental **02 6261 1555** www.dfat.gov.au

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Doctors express concern

Doctors who have served as president of the Medical Association for Prevention of War (Australia) over the past 25 years have expressed their grave concern at the deal signed this week between Australia and China allowing for uranium to be exported to the nuclear weapons state.

One of their concerns is that “China currently has approximately 400 nuclear warheads. China has signed and ratified the 1970 **Nuclear Non-Proliferation Treaty**, under which it is obliged to work towards and achieve nuclear disarmament. China and the other nuclear weapons states signatories to the Treaty have failed to fulfil this obligation....”

MAPW says the Australian Government could do much more to strengthen the existing International Atomic Energy Agency safeguards, including by:

- Making it an indefinitely binding precondition of sale that Australian uranium will not be reprocessed to extract plutonium able to be used in nuclear weapons
- Obliging importing countries to demonstrate a proven track record of non-proliferation of nuclear weapons technology to other nations
- Ensuring all nations receiving our uranium are full signatories to relevant international agreements such as the Nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT)
- Refusing to sell our uranium to nations which have existing nuclear weapons programs.

Signatories to the statement are Associate Professor Tilman Ruff; Dr Sue Wareham OAM; Dr Harry Cohen OAM; and Professor Ian Maddocks AM

For more information, call **Dimity Hawkins**, MAPW Executive Officer **0431 475 465**

Opposition Leader Kim Beazley, commenting on the April 3 agreements, that his concern was that the NPT should not be undermined. Referring to its origins in the 1970s he said, “... the Americans were very fearful of the view that, by now, there’d be 20 or 30 nuclear powers and that was the threshold that we were staring at when the Non-Proliferation Treaty was established, nearly 40 years ago now.

“That hasn’t happened, and one of the reasons it hasn’t happened is actually the Non-Proliferation Treaty has worked. There are flaws in it, there are holes in it and it’s got to be better but it’s come under massive pressure now. So, there is a need for us, as a major supplier of uranium, to be committed to ensuring that the non-proliferation regime works. And frankly, if powers are not prepared to sign up to an agreement with us on that front, or if they breach the subsequent agreement which we have put in place with them, then the uranium exports stops. Now that’s the position we’ve got to come to.”

On April 4 he said on radio that the Opposition accepted the deal that has been done with China. “China is a signatory of the Non-Proliferation Treaty,” he said, “...Which India is not.”

He said the ALP accepted that China had done everything in accordance with the operation of that Treaty “and in those circumstances, we accept the deal. But we understand that many Australians will feel very uneasy about it. They feel very uneasy about the uranium industry, nuclear power industry, overall.”

In relation to putting in place even tougher anti-proliferation measures, Mr Beazley said, “We have an urgent situation, but it’s not an urgent situation on approval of mines, it’s an urgent

situation on proliferation of nuclear weapons and that is with another signatory of that Treaty – Iran – which happens to be going rogue on the subject of its compliance with that Treaty.”

For more information, call the Leader of the Opposition **(02) 6277 4022**
e-mail: Kim.Bezaley.MP@aph.gov.au

Taiwan deal fuels regional insecurity, say Greens

The sale of Australian uranium to Taiwan is fuelling insecurity in the region, according to the Australian Greens energy spokesperson **Senator Christine Milne** who said on April 4 that the government's decision to facilitate Australian uranium sales to Taiwan via the United States of America “is irresponsible and contravenes our obligation under the nuclear Non-Proliferation Treaty to reduce proliferation not to potentially increase it.”

She pointed out that Taiwan cannot sign the nuclear NPT because it is not a state “but selling uranium via third parties undermines international safeguards and restricts Australian oversight of how Australian uranium is used.

She asked, "Given the administrative arrangements overseeing the United Nations' oil-for-food program completely failed in the case of Australia, why would the community have any faith in promises by DFAT that administrative arrangements will provide adequate oversight for the use of Australian uranium in Taiwan?"

For more information, call Senator Christine Milne Ph: **02 6277 3063** or **03 6234 4566**
senator.milne@aph.gov.au website www.christinemilne.org.au

Australian Democrats Leader Senator Lyn Allison and Democrats' foreign affairs spokesperson Senator Natasha Stott Despoja have both raised concerns about nuclear safeguards and China's poor human rights record.

Senator Allison said, "Last year the director of the International Atomic Energy Agency (IAEA), Dr Mohamed El Baradei, said that the safeguards inspection system is 'fairly limited' and only eight days ago he said there was a need to put 'teeth in the Nuclear Non-Proliferation and Disarmament Regime.'

"The IAEA is severely under-funded operating on an annual budget of about \$100 million. The Democrats argue that countries that export uranium also have a responsibility to ensure that safeguards are in place and have teeth. Those countries should contribute to the funding of the IAEA. We need to put in place some kind of levy on uranium sales that go directly to the IAEA to ensure they can enforce the safeguards...."

Senator Natasha Stott Despoja had called on the Australian Government not to shy away from raising human rights issues with Chinese Premier Wen Jiabao during his visit.

"It is never acceptable for human rights abuses to be swept under the carpet, especially in the interests of economic ties. Ongoing human rights issues within China, which our Government must raise with China, include the persecution of Falun Gong members, involving torture and murder; and, its treatment of the Tibetan people, including imprisonment of those who have engaged in non-violent protests, such as calling for an independent Tibet," she said.

Friends of the Earth Australia says that “buried in the fine print of documents” is an acknowledgment that the Chinese regime “need not subject a single ounce of Australian uranium to safeguards inspections by the International Atomic Energy Agency (IAEA) and can freely use it to produce nuclear weapons.”

Friends of the Earth's nuclear campaigner Dr Jim Green says the document states that: "Uranium conversion facilities are before the 'starting point' for IAEA safeguards procedures and are not included in IAEA safeguards agreements with nuclear weapon states."

He said, ""The Chinese Communist regime - a world leader in exporting nuclear weapons technology, including exports to Iran, North Korea and Pakistan – will have a free hand to do what it pleases with Australia's uranium. It need not subject a single ounce of Australian uranium to safeguards.

"While the China National Nuclear Corporation busies itself converting Australian uranium into Weapons of Mass Destruction, all that is required under the terms of the agreement is that at some, unspecified part of the nuclear fuel cycle, an equivalent amount of nuclear material is subject to safeguards. Verifying that such a transfer has occurred is easier said than done. The IAEA has itself acknowledged the shortcomings of its safeguards inspection system. ..."

For more information, call Friends of the Earth, Dr Jim Green **0417 318368**.

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[3] Falun Gong free to demonstrate - quietly

The Australian Council for International Development has welcomed a decision by the Human Rights and Equal Opportunity Commission this week that the exclusion of Falun Gong from the twice-yearly Government consultations on human rights was a breach of human rights.

The Commission recommended that an apology be provided to Falun Gong over the breach. Following a separate court decision, the Foreign Minister also agreed to lift restrictions on peaceful Falun Gong protesters outside the Chinese Embassy in Canberra.

In the second half of 2005, Foreign Minister Alexander Downer had refused to allow Falun Gong to participate in the consultations on human rights with a large number of Australian human rights NGOs. ACFID criticised this decision and supported Falun Gong in their application to be admitted.

Members of the Falun Gong religious movement have dropped their case against Mr Downer over restrictions on their regular protests outside the Chinese embassy.

Mr Downer began signing certificates in March 2002, barring protesters from displaying large banners and using loudspeakers outside the embassy to protest against Chinese Government abuse of Falun Gong practitioners. The certificates were issued under regulations protecting the dignity of foreign missions in Australia.

Under the agreement which settled the case, Falun Gong undertook to keep its protests within certain constraints while Mr Downer reserved the right to reissue the certificates if he believed it appropriate.

For more information, Human Rights and Equal Opportunity Commission **(02) 9284 9880**

www.humanrights.gov.au

Australian Council for International Development Ph: **(02) 6281 9227** www.acfid.asn.au

Minister for Foreign Affairs **(02) 6277 7500** e-mail: A.Downer.MP@aph.gov.au

Departmental **02 6261 1555** www.dfat.gov.au

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[4] Girls' human right to education

A report on the right of girls to education, originally intended for the Commission on Human Rights will now be presented to the new Human Rights Council by Vernor Muñoz, UN Special Rapporteur on the Right to Education

The Special Rapporteur addresses the socio-cultural context of gender discrimination by defining the concept of patriarchy, which underpins discriminatory behaviours. He denounces the negative impact on education, and especially on girls' education, of the persistent consideration of education as being a service rather than a human right and insists on the importance of ensuring not only girls' access to school but also their completion of the education cycle.

The report identifies obstacles to education for girls, such as early marriages and pregnancies, child labour (especially domestic work) and armed conflicts.

His report covers

social and cultural context of gender discrimination including standardised education and patriarchal attitudes and inequalities; girls' education and the economy; the long road to gender equality; universal primary education and its impact on gender balance; from equal access to total equality; on working girls; on marriage, pregnancy and motherhood as well as girls from communities that experience discrimination; communication with governments; education policy and classroom reality from individual challenges to collective responsibilities; and sex education. He devotes a chapter to girls in armed conflicts and makes 25 recommendations.

For more information, contact Vernor Muñoz, Special Rapporteur on the Right to Education, Commission on Human Rights, United Nations

Ph. (506) 248-2537, (506) 258-8585, ext. 1192. Fax: (506) 248-0991

E-mail: vmunoz@dhr.go.cr or vernormu@yahoo.es

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[5] Asbestos found in Villawood detention centre

Australian Greens Senator Nettle has called for Villawood immigration detention centre to be closed after further revelations about asbestos contamination.

Senator Nettle supported the call by the NSW Police Association to close the detention centre and said that people in the detention centre could be housed in the community while their immigration status is resolved.

"Villawood detention centre has always been a toxic environment for the health, particularly mental health of immigration detainees, now we know it is worse than we thought. Exposure to asbestos now must be added to the list of harms caused by mandatory detention at Villawood", she said.

For more information, call the Office of Greens Senator Kerry Nettle ph: **02 9690 2038**

e-mail: senator.nettle@aph.gov.au website www.kerrynettle.org.au

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[6] Governments cooperate on mental health

The Commonwealth Government will contribute \$1.8 billion in new funds to reforming the mental health system in Australia in cooperation with State and Territory governments. In addition there is a commitment of around \$500 million in the fifth year and ongoing, for the five-year action plan that is being developed.

Announcing the funding on April 5, the Prime Minister, John Howard, said that on February 10 this year the Council of Australian Governments (COAG) committed to reforming the mental health system.

He said, "There are several major gaps that need to be addressed. These include the need for more primary health and clinical services, areas that have traditionally been funded by the Australian Government through Medicare. But there also needs to be a significant increase in supported accommodation for people with a mental illness living in the community and improvements in emergency and crisis services, and hospital and prison care. These are areas where States and Territories have historically had responsibility for delivery.

Full details www.pm.gov.au

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[7] Learning tsunami lessons

The executive director of the Australian Council for International Development, Paul O'Callaghan, commenting on the recent launch of ACFID's fourth report on the disposal of tsunami funds, says some of the immediate lessons from the tsunami reporting exercise include:

- That the sector's credibility before the Australian public hinges critically on consistency, rigour and a pro-active approach to reporting
- That in future major disasters, a similarly pro-active approach will need to be put in place quickly
- That sector credibility relies heavily on the ACFID Code of Conduct Code being perceived publicly as robust and independent, and
- That, in an environment of increasing accountability expectations, there is a need to improve some aspects of NGO public reporting for future purposes.

He congratulated the CEOs of Oxfam, World Vision, CARE and Australian Red Cross for their initiative in January 2005 to announce an accountability pledge to the Australian public.

He said ACFID is seeking to identify practical areas for improvement and other lessons by April 20 and would welcome any suggestions which should be sent to Olivia Allnutt at ACFID oallnutt@acfid.asn.au For more information ph: **02 6281 9214**

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[8] World Bank talks on aid with NGOs

The Australian Council for International Development took part in a World Bank/IMF meeting in Singapore last week with representatives of 10 other national NGO federations from Asia and New Zealand. The immediate purpose was to shape the agenda for the World Bank/IMF annual meetings in Singapore in September 2006.

The NGOs agreed on an initial list of topics for collective work among the group, of which a smaller number of topics will be taken forward. They are:

- Poverty alleviation through debt relief and debt management;
- Capacity building for improved local governance;
- Market-led skill development to address migration from rural to urban areas;
- Urbanisation and governance;
- NGO involvement in World Bank and IMF operations;
- Addressing corruption and improved transparency, and
- Building skills in social entrepreneurship.

For more information, contact Australian Council for International Development (ACFID)
ph: **02 6281 9214**

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[9] Wheat inquiry: ministers to appear

There is a sense that the Cole Inquiry into the AWB wheat sales to Saddam Hussein's regime and allegations of \$290 million in kickbacks is coming to the nitty-gritty of who knew what and when. But it's only a sense, not a reality. The reality is that Commissioner Cole now has the two ministerial documents he asked for from Foreign Minister Alexander Downer, and from Trade Minister Mark Vaile – and both ministers will appear before him next week.

The ABC reported on April 7 that the inquiry needed only one barrister to request ministerial attendance for the Inquiry to become even more politically charged than it is already.

The Opposition's Shadow Minister for Public Accountability Kelvin Thomson says, in a statement release on April 6, that the Government knew enough about AWB's exports to Iraq to twice petition the **United Nations** in 2002 "to change the administrative arrangements of the Oil-for-Food Program to protect the interests of AWB."

He goes on, "Details of the UN's dismissal of the two requests are documented in a letter dated 6 March 2003 from the Chairman of the Security Council Committee established by UN resolution 661 (overseeing the Oil-for-food program) addressed to the President of the UN Security Council." Mr Thomson says the letter can be provided on request.

"Given that AWB had already completed dozens of contracts by the end of 2002 which circumvented UN sanctions, copies of both requests made by the Howard Government to the UN should be released to the public and provided to the Cole Inquiry, he said.

"Would the proposed changes have retrospectively revised AWB's legal obligations and responsibilities under the Oil-for-Food program?"

"Formal requests to change UN administrative arrangement are not done lightly by any country, yet two separate submissions were made by the Howard Government at the end of 2002."

"The key question is what were these two separate formal requests based upon? Were the requests underpinned by a DFAT or Australian Intelligence Agency assessment of risks associated with AWB's contracts with Iraq?"

Not to be out done, the Opposition spokesman on foreign affairs, Kevin Rudd, says that as late as September, 2005, "we have a very important record of conversation between the AWB and Mr Downer's Department. In that record of conversation, Mr Downer's Department appeared to be telling the AWB to make sure that whatever the AWB told the [UN] Volcker Inquiry was consistent with what the Government had told the Volcker Inquiry.

For more information

Office of the Minister for Foreign Affairs (02) 6277 7500 e-mail: A.Downer.MP@aph.gov.au

website: www.dfat.gov.au Departmental 02 6261 1555

Kelvin Thomson (02) 6277 4633 or (03) 9350 5777 e-mail: Kelvin.Thomson@aph.gov.au

Kevin Rudd (02) 6277 4941 e-mail: Kevin.Rudd.MP@aph.gov.au

Prime Minister's office (02) 6277 7700 website: www.pm.gov.au

Cole Inquiry's full terms of reference, media releases, hearings, transcripts of evidence, exhibits, parties, submissions, practice notes, statements, legal opinions, the Commissioner, counsel, independent inquiry and other relevant material, go to:

<http://www.ag.gov.au/agd/www/unoilforfoodinquiry.nsf>

Other inquiries

Comprehensive Report of the Special Adviser to the DCI on Iraq's Weapons of Mass Destruction, related to the UN's Oil-for-Food Program. Access the September 30, 2004 report at:

http://www.cia.gov/cia/reports/iraq_wmd_2004/chap2.html#sect1

The Independent Inquiry into the United Nations Oil-for-Food Program (IIC) was established by the UN Secretary-General Kofi Annan, under the chairmanship of Paul Volker, following allegations of corruption in the administration of the program involving UN personnel, businesses, and some governments.

The Volker Committee has published several reports on:

Manipulation of the Oil-for-Food Program, on October 27, 2005;

Management of the Oil-for-Food Program, on September 7, 2005;

Third Interim Report, on August 8, 2005.

Final Report, on October 27, 2005.

These can be accessed at: www.iic-offp.org

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[10] US pushes UN reform agenda

The US Ambassador to the United Nations, John Bolton, has told a Congressional sub-committee that corruption and mismanagement at the UN could cost lives and money; that structural problems at the United Nations run deep and the organisation's culture must be changed.

Mr Bolton is the ambassador President Bush had to appoint on a public holiday because Congress would not approve his appointment.

He testified on April 5 to a subcommittee of the House of Representatives Appropriations Committee that he believes some progress has been made towards realising the extent of the UN's structural problems, "which is an important first step."

On corruption and mismanagement, Mr Bolton said, "We are talking about saving lives, not only of the civilians we are trying to protect, but also the personnel of the contributing nations participating in peacekeeping operations."

He quoted UN Secretary-General Kofi Annan to make his point that a radical overhaul of the UN Secretariat is needed to enable it to perform effectively. "We share the view of the secretary-general and applaud his forthright and blunt acknowledgment of the nature of the problem," he said.

The full text <http://www.state.gov/p/io/rls/rm/64140.htm> of Bolton's prepared statement to the Subcommittee on Science, State, Justice and Commerce is available on the US State Department web site.

In the same vein, Kristen Silverberg, **Assistant Secretary of State** for International Organisation Affairs, told members of Congress that the United States could not join the UN consensus on a recent resolution to establish a **Human Rights Council** -- replacing the discredited Human Rights Commission -- because of its shortcomings.

"We will continue to press for a Human Rights Council with strong membership that can truly act to address the world's most pressing human rights problems," she said during testimony April 6 before a House Appropriations subcommittee.

She said also the US intends to ensure the United Nations

- eliminates continued funding of mandates that have become obsolete,
- changes those that have proven ineffective and
- reallocates its resources to meet priority objectives.

She also expressed great concern about sexual exploitation and abuse by UN peacekeepers. Her testimony also highlighted recent successes at the United Nations including the establishment of the Peacebuilding Commission in December 2005 and the UN Democracy Fund in August 2005.

For more information, call Peter Gilbert, Information Resource Centre, Office of Public Affairs, US Consulate General, Sydney. Ph: 02 9373 9229 e-mail: gilbertpb@state.gov

Twenty-one countries so far have announced they will seek to become members on the United Nations' new 47-member **Human Rights Council**, according to UN officials. Countries that have declared their candidacy include Algeria, Peru and Switzerland, while the US -- which last month voted against the Council's creation saying it is too weak -- has yet to decide whether to seek membership, the Washington Post reports

Source: "UN Wire " un.wire@smartbrief.com

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[11] ACT terror law and human rights

The ACT Terrorism (Extraordinary Temporary Powers) Bill 2006 was tabled in the Legislative Assembly on Wednesday, March 30, and, according to the . ACT Chief Minister, Mr John Stanhope, "The ACT Bill draws on the best, fairest and most human rights-compliant provisions in equivalent complementary legislation of the states.

"The Bill protects our way of life by dealing with the threat of terrorism, and making sure we don't erode the very values of freedom, democracy and human rights which are so fundamental to our society." Civil Liberties Australia 's view, expressed in a formal submission and in subsequent hearings, is that "the ACT legislation is the best of a bad lot"

The Australian Law Reform Commission released the community consultation paper, Review of Sedition Laws, ALRC Issues Paper 30, on 20 March, following a formal reference for a review by the Attorney-General, Mr Philip Ruddock, to the ALRC. The formal review was promised by the Australian Government following a public outcry over the sedition provisions of the **Anti-Terrorism Act (No 2) 2005** passed in December 2005.

Documents are available for downloading from:

<http://www.austlii.edu.au/au/other/alrc/publications/issues/30/>

Or phone **02 8238 6363** or e-mail sedition@alrc.gov.au the ALRC and register to receive hard-copy materials.

Source, and for more information, call Bill Rowlings, Secretary, Civil Liberties Australia (ACT) Ph **(02) 6288 6137**

ACT Chief Minister stanhope@act.gov.au

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[12] Debate wanted on Kurdish ban

The Greens will move in the Senate to disallow a government ban on the Kurdish Workers Party (PKK) Senator Brown said on April 6. The government listed the PKK as a terrorist organisation in December last year following the visit of the Turkish Prime Minister.

"Many Kurdish refugees in Australia are here because they were persecuted by Turkey for being part of the PKK. Now the government wants to turn them into criminals," Senator Brown said.

"Mr Howard says that the Kurds in Iraq are an important part of the new government, but cross the border and he calls them terrorists. This is the worst double standard."

For more information, Senator Bob Brown Ph **03 6234 1633 or (02) 6277 3170**
E-mail: Snator.Bob.Brown@aph.gov.au or website: www.bobbrown.org.au

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[13] First UN Landmines Day

The United Nations first International Day for Mine Awareness and Assistance in Mine Action was held on April 4 to raise awareness about landmines and unexploded ordnance (UXO) and progress toward their eradication.

According to Alison Bock, president of Landmines Blow, the problem of landmines difficult to get across in the United States and other developed countries "because people don't have to worry about stepping on them. It puts a whole new spin on things if you imagine having to worry about your kids getting blown away while walking to school or your spouse losing a leg while fetching a pail of water."

According to the *Landmine Monitor Report 2005*, 84 countries are affected to some extent by landmines and unexploded ordnance. The number of reported new mine/UXO casualties has dropped significantly in some heavily mine-affected countries. *Landmine Monitor's* best estimate, given the lack of reliable records and under-reporting, is that there are between 15,000 and 20,000 new landmine/UXO casualties each year. However the number of landmine survivors continues to grow, and the assistance needed by mine survivors is inadequate in many countries.

Landmines Blow is a grassroots non-governmental organisation (NGO) dedicated to raising awareness of the global landmine crisis, the education and engagement of civil society, and raising funds to build wells and latrines in mine affected communities. It is one of 90 country campaigns that form the International Campaign to Ban Landmines (ICBL), including Australia.

For more information contact: Alison Bock, president, Landmines Blow!
+ 1-630-308-0131 <http://www.landminesblow.org>

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[14] Amnesty says front companies used in torture flights

Amnesty International released a new report on April 5 which exposes a covert operation whereby people have been arrested or abducted, transferred and held in secret or handed over to

countries where they have faced torture and other ill-treatment. The report describes how the CIA has used private aircraft operators and front companies to preserve the secrecy of "rendition" flights.

It comes as David Hicks's US military lawyer, Major Michael Mori, confirms that the US is blocking British access to administer the oath of British citizenship to the Australian Guantanamo Bay prisoner. The British Government is appealing an English High Court decision that allows Mr Hicks British citizenship as his mother was British.

Amnesty International says the report, *Below the radar: Secret flights to torture and 'disappearance'*, shows that the CIA has exploited aviation practices that would otherwise require their flights to be declared to aviation authorities. The report lists dozens of destinations around the world where planes associated with "rendition" flights have landed and taken off - and lists private airlines with permission to land at US military bases worldwide.

Amnesty International has records of nearly 1,000 flights directly linked to the CIA, most of which have used European airspace; these are flights by planes that appear to have been permanently operated by the CIA through front companies. In a second category, there are records of some 600 other flights made by planes confirmed as having been used at least temporarily by the CIA.

The report details the destinations and ownership of specific aircraft linked to people interviewed by Amnesty International who have been transferred illegally.

The report analyses new information about "black site" detention provided to Amnesty International by three Yemeni men recently released after a two-year rendition ordeal, which raises the possibility that they were held somewhere in eastern Europe or Central Asia.

Rendition is the illegal transfer of people from one country to another in ways that bypass all judicial and administrative oversight. The aim of rendition in the "war on terror" is usually to facilitate interrogation of suspects outside the reach of the law.

Amnesty International cautioned that states that tolerate these flights landing on their territory and companies that carry them out, may find themselves complicit in serious human rights abuses. It called for the transfer of any detainee to other countries to take place with proper safeguards, including judicial oversight, and the use of official aircraft.

Amnesty International called on governments to:

- Insist that any plane or helicopter used to carry out the missions of the intelligence services be declared a 'state' flight, regardless of whether they are carried out using civilian aircraft.
- Prohibit the use of airspace and airports for renditions and actively investigate suspected rendition cases.
- Disclose the full extent of these practices and the fate of those whose whereabouts are still unknown.

Full text of the report at: <http://amnesty-news.c.topica.com/maaeFWSabpy6TbfE1obb/>

The CIA rendition planes and where they have been:

<http://amnesty-news.c.topica.com/maaeFWSabpy6XbfE1obb/>

Syria: New crackdown on government opponents

Reacting to a recent wave of arrests of activists and others in Syria and the sentencing of a civil society activist to five years in prison, Amnesty International has called on the Syrian government to immediately release all those arrested for peacefully expressing their opinions.

All AI Documents on Syria: <http://amnesty-news.c.topica.com/maaeFJzabpxm0bfE1obb/>

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[15] CSIRO in climate project with China

Australia's alternative to the Kyoto Protocol, the Bilateral Climate Change Partnerships Program, is the vehicle for a new CSIRO technology called VAMCAT (Ventilation Air Methane Catalytic Turbine) to reduce methane emissions with a greenhouse effect from China's coal mines.

CSIRO and the Australian Greenhouse Office together with China's Shanghai Jiaotong University and Huainan Coal Mining Group will construct the first pilot-scale demonstration unit at a coal mine in China. The low-heating value gas turbine will be powered by about 1 per cent methane in ventilation air. It will generate green power while also consuming the mine's fugitive methane, which is 23 times more potent than carbon dioxide as a greenhouse gas over a 100 year time frame.

The project is being conducted under Australia's Bilateral Climate Change Partnerships Program along with support from an Australia-China special fund grant under the International Science Linkage Program. The initial investigation of catalytic combustion performance was supported by a grant from the Australian Coal Association Research Program (ACARP).

For more information, contact Tim McLennan, CSIRO Exploration and Mining **07 3327 4480**
E-mail: tim.mclennan@csiro.au website: www.csiro.au

Global pollution: International scientists met in Hobart this week to discuss the ongoing need for global monitoring of gases responsible for ozone depletion and climate change. The meeting was the 33rd gathering of scientists and cooperating networks associated with the Advanced Global Atmospheric Gases Experiment (AGAGE).

For more information access: <http://www.csiro.au/csiro/content/standard/ps1ir,..html>

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[16] Desperate need for health workers, says WHO

The World Health Organisation (WHO) released *The World Health Report 2006 - Working together for health*, a comprehensive study of the global health workforce on World Health Day, April 7.

The report points to a severe shortage of health workers in 57 countries which is impairing provision of essential, life-saving interventions such as childhood immunisation, safe pregnancy and delivery services for mothers, and access to treatment for HIV/AIDS, malaria and tuberculosis. More than four million additional doctors, nurses, midwives, managers and public health workers are urgently needed to fill the gap in these countries, 36 of which are in sub-Saharan Africa.

This shortage, combined with a lack of training and knowledge, is also a major obstacle for health systems as they attempt to respond effectively to chronic diseases, avian influenza and other health challenges, according to the report.

The World Health Report sets out a 10-year plan to address the crisis. It calls for national leadership to urgently formulate and implement country strategies for the health workforce. These need to be backed by international donor assistance.

Infectious diseases and complications of pregnancy and delivery cause at least 10 million deaths each year. Better access to health workers could prevent many of those deaths. There is clear evidence that as the ratio of health workers to population increases, so in turn does infant, child and maternal survival.

The World Health Report 2006 is at:

<http://www.who.int/whr/2006/download/download/en/index.html>

For more information, contact Thomson Prentice, Editor, WHO, Geneva, tel: (+41 22) 791 4224, email: prenticet@who.int.

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[17] Access to medicines and vaccines for poor

An independent Commission on Intellectual Property Rights, Innovation and Public Health presented its report on April 3 to the World Health Organisation, recommending key actions needed to ensure that poor people in developing countries have access to existing and new products to diagnose, treat and prevent the diseases which affect them most.

Over half of the people in the poorest parts of Africa and Asia lack regular access to existing essential medicines because they cannot afford them, or because the health system in their country is too weak. Apart from access to existing medicines, some health products specifically for diseases which disproportionately affect developing countries are simply not developed at all due to the lack of a sustainable market. The relationship between intellectual property rights, innovation and public health has been at the heart of debate on these issues.

The report of the Commission: "Public Health, Innovation and Intellectual Property Rights" is the result of two years' analysis of how governments, industry, scientists, international law and financing mechanisms can work best to overcome the challenges.

An intergovernmental working group of WHO's Executive Board will consider the report at a meeting on April 28. The World Health Assembly will then examine and debate the report during its annual meeting from May 22 - 27.

The report is available in six languages at www.who.int/intellectualproperty. A question and answer document is available at the same address.

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[18] Same-sex-same entitlements HREOC inquiry

The Human Rights and Equal Opportunity Commission will conduct a national inquiry into discrimination against same-sex couples in accessing financial and work-related entitlements.

The National Inquiry will be conducted jointly by Human Rights and Equal Opportunity Commission President John von Doussa QC and Human Rights Commissioner Graeme Innes.

The inquiry will conduct an audit of Commonwealth, State and Territory laws to develop a full list of circumstances in which same-sex couples and their children may be denied financial and/or work-related benefits and entitlements that heterosexual couples enjoy. The Inquiry will also collect individual stories about the impact of these laws on people in same-sex relationships.

The laws considered by the Inquiry will include laws dealing with:

1. Workplace leave entitlements

2. Social security benefits
3. Tax concessions
4. Medicare and the Pharmaceutical Benefits Scheme
5. Superannuation entitlements
6. Workers' compensation
7. Veterans' pensions and entitlements
8. Parliamentary entitlements
9. Judicial pensions
10. Inheritance

Public submissions will be sought to a HTEOC discussion paper encouraging individuals to relate their personal stories of discrimination. The deadline for submissions is **June 2**. The Inquiry will also convene public forums around Australia to give community groups and individuals the opportunity to express their views and tell their stories.

For more information, including copies of the terms of reference and the discussion paper go to the Commission's website at: <http://www.humanrights.gov.au/samesex/>

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[19] Keeping up with the polities

The Federal Parliamentary Library services all Members and Senators with a regular update of published material relevant to political, legislative and judicial issues. Some of these touch on areas of interest to the United Nations, such as human rights, international law, the impact of anti-terrorism laws, democracy, free speech, refugees, immigration, and women in politics

Here is a selection of titles obtainable from the publishers, selected libraries, and newsagents or through your Federal MP or Senator's office.

ADMINISTRATIVE LAW: Fraser, Ron. **Developments in administrative law.** *AIAL Forum*, no.47, December 2005: 42-64.

BILL OF RIGHTS

Anderson, Tim. **Rights, the republic and participatory democracy.** *On Line Opinion*, 24 March 2006: 2p.

Mason, Anthony. **Rights Bill a matter for judgement.** *The Age*, 29 March 2006: 17.

Von Doussa, John. **'Strengthening the planks'**. Keynote address, National Legal Aid Best Practice Conference, Glenelg, 15 September 2005, *Speech*, 15 September 2005: 7p.

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COMMITTEES – INQUIRIES: Prasser, Scott. **A clear and ever present source of independent advice: public inquiries.** *Public Sector Informant*, 7 March 2006: 18.

DEMOCRACY: Fischer, Nick. **The Australian Right, the American Right and the threat of the Left, 1917-35.** *Labour History*, no.89, November 2005: 17-35.

ELECTIONS – VOTING

Louth, Jonathon and Lisa Hill. **Compulsory voting in Australia: turnout with and without it.** *Australian Review of Public Affairs*, vol.6, no.1, November 1005: 25-37.

Sawer, Marian. **Voting: a step backwards for democracy.** *Australian Policy Online*, 9 March 2006: 2p.

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Harris Rimmer, Susan. **Spy versus spy: Government control of sensitive information.** *Research Brief* (Economics, Commerce and Industrial Relations Section) no. 13, 2005-06, 24 March 2006: 16p.

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Boeri, Tito and Herbert Brucker. **Why are Europeans so tough on migrants?** *Economic Policy*, no.44, October 2005: 629-703.

Cornelius, Wayne A. **Controlling 'unwanted' immigration: lessons from the United States, 1993-2004.** *Journal of Ethnic and Migration Studies*, vol.31, no.4, July 2005: 775-94.

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Roth, Lenny. **The new federal workplace relations system.** *Briefing Paper* (New South Wales. Parliamentary Library) no.2/06: 90p.

Williams, George. **Industrial relations.** *Australian Policy Online*, 14 July 2005: 4p.

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Clapperton, Dale. **Spyware, consent and the Privacy Act.** *Privacy Law Bulletin*, vol.2, no.6, November 2005: 46.

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Hill, Graeme. **Griffith University v Tang – comparison with Neat Domestic, and the relevance of constitutional factors.** *AIAL Forum*, no.47, December 2005: 6-16.

Michaelsen, Christopher. **Australia's antiterrorism laws lack adequate oversight mechanisms.** *Document*, 3 November 2005: 4p.

Stewart, Daniel. **Non-statutory review of private decisions by public bodies.** *AIAL Forum*, no.47, December 2005: 17-32.

Will, Michael. **Judicial review of statutory authorities.** *AIAL Forum*, no.47, Dec 2005: 1-5.

JUDICIARY

Solowiej, Lisa A., Wendy L. Martinek and Thomas L. Brunell. **Partisan politics: the impact of party in the confirmation of minority and female Federal Court nominees.** *Party Politics*, vol.11, no.5, September 2005: 557-77.

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Bigos, Oren. **Jurisdiction over cross-border wrongs on the Internet.** *International and Comparative Law Quarterly*, vol.54, no.3, July 2005: 585-620.

Stellios, James. **Federal dimensions to the Act Human Rights Act.** *AIAL Forum*, no.47, December 2005: 33-41.

LAW

De Brennan, Sebastian. **Sharia law and Australia.** *On Line Opinion*, 22 March 2006: 2p.

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Greene, Craig, Australian Institute of Aboriginal and Torres Strait Islander Studies. Native Title Research Unit. **Land, Rights, Laws: issues of Native Title.** *Issue Paper*, vol.3, no.3, [2005]: 10p

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De Rooy, Julie. **What's bugging you?** *Law Institute Journal*, vol.79, no.6, June 2005: 50+ (3p).

Taseff, Rebecca. **The protection of personal privacy: the differences between a privacy tort and the action for breach of confidence.** *Media & Arts Law Review*, vol.10, no.3, September 2005: 208-26.

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Garran, Robert. **True believer: John Howard, George Bush and the American Alliance.** Crows Nest, NSW: Allen & Unwin, 2004 – reviewed by Bruce Harding, *New Zealand International Review*, vol.30, no.4, July-August 2005: 30-1.

Mackenzie, Geraldine. **How judges sentence.** Sydney: Federation Press, 2005 – reviewed by Arie Freiberg, *Australian Policy Online*, [March 2005]: 2p.

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[20] UN and UNAA contacts

To access major United Nations websites, go to:

- [United Nations](#)
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- [UN News Centre](#)
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UNAA NSW office@unaansw.org.au ph 02 9212 0998

UNAA Qld unaabalmain@optusnet.com.au ph/Fax 07 3254 1096

UNAA SA unaasa@picknowl.com.au ph 08 8226 4141

UNAA Tas. secretary@UNAATasmania.org ph 03 6229 4269 www.UNAATasmania.org

UNAA Vic info@unaavictoria.org.au Ph: (03) 9670 7878 Website: www.unaavictoria.org.au

UNAA WA unaawa@tpg.com.au ph 08 9221 9455 www.unaa-wa.org.au

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