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THE HON ALEXANDER DOWNER MP

MINISTER FOR FOREIGN AFFAIRS  
PARLIAMENT HOUSE  
CANBERRA ACT 2600

- 7 SEP 2007

The Hon Dr Andrew Southcott MP  
Chair  
Joint Standing Committee on Treaties  
Parliament House  
Canberra ACT 2600

Dear Dr Southcott

I refer to Report 84 of the Joint Standing Committee on Treaties which was presented to Parliament on 20 June 2007. The Report considered the Agreement between Australia and the Republic of Indonesia on the Framework for Security Cooperation (Lombok Treaty), which was tabled on 6 December 2006.

I enclose for your information the Government response to Report 84. The response will be tabled in Parliament as soon as practicable.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Alexander Downer', written in black ink.

Alexander Downer

# Government Response to Report 84 of the Joint Standing Committee on Treaties

The Government thanks the Committee for its consideration of the *Agreement between Australia and the Republic of Indonesia on the Framework for Security Cooperation* (Lombok Treaty), and provides the following responses to the Committee's recommendations:

## Recommendation 1

The Committee recommends that the Australian Government continue to address widely expressed concerns about human rights in Indonesia with the Indonesian Government and in appropriate international fora.

The Australian Government continues to register with the Indonesian Government at the highest levels the importance of upholding its commitment to an open, tolerant and pluralist society. Australia strongly supports the Indonesian Government's commitment to ensuring the human rights of all Indonesians are respected.

Australia has a strong track record of representations in urging the Indonesian Government to investigate alleged human rights abuses.

Through its development cooperation program, the Australian Government is making a practical contribution to strengthen the capacity of the Indonesian Government and civil society institutions to promote legal reform and the protection of human rights.

## Recommendation 2

The Committee recommends that the Australian Government increase transparency in defence cooperation agreements to provide assurance that Australian resources do not directly or indirectly support human rights abuses in Indonesia.

Australia has no defence cooperation agreements with Indonesia.

Defence is subject to a high degree of transparency, scrutiny and accountability in its defence engagement activities with Indonesia. Authoritative information on Australia's Defence Cooperation Program with Indonesia is available from a wide variety of sources. Information on defence engagement activities and policy priorities of counter-terrorism, maritime security, peacekeeping, humanitarian assistance, disaster relief and governance, can be found in Defence strategic policy publications, such as successive Defence White Papers and Defence Updates, and ministerial and departmental speeches. The Minister responds to concerns raised in correspondence, which is an avenue open at all times to the members of the public, interest groups and Members of Parliament. Senate Standing Committee hearings provide a further mechanism for accountability and transparency of the Defence Cooperation Program with Indonesia. Official responses to Parliamentary Committees (most recently the public hearings of the JSCOT on the Lombok Treaty) make clear that we limit our

cooperation to exclude those people we know to have been involved in serious human rights abuses.

### **Recommendation 3**

The Committee recommends that the Australian Government encourage the Indonesian Government to allow greater access for the media and human rights monitors in Papua.

The Australian Government raises regularly with Indonesia the importance of access to Papua for credible observers with appropriate visas. A recent visit to Papua by the United Nations Secretary-General's Special Representative on the Situation of Human Rights Defenders, Hina Jilani, was a welcome step in allowing access by the international community.

### **Recommendation 4**

The Committee recommends that the Australian Government engage in a campaign to increase public support for the Australia – Indonesia relationship. This campaign would have the goal of increasing awareness of the democratic reforms in Indonesia and the value to Australian security of strong relations with Indonesia.

The Australian Government will continue to foster greater understanding within Australia of developments in Indonesia, including democratic reforms and the value to Australian security of a strong relationship with Indonesia.

The Australia-Indonesia Institute has proved to be an effective tool in raising such awareness by promoting mutual understanding and increased contact between the people of Australia and Indonesia. The Institute's media programs encourage Australian journalists to report on Indonesia, including by exploring current issues in greater depth. The Institute also aims to increase knowledge about Indonesia within Australia through people-to-people contact, especially among current and future opinion makers. It achieves these goals through its regular exchange programs, which include the Australia-Indonesia Youth Exchange Program and the Muslim Exchange Program.

The Australian Government will continue to explore further opportunities to enhance domestic awareness of the importance of the bilateral relationship.

### **Recommendation 5**

The Committee supports the *Agreement between Australia and the Republic of Indonesia on the Framework for Security Cooperation (Mataram, Lombok, 13 November 2006)* and recommends binding treaty action be taken.

The Australian Government is committed to bringing the treaty into force at an early date. The Government understands that the treaty needs to be considered by Commission I (Defence, Foreign Affairs, Communication and Information) of the Indonesian Parliament. The treaty will come into force following an exchange of

diplomatic notes with the Indonesian Government stating that our respective national treaty ratification processes have been completed.

### **Dissenting Report**

At the JSCOT public hearings on 26 February and 30 April 2007, the Government gave evidence on the matters raised in the dissenting report.