

# Straight Shooting about Australia's Role in the Pacific

Annual Lecture: Shaista Shameem, Director of the Fiji Human Rights Commission

By Katie Mitchell

Australia's interaction in the Pacific was a central theme in the Castan Centre's Annual Lecture, delivered by Dr Shaista Shameem. A large crowd turned out at Melbourne Town Hall to hear Dr Shameem's speech, *Human Rights Challenges in the South Pacific Region*. They were not dissatisfied as the Director of the Fiji Human Rights Commission delivered a thoughtful and challenging lecture, drawing from her experience as a human rights activist, her role as the UN's Special Rapporteur on mercenaries and her participation as a member of the UN Commission of experts which reviewed the judicial processes in Indonesia and Timor-Leste.

Dr Shameem opened by noting that human rights are often regarded suspiciously in the Pacific, being understood as a force which works to 'undermine the established order – an order which...is composed of that hegemonic troika of traditional, church and in most if not all cases, male authoritarian structure.' For this reason, she said, 'an imposed legal framework for the protection of human rights cannot by itself modify a society or create a new social environment.'

Dr Shameem then touched on the recent tensions between Australia and the Pacific, which have been flamed by the perception that Australia's involvement in the Solomon Islands has been heavy-handed. Dr Shameem stated that 'any intervention that looks as though it may have the effect of questioning the sovereignty of a nation state will probably be rewarded as an act of aggression, at least symbolically.'

Continuing with the regional focus Dr Shameem then turned to Timor Leste, expressing regret about the recent riots and civil strife which have engulfed the nation. She suggested that the roots of this strife 'emerg[ed] out of a crisis of confidence in the ability of the state apparatus of Timor Leste to resolve the long-standing demand for justice by the people of that country.' Dr Shameem emphasised the need for *real* justice to be delivered to the people of East Timor and lamented that 'the symbols of respect for human rights and justice, which could have so easily and economically been established or continued as recommended by the Commission, were not considered to be important.' These symbols, she explained, are grounded in 'the standard minimum rules of justice...which supposedly we all share irrespective of culture, geographical location and political persuasion.'

Dr Shameem then posed a question for our nation, asking whether 'Australians should take a closer and more analytical

look at the region in which they are geographically placed.' Noting a recent and emerging trend of 'Australia bashing', which condemns Australian interests in the Pacific as stemming purely from self-interest, Dr Shameem suggested it was time to suggest some of the 'improvements that can be made which can assist in the process of real, rather than superficial regional integration.' Dr Shameem noted, for example that Australia's identification as a member of the Western European Group at the United Nations does 'put it at odds with Asian regional policy at times' and generates 'some suspicion of Australia's interventionist agenda in the Pacific.'

Dr Shameem also stressed the importance of effective communication to help create understanding of the difference between the status-based societies of the Pacific and those based on contract, such as Australia. Dr Shameem suggested that the concept of justice could become a core shared value between these nations.

Issues of security were also addressed by Dr Shameem. However her concern stemmed from regional, rather than post 9/11, issues such as 'economic development, population decline through out-migration, sea level rise and the over fishing of our seas' as well as 'evidence of private soldiering in the region.'

At the core of Dr Shameem's speech was an emphasis on effective communication and the value of shared understanding in facilitating this communication. In the context of Australia and the Pacific this could mean an exploration of the 'common ground between itself and its small island neighbours' leading to an increased understanding of the concept of human rights. In a global sense it means ensuring that 'foreign policy or commitment to regional security is based on premises that are authentic'. The consequences of failing to do this are high 'as we fall into the trap of thinking either that the idea of human rights is meaningless in societies that do not have a western liberal tradition and therefore we should abandon the idea in favour of customary rights, or that the emergence of constitutional government has eliminated the traditional, status-based, societies of the past altogether.' Referring to Timor Leste and Solomon Islands, Dr Shameem reminds us that the impact of this type of analysis can be devastating.

The Annual Lecture was sponsored by Mallesons Stephen Jaques.



Dr Shaista Shameem

