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Unlocking Australia's Relationship with the Middle East

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Historically, Australia's interests in the Middle East related primarily to its role in the Commonwealth imperial defence system which resulted in the deployment of Australian forces in the Middle East during both the First and Second World Wars. Similarly, the current involvement of Australian troops in Iraq and Afghanistan is driven by the country's strategic alliance with the United States. However, Australia's current involvement reflects a multifaceted relationship that spans economic, political and strategic spheres. Yet it is at the level of cultural and civilisational contacts that this relationship appears at its most vulnerable. This paper argues that a deeper understanding of this cultural dimension combined with a broader emphasis on good governance and human rights would be conducive to more robust ties in the longer term.

Introduction¹

Australia's foreign policy, particularly when led by conservative governments, has been guided predominantly by the principles of realism and economic functionalism, with a heavy focus on the importance of bilateral relationships (Dalrymple 2003) and a narrowly defined concept of national interest. It is within these overarching ideological principles that Australia's current military engagements and strategic commitments need to be viewed. Though such commitments continue to be directed predominantly towards the neighbouring Pacific Island nations, in recent years the more distant Middle East region has emerged as a new arena for Australia's direct involvement, albeit as part of a small international coalition.

Yet, despite the growing strategic and economic significance of the Middle East region to Australia, very few studies on the subject have been conducted and even

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¹For a detailed discussion of Australia's historical encounters with the Middle East, see Mansouri (2006). The author would like to acknowledge the permission of I.B. Tauris to use some relevant material from his chapters in the manuscript for the purposes of this paper.

fewer serious publications have been produced to examine this complex relationship. One of the few exceptions to this dearth of scholarship on the Middle East region is a collection of papers published in 1976 by the Australian Institute of International Affairs titled *Australia and the Middle East: Papers and Documents*. In the introductory chapter of this publication, Sir Laurence McIntyre, Australia's permanent representative to the United Nations between 1970 and 1975, observes that 'of all the numerous arenas of political and martial turbulence around the world today, the longest lasting, most intractable and most productive of violence and terrorism reaching into every part of the globe must, without doubt, be the Middle East' (Knight and Patz 1976, 1–3).

Thirty years later, the Middle East appears even more volatile, with domestic upheavals and political instability in a number of states, outright inter-state conflicts between traditional foes and the post-9/11 global 'war on terror' that is taking place primarily in Iraq and Afghanistan. The recent conflict in Lebanon involving Israel and Hezbollah, in addition to the Iranian nuclear program crisis, has added to this already tense situation. Yet the question of Australia's engagement with the region remains as nebulous today as it has been historically. Indeed, for much of its relatively short history Australia has looked to Britain (Knight and Patz 1976) and more recently the United States, for a sense of national identity, economic prosperity and security. Until the mid-1970s the 'White Australia' policy shaped the cultural image to which Australia aspired and provided an accurate reflection of its projected regional and international relationships. This situation has changed in recent years with Asia looming as a serious economic partner, while further afield the Middle East is fast emerging as a critical region for both security and economic objectives.

Australia's current military engagement in both Iraq and Afghanistan is not a new phenomenon, though current discussions of this engagement have tended to ignore significant historical precedents. For example, colonial troops from New South Wales were sent to Sudan in 1885 to support the British-backed Egyptian army against local resistance, and avenge the death of the legendary British General Gordon. Similar patterns of military encounters were repeated during the two world wars.² On the diplomatic front, Australia also played a leading role in post-Second World War deliberations on the partition of Palestine in the newly established United Nations. In 1947, Australia 'participated in the creation of a United Nations Special Committee on Palestine (UNSCOP) when Britain announced on 20 September 1947 that it planned to withdraw from Palestine by May 1948' (Knight and Patz 1976, 4). In addition to this prominent role played by Australia's then Foreign Minister Dr Herbert Evatt in ensuring that UNSCOP's proposed partition plan was adopted by a majority of UN members, 'early in 1948 Australia was the first western nation to accord full recognition to Israel' (Knight and Patz 1976, 5).

Given this early proactive involvement in Middle Eastern affairs, it is surprising that Australia's subsequent interactions with the region have been constrained by what Foreign Minister William McMahon in 1970 called 'a position of strict neutrality' (Knight and Patz 1976, 11) towards events in the region. One would, of course, need to question this neutrality claim given Australia's strong alignment with the US position on all matters in the region, especially those involving Israel. Over the past 50 years Australian thinking on the Middle East has continued to be associated with international conflicts, global economic crises and more recently

²For a more detailed account of this period, see Lowe (2006, 36–51).

the flow of forced migrants. The contemporary relationship is also shaped by a strong trade dimension that has been boosted in recent years with the growing numbers of Middle Eastern students in Australian tertiary institutions.

Indeed, because of this strong trade agenda, Australia's engagement with the Middle East would appear on the surface at least to be steadily building. This is evidenced through the bilateral trade agreements with a number of Gulf states such as those with the United Arab Emirates, which are currently under fresh negotiation; a diplomatic presence that has been established in Kuwait; and the sending of a further contingent of Australian troops in 2005 to augment its military support of the US intervention in Iraq.

Yet it is this latter aspect of the military engagement that seems to be an enduring feature of this relationship, and one which has tended to be pragmatically determined and ideologically filtered through Australia's international alliances: firstly via its commitment to the British Empire in its engagement in the Middle East during the First World War; secondly, and more recently, through its strategic alliance with the United States. The momentum of Australia's relationship with the Middle East remains set within the paradigm of economic pragmatism and military activism, somewhat reminiscent of the imperial age of the late nineteenth and early twentieth centuries. While closer trade and education ties with the Middle East are important priorities in expanding bilateral collaborations, these enterprises appear to operate in a policy vacuum.

On the domestic front, Australia's contact with and attitudes towards the Middle East had been shaped by the ideology of the White Australia policy which reflected an enduring Anglo-Celtic priority that some argue has been difficult to dislodge from the Australian psyche. The foundations of Australia's direct engagement with the Middle East remain circumscribed by various military engagements in the region—from Gallipoli in 1915 to Iraq in 2006—and apprehensive in terms of its acceptance of Middle Eastern migrants from Afghan cameleers in the 1860s to asylum seekers in recent years. This cultural apprehensiveness has been heightened in recent years following the more pronounced discourse on 'the war on terror' and the debate about 'home-grown' terrorist cells.

The focus of contemporary public and political commentary on Middle Easterners has been galvanised by the 'crisis' of asylum seekers, a discourse that had, until recently, appeared to have stagnated. Since the mid-1990s, Iraqi, Iranian and Afghani refugees have been among the main nationalities held in Australian immigration detention centres (DIMIA 2004). Their presence fuelled populist exclusionary discourses that exhibit hysterical fears of an 'influx' of 'illegal' Middle Easterners represented collectively as cultural 'others'. This paranoia reflects a hardening of Australians' attitudes towards asylum seekers. Indeed, during the 1970s, Australia accepted some 2000 refugees or 'boat people' from Vietnam (York 2003) and when polled in 1979, only 28% of the population believed that refugees arriving by boat should be sent back. In 2001, that figure had increased to 68%, and a substantial 76% agreed that the *Tampa* 'boat people' should not be allowed to return to Australia (Roy Morgan Research 2001).³ Incidentally, this attitudinal shift coincides with Australia's current approach to the Middle East within

³Comparatively, in 2001 43% of New Zealanders and 25% of Americans thought that refugees arriving by boat should be put back to sea. "'Refugees Not Welcome' Australians Say.' Roy Morgan Research 25 September 2001.

which cross-cultural understanding does not feature prominently. This policy shortcoming is unlikely to be resolved without more erudite and scholarly discourse to move it beyond the confines of economic and military priorities and into a more sensitive, perceptive engagement.

Given that Australia's role in the Iraq war has been discussed widely in the increasing literature on the issue, this paper will focus on the important issue of promoting good governance and human rights in the region as part of a wider foreign policy agenda that has thus far been dominated by trade and economic imperatives. This twin objective, it is argued, if approached from a culturally sensitive perspective, will contribute to a more stable political and economic environment in the Middle East; a situation that ultimately serves Australia's economic and strategic interests.

Australia's Strategic Interests in the Middle East

Since Australia's present involvement in the Middle East has come to be driven by its military alliance with the United States, it is worth reflecting on current strategic thinking in the United States on key economic and political imperatives in the region. In the wake of 9/11, US Trade Representative Robert B. Zoellick indicated that to fight terrorism there needs to be 'prosperity and democracy throughout the world' (cited in Bolle 2005), but more urgently in the Middle East. This agenda, reflected in the idea of a Middle East Free Trade Area, is driven by an assumption that 'stagnant growth, [and] falling income' in the region would likely lead to 'political tension and rising appeal for religious extremists' (Gresser 2003). Similar concerns were articulated in the 9/11 Commission Report (2004) which included a recommendation for 'a comprehensive US strategy to counter terrorism [which] should include economic policies that encourage development, more open societies and opportunities for people to improve the lives of their families and to enhance the prospects for their children's future' (Bolle 2005, 2). Bringing domestic political issues such as democratisation and human rights within the ambit of economic engagement would position Australia's foreign policy in the Middle East region within a wider international framework that emphasises the interconnectedness of economic development and political stability. Australia's policy towards China is a good model. It is independent of the US line and manages to combine, admittedly at low levels, human rights programs, in particular judicial training programs with a sound trade relationship.

From Australia's perspective, there would appear to be additional reasons for linking human rights to foreign policy objectives in the Middle East, including the desirable outcomes of improved human rights practice and intra-state stability. Another compelling reason is that an 'Australian concern for regional human rights infringements lends weight to an "honest broker" self-image [that] can only lead to a strengthening of longer-term regional relations' (Rumley 2001, 85). The linking of human rights questions to the perceived national interest embodied in the trade relationship can potentially be anchored in the fact that Australia has consistently argued for a 'universality' of human rights that 'transcend[s] international political boundaries' (Rumley 2001, 85). The claim of the universality of human rights has often been dismissed 'because it is allegedly Western, elitist and interventionist' (Turner 2002) and in the long term might bring about the standardisation of other cultures. Notwithstanding the conceptual merit of this argument, even a minimalist approach to promoting human rights in the Middle East might be conducive to

nurturing human agency and dignity, two necessary conditions that would transcend cultural relativism.

Broadening the Foreign Policy Agenda

As a liberal secular democracy and a multicultural society, Australia has—notwithstanding the recent treatment of asylum seekers—a solid record in promoting human rights, particularly through its aid program. As such it certainly has the potential to play a significant role, commensurate with its resources and capabilities, in assisting in the emergence of stable and vibrant civil societies, and the establishment of accountable, if not fully democratic, governments in the Middle East.

The current spotlight on the Middle East and the discourse of democratisation and political reforms—manifested most vividly in ‘people power’ in Lebanon, the holding of general elections in Iraq, as well as municipal elections in the Palestinian Territories and Saudi Arabia—have brought to the fore a new set of dynamics in the region. These dynamics are engendering conditions that may be conducive to greater participation for liberal democratic countries such as Australia.

Human rights and good governance are crucial factors in contributing to regional development, political stability and economic prosperity. Western governments, including Australia's, should, therefore, strive to add impetus to the current political momentum in the Middle East by making human rights, and the enhancement of the institutions of civil society, a fundamental component of an integrated, holistic foreign policy. Such policy direction would encourage a multifaceted and more balanced engagement with the Middle East, inclusive of trade, education and aid.

Although there is a strong case for promoting a human rights agenda in Australian trade and foreign policy towards the Middle East,⁴ the effectiveness or otherwise of such a policy will depend largely on the approach that Australian government agencies adopt and pursue. A sophisticated and strategic relationship with the Middle East ought not be underpinned only by the observance of human rights principles but also embody an agenda that is, and is clearly perceived to be, culturally sensitive and receptive to the dynamic intellectual and cultural currents in the Middle East. To this end, it is necessary that Australian ideas about local cultures and societies do not mirror essentialist and—many would argue—‘orientalist’ discourses on the region (see Said 1978; Hussain, Olson and Qureshi 1984; Amin 1989). Too often Middle Eastern political regimes are characterised as inherently authoritarian; with fractured and backward societies; anti-Western and exclusive cultures; and religious communities prone to violence and hatred (Barakat 1993, 12–13). A detailed critique of the Western portrayal of Middle Eastern societies, politics and cultures is beyond the scope of this paper. It will suffice to briefly discuss the political ramifications of these orientalist constructs for the argument pursued here, and in particular the consequential implication that democracy, accountability and the rule of law are concepts alien to, and incompatible with, Islamic political cultures in the Middle East. There needs to be wider awareness and deeper appreciation of the diversity and dynamism of Middle Eastern societies, and of the evolving and diverse intellectual and political Muslim discourses in the region. One theme that has featured prominently in current Middle Eastern political

⁴For a comprehensive review of the human rights debate in the Middle East, see Mansouri and Sankari (2006, 198–219).

and intellectual debates is the application of human rights and democracy. Animated debates, vigorous discussions and fast-growing literatures on these seminal issues, together with diverse points of view with regard to Islam's position on human rights and democracy, are indicative of the dynamic and changing character of contemporary Islamic intellectual and political thought (see Abou el-Fadl et al 2004; Esposito and Voll 1996; Tamimi 1993; Dalacoura 2003).

A reordered engagement sensitive to cultural values of the people of the region is, therefore, imperative. There are genuine mass-based reform movements, and burgeoning civil society groups that have spearheaded the drive for political openness and pluralism in the region (see Gulf Research Center 2004). The challenge for Western governments, in general, and Australia in particular, is to formulate and pursue a prudent and well-tailored strategy; one that balances the national strategic interests of Australia with the agendas of regional governments and the needs and aspirations of their citizenry. Such an equilibrium is vital if a genuine multifaceted engagement is to be successfully pursued (Sharp 2005).⁵

There is a cogent view that violations or non-observance of human rights principles stem largely from 'a lack . . . of cultural legitimacy of international standards' (An-Na'im 1990, 15) in the Middle East. Given the significance of the cultural factor in determining the extent to which human rights standards are understood and accepted, then any serious approach by a Western government to enhance the standards of human rights observance necessitates a genuine and thoughtful attempt to understand the nature and influence of culture and religion in Middle Eastern societies. Thus, it is vital that the active support of influential religious and cultural groups in the Middle East is enlisted prior to any kind of direct foreign involvement.

Given the oft-stated nexus between good governance and human rights, there is compelling reason to believe that the democratic reform of the Middle East would, in the long term, contribute substantially to the reduction of intra-state tension and inter-state conflict. The United Nations Human Development Programme (UNDP) recently recognised the urgent need for an acceleration of democratic reforms in the Arab world 'with specific proposals for new regional human rights institutions, robust and freely elected legislatures, and truly independent judiciaries' (UNDP 2005).

Australia's Involvement in the Development of Human Rights

Esponsing the view that human rights are intrinsically intertwined with global peace and security, many Western states, including Australia, regarded human rights as universally acceptable standards to uphold justice and mitigate the effects of oppression (Forsyth 2000). International law recognises four categories of human rights: civil, political, socio-cultural and economic. Human rights advocates affirm that all four categories are inherent, inalienable and universal (DFAT 2004a, 9). Ever since its pivotal involvement in the drafting of the Universal Declaration of Human Rights and its leading role in the UN General Assembly's adoption of the Declaration in 1948, Australia has been instrumental in developing international law, including

⁵As Jordanian Foreign Minister Marwan Muasher rightly pointed out, 'the idea is to come up with a home-grown process in order that others not impose something from the outside'. Quoted from 'Arab Leaders Seek to Counter US Plan for Mideast Overhaul' (*New York Times* 4 March 2004, cited by Sharp 2005).

key treaties and important global institutions such as the International Criminal Court (Khan 2004, 13). Australia is a party to six key UN human rights international treaties,⁶ though there have been discrepancies and anomalies in Australia's implementation of these treaties.

The official Australian position on human rights articulates the case for their universal application as a priority that transcends the political boundaries of nation-states. The implication of this position is that Australia rejects the view that human rights issues constitute an 'internal matter' of any sovereign state (see DFAT 2004a, 4–12; Rumley 2001, 85). Despite this, Australia's 'behaviour in international human rights forums', its controversial approach to asylum seekers, including the issue of indefinite mandatory detention, and its resistance to UN calls for transparency and accountability through compliance with the wishes of international monitoring agencies, has seriously compromised its status as a 'good international citizen' (Evatt 2001, 15). Given that Australia consistently promotes democracy and the rule of law, on the regional and world stages, and readily denounces regimes that have an abysmal human rights record, there is a growing perception of double standards and hypocrisy (Burnside 2002, 12–15). Thus, when the Australian government states that it wants to make the treaty body regime more 'efficient and effective' and to ensure that it has a focus on gross violations of human rights, what it actually means is that its views should override the stipulations of those of the treaty bodies (Evatt 2001, 15). In other words, the Australian government resorts to national sovereignty as a defence against allegations of human rights abuses (Hovell 2003, 298) that might be directed against it, as was the case with international criticism of mandatory detention.

Yet, despite Australia's questionable commitment to human rights in relation to its treatment of asylum seekers, the promotion of human rights and good governance norms in development assistance programs has for some time been a central component of its aid program (see DFAT 2003). The government claims that human rights are an integral part of its foreign policy and that the 'real basis for a sustained improvement in human rights' lies in domestic institutional reform initiated from within (Downer 1996). For the purpose of promoting and strengthening institution building as an effective means of realising 'good governance and the observance of human rights', the Australian government has contributed considerable funds to its development co-operation programs.

In light of Australia's juridical expertise and experience in human rights institution building and training in Southeast Asia and the Southwest Pacific region, it can plausibly be argued that it has the potential to play an important role in buttressing human rights institutions in the 'new' Middle East. Furthermore, given Australia's role in the occupation of Iraq, it can also be argued that it has an obligation to participate in the promotion of good governance and human rights. After all 'open, accountable and transparent institutions and sustainable policies help deliver security, respect for human rights and economic development' (DFAT 2004a).

Yet remarkably, despite its strategic importance in regard to global security and stability, and despite the region's extensive commercial links and communal ties

⁶These are: '... the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention Against Torture, and the Convention on the Rights of the Child' (Evatt 2001, 11).

to Australia, the Middle East does not loom large in current official foreign policy documents. Of more concern is the fact that human rights-based foreign policy objectives seem to have been demoted as secondary to the country's 'national interest'.

Human Rights and the National Interest

Australia, like some other Western countries whose foreign policies are guided by a realist worldview that subordinates international law and morality to overarching strategic, economic and security concerns, invokes international human rights pragmatically as 'an instrument of foreign policy, and then only in [an ad hoc] and opportunistic manner' (Falk 2000, 40).

The label 'national interest is a subjective understanding of the common good of society—one that is more compelling and enduring than short-term preferences or sectional demands—to which all foreign policy must ultimately be oriented' (Gyngell and Wesley 2003; see also Camilleri 2003, 431–53). In comparison to Australia, the US position, for example, is that where there is a conflict between national security and economic and strategic interests on the one hand, and the promotion of human rights in foreign policy on the other, it tends to disconnect human rights observance from bilateral and multilateral agreements (Forsyth 2000, 146). The European Union, by contrast, has made human rights an indispensable component of international relations by connecting their implementation to trade. The prominence of human rights in EU foreign policy is perhaps best illustrated by the workings of the European Court on Human Rights and the European Court of Justice (Forsyth 2000, 13).

Unquestionably, human rights are inextricably linked to national peace and international security. Observance of human rights inhibits mass refugee flows, contributes to a lessening of tension or reduction of hostility in inter-state relations, and helps in ameliorating the conditions of poverty and inequality that contribute to social unrest and political violence (Loosley 1998). It is these compelling reasons that link the pursuit of human rights in the Middle East to the national interest. Furthermore, upholding human rights could foster a social and political environment that is more conducive to political reform—if not democratisation—than any other form of external pressure.

Human Rights and Democratisation

Although the two concepts of human rights and democracy are concomitant, they are by no means synonymous. Subscribing to a minimalist definition of human rights as the right to life, some theorists advance the contentious view that although democracy and human rights are, in general, interdependent, the latter may help bring about the former (Chun 2001, 19). The approach of the Howard government on this issue has been to promote good governance and human rights simultaneously, with a pronounced focus on Australia's immediate region (Downer 2005, 7–12).

Yet an emphasis on supporting and promoting democracy in the Middle East certainly appears to have the support of Australians, with 52% responding 'yes' to the Lowy Institute 2005 Poll when asked: 'Should Australia play an active role in efforts to promote democracy in the Middle East?' (Lowy Institute for International Policy and UMR Research 2005). The fact is that democratically elected governments are less prone to wage war against each other, as evidenced by the course of

inter-state relations in Europe since the end of the Second World War. For Australia, a politically stable and an economically integrated Middle East would contribute to global security and enhance the prospects for much increased investment and bilateral trade.

As has been argued by Foreign Minister Downer, Australia's

approach to human rights is a characteristically practical one: to bring real improvements and a 'fair go' to the lives of individuals. We pursue this in a number of ways, including through constructive dialogue, focused technical assistance activities, and the building of institutions which can play a major role in strengthening of the rule of law and civil society. (DFAT 2004a)

Indeed, Australia has had some successes regarding the promotion of human rights through its development assistance programs, as was the case with its capacity-building programs in East Timor that included a human rights dimension, notably regarding the development of East Timor's judicial system. Through its aid schemes to countries such as Papua New Guinea, East Timor and Fiji, Australia has enabled the training of judges and magistrates with a view to invigorating the democratic processes and electoral commissions of those countries (Broinowski 1998, 49).

As argued above, despite the strategic and economic importance of the Middle East as potentially one of Australia's fastest export markets, human rights have been conspicuously absent from government foreign policy towards the region. Where human rights are included in government policy it is in relation to development aid and training schemes. This approach is perhaps best exemplified by Australian official and private-sector involvement in Iraq and the Palestinian territories of Gaza and the West Bank.

Australia's Recent Initiatives in Promoting Good Governance

Given the obvious nexus between democratic reform in the Middle East and long-term regional stability, it can be argued that it is in Australia's national interest to adopt a similar development approach to the one it currently pursues in Southeast Asia and the Southwest Pacific—an approach that is conducive to the strengthening of accountable and transparent government institutions. Similarly, there is a need to engage more closely with local NGOs (both secular and Islamist) with a view to expediting the pace of domestic reform and positively influencing its direction. These policy objectives need direct investment that is not tied up to short-term cost-benefit analyses. Yet the figures of recent aid programs do not provide grounds for optimism.

According to a report by AusAID (2004), Australia has provided A\$11 m to the UN Development Group Iraq Trust Fund directed towards 'governance, civil society, electoral assistance and support for refugees'. A much larger financial commitment would be required if Australia were to seriously commit to the development of those key sectors. Until December 2004, the Australian government had pledged over A\$126 m to Iraq, the bulk of which was designated for agricultural assistance and the reconstruction of infrastructure (see AusAID 2004; DFAT 2004b). In May 2005, the Federal government announced that additional funding to the sum of A\$45 m over two years would be provided to assist in the development of democratic government institutions, agriculture and trade reform (AusAID 2005).

Yet given the magnitude and urgency of the tasks ahead, these initiatives and others by international donors fall short of the required investment. In a recent report on Iraq (2003), Amnesty International targeted the following spheres as key areas in need of reform to ensure the protection of human rights in post-Saddam Iraq. It recommends a comprehensive legal review to be undertaken by a future Iraqi government to ensure that: its laws conform to international human rights standards; inhuman or degrading punishments are terminated; an independent judiciary is set up to review and reform the criminal justice system; and to protect rights to freedom of expression, assembly and association. Another major area recommended by Amnesty is human rights education and awareness raising, funded by the international community (Amnesty International Australia 2003).

Australia is well positioned to provide significant technical assistance in relation to all of these areas, most notably in reforming Iraq's judicial and penal legal systems, as it has the relevant expertise in that sphere in its long-established and highly reputed legal system, its independent judiciary, and its modern penal system. It is certainly able to send a commission of experts in penal and international law to review, in conjunction with Iraqi and international jurists, Iraq's legal system and oversee the process of reform.

Similarly, Australia's police force has gained recognition for its role in training and organising the law enforcement agencies in developing countries in its region, namely East Timor and Papua New Guinea. Linguistic and cultural barriers aside, Australia's Federal Police can potentially play a critical role in helping to restructure Iraq's embryonic, but beleaguered police force into an efficient and accountable law enforcement agency. Iraq's nascent police force is in need of a human rights training program in order to ensure that detainees have rights of access to families, lawyers and judges, and that there are mechanisms in place to ensure the proper treatment of detainees, before they are brought to court to face charges.

Crucial to the long-term success of a systematic human rights regime in Iraq is the establishment and maintenance of a vibrant civil society, in which there is genuine freedom for the media, political parties and associations, syndicates and clubs, trade and professional unions and pressure groups. Specifically, Australia could contribute to those areas where it has a reputable track record, namely: freedom of information, parliamentary protection of rights, equal opportunity law, privacy laws, and freedom of expression, right of assembly, press laws, and the status of minorities.

The Palestinians of Gaza, the West Bank and East Jerusalem constitute another example of the need for better Australian regional engagement on human rights issues. In common with the citizens of Iraq, who voted in national democratic elections in January 2005, the Palestinians of the West Bank and Gaza took part in municipal elections between December 2004 and May 2005. Like the Iraqis, the Palestinians have chosen the path of political reform and democracy. In the January 2006 legislative elections the electorate delivered a surprise to the West by opting for the Islamic resistance movement Hamas, ousting the late Yasser Arafat's secular Fatah party. Palestine's democratisation has so far given rise to embryonic institutions that are predicated, in light of the volatility of the security and political situation in the occupied territories, on fragile foundations. These fragile foundations will be tested further as Hamas tries to transform itself from an ideological movement of resistance into an instrument of responsible and

accountable governance.⁷ The Palestine–Israel conflict remains pivotal to regional stability and global security, and as such ought to be a priority for the international community. In its report entitled *Australian Development Co-operation in the Middle East: Strategy for 2004–2006*, AusAID views the reaching of a lasting Palestinian–Israeli peace settlement as serving Australia's national interest. A peaceful and stable Middle East, the report adds, would strengthen global security and enhance 'Australian trade and investment opportunities'. Crucially, what is missing from the AusAID report, however, is the issue of human rights. Australia's long-term national interest would be best advanced through a consistent adoption of a human rights approach to aid programs, investment schemes and diplomacy in relation to the Palestinian Territories. An integrated human rights/trade approach in Australia's foreign policy would complement and reinforce existing development programs and peace-building efforts. The financial allocations for development programs in these critical areas have not been sufficient.

In comparison with other Western donors, Australia's net contribution to aid in the Palestinian territories is quite negligible. For example, in 2003–04, A\$11.1 m worth of aid flowed to the territories; a figure that increased marginally in 2004–05 to A\$12 m (AusAID 2004). In contrast, Canada, a Western donor with similar population size and GDP to that of Australia, annually contributes financial humanitarian assistance and developmental aid to Palestinians of the West Bank and Gaza to the amount of CAN\$25 m. In June 2005, the Canadian government pledged that its annual aid to the Palestinians would increase by \$12 m to a total of \$37 m, with the possibility of a further increase depending on 'progress and reforms' (Cohen 2005).

Conclusion

This paper began by considering Australia's outdated view of the Middle East which informs its foreign, and even trade, policy, whereby the region is seen essentially as an oil-dependent economy and potential market for Australian primary produce. The short-term pragmatism that characterises Australia's current foreign policy approach to the region means that trade outcomes and military interventions through international alliances remain the priority. The effective promotion of human rights in the Middle East is the crucial ingredient lacking in efforts by Australia and the international community to promote regional peace, stability and, ultimately, prosperity. The paper argues not only that Australia has an obligation to promote human rights in the region as an occupier in Iraq, but also that it is in its national interest to do so.

Proponents of trade liberalisation draw connections between trade, democratisation, and ultimately human rights. The argument is that human rights and political reforms inevitably follow economic and trade liberalisation. While even a cursory analysis of the *actual* relationship between trade liberalisation and human rights indicates that this is by no means always the case (consider, for example, Western trade with China), it may be that effective human rights engagement—and by extension political reform—could provide a basis for subsequent trade liberalisation.

The expansion of Australian human rights initiatives beyond their current regional emphasis, which does not encompass the Middle East in any significant manner, would complement its rather modest contributions towards aid in Iraq. In the case

⁷At the time of revising this paper, Hamas was engaged in discussions with the Fatah party to form a government of national unity.

of the Palestinian Territories, the United Nations, the United States, the European Union and Australia have underscored the importance of linking political democratic reform of the Palestinian National Authority to progress in the Palestine–Israel peace process. Notwithstanding the current political stalemate in the Occupied Territories, the Australian government and relevant NGOs need to take a more active role in strengthening the ‘rule of law’ as a crucial step in the process of establishing a democratic and stable Palestinian state (Kelly 2004).

‘Human rights are universal principles, but, inspiring as those principles are, none implement themselves. Good governance, effective institutions, adequate material resources and international support are usually what make the difference between noble aspirations and effective realization’ (Annan 2003). This is especially the case in the Middle East where political and institutional deficiencies still hinder the implementation of human rights. Yet, despite the increasing strategic and economic value of the Middle East to Australia, the current overall focus remains narrow.

While the Australian government has on a number of occasions affirmed the necessity of linking developmental aid to observance of international human rights by the recipient countries, and is committed to the realisation of social, economic, legal and political rights, its foreign policy has been neither unequivocal nor consistent on the issue of linking trade policy to human rights. With the current process of political reform underway at various speeds through the Middle East region, and given the growing economic and strategic value of this region, the time is ripe for the maturation of Australia–Middle East relations beyond military encounters, diplomatic faux pas and cultural misunderstandings.

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