

Friday, 10 November 2017

## Australia's UN report card raises serious concerns, meaningful response by Government crucial

The UN Human Rights Committee's (OHCHR) report on Australia's adherence to international human rights law has raised a number of serious concerns. How the Government responds will be the true test of its commitment to human rights.

The concerns are contained in the OHCHR's [Concluding Observations](#) following its most recent review of Australia's compliance with the *International Covenant on Civil and Political Rights*.

The OHCHR recognised Australia's commitment to human rights and acknowledged proactive steps taken in recent years to implement human rights measures in the domestic context. However, several concerns with Australia's obligations were identified including:

- Counter-terrorism measures and ongoing compatibility with fundamental rights and freedoms.
- The detention and processing of those seeking asylum in Australia, including offshore processing and use of mandatory detention. This includes the closure of the Manus Island Detention Centre without adequate arrangements for long-term viable relocation solutions.
- The current exclusion of same-sex couples from the *Marriage Act 1961* (Cth), including concerns about the non-binding postal survey.
- Anti-discrimination laws, including the lack of direct protection against discrimination on the basis of religion and the absence of a comprehensive anti-discrimination legislation.
- Violence against women and domestic violence.
- The ongoing over-representation of Aboriginal and Torres Strait Islander peoples in prisons.

Law Council of Australia President, Fiona McLeod SC, said the findings come at a critical time for the Government, particularly given Australia's appointment to the UN Human Rights Council.

"The Committee's report is a clear and definitive statement about steps the Government needs to take to address the human rights concerns identified," Ms McLeod said.

"The Government must show leadership in human rights through the development of policies that reflects a commitment to fairness, equality and the rule of law.

"Further, as a member of the Human Rights Council, Australia must demonstrate a willingness to improve its domestic situation, not just in chosen priority areas but across all obligations.

"How we respond to the recommendations will be the true test for Australia's commitment to human rights. We urge the Government to work collaboratively with the Human Rights Commission in implementing options to address those issues highlighted by the report.

"Our response to the Committee's report must be comprehensive and meaningful. We look forward to working with Government in responding to these concerns," Ms McLeod said.

The Law Council has previously raised similar concerns regarding a number of these issues. Through its [Human Rights Policy](#), the Law Council is committed to promoting the domestic implementation of international human rights in Australia.

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