

23rd HRC session - 10 June 2013

Human Rights Law Centre:

"This statement is made on behalf of a number of Australian NGOs.

Two years ago, NGOs welcomed Australia's acceptance of a large number of UPR recommendations and its commitment to translate them into practical action.

Two years later serious violations continue to blight Australia's human rights record and we have witnessed regression in key areas.

Off-shore processing has been re-introduced with over 850 asylum seekers held in austere conditions in Papua New Guinea and Nauru. Not one claim has been processed since August 2012. 1632 children are currently in immigration detention. 56 people are indefinitely detained following adverse security assessments in a legal black hole without judicial oversight. Disturbingly, Australia has introduced a policy of 'screening out' asylum seekers arriving from particular countries; that is returning them to their country of origin even before they an opportunity to lodge an asylum claim. Indigenous peoples in Australia continue to be among the most incarcerated in the world, with rates continuing to rise. Indigenous young people continue to make up 97% of the juvenile prison population in the Northern Territory.

NGOs welcomed the release of a National Human Rights Action Plan in 2012, and actions such as a Children's Commissioner, National Disability Insurance Scheme and steps to improve recognition of sex and gender diversity in Government documentation. However, the lack of sustained implementation and accountability measures has disappointed NGOs.

In March 2013, the Federal Government deferred indefinitely a longstanding commitment to consolidate and strengthen federal anti-discrimination laws, a key commitment under its UPR. More positively, the recent introduction of a Bill to prohibit discrimination on the basis of 'sexual orientation', 'gender identity' and 'intersex identity' represents a long overdue but significant advance for LGBTI people.

Australia is due to review its Human Rights Framework in 2014. We recommend that Australia urgently addresses the concerns outlined and enact a comprehensive fully justiciable, federal Human Rights Act."