

Tables for UN Compilation on Australia

I. Scope of international obligations¹

A. International human rights treaties²

| | <i>Status during previous cycle</i> | <i>Action after review</i> | <i>Not ratified/not accepted</i> |
|---|--|----------------------------|----------------------------------|
| <i>Ratification, accession or succession</i> | ICERD (1975) | OP-CAT (2017) | ICRMW |
| | ICESCR (1975) | | ICPPED |
| | ICCPR (1980) | | |
| | ICCPR-OP 2 (1990) | | |
| | CEDAW (1983) | | |
| | CAT (1989) | | |
| | OP-CAT (signature, 2009) | | |
| | CRC (1990) | | |
| | OP-CRC-AC (2006) | | |
| | OP-CRC-SC (2007) | | |
| <i>Complaints procedures, inquiries and urgent action³</i> | ICERD, art. 14 (1993) | -- | OP-ICESCR |
| | ICCPR, art. 41 (1993) | | OP-CRC-IC |
| | ICCPR-OP 1 (1991) | | ICRMW |
| | OP-CEDAW, art. 8 (2008) | | ICPPED |
| | CAT, arts. 20 (1989), 21 and 22 (1993) | | |
| | OP-CRPD, art. 6 (2009) | | |

| <i>Reservations and / or declarations</i> | <i>Status during previous cycle</i> | <i>Action after review</i> | <i>Current Status</i> |
|---|--|--|--|
| | ICERD (Declaration, art. 4(a), 1975) | -- | ICERD (Declaration, art. 4(a)) |
| | ICCPR (Reservations, arts. 10(2)(a)(b), 10(3), 14(6) and 20/General declaration, 1980) | -- | ICCPR (Reservations, arts. 10(2)(a)(b), 10(3), 14(6) and 20/General declaration) |
| | CEDAW (Reservations, arts. 7(b) (on women and combat duties) and | CEDAW (Withdrawal of reservation, art. 7(b), 2018) | CEDAW (Reservation, art. 11(2)/General declaration) |

| | | |
|--|-------------------------------------|--|
| 11(2)/General declaration, 1983) | | |
| -- | OP-CAT (Declaration, art. 24, 2017) | OP-CAT (Declaration, art. 24) |
| CRC (Reservation, art. 37(c), 1990) | -- | CRC (Reservation, art. 37(c)) |
| OP-CRC-AC (Declaration, art. 3(2), minimum age of recruitment at 17 years, 2006) | -- | OP-CRC-AC (Declaration, art. 3(2), minimum age of recruitment at 17 years) |
| CRPD (General declarations, 2008) | -- | CRPD (General declarations) |

B. Other main relevant international instruments

| | <i>Status during previous cycle</i> | <i>Action after review</i> | <i>Not ratified</i> |
|--|--|----------------------------|---|
| <i>Ratification, accession or succession</i> | Convention on the Prevention and Punishment of the Crime of Genocide | | |
| | Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁴ | | |
| | Rome Statute of the International Criminal Court | | |
| | Conventions on refugees and stateless persons ⁵ | | |
| | Palermo Protocol ⁶ | | |
| | ILO fundamental Conventions except no. 138 ⁷ | | ILO Convention No. 138 ⁸ |
| | Convention against Discrimination in Education | | ILO Conventions Nos. 169 and 189 ⁹ |

II. Cooperation with human rights mechanisms and bodies

A. Cooperation with treaty bodies¹⁰

Reporting status

| <i>Treaty body</i> | <i>Concluding observations included in previous review</i> | <i>Latest report submitted since previous review</i> | <i>Latest concluding observations</i> | <i>Reporting status</i> |
|--------------------|--|--|---------------------------------------|-------------------------|
|--------------------|--|--|---------------------------------------|-------------------------|

| | | | | |
|--------------|----------------|------|----------------|--|
| CERD | -- | 2016 | December 2017 | Twenty-first and twenty-second reports overdue since October 2020. |
| CESCR | -- | 2016 | June 2017 | Sixth report due in 2022. |
| HR Committee | -- | 2016 | November 2017 | Seventh report due in 2023. |
| CEDAW | -- | 2016 | July 2018 | Ninth report due in 2022. |
| CAT | November 2014 | 2019 | -- | Sixth report pending consideration. |
| CRC | June 2012 | 2018 | September 2019 | Seventh report due in 2024. |
| CRPD | September 2013 | 2018 | September 2019 | Fourth and fifth reports due in 2026. |

Responses to specific follow-up requests from concluding observations

| <i>Treaty body</i> | <i>Due in</i> | <i>Subject matter</i> | <i>Submitted</i> |
|--------------------|---------------|--|---|
| CERD | 2018 | Support to the Australian Human Rights Commission; places of detention for juvenile; and policy of offshore processing of asylum claims. ¹¹ | 2018. ¹² More information requested. ¹³ |
| CESCR | 2018 | Indigenous peoples' rights; living conditions in regional processing centres; and right to social security. ¹⁴ | 2018. ¹⁵ More information requested. ¹⁶ |
| HR Committee | 2019 | Non-refoulement; offshore immigration processing facilities; and mandatory immigration detention. ¹⁷ | 2019 ¹⁸ |
| CEDAW | 2020 | Legal framework for gender equality; social and economic benefits; health; and refugee and asylum-seeking women. ¹⁹ | -- |
| CAT | 2015 | Violence against women; persons deprived of liberty; non-refoulement; and immigration detention. ²⁰ | 2015. ²¹ More information requested. ²² |

Views

| <i>Treaty body</i> | <i>Number of views</i> | <i>Status</i> |
|--------------------|------------------------|--|
| HR Committee | 8 ²³ | Information requested. ²⁴ Reparation requested. ²⁵ |
| CAT | 3 ²⁶ | Information requested. ²⁷ |
| CRPD | 7 ²⁸ | Information requested. ²⁹ |

Country visits and/or inquiries by treaty bodies

| <i>Treaty body</i> | <i>Date</i> | <i>Subject matter</i> |
|--------------------|------------------|---|
| SPT | March-April 2020 | Visit postponed due to the COVID-19 pandemic. |

B. Cooperation with special procedures³⁰

| | <i>Status during previous cycle</i> | <i>Current status</i> |
|---|---|---|
| <i>Standing invitations</i> | Yes | Yes |
| <i>Visits undertaken</i> | Foreign debts Trafficking in persons | Racism Migrants Indigenous Peoples Violence against women Human Rights Defenders Freedom of opinion and expression |
| Visits agreed to in principle | Migrants Racism | Housing African Descent Mercenaries Arbitrary detention Terrorism Torture |
| Visits requested | | |
| <i>Responses to letters of allegation and urgent appeal</i> | During the period under review 35 communications were sent. The Government replied to 31 of them. | |
| <i>Follow-up reports and missions</i> | | |

C. Status of national human rights institutions³¹

| <i>National human rights institution</i> | <i>Status during previous cycle</i> | <i>Status during present cycle³²</i> |
|--|-------------------------------------|---|
|--|-------------------------------------|---|

Notes

- ¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Australia from the previous cycle (A/HRC/WG.6/23/AUS/2).
- ² The following abbreviations have been used in the universal periodic review document:
- | | |
|------------|--|
| ICERD | International Convention on the Elimination of All Forms of Racial Discrimination; |
| ICESCR | International Covenant on Economic, Social and Cultural Rights; |
| OP-ICESCR | Optional Protocol to ICESCR; |
| ICCPR | International Covenant on Civil and Political Rights; |
| ICCPR-OP 1 | Optional Protocol to ICCPR; |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty; |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women; |
| OP-CEDAW | Optional Protocol to CEDAW; |
| CAT | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; |
| OP-CAT | Optional Protocol to CAT; |
| CRC | Convention on the Rights of the Child; |
| OP-CRC-AC | Optional Protocol to CRC on the involvement of children in armed conflict; |
| OP-CRC-SC | Optional Protocol to CRC on the sale of children, child prostitution and child pornography; |
| OP-CRC-IC | Optional Protocol to CRC on a communications procedure; |
| ICRMW | International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; |
| CRPD | Convention on the Rights of Persons with Disabilities; |
| OP-CRPD | Optional Protocol to CRPD; |
| ICPPED | International Convention for the Protection of All Persons from Enforced Disappearance. |
- ³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICERD, art. 11; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.
- ⁴ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at <https://www.dfae.admin.ch/eda/fr/dfaef/politique-exterieure/droit-international-public/traites->

internationaux/depositaire/protection-des-victimes-de-la-guerre.html

- ⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- ⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁸ Convention No. 138 concerning Minimum Age for Admission to Employment.
- ⁹ ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189).
- ¹⁰ The following abbreviations have been used in the present document:

| | |
|--------------|---|
| CERD | Committee on the Elimination of Racial Discrimination; |
| CESCR | Committee on Economic, Social and Cultural Rights; |
| HR Committee | Human Rights Committee; |
| CEDAW | Committee on the Elimination of Discrimination against Women; |
| CAT | Committee against Torture; |
| CRC | Committee on the Rights of the Child; |
| CRPD | Committee on the Rights of Persons with Disabilities. |
- ¹¹ CERD/C/AUS/CO/18-20, para. 44.
- ¹² CERD/C/AUS/CO/18-20/Add.1.
- ¹³ Letter from CERD to the Permanent Mission of Australia to the United Nations Office and other international organizations in Geneva, dated 10 May 2019, available from https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/AUS/INT_CERD_FUL_AUS_34937_E.pdf (accessed on 8 December 2020).
- ¹⁴ E/C.12/AUS/CO/5, para. 64.
- ¹⁵ E/C.12/AUS/CO/5/Add.1.
- ¹⁶ Letter from CESCR to the Permanent Mission of Australia to the United Nations Office and other international organizations in Geneva, dated 1 April 2019, available from https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/AUS/INT_CESCR_FUL_AUS_34553_E.pdf (accessed on 8 December 2020).
- ¹⁷ CCPR/C/AUS/CO/6, para. 56.
- ¹⁸ CCPR/C/AUS/CO/6/Add.1.
- ¹⁹ CEDAW/C/AUS/CO/8, para. 62.
- ²⁰ CAT/C/AUS/CO/4-5, para. 25.
- ²¹ CAT/C/AUS/CO/4-5/Add.1.
- ²² Letter from CAT to the Permanent Mission of Australia to the United Nations Office and other international organizations in Geneva, dated 29 August 2016, available from https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/AUS/INT_CAT_FUL_AUS_25007_E.pdf (accessed on 8 December 2020).
- ²³ CCPR/C/119/D/2216/2012; CCPR/C/119/D/2172/2012; CCPR/C/116/D/2229/2012; CCPR/C/116/D/2233/2013; CCPR/C/115/D/2005/2010; CCPR/C/115/D/2279/2013; CCPR/C/113/D/1937/2010; and CCPR/C/113/D/1875/2009.
- ²⁴ CCPR/C/119/D/2216/2012, para. 11; CCPR/C/119/D/2172/2012, para. 10; CCPR/C/116/D/2229/2012, para. 10; CCPR/C/116/D/2233/2013, para. 13; CCPR/C/115/D/2279/2013, para. 10; CCPR/C/113/D/1937/2010, para. 13; and CCPR/C/113/D/1875/2009, para. 14.
- ²⁵ CCPR/C/115/D/2005/2010, para. 6.
- ²⁶ CAT/C/60/D/681/2015; CAT/C/60/D/701/2015; and CAT/C/61/D/614/2014.
- ²⁷ CAT/C/60/D/681/2015, para. 10; CAT/C/60/D/701/2015, para. 11; and CAT/C/61/D/614/2014, para. 9.

- ²⁸ CRPD/C/22/D/17/2013; CRPD/C/22/D/18/2013; CRPD/C/20/D/35/2016; CRPD/C/19/D/19/2014; CRPD/C/16/D/7/2012; CRPD/C/15/D/13/2013; and CRPD/C/15/D/11/2013.
- ²⁹ CRPD/C/22/D/17/2013, para. 10; CRPD/C/22/D/18/2013, para. 10; CRPD/C/20/D/35/2016, para. 9; CRPD/C/19/D/19/2014, para. 10; CRPD/C/16/D/7/2012, para. 10; CRPD/C/15/D/13/2013, para. 10; and CRPD/C/15/D/11/2013, para. 10.
- ³⁰ For the titles of special procedure mandate holders see:
<https://spcommreports.ohchr.org/about/abbreviations>
- ³¹ According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- ³² The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at:
<https://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20-%20Chart%20%28%2027%20November%202019.doc%29.pdf>
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