



AUSTRALIAN
LAWYERS
FOR
HUMAN RIGHTS

PO Box A147
Sydney South
NSW 1235
DX 585 Sydney
alhr@alhr.asn.au
www.alhr.asn.au

Ms Rowan McCrae
Office of International Law
Attorney-General's Department

By email: upr@ag.gov.au

**Implementation of Recommendations of the Universal Periodic Review of Australia
Submission of Australian Lawyers for Human Rights**

Dear Ms McCrae,

Introduction

1. ALHR welcomes the opportunity to make a submission in relation to Australia's implementation of the recommendations made to Australia in the course of the Human Rights Council's Universal Periodic Review (UPR) of Australia's human rights record (**Recommendations**).

About ALHR

2. ALHR was established in 1993, and incorporated as an association in NSW in 1998 (ABN 76 329 114 323).
3. ALHR is a network of Australian lawyers active in practising and promoting awareness of international human rights standards in Australia. ALHR has a national membership of over 1700 lawyers, with active National, State and Territory committees.
4. Through training, information, submissions and networking, ALHR promotes the practice of human rights law in Australia. ALHR has extensive experience and expertise in the principles and practice of international law, and human rights law in Australia.
5. ALHR is a member of the Australian Forum of Human Rights Organisations. It is a member of the Commonwealth Attorney General's NGO Forum on Human Rights, and attends the Department of Foreign Affairs Human Rights NGO Consultations.

Endorsement of the NGO Coalition submission

6. ALHR supports and endorses the comprehensive submission on the implementation of the Recommendations provided by the Australian NGO Coalition on 31 March 2011 (**NGO Submission**) and also the submission of the Human Rights Law Centre on 1 April 2011 (**HRLC Submission**). We consider the NGO Submission and HRLC Submission to have addressed the key issues relating to the implementation of the Recommendations and ALHR gives full support to these submissions.

Support for Recommendations

7. ALHR supports the Recommendations made by Australia's international peers. We consider the Recommendations to be considered, educated and appropriate.
8. Australia has been a leader in the area of human rights in recent years, and it is important for it to continue to demonstrate leadership and commitment in this area by honouring the commitments made by Australia during the UPR and by implementing the Recommendations.
9. ALHR encourages Australia to take measures to implement its international human rights obligations into domestic law. Australia is now the only developed country which does not have comprehensive constitutional or legislative protection of human rights at a national level. ALHR urges the Government to implement the recommendations of its international peers, in addition to those outlined in the National Human Rights Consultation Report, in this regard.
10. As is outlined in the HRLC Submission, many of the Recommendations must be implemented in order for Australia to comply with its obligations in international human rights law. ALHR urges the Government to implement these Recommendations, in addition to showing leadership by implementing each of the Recommendations which give greater effect to, or better promote and protect, human rights, as identified in the HRLC Submission.

Previous guidance

11. ALHR recommends that the Government take guidance from the extensive NGO and United Nations mechanism work which has been undertaken to date in considering and implementing the Recommendations. For example, the Australian NGO Coalition submission to the UN Human Rights Council on the UPR of Australia is useful in outlining the human rights issues occurring in Australia and appropriate measures to address these issues.

Further consultation

12. As identified in the NGO Submission, there is great value in the Government continuing to liaise with NGOs regarding the implementation of the Recommendations. ALHR would be pleased to continue working with the Government in this regard.

Thank you for providing us with the opportunity to provide input in relation to this important issue. We look forward to working with the Government further in relation to this matter.



Stephen Keim SC
President
0433 846 518
s.keim@higginschambers.com.au

Lily Tsen and Mandy Lister
Victorian Co-Convenors
0414 775 167, 0407 023 053
lily_tsen@yahoo.com.au, mandylister@hotmail.com

Australian Lawyers for Human Rights
4 April 2011