



AUSTRALIAN
LAWYERS
FOR
HUMAN RIGHTS

PO Box A147, Sydney South
NSW 1235

info@alhr.org.au
alhr.org.au

MEDIA RELEASE

'Woefully inadequate in protecting basic universal standards of human rights': National report card released on Australia's human rights performance for 2016

Australian Lawyers Human Rights (ALHR) has given the Federal Government a score of "F" for its dire performance in protecting human rights in 2016. The Federal Government was identified as the poorest performer of federal, state and territory governments for the year.

"'Woefully inadequate' is the politest way ALHR can describe the Federal Government's performance in protecting human rights in 2016," ALHR President Benedict Coyne said.

The Federal Government's ongoing failure to properly implement its outstanding human rights obligations to the international community was again put on show in Geneva in March 2016 during the Australian Government's response to the Report of the Working Group on the UPR at the 31st Regular Session Human Rights Council. Australia's second Universal Periodic Review (UPR) was held in November 2015. 110 countries spoke at the review and provided 291 recommendations many concerned with indigenous rights, asylum seeker rights, women and children's rights and the rights of the homeless and mentally ill. The Australian Government accepted 150 recommendations, 50 were noted to consider further and 90 were noted. However, 90% of the accepted recommendations from Australia's first UPR in January 2011 still remain outstanding. The most efficient way to resolve Australia's recalcitrance at international law would be to introduce a federal Human Rights Act.

"The protection of human rights is at a low point in Australia. The Federal Government has all too often failed to respond to policy challenges in a manner consistent with respect for human rights. Indeed, this year we have seen serious human rights violations in respect of the treatment of people seeking asylum, unprecedented national security measures, an ongoing crisis in protecting the rights of Indigenous Australians, a failure to realise marriage equality for LGBTI Australians and an increasing normalisation of hate speech. There are further concerns about increasing incursions on Australian citizens' traditional freedoms as the federal government continues to ramp up the demolishing of democratic principles through its counter-terrorism and national security legislating including giving the executive the arbitrary power to remove citizenships and its proposal allowing the monitoring and strict conditions of movement of children as young as 14" Mr Coyne continued,

“The Turnbull Government has been utterly negligent and lackadaisical in attempting to remedy the cruel and inhumane situations on Manus Island and Nauru, notwithstanding that in April 2016 the Supreme Court of PNG found the Manus Island camp breached fundamental human rights. The Turnbull Government is yet to cement a solution for the refugees and asylum seekers on Manus Island and Nauru. The evidence is clear that offshore processing arrangements are inadequate and the conditions in the processing centres breach Australia’s international obligations.”

“We are also no closer to a Federal Human Rights Act,” stressed Mr Coyne. It is clear we now live in a period where we cannot rely on our government to respect the rule of law, natural justice, procedural fairness or long established universal standards human rights. Ironically, it was Australia who helped lead the way in establishing the UN and drafting the Universal Declaration of Human Rights, but sadly we have strayed very far from such a proud place. An Australian Human Rights Act would protect those who are most vulnerable when governments choose to turn their backs on long established legal principles that, until recent years, have been a curb on the excesses of government.”

The Northern Territory and Tasmania were the poorest-performing state & territory governments. The Northern Territory was marked down heavily for its widespread crisis in indigenous youth detention culminating in the Don Dale scandal as well as the paperless arrest laws which are blowing millions in taxpayers’ dollars enhancing an intergenerational problems rather than attempting to solve it. ALHR called on the new Government to act swiftly to ensure children’s rights are protected in light of the harrowing evidence of the abuse of children in the Don Dale Youth Detention Centre.

Tasmania was marked down heavily for introducing the Anti-Discrimination Amendment Bill 2016 that it’s feared will now allow hate speech against sections of the community, including LGBTI Australians.

New South Wales, Western Australia and South Australia also failed their human rights evaluations for 2016 with each government awarded a score of D. WA in particular was called out for its globally unprecedented rate of imprisoning Indigenous adults and children. Queensland scored a C+ for its proactive legislative measures to remove 17yos from adult prisons, abolish the archaic “gay panic” defence, and the Palaszczuk Government’s commitment to introducing a Human Rights Act in the New Year. However, Queensland was marked down for the youth detention crisis revealed on the back of the NT Don Dale scandal.

Despite retrograde moves later this year to transfer children to adult prisons, the Victorian Government had made some significant steps in improving human rights this year and was awarded a grade of C+. The ACT Government was awarded a grade of B for 2016.

“ALHR calls on all Australian governments to start taking seriously the importance of basic universally accepted standards human rights. We are a world leader in many ways and we were once a world leader in advocating for universal human rights. We must strive to return to such an important place in international relations. Perhaps then, Foreign Minister Julie Bishop could authentically advocate for candidacy on the UN Human Rights Council. However, as it stands currently, Australia’s performance is simply not good enough! We can do much better and we have all the answers, know-how and resources to do so,” said Mr Coyne.

To arrange an interview or for more information, contact: Matt Mitchell 0431 980 365 or email media@alhr.org.au