

# General information about Australia's human rights situation

NGO Coalition Fact Sheet 1

## Areas where Australia has taken positive steps

- Establishing the PJCHR;
- Establishing the National Congress of Australia's First Peoples;
- Acceding to the Optional Protocol to the CRPD;
- Ensuring federal protection against discrimination on the new grounds of "sexual orientation", "gender identity", "intersex status" and "marital and relationship status";
- Gradually working towards reform of the Constitution in consultation with Aboriginal peoples; and
- Committing to ratify the OPCAT in 2017.

## Areas where Australia has not taken any steps at all

- Enacted comprehensive legislation to give effect to the ICCPR (see page 10);
- Withdrawn its reservations to the ICCPR (see page 13);
- Established appropriate procedures to implement the views of the Committee (see page 12);
- Amended counter-terrorism legislation to conform with ICCPR rights (see page 15);
- Enacted a law to comprehensively protect the right to equality and non-discrimination (see pages 20-21);
- Enacted a law to protect against hate speech based on religion (see page 65);
- Properly resourced the National Congress of Australia's First Peoples (see page 67); or
- Provided reparations to members of the Stolen Generations (see page 69).

## Areas where Australia has clearly gone backwards

- Australia has maintained a system of mandatory indefinite detention of asylum seekers that arrive by boat and houses new arrivals in cruel, inhuman and degrading conditions in offshore detention facilities in Papua New Guinea and Nauru (see pages 36-37).
- Australia has instituted a policy of boat turn-backs that violates Australia's *non-refoulement* obligations (see page 34).
- Alarming reports have emerged of brutality against children held in youth detention across Australia; (see pages 57-58).
- Australian Federal Police continue to share information with foreign counterparts that could lead to the imposition of the death penalty (see page 33).
- Australia has created more criminal offences under counter-terrorism legislation that unreasonably restricts rights (see page 15).
- Australian police have been given greater powers to lock up Aboriginal and Torres Strait Islander people without charge (see pages 26-27).
- Prisons in Australia are increasingly overcrowded (see page 51).
- Australia has introduced the most extreme metadata retention laws among its allies (see pages 74-75).