# AUSTRALIAN government RESPONSE

## Call for INPUTS: Report on PROTECTION AGAINST VIOLENCE AND DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY, IN RELATION TO THE HUMAN RIGHTS TO FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Australia thanks the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity for their invitation to provide a submission to inform their Report on protection against violence and discrimination based on sexual orientation and gender identity, in relation to the human rights to freedom of expression, association and assembly.

Australia believes every individual, regardless of sexual orientation, gender identity or expression, deserves to be treated with respect, and the equal rights of LGBTQIA+ persons internationally is a human rights priority for Australia. The *Sex Discrimination Act 1984* (Cth) prohibits discrimination on the grounds of gender identity, sexual orientation and intersex status in many areas of public life, including employment, education, the administration of Commonwealth laws and programs, and in the provision of goods, services and facilities.

Australia strongly believes that freedom of expression is a fundamental part of a vibrant democracy and a culture of accountability, and Australia defends the right of all its citizens to express their views, including those with controversial views, provided they remain within the framework of Australian law.

We are committed to ensuring individuals are able to enjoy the same human rights online as they enjoy offline. The internet and digital communications provide an unparalleled opportunity to exercise of the freedoms of expression, peaceful assembly and association, and the promotion and protection of other human rights.

The Australian Government:

* does not have any laws to ban, restrict or make more challenging the exercise of freedom of expression by civil society organisations or activists advocating for LGBTQIA+ persons’ human rights.
* does not have any laws to ban, restrict or make more challenging the exercise of freedom of association and freedom of assembly by civil society organisations or activists advocating for LGBTQIA+ persons’ human rights.
* does not have any laws regulating internet use, access and content to restrict the exercise of the human rights to freedom of expression, association and/or peaceful assembly by LGBTQIA+ people, activists and civil society organisations.