**Highlights regarding progress on Australia’s National Human Rights Action Plan 2012**

Australia's first Universal Periodic Review (UPR) took place in January 2011. Australia accepted over 90 per cent of the 145 recommendations made.Australia’s National Human Rights Action Plan (Action Plan) was introduced in December 2012 and details how the Government will implement the recommendations it accepted during its UPR. Australia committed to providing an interim report to the Human Rights Council prior to its next UPR appearance in 2015.  The Action Plan fulfils this commitment as it sets out the work being progressed to address each UPR recommendation. Since the introduction of the Action Plan, there have been some major developments in relation to several of the action items falling under the Action Plan[[1]](#footnote-1). These are set out below:

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| **Priority Area** | **Action** |
| **Access to Justice** | The Australian Government announced in its most recent Budget additional funding of $52.3 million for legal aid, community legal centres and Aboriginal and Torres Strait Islander Legal Services. With this new funding, the Australian Government’s total contribution to the four legal assistance services over the four years from 2013-14 to 2016-17 will be over A$1.4 billion.  |
| **Counter Terrorism[[2]](#footnote-2)** | On 14 May 2013, two major reviews of Australia’s counter-terrorism and national security laws were tabled in the Australian Parliament. The Council of Australian Governments (COAG) Review of Counter-Terrorism Laws and the second annual report of the Independent National Security Legislation Monitor reports are part of the Government's commitment to protecting Australians, and ensuring national security and counter-terrorism laws are administered in a just and accountable way. The second annual report of the Independent National Security Legislation Monitor (Monitor) contains 21 recommendations concerning Australian counter-terrorism legislation. In particular, the Monitor examined the definition of a ‘terrorist act’, control orders, the preventative detention regime, and the powers of the Australian Security Intelligence Organisation (ASIO). The COAG Review report contained 47 recommendations concerning certain parts of Australia’s counter-terrorism legislation. The Review Committee recommended changes to the definition of a terrorist act, amendments to clarify some offences, additional safeguards for the control order regime and the repeal of the preventative detention provisions. A response to both reports will be developed after consultation with the States and Territories. |
| **Human trafficking, slavery and slavery-like practices[[3]](#footnote-3)** | In February 2013, the Australian Parliament passed amendments to Australia’s legislative framework criminalising human trafficking, slavery and slavery‑like practices. Amongst other things, the amendments introduced new offences of forced marriage and harbouring a victim, and standalone offences of forced labour and organ trafficking. The amendments promote the absolute right to freedom from slavery and forced labour; the rights of children to protection against exploitation, violence and abuse; the right to an effective remedy; and the right to respect for the family, specifically that no marriage shall be entered into without the free and full consent of the intending spouses.  |
| **Self-determination and consultation[[4]](#footnote-4)** | The Australian Government is continuing to work towards recognising Aboriginal and Torres Strait Islander peoples in the Constitution. The Parliamentary Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples (the Committee) was established in November 2012 to consider the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012 as its first task. In January 2013, the Committee reported to Parliament, unanimously recommending that the Bill be passed. The Aboriginal and Torres Strait Islanders Peoples Recognition Act came into effect on 28 March 2013 and will sunset on 29 March 2015. Under the Act, a review will commence by 28 March 2014 to consider levels of community support for amending the Constitution and proposals for constitutional change taking into account the important work that has been done by the Expert Panel on Constitutional Recognition of Indigenous Australians. The review will conclude by 28 September 2014 and will be tabled in Parliament. The Committee is now tasked with building a secure, strong, multi-partisan Parliamentary consensus around the timing, specific content and wording of referendum proposals for constitutional recognition of Aboriginal and Torres Strait Islander peoples.  |
| **Gender equality in public Life[[5]](#footnote-5)** | The Australian Government successfully passed the Workplace Gender Equality Act 2012 on 22 November 2012.  The principal objectives of the Act are to:* promote and improve gender equality (including equal remuneration between women and men) in the workplace
* support employers to remove barriers to the full and equal participation of women in the workforce, in recognition of the disadvantaged position of women in relation to employment
* promote, amongst employers, the elimination of discrimination on the basis of gender in relation to employment matters
* foster workplace consultation between employers and employees on issues concerning gender equality in the workplace, and
* improve the productivity and competitiveness of Australian business through the advancement of gender equality in employment and in the workplace.

All non-public sector employers with 100 or more employees are required to report annually under the Act against a set of standardised gender equality indicators which include gender composition of the workforce and of governing bodies of relevant employers; equal remuneration between women and men; availability and utility of employment terms; conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities and consultation with employees on issues concerning gender equality in the workplace. |
| **Federal Children’s Commissioner [[6]](#footnote-6)** | On 25 February 2013, Ms Megan Mitchell was appointed as Australia’s inaugural National Children’s Commissioner within the Australian Human Rights Commission. The Commissioner will promote public discussion and awareness of issues affecting children, conduct research and education programs, and consult directly with children and representative organisations. The Commissioner will also examine relevant Commonwealth legislation, policies and programs that relate to children’s rights, wellbeing and development, as well as national or cross-jurisdictional matters that would benefit from national leadership. The Commissioner will have scope to focus on vulnerable and at-risk groups of children such as children with disability, Aboriginal and Torres Strait Islander children, homeless children and those witnessing or subjected to violence. |
| **Older People – Freedom from discrimination[[7]](#footnote-7)** | The Australian Government launched the Australian Law Reform Commission’s report, *Access All Ages—Older Workers and Commonwealth Law* on 30 May 2013.  The Commission’s report identifies possible changes to federal legislation that may serve to remove barriers to older persons participating in the workforce in laws relating to superannuation, social security, employment, insurance and compensation.  The Australian Government will closely consider the Commission’s recommendations.   |
| **Older People – Aged Care[[8]](#footnote-8)** | Work is continuing under the Government’s Living Longer Living Better, aged care reform package which was announced on 20 April 2012. The Government released two important strategies to support measures under this package. These are the National Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Aged Care Strategy and the National Ageing and Aged Care Strategy for people from Culturally and Linguistically Diverse (CALD) backgrounds.  |
| **Sex and/or gender diverse people[[9]](#footnote-9)** | The Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013 will amend the *Sex Discrimination Act 1984* to provide protection from discrimination on the basis of sexual orientation, gender identity and intersex status.  The Bill will also extend the existing ground of ‘marital status’ to ‘marital or relationship status’ to provide protection from discrimination for same sex de facto couples. The Bill was introduced into Parliament on 21 March 2013 and passed the House of Representatives on 30 May 2013.  The Bill will be debated in the Senate in June 2013.  |
| **People at risk of or experiencing homelessness[[10]](#footnote-10)** | The National Partnership Agreement on Homelessness, between the Commonwealth and State and Territory governments, is due to expire on 30 June 2013.  A new, one year transitional National Partnership will commence on 1 July 2013.  This will provide funding for the continuity of homelessness services while all parties continue to work towards an integrated and holistic response to homelessness for beyond 2014. Almost A$320 million of joint funding will be provided to tackle homelessness in 2013-14, including approximately A$76 million for capital and development projects that help people move out of homelessness into safe and sustainable housing. |
| **People with Disability [[11]](#footnote-11)** | The Commonwealth, State and Territory governments have established DisabilityCare Australia, and the national disability insurance scheme, which will be progressively implemented from July 2013.  The National Disability Insurance Scheme Act 2013 provides the framework for a national scheme, including eligibility criteria, age requirements, and what constitutes reasonable and necessary support. It also establishes the DisabilityCare Australia agency as an independent body to deliver the scheme.  The agency will promote the rights of people with disability in Australia by providing access to nationally consistent funding and support to help them realise their aspirations, and to participate in the social and economic life of the community.  In the 2013-14 Budget the Australian Government committed A$14.3 billion in new funding over seven years to move towards full implementation.  If all states and territories agree to implement the full scheme, around 460,000 Australians with disability will benefit by 2019.  |
| **Community attitudes and multiculturalism[[12]](#footnote-12)** | In March 2013, the Government accepted the recommendations of an independent inquiry panel into the responsiveness of Australian Government services to a culturally and linguistically diverse population. On 31 May 2013, the Government announced approximately A$4.55 million in funding for the Building Multicultural Communities Program.  This program will provide one-off funding in 2013-13 to eligible Australian not-for-profit, incorporated community organisations and local government authorities that provide services and key support to their community groups, for projects that enhance multicultural community spaces through infrastructure, equipment and capital works.  |
| **Refugees, humanitarian entrants and asylum seekers in the community** | Australia will continue its commitment to providing refuge for the world’s most vulnerable people through an increased humanitarian program in 2013-14 from 13 500 to 20 000.  |
| **Refugees, humanitarian entrants and asylum seekers in the community** | On 12 April 2013, the Australian Government announced that it will invest A$15 million to empower local communities to embrace the benefits of multiculturalism and maintain cohesive and socially inclusive neighbourhoods.  The measures include:* engaging with local coordinators in up to 100 communities across Australia to enhance social inclusion and improve connections to support services provided by the three spheres of government;
* a commitment to provide resources to improve infrastructure that will enhance social inclusion and create meeting places that bring together individuals and families in the community;
* expanding the current Diversity and Social Cohesion Program to provide capacity for specific investments to promote social inclusion and build resilience in particular communities at risk of social discord;  and
* increasing resources for language translation services for Commonwealth programs to ensure that all Australians have equal access to government services and programs.

These policy measures will contribute to the Government’s commitment to multiculturalism and build on work that local organisations are already undertaking in their communities.  They also complement the Government's *People of Australia* policy which reinforces an appreciation of the benefits our diverse communities present, and responds to evidence that providing a welcoming, accessible and supportive environment for migrant families when they arrive in Australia and throughout their lives leads to better social and economic outcomes in the short, medium and long term. |

1. Please note that this document is not a comprehensive assessment of the work that has been conducted since the launch of Australia’s National Human Rights Action. This instead documents a few major highlights since the launch of the Action Plan. [↑](#footnote-ref-1)
2. Action Items number 49, pages 16-17 [↑](#footnote-ref-2)
3. Action Item number 58 in the Action Plan, page 18 [↑](#footnote-ref-3)
4. Action Item number 82 in the Action Plan, page 25 [↑](#footnote-ref-4)
5. Action Item number 153 in the Action Plan, page 40 [↑](#footnote-ref-5)
6. Action Item number 162 in the Action Plan, page 42 [↑](#footnote-ref-6)
7. Action Item number 198 in the Action Plan, page 49 [↑](#footnote-ref-7)
8. Action Item number 187 in the Action Plan, page 46 [↑](#footnote-ref-8)
9. Action Item number 204 in the Action Plan, page 50 [↑](#footnote-ref-9)
10. Action Item number 218 in the Action Plan, page 53 [↑](#footnote-ref-10)
11. Action Item number 227 in the Action Plan, page 55 [↑](#footnote-ref-11)
12. Action Item number 344 in the Action Plan, page 80 [↑](#footnote-ref-12)