

UN HUMAN RIGHTS REPORT CARD

RECOMMENDATION	SOURCE	RESPONSE
Protecting human rights in law		
The Australian Government should adopt a Human Rights Act.	Committee on the Elimination of Racial Discrimination, 2017 Human Rights Committee, 2017, 2009	Rejected The Australian Government has repeatedly rejected calls for a Human Rights Act.
The rights of Aboriginal and Torres Strait Islander peoples		
All Australian governments should raise the minimum age of criminal responsibility in line with international standards.	Human Rights Committee, 2017 Committee on the Elimination of Racial Discrimination, 2017 Committee on the Rights of the Child, 2012	Failed Australia's minimum age of criminal responsibility of 10 years old is well below international standards and sees primary school-aged children sent to prison.
The Australian Government should address the over-representation of Aboriginal and Torres Strait Islander peoples in prisons by abolishing unjust laws such as mandatory sentencing.	Human Rights Committee, 2017 Committee Against Torture, 2014	Further regress Mandatory sentencing laws still exist in most Australian states and territories. These laws often lead to harsh and unjust outcomes and disproportionately impact Aboriginal and Torres Strait Islander peoples.
The rights of refugees and people seeking asylum		
The Australian Government should immediately end its offshore detention regime and bring all refugees and people seeking asylum held on Manus and Nauru to Australia.	Human Rights Committee, 2017 Committee on the Elimination of Racial Discrimination, 2017 Committee on Economic, Social and Cultural Rights, 2017	Refused More than 1,700 asylum seekers and refugees – including more than 150 children – are still stranded on Manus and Nauru after over four and a half years.
The Australian Government should end the practice of secretive returns of asylum seekers at sea without transparency or due process.	Committee on the Elimination of Racial Discrimination, 2017	Refused The Australian Government continues to secretly intercept and return people seeking asylum. The returns occur without any transparency or due process, potentially returning people to the very dangers they fled.
The Australian Government should end the practice of mandatory detention of people seeking asylum upon arrival.	Committee on the Elimination of Racial Discrimination, 2017 Committee Against Torture, 2014 Human Rights Committee, 2017, 2009	Refused The Australian Government continues to automatically and indefinitely detain anyone arriving and seeking asylum by boat, including children. There is no time limit or access to review by a court.

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Business and human rights		
The Australian Government should ensure that companies comply with their human rights obligations, including the companies running the detention centres in Nauru and Manus.	Committee on Economic, Social and Cultural Rights, 2017	Failed The Australian Government has actively blocked investigations into abuses of companies in Nauru and Manus, including rejecting a complaint against G4S Australia Pty Ltd.
The Australian Government should establish a national action plan on business and human rights to regulate companies that operate in Australia and prevent them breaching the rights of individuals.	Committee on Economic, Social and Cultural Rights, 2017	Refused to act The Australian Government announced in October 2017 that it would not be proceeding with a National Action Plan on Business and Human Rights.
The Australian Government should ensure there is an effective process to investigate complaints made against companies and ensure victims can access justice.	Committee on Economic, Social and Cultural Rights, 2017	Failed to act The Australian Government has failed to implement recommendations of an independent review to overhaul its current ineffective complaints body, the Australian OECD National Contact Point.