



PRESS RELEASE

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HOWARD GOVERNMENT REFUSES TO ADMIT TO MAJOR HUMAN RIGHTS ABUSES IN OUR OWN BACKGROUND

On Wednesday, the Australian Government submitted its report to the United Nations on the performance of its human rights obligations under the two major international human rights treaties, the *International Covenant on Civil and Political Rights (ICCPR)* and the *International Covenant on Economic, Social and Cultural Rights (ICESCR)*.

Australian human rights organisations and community groups have broadly condemned the report, criticising the Howard Government's blatant failure to tell the truth about how they have breached their human rights obligations under these conventions.

'The report fails to address how the rights contained in the treaties are reflected in the actual political, economic, social and cultural realities in Australia,' said Philip Lynch, Co-Convenor of the National Human Rights Network of the National Association of Community Legal Centres (**NACLC**) and Director of the Human Rights Law Resource Centre.

'On the international stage, Australia has committed to respecting and promoting the human rights. However, the Howard Government's report reflects an unwillingness to ensure that human rights are respected and protected,' explained Teena Balgi, Co-Convenor of the National Human Rights Network of NACLC.

Major omissions from the Australian Government's report include:

- no acknowledgement that Australia is the only developed nation without a constitutional or legislative entrenchment of human rights in its domestic law;
- insufficient recognition of the significant human rights issues facing Indigenous Australians;
- inadequate discussion of Australia's mandatory detention of asylum seekers, including the conditions of detention and lack of access to appropriate health care;
- little reference to counter-terrorism laws and measures and the extent to which they compromise some of the long-standing rights protected in the Australian legal system, particularly in light of the recent treatment of Dr Mohamed Haneef;
- no comment on the extended detention of David Hicks and Mamdouh Habib in Guantanamo Bay;
- no observation of the human rights abuses in mental health institutions and covert neglect in the wider community;
- no mention of the Australian Government's involvement in exposing its citizens to face the death penalty overseas;
- inadequate discussion of the impacts of the recent WorkChoices legislation on Australian workers;

- no exploration of the impact of the harsher penalty regime introduced by the Australian Government in its Welfare to Work legislation, and the effects of the legislation on parents and people with disabilities;
- inadequate discussion of issues affecting housing affordability and availability;
- no discussion of the increased focus on parents rights, to the detriment of the interests of children, which has resulted from the Australian Government's changes to the family law regime; and
- no mention of the discrimination experienced by same-sex couples in Australia.

Mr Lynch said 'it is disappointing that the Australian Government has not used the report as an opportunity to conduct a comprehensive review of the measures it has taken to harmonise Australia's domestic law and policy with its international obligations.'

'The report presents an occasion for the Australian Government to monitor progress made in promoting the enjoyment of fundamental human rights in Australia and to plan and develop appropriate policies to fully implement the rights contained in the treaties. Sadly, the Australian Government has not shown leadership in the development of effective human rights protections in Australia,' said Ms Balgi.

NACLC, together with a coalition of non-government organisations, will submit a 'Shadow Report' in response to the Australian Government's report to the United Nations treaty bodies later this year. The shadow report will seek to provide a more accurate and 'on the ground' perspective of the actual reality of the situation of human rights in Australia.

For the further information please see the attached Media Briefing Document, which explores the above issues in greater detail.

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