



via email

Submission to the Australian Human Rights Commission National  
Conversation on Human Rights Project

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## Executive Summary

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## Recommendations

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- ◁ *Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment*
  
- ◁ *International Convention on the Protection of the Rights of All Migrant Workers and the Members of their Families*
- ◁ *International Convention for the Protection of All Persons from Enforced Disappearance*
- ◁ *Optional Protocol of the International Covenant on Economic, Social and Cultural Rights*
- ◁ *Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure*





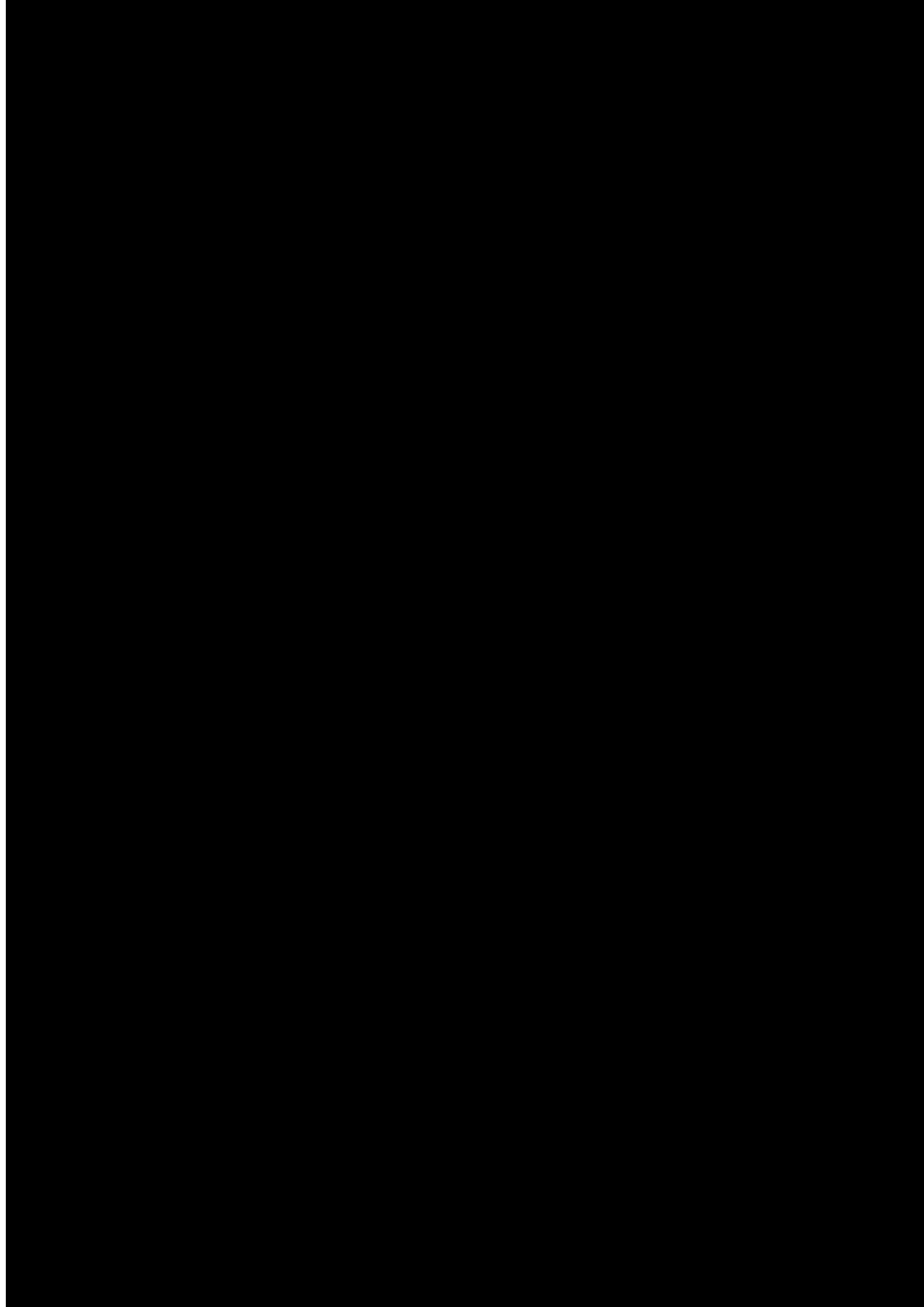
Recommendations:

3. Human rights should be protected in Australia through the federal enactment of comprehensive, judicially enforceable human rights act.
4. This national human rights act should protect all human rights reflecting the principle that all human rights are universal, indivisible, interdependent and interrelated. Alternatively, at a minimum, the national human rights act should protect all the human rights contained in the ICCPR and ICESCR. The objects of a human rights act should be the protection, promotion and attainment of human rights in Australia.

making available the full suite of judicial remedies where a breach of the human rights act has been established, including:







How does the current framework protect human rights?

*The Australian Constitution*

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Recommendations:

6. The federal government should consolidate existing anti-discrimination legislation and enact a comprehensive Equality Act that:
  - a) addresses all prohibited grounds of discrimination, promotes substantive equality and provides effective remedies, including against systemic and intersectional discrimination;
  - b) The harmonisation of this legislation should reflect at least the highest level of protection currently provided under discrimination law across the relevant States, Territories or Commonwealth.
7. The federal government should amend Part IIB Division 2 of the *Australian Human Rights Commission Act 1986* (Cth) so that applicants and respondents in sexual harassment matters must bear their own costs unless an exception applies. Parties should only be ordered to pay the costs of the other sides if one of the following exceptions applies:
  - The party instituted the proceedings vexatiously or without reasonable cause; or
  - The party caused the other party to incur costs by an unreasonable act or omission.
8. The time limit to lodge a complaint of sexual harassment to the Australian Human Rights Commission should be extended to 12 months and the onus of establishing why an application should not be accepted out of time should be reversed.















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Recommendations:

17. The Commonwealth government should provide increased funding to the Australian Human Rights Commission to enable it to fulfil its educative role.
18. The Commonwealth government should provide increased funding to community legal centres to enable them to deliver community legal education on human rights in order to build awareness in the community on human rights.







