



Comments on the background paper for a new national human rights action plan for Australia

1. 2020women welcomes the opportunity to provide comments on the approach and process proposed in the background paper for the new national human rights action plan.
2. 2020women was founded in August 2009 to celebrate the choices and aspirations of Australian women, to improve the role and value of women in Australian society, to foster goodwill and understanding amongst women, irrespective of age, race, colour or religion and to collect and present the views of women on issues affecting them.
3. We do this through practical means that include conducting surveys, giving women the opportunity to voice their opinions. We also play an advocacy role on issues affecting Australian women and provide comment on the impact of government policies. For example, we have commented or made submissions on:
 - 3.1. *The review of women's health policy for Australia*
 - 3.2. *The review of the EOWW Act*
 - 3.3. *The review on the reform of Australian government administration (the Moran Review)*
4. We believe that equality for women is a human rights issue. The key human rights problems identified by women during consultations held by the Australian Human Rights Commission in 2007/2008 included homelessness, violence, equal participation in public life, including in the paid workforce, and pay inequity.
5. Women are more likely than men to experience poverty, abuse and discrimination and are over-represented in Australia among the poor, the disabled, the marginally employed, the sick, the isolated, and those whose responsibilities for caring for others exclude them from community life. There are other issues that are particularly dire for Indigenous women, and better representation and exploration of the human rights of Indigenous Australians is needed.
6. Support for an Australian Human Rights Act or Charter has been high. In March 2009, over 80% of Australians supported the introduction of a new law to protect human rights, 85% of them believing that this should be a high priority for government.
7. Despite this, "Australia is now one of the few countries without a Bill of Rights. Of those with a similar tradition, the United States enacted a Bill of Rights in 1791; Canada has had a Charter of Freedoms since 1982, New Zealand since 1990, South Africa since 1997 and the UK since 1998. Australia joins such countries as Brunei and Burma."¹

¹ 2010, the Honourable Alistair Nicholson's paper to the John Barry Memorial Symposium held at the University of Melbourne on 11 November

8. The Australian Human Rights Commission's 2010 submission under the Universal Periodic Review Process also referred to the 'implementation gap' in relation to human rights treaties and human rights protection².
9. Lack of leadership and political will at the federal level of government led to disappointment when the Rudd government declined to accept the recommendation that Australia should adopt a federal Human Rights Act³ which was made by the Brennan Committee. The action plan is well overdue and its development is critical to shore up the courage of government to act.
10. Overall we believe that the proposed approach to developing the action plan as it is described in the background paper is sound, with the following qualifications:
 - 10.1. Given the importance of the baseline study to shaping actions for the future, we suggest there is scope for undertaking a specific baseline analysis for each of the following groups, which are covered under Australia's current human rights legislation:
 - 10.1.1. Aboriginal and Torres Strait Islanders;
 - 10.1.2. Disabled people;
 - 10.1.3. Migrants, asylum seekers and refugees;
 - 10.1.4. Women;
 - 10.1.5. Lesbian, gay or bisexual people; and
 - 10.1.6. Older people.
 - 10.2. We are also concerned that the proposed steering committee will consist only of public servants, and strongly suggest that the governance arrangements should include representatives from NGOs representing these same groups.
 - 10.3. Funding of the Secretariat is also of importance in the current environment of public service cutbacks, and we would like to see ongoing adequate funding provided as a specific budget item.
 - 10.4. We also suggest that the action plan must identify specific targets, timelines and responsibilities for each action identified.
11. We believe that these steps are critical to demonstrate government's commitment to developing an effective human rights action plan for Australia.

A handwritten signature in black ink, appearing to read 'J Colwill'.

J Colwill
President
9 February 2011

² 2010 Submission Under the Universal Periodic Review Process, Australian Human Rights Commission, para 4
³ 2009 Human Rights Consultation Committee Report, Recommendation 18