



**Australian
Human Rights
Commission**

everyone, everywhere, everyday

United Nations Human Rights Council – 17th session, 8 June 2011

Statement by Australian Human Rights Commission on the adoption of the Universal Periodic Review (UPR) report on Australia

This statement is made on behalf of the Australian Human Rights Commission, which is Australia's 'A status' national human rights institution.¹

The Commission welcomes the report of Australia's appearance in the UPR process and the Government's response to the recommendations.

The Government is to be commended for its frank and robust engagement in the UPR process, both in the formal working group session and in engaging with the Commission, NGOs and civil society throughout the process.

The Commission warmly welcomes the voluntary commitments made by the Government during the UPR process, including:

- incorporating all accepted recommendations into Australia's forthcoming National Action Plan on Human Rights and
- making an interim report to the Human Rights Council prior to Australia's next UPR appearance.

We look forward to working with the government to ensure that these commitments make a substantial impact in improving the protection of human rights in Australia.

Chair, the Commission welcomes the Government's acceptance of recommendations to progress ratification of OPCAT and to ensure appropriate conditions in detention.

However, we have released numerous reports expressing concern about the conditions in immigration detention facilities, the excessive timeframes for which people are being held in detention, the mental health impacts of indefinite detention, and the ongoing detention of hundreds of children in immigration detention facilities.²

¹ Operating in compliance with the UN *Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights* (the 'Paris Principles').

² See further: http://www.humanrights.gov.au/human_rights/immigration/idc2011_villawood.html,
http://www.humanrights.gov.au/human_rights/immigration/idc2011_leonora.html,
http://www.humanrights.gov.au/human_rights/immigration/idc2010_darwin.html and
http://www.humanrights.gov.au/human_rights/immigration/idc2010_christmas_island.html.

The Commission has consistently stated that the current system of mandatory and indefinite immigration detention is not in compliance with Australia's international human rights obligations, and we continue to urge the Government to reform this system accordingly.

The Commission welcomes the Government's acceptance of recommendations 122, 124 and 125. We see these recommendations as including that any arrangements for regional processing of asylum seekers will fully comply with the Refugee Convention and Australia's human rights obligations.³

Chair, the Commission will continue its role of monitoring and advocating for improved human rights protections in Australia, including in relation to immigration matters and other recommendations not accepted by the Government at this time.

Thank you.

³ See further: http://www.humanrights.gov.au/about/media/media_releases/2011/38_11.html.