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Report of the Working Group on the Universal Periodic Review*

Australia

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its tenth session from 24 January to 4 February 2011. The review of Australia was held at the 8th meeting on 27 January 2011. The delegation of Australia was headed by Ms. Kate Lundy, Parliamentary Secretary to the Prime Minister. At its 12th meeting held on 31 January 2011, the Working Group adopted the report on Australia.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Australia: Djibouti, France and Slovakia.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Australia:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/10/AUS/1 and Corr. 1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/10/AUS/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/10/AUS/3).
4. A list of questions prepared in advance by the Czech Republic, Denmark, France, Germany, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Australia through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Thanks were expressed to the international community for support given in relation to the floods Australia is currently experiencing. Mr. Robert McClelland had hoped to lead the Australian delegation, but was unable to due to his responsibilities for emergency management and the unprecedented floods across Australia at present.
6. Appreciation was shown by the delegation for the work of the Australian Human Rights Commission and non-government organizations in preparing for Australia's universal periodic review.
7. The delegation emphasized that the Australian Government is committed to a fairer and more inclusive Australia, stating that a community that respects the rights of all citizens is stronger, safer and more resilient to challenges.
8. The delegation noted that while Australia has in place a broad range of laws, policies and programmes to respect, protect and promote human rights, there are also human rights challenges in particular areas. These include closing the gap in opportunities and life outcomes between Indigenous and non-Indigenous Australians, and in achieving gender equality and reducing violence against women.
9. The delegation described a nation-wide human rights consultation held in 2009, conducting over 65 community roundtables and public hearings in more than 50 urban, regional and remote locations. The consultation received 35,000 submissions, making this

the largest consultation of its kind in Australia. The consultation has informed and shaped the creation of an Australian Human Rights Framework, announced in April 2010.

10. The delegation drew attention to the Australian Government's commitment to reconciliation, helping all Australians to move forward with a better understanding of the past and how it affects the lives of indigenous peoples today. It noted the historic formal Apology to Indigenous Peoples made in 2008, and described the establishment of a new national representative body for Aboriginal and Torres Strait Islanders called the National Congress of Australia's First Peoples.

11. Australia's long tradition of engagement with the international community in the context of human rights was emphasized, and the delegation noted the Australian Government's commitment to implementing the Millennium Development Goals, and working with the governments and people of developing countries to deliver aid where it is most needed and most effective.

B. Interactive dialogue and responses by the State under review

12. During the interactive dialogue, 53 delegations made statements. A number of delegations expressed their condolences and sympathy for the victims of the floods which recently affected Australia. Some delegations commended the State under review for its comprehensive and broad consultation process in the preparation of its national report and welcomed the event on combating racism through sports convened by Australia on 26 January. Additional statements which could not be delivered during the interactive dialogue owing to time constraints are posted on the extranet of the universal periodic review when available¹ Recommendations made during the dialogue are to be found in section II of the present report.

13. The United Kingdom stated that it looked forward to hearing about how the measures established under the Australian Human Rights Framework have worked in practice. It welcomed the steps taken to improve relations with indigenous peoples; noted that they continued to be amongst the most disadvantaged Australians; and hoped that Aboriginal and Torres Strait Islander communities are fully consulted when designing programmes to meet their needs. The United Kingdom made recommendations.

14. Singapore welcomed the Government's efforts to reset the relationship with the Aboriginal and Torres Straits Islanders through the establishment of the National Congress of Australia's First People and its historic apology to the "Stolen Generation". It noted the efforts to address discriminatory practices through different initiatives, the legislative framework and policy measures to recognize gender equality initiatives to promote multiculturalism. Singapore made recommendations.

15. Algeria praised Australia for its long tradition of promoting and protecting human rights and referred to the exemplary measure of the formal Apology to Australia's Indigenous Peoples. It welcomed the announcement in 2010 of the Human Rights Framework and the progress in the promotion of economic, social and cultural rights. It noted the need to further improve the situation of human rights in Australia Algeria made recommendations.

16. China commended Australia's positive efforts for protecting and promoting human rights and welcomed the measures adopted to protect the rights of indigenous peoples,

¹ Italy, Spain, Nigeria, Uruguay, the Netherlands, the Holy See, Trinidad and Tobago, Chile, Iraq, Ecuador, Afghanistan and Somalia.

women, children and the disabled. China asked for further information on the implementation of the Human Rights Framework. It asked about the specific measures adopted to protect indigenous peoples, foreign immigrants and ethnic minorities from discrimination and against systematic racism in the media and internet.

17. Malaysia expressed appreciation for the challenges faced by Australia in areas such as access to education, health and other services for the indigenous community, together with issues of racism and discrimination against migrant communities, and challenges in the area of administration of justice and rule of law. It noted the commitment of Australia to address these issues. Malaysia made recommendations.

18. Sweden noted that the Constitution did not provide the safeguards against discrimination required under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and some current laws appeared to discriminate against persons belonging to indigenous communities on the basis of race and asked a related question. It noted the policy changes regarding immigration detention, and was concerned about the ongoing policies of excising islands to enable offshore processing of asylum-seekers Sweden made recommendations.

19. Japan noted that indigenous peoples were disadvantaged in the area of employment, housing, education and health care and praised the Government for the various measures taken to overcome this situation, particularly the “Closing the Gap” campaign. It expressed concerns regarding racially motivated violence and discrimination against certain ethnic groups. It hoped that there would be broader understanding from the general public regarding the rights of refugees and asylum-seekers. Japan made recommendations.

20. Canada congratulated Australia on its new Human Rights Framework. Australia’s apology to the Stolen Generation of Aboriginal Children was an important step towards healing and reconciliation. Canada noted the extensive public consultations conducted by the National Human Rights Consultation Committee and asked how Australia was planning to follow-up on the recommendations of this Committee. Canada made recommendations.

21. Thailand noted Australia’s strong commitment to its human rights obligations. It appreciated Australia’s leading role in the region to combat trafficking and smuggling and to address the growing challenge of irregular migration. It believed Australia had succeeded in forging its multi-ethnic and multi-cultural society, but challenges remained. Thailand made recommendations.

22. Indonesia commended Australia’s commitment to promoting and protecting human rights. It believed that the Bali Process, initiated with Australia in 2002 and aimed at combating smuggling and trafficking in persons, could be strengthened through further efforts in involving different countries. Indonesia praised the establishment of the National Congress of Australian’s First Peoples which reflected the commitment of the Government towards indigenous communities. Indonesia made recommendations.

23. Lao People’s Democratic Republic noted with appreciation the achievement and progress in the fields of economic-social development, promotion and protection of human rights, and the fulfilment of obligations arising from the core human rights instruments to which Australia had acceded. It expressed support for the efforts by Australia to guarantee the rights and improve the living conditions of its people. Laos made recommendations.

24. Cambodia commended Australia’s efforts to be a fairer and more inclusive country, with respect of human rights as core principles of living in harmony. It complimented the National Plan of Action on Human Rights to outline future action for the promotion of social harmony. It appreciated Australia’s acknowledgement of the important role of cultural heritage in the National Reconciliation between Indigenous and non-Indigenous Australians. Cambodia made recommendations.

25. Nepal praised Australia for its efforts to advance human rights for all its citizens. It thanked Australia for its continued support to Nepal's peace process and commended it for its initiative to resettle Bhutanese refugees living in Nepal. It recognised Australia commitment to the welfare of Aboriginals and encouraged Australia to continue its efforts to empower the most vulnerable and protect the rights of all, including the migrants.

26. The Islamic Republic of Iran stated that it was deeply concerned by the increasing gap in the standards and quality of life between indigenous and non-indigenous people. Iran expressed concern, inter alia, with, the use of force by law enforcement officials and the use of "Tasers" by the police; and reported sub-standard prison conditions as well as persistent problems leading to the death of indigenous people in custody and disproportionate incarceration rates. Iran made recommendations.

27. Philippines requested further information provided on the incorporation of human rights awareness-raising in school curricula and vocational training programmes for government officials. It enquired if the Government were taking steps to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). Philippines asked about the work of the Australian Multicultural Advisory Council. It congratulated Australia for the increase in its ODA to the Asia-Pacific region. Philippines made recommendations.

28. Pakistan, while acknowledging the efforts by the Government for the promotion and protection of human rights, noted with concern that indigenous groups are still discriminated against. Pakistan hoped that Australia would take all possible measures to promote and protect human rights of all peoples, including migrants. It also noted with concern that irregular migrants were detained for an indefinite period at remote locations and stated that this practice should be discontinued. Pakistan made recommendations.

29. Hungary noted the inconsistencies- at the federal, state and territory levels- of the anti-discrimination laws. It referred to the recommendations of special rapporteurs and treaty bodies to enact a human rights bill and asked about the Government's plans to address this issue. Hungary welcomed the launching of the "Closing the Gap" campaign and hoped it would remedy the increasing number of discriminatory acts against indigenous peoples and other minorities. Hungary made recommendations.

30. Morocco applauded Australia for the progress towards the rights of indigenous peoples, particularly through the formal Apology to Australia's Indigenous Peoples, the establishment of the National Congress of Australian's First Peoples and other measures aiming at the improvement of their socio-economic standards. Morocco asked whether the Government was providing support for Islamic education and whether Muslim students were receiving financial support in Australia. Morocco made recommendations.

31. The delegation emphasized that Australia is committed to ratifying the Optional Protocol to the Convention against Torture as a matter of priority.

32. The delegation also identified a number of treaties to which Australia is not a party, but which are currently under consideration, including the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-CESCR). It noted that before Australia ratifies or becomes bound by a treaty, the practice is for the Australian Government to satisfy itself that any legislation necessary to implement the treaty is in place.

33. In response to questions about Australia's domestic implementation of human rights obligations, the delegation emphasized that Australia has a robust domestic legal system which recognizes and protects many basic rights and freedoms, an independent judiciary and an independent National Human Rights Institution. The delegation referred to various

elements of Australia's Human Rights Framework. Following the nation-wide human rights consultation, it was apparent that there are societal divisions remaining regarding a charter or a bill of rights. The Framework will include a requirement that each new piece of legislation introduced into the Parliament be accompanied by a statement assessing its compatibility with Australia's international human rights obligations. It also includes a new Joint Parliamentary Committee on Human Rights. Another initiative is harmonizing and consolidating federal anti-discrimination laws, as well as protecting against discrimination on the basis of sexual orientation or gender status. Finally, human rights education is a key element of the Framework, and the Government is also preparing a new national human rights action plan.

34. The delegation addressed questions about the rights of Indigenous Australians. The Australian Government was pleased to announce its support for the Declaration on the Rights of Indigenous Peoples in April 2009 and stated that ILO Convention 169 (1989) has been identified as a priority Convention for consideration.

35. The delegation referred to the establishment of a new national representative body for Indigenous Australians, the National Congress of Australia's First Peoples. It noted that in addition to the apology to the Stolen Generations in 2008, the Australian Government has made a commitment to pursue constitutional recognition of Indigenous Australians.

36. The delegation acknowledged that many indigenous people in Australia face significant disadvantages and challenges in enjoying their human rights. The 'Closing the Gap' agenda aims to reduce significantly the gap in life expectancy within a generation, halve the gap in mortality rates for Indigenous children under five by 2018, and halve the gap in reading writing and numeracy for Indigenous children by 2018, among other clear and specific targets. Already, a range of actions has been taken to achieve these targets.

37. The delegation noted that in relation to the Northern Territory Emergency Response, the Racial Discrimination Act 1975 was fully reinstated by legislation passed in June 2010, following extensive consultation with Indigenous peoples.

38. Viet Nam stated that it noted Australia's commitments to promote and protect human rights. It expressed concern with regard to issues of development disparities, reported discrimination and human rights violation against women and children, human trafficking, as well as the lack of respect and protection for migrants and people from diverse communities, and stated in this regard that further efforts should be made towards achieving a better human rights record. Viet Nam made recommendations.

39. Botswana noted with satisfaction the many achievements outlined in the national report, such as the establishment of the National Congress of Australia's First People which will become operational during this year and the adoption of an ambitious human rights framework. Botswana noted the enactment of the Fair Work Act in 2009 as a progressive measure towards addressing issues of gender equality. Botswana made recommendations.

40. Slovenia commended Australia for its "Closing the Gap" initiative to overcome indigenous disadvantage. It noted that the Northern Territory Emergency Response, discriminating against the rights of Aboriginal people, was in breach of Australia's human rights obligations. It noted the reinstatement of the Racial Discrimination Act. Slovenia noted that the closure of Christmas Island detention centre for asylum-seekers had been recommended by human rights bodies. Slovenia made recommendations.

41. Bolivia appreciated the Government's significant acknowledgement of the historic and present discrimination of indigenous peoples in their territory and the will shown to improve their living conditions. Bolivia made recommendations.

42. Brazil commended Australia's decision to set up specific targets to address the poorer living conditions of the indigenous population. It stated that incidents of racial

crimes against migrants required further attention and the policy of mandatory detention of asylum-seekers and undocumented migrants had been the subject of criticism. It invited Australia to review the effect of the legislation in force. Also, detention may exacerbate the vulnerability of individuals to abuse and exploitation. Brazil made recommendations.

43. The Russian Federation noted that, according to civil society, the Constitution of Australia and common law only provided limited protection for human rights. The Russian Federation also referred to existing problems of racism and xenophobia, legislation adopted to counter terrorism and corporal punishment within the family. The Russian Federation made recommendations.

44. India referred to the initiatives of Australia, such as the Human Rights Framework in 2010, and its commitment to reconciliation with indigenous peoples. India noted the measures taken to address concerns over the safety and well-being of Indian students in the country and expressed the hope that the Government would ensure the safety of all in the country. India made a recommendation.

45. France welcomed the establishment of the Human Rights Framework including the setting up of a national action plan and harmonized legislation aiming at combating discrimination. France noted with satisfaction the efforts deployed to remedy the underprivileged condition of Aboriginals, particularly through the “Closing the Gap” campaign. France noted positively the practice of ensuring in the extradition procedure that an individual will not be subject to the death penalty. France made recommendations.

46. The Republic of Moldova welcomed Australia’s commitment to ratify OP-CAT. It noted positively the decision of the Government to ensure that all procedures, including those relating to terrorism, are in accordance with its international obligations in terms of fair trial. It welcomed the Government commitment to draw up a general framework introducing measures to ensure equality of rights for persons with disabilities. Moldova made recommendations.

47. Austria commended the Government’s historical apology to advance the rights of Indigenous people and the steps taken to redress the disadvantage of Aboriginal and Torres Straits Islanders and their overrepresentation in prisons. Austria asked about the effectiveness of measures taken and how the Government intends to tackle the issues of reported excessive use of force by law enforcement officials including against indigenous peoples and persons with disabilities. Austria made recommendations.

48. Belgium welcomed the various initiatives launched, particularly the historic apologies to the “Stolen Generations” but expressed concern about persisting discrimination against indigenous peoples. Belgium asked about the first results of the strategy aimed at reducing socio-economic disparities between the indigenous and the rest of the population. Belgium expressed concern regarding certain measures adopted by the Government to combat terrorism. Belgium made recommendations.

49. Switzerland raised the issue of violence against women which should be firmly combated. It noted that Australia had no legal provisions prohibiting discrimination or harassment based on sexual orientation. It also noted that migrants were often detained in Australia for having violated the immigration law. Switzerland made recommendations.

50. Germany welcomed the “Closing the Gap” campaign and asked about the concrete steps taken and the future plans in relation to this campaign. Germany stated that several treaty bodies and special rapporteurs criticized the inadequate incorporation of human rights treaties into Australia’s legal framework and asked how the Human Rights Framework of 2010 was addressing this criticism. Germany made a recommendation.

51. In responding to questions and recommendations regarding Australia’s approach to racism, the delegation emphasized that Australia is a multicultural society that strives to be

tolerant and inclusive. The Australian Government condemns racism, racial discrimination and xenophobia. The delegation announced that the Australian Government will fund a full-time race discrimination commissioner in the Australian Human Rights Commission. It also noted that the Government is currently considering the Australian Multicultural Advisory Council's report recommending that Australia adopt a new multiculturalism policy. All Australian Governments take the safety of international students very seriously and any assaults or racially motivated violence have been condemned.

52. In addressing a number of recommendations relating to women's rights, the delegation emphasized that women and men have an equal role to play in all aspects of Australian society. Australia has recently introduced a national paid parental leave scheme.

53. The delegation stressed that the Australian Government's position on violence against women is one of zero tolerance – one victim of violence is one too many. The delegation referred to Australia's National Plan to Reduce Violence against Women and their Children, a coordinated effort among Federal, State and Territory Governments to reduce the prevalence of domestic violence and sexual assault.

54. The delegation noted that the Australian Government is currently exploring the potential role for a national children's commissioner.

55. In addressing a range of observations and recommendations relating to migrants, refugees and asylum seekers, the delegation stated that the Government recognizes its international obligations to all persons in Australia, including migrants, refugees and asylum-seekers. The delegation noted Australia's commitment to its non-refoulement obligations and to dealing with irregular migration through a sustainable regional protection framework.

56. On the topic of immigration detention, the delegation stressed that the Australian Government is committed to treating asylum-seekers and refugees humanely and fairly while maintaining its commitment to strong border control. The delegation emphasized the Government's Key Immigration Detention Values, under which mandatory detention remains used for appropriate cases, and detention in immigration detention centres is only to be used as a last resort and for the shortest practicable time. Children and, where possible, their families, will not be detained in an immigration detention centre. The length and conditions of any detention, including the appropriateness of both the accommodation and the services provided, are subject to regular review. In October 2010, the Government announced an expansion of community-based detention arrangements and has begun moving significant numbers of unaccompanied minors and vulnerable family groups out of immigration detention facilities and into community-based accommodation. All detainees are able to access necessary services including health care, education and recreational activities.

57. Turkey appreciated the Government's commitment to recognize the Aboriginal and Torres Straits Islander peoples in the Constitution. It praised Australia for the establishment of the position of "the Aboriginal and Torres Straits Islanders Social Justice Commissioner" in the structure of the Australian Human Rights Commission. Turkey made a recommendation.

58. The Republic of Korea noted with appreciation the announcement of Australia's Human Rights Framework. It also welcomed the formal apology made to indigenous population for past mistreatment. Korea asked about the measures taken or to be taken to reduce the gap between indigenous and non-indigenous peoples in their quality of life. The Republic of Korea made a recommendation.

59. Colombia praised the Government for its frank acknowledgment of the problems and challenges facing Australian society in terms of the human rights of indigenous

peoples. It welcomed the steps taken since 2008 promoting and protecting the rights of indigenous peoples and the progress in combating all forms of discrimination. Colombia made recommendations.

60. Azerbaijan noted the achievements from the implementation of the Human Rights Framework. It welcomed the measures taken aimed at promoting the advancement of children rights, including the adoption of the National Framework for Protecting Australia's Children. Azerbaijan made recommendations.

61. Chad praised Australia's commitment to the promotion and protection of human rights, affirming that every individual is entitled to equality of chances and to participate fully in the economic, political and social life of the country. It welcomed the broad consultation process in the elaboration of its national report. Chad made a recommendation.

62. The Maldives noted the initiatives taken to provide a level platform for women, both in political life and economic empowerment, and that much remained to be done. The Maldives requested to know about the specific measures adopted to address the disproportionately higher number of indigenous persons in custody. The Maldives made recommendations.

63. Timor-Leste commended Australia for its efforts to promote human rights for all Australians. It welcomed the national apology and the designation as a national priority to advance indigenous recognition through a possible Constitutional amendment, and encouraged its realization. It noted the lack of a comprehensive legislative framework for the protection of human rights. It was concerned about the continued placement of immigration detainees beyond the jurisdiction of Australian law. Timor-Leste made recommendations.

64. The United States asked whether Australia had an action plan to enforce its legal prohibitions against disparate treatment of individuals because of race, religion, gender or national origin, especially in relation to discrimination against indigenous persons. It asked about planned new initiatives to combat trafficking, whether there were alternatives to detention for foreign trafficking victims without legal immigration status, and the role the processing centre outside the country played in this regard. The United States made recommendations.

65. Jordan appreciated the ongoing efforts of Australia in the promotion and protection of human rights, particularly with respect to indigenous people and hoped for more progress in that regard. Jordan made recommendations.

66. New Zealand stated that an independent mechanism to monitor compliance with the Convention on the Rights of the Child (CRC) would assist in improving the welfare of vulnerable children. There was no federal law prohibiting discrimination on the grounds of sexual orientation. Independent inspection of custodial facilities would provide assurances that custodial treatment was humane and appropriate. New Zealand stated that coronial investigation of deaths in custody, while contributing to an understanding of the causes of these deaths, was not adequate for prevention. New Zealand made recommendations.

67. South Africa urged that the steps taken to address the severe disadvantages experienced by indigenous people be continued and strengthened. It encouraged the Government to engage in the anti-racism agenda of the United Nations and positively participate in the follow-up processes to the World Conference. South Africa requested information on the follow-up to the Committee on the Elimination of Racial Discrimination recommendation on developing and implementing an updated comprehensive multicultural policy. South Africa made recommendations.

68. In responding to questions touching on economic, social and cultural rights, the delegation stated that the Australian Government recognizes the importance of these rights

to the inherent dignity of all persons and is committed to taking steps with a view to their realization.

69. The delegation described the priorities for the Australian Government's social inclusion agenda, which prioritizes supporting children at greatest risk of long-term disadvantage, helping jobless families with children, focusing on locations of greatest disadvantage, assisting in the employment of people with a disability or mental illness, addressing the incidence of homelessness and closing the gap for Indigenous Australians.

70. On the topic of Islamic education, the delegation noted that in 2010, there were 32 self-identified Islamic schools with 19,761 primary and secondary students which received approximately \$119.2 million in recurrent funding.

71. The delegation addressed questions and recommendations about the rights of persons with disabilities in Australia. Australia's first report under CED emphasizes that persons with disabilities are highly valued members of Australian communities and workplaces and make a positive contribution to Australian society. In addition to anti-discrimination legislation at the federal, state and territory levels, the delegation described the draft National Disability Strategy, which has been developed to address the barriers that are faced by Australians with disability and promote social inclusion. The Strategy focuses on broad policy objectives, including rights protection, justice and legislation; inclusive and accessible communities; economic security; personal and community support; learning and skills; and health and well-being.

72. In addressing recommendations relating to counter-terrorism measures taken by the Australian Government, the delegation emphasized that the Government sees counter-terrorism measures and human rights as interdependent, and is committed to both as the best means of ensuring the safety, security and liberty of all Australians. The Government is committed to ensuring that its national security laws contain appropriate safeguards and that there is accountability in their operation.

73. The delegation noted that in 2010, the Australian Parliament legislated to establish a new Independent National Security Legislation Monitor to review the operation and effectiveness of counter-terrorism and national security legislation, who will be appointed shortly. The Government has also amended counter-terrorism legislation, implementing recommendations made following a number of reviews.

74. Poland acknowledged the well developed institutional and human rights infrastructure, but expressed concern about the fact that no independent institution was devoted specifically to the promotion and protection of children rights. It commended the positive engagement of the Government with civil society in the universal periodic review process which was of the utmost importance for the mechanism's effectiveness. Poland made recommendations.

75. Bosnia and Herzegovina stated that treaty bodies expressed concerns that the rights to equality and non-discrimination were not comprehensively protected in federal law and requested information on the steps taken to ensure non-discrimination. It referred to Indigenous peoples rights and commended Australia's efforts to help refugees from Bosnia and Herzegovina. Bosnia and Herzegovina made recommendations.

76. Yemen highlighted the importance of the universal periodic review itself. It acknowledged that no State can claim to be free of violations of human rights and that Australia had indeed recognized the challenges it faced, which was another example of the seriousness with which Australia approached human rights. Yemen asked Australia about the efforts it had made to address the challenges it faced. Yemen made a recommendation.

77. Mexico acknowledged Australia's efforts to improve its legal and institutional framework to ensure protection to all persons. It welcomed the standing invitation extended

to all special procedures and ratification of most human rights treaties. It hoped that Australia would ratify the international instruments it is not yet a party to yet, particularly ICRMW and ILO Convention No. 169. Mexico made recommendations.

78. Ghana stated that it applauded Australia for the important steps it had recently taken to re-set its relationship with the Indigenous peoples. Ghana referred to concerns expressed by treaty bodies about Australia's asylum-seeker and refugee policy, and legislative framework, such as the indefinite detention of stateless persons, the keeping of children in detention-like conditions in remote areas and, at times, separated from their parents. Ghana made recommendations.

79. Ukraine welcomed the establishment of a new Parliamentary Joint Committee on Human Rights, which will provide greater scrutiny of legislation for compliance with Australia's international human right obligations. Ukraine asked about the measures taken to implement the recommendations of the Australian Human Rights Commission's National Inquiry into Children in Immigration Detention, particularly to ensure that children are no longer held in immigration detention. Ukraine made a recommendation.

80. Guatemala appreciated Australia's commitment to reconciliation with indigenous peoples through positive initiatives such as their constitutional recognition, the "Closing the Gap" campaign, the preservation of indigenous languages and a unified law against discrimination. It also welcomed the Human Rights Framework and asked whether the Parliamentary Committee would be the only mechanism supervising the follow-up to the recommendations of United Nations human rights mechanisms. Guatemala made recommendations.

81. Denmark commended Australia for the endorsement of the Declaration on the Rights of Indigenous Peoples. It noted with appreciation that Australia intended to take steps to ensure that its counter-terrorism measures are fully consistent with its international human rights obligations. Denmark made recommendations.

82. Argentina welcomed the adoption of the Human Rights Framework including awareness-raising programmes on human rights and trainings for the civil service in order to consolidate the protection of human rights in the implementation of policies and laws. Argentina made recommendations.

83. Israel stated that ground breaking legislative developments coupled with the National Human Rights Framework were indicative of Australia's leadership role in incorporating a human rights based approach within its national legislation as well as its practice. It stated that Australia struck the delicate balance between the full realization of its people's fundamental rights and freedoms while it simultaneously undertook all feasible steps to combat terrorism. Israel made recommendations.

84. Norway raised concerns about the reported high level of violence against women, particularly in indigenous communities. It welcomed the 2008 National Human Rights Consultation as well as Australia's national apology to indigenous peoples, the reinstatement of the Racial Discrimination Act and support for the United Nations Declaration on the Rights of Indigenous Peoples. It noted that a Human Rights Act had not yet been adopted and that there were reports of discrimination and socio-economic disadvantage of indigenous peoples. Norway made recommendations.

85. In closing, the Australian delegation announced commitments regarding how the Australian Government intends to follow up its universal periodic review in Australia. First, it intends to consult extensively with the Australian Human Rights Commission and non-government organizations, reflecting on the universal review process and considering how recommendations can best be addressed. Secondly, it intends to establish a publicly accessible online database of recommendations from the United Nations system. Thirdly, it

will use the recommendations made during the review and accepted by Australia to inform the development of Australia's National Human Rights Action Plan.

II. Conclusions and/or recommendations

86. The following recommendations will be examined by Australia which will provide responses in due time, but no later than the seventeenth session of the Human Rights Council in June 2011:

- 86.1. **Ratify as soon as possible the Optional Protocol to the Convention against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) (Republic of Moldova);**
- 86.2. **Speed up the process of the ratification of the OP-CAT (Azerbaijan);**
- 86.3. **Ratify OP-CAT and designate a National Preventive Mechanism for places of detention (Maldives);**
- 86.4. **As a high priority, ratify OP-CAT and establish a National Preventative Mechanism (New Zealand);**
- 86.5. **Ensure the establishment of an independent supervision mechanism which would have access to all detention centres with a view to facilitating the prompt ratification of OP-CAT (Mexico);**
- 86.6. **Ratify OP-CAT without further delay (Denmark);**
- 86.7. **Encouraged to accede to the remaining core human rights instruments to which it is yet to become a party, especially CED (Thailand);**
- 86.8. **Sign and ratify CED (France);**
- 86.9. **Study the possibility of signing and ratifying CED and ICRMW (Argentina);**
- 86.10. **Consider acceding to ICRMW (Algeria); ratify ICRMW (Bolivia); complete the ratification process of ICRMW (Turkey); engage in consultations with civil society with a view to possible accession to ICRMW (Philippines); ratify ICRMW (Bosnia and Herzegovina);**
- 86.11. **Ratify ILO Convention No. 169 and incorporate it into its national norms (Bolivia);**
- 86.12. **Consider ratifying ILO Convention No. 169 (Norway);²**
- 86.13. **Withdraw its reservations to CRC (Hungary);**
- 86.14. **Consider withdrawing its reservations to article 4 (a) of ICERD (Republic of Korea);**
- 86.15. **Withdraw its reservation on article 4 (a) of ICERD, as this reservation undermines one of the key objectives of this Convention (South Africa);**
- 86.16. **Lift its reservations to the following international conventions: ICERD, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights and CRC (Denmark);**

² The recommendation as read out during the interactive dialogue: "Ratifies the ILO Convention 169".

- 86.17. **Bring its legislation and practices into line with international obligations (Sweden);**
- 86.18. **Take the necessary measures to fully incorporate into Australian legislation its international obligations in the field of human rights (France);**
- 86.19. **Incorporate its international obligations under human rights instruments into domestic law (Jordan);**
- 86.20. **Continue its efforts in strengthening the mechanisms for the effective incorporation of international human rights obligations and standards into its domestic legislation (Argentina);**
- 86.21. **Strengthen its human rights framework by establishing a comprehensive legislative scheme for all human rights (Timor-Leste);**
- 86.22. **Consider a comprehensive human rights act as recommended by the National Human Rights Consultative Committee (Canada); incorporate its international human rights obligations into domestic law by elaborating a comprehensive, judicially enforceable Human Rights Act to ensure legislative protection of human rights (Ukraine); fully incorporate its international human rights obligations in domestic law through the adoption of a comprehensive justiciable law on human rights (Russian Federation); implement a federal human rights act to maximize all Australian's legal human rights protection in accordance with Australia's international obligations (Norway);**
- 86.23. **Focus on nationwide enforcement of its existing anti-discrimination law, plan adequately for nationwide implementation, especially as it relates to discrimination against indigenous persons (United States);**
- 86.24. **Fully implement the Racial Discrimination Act and the revision of federal laws to be compatible with the United Nations Declaration on the Rights of Indigenous Peoples (Norway);**
- 86.25. **Consider reinstating, without qualification, the Racial Discrimination Act into the arrangements under the Northern Territory Emergency Response and any subsequent arrangement (Canada);**
- 86.26. **Consult with Aboriginal and Torres Strait Islander people, and take into consideration the guidelines proposed by the Australian Human Rights Commission before considering suspension of the Racial Discrimination Act for any future intervention affecting the Aboriginal and Torres Strait Islander people (Slovenia);**
- 86.27. **Facilitate the provision of sufficient funding and staffing for the Human Rights Commission and different commissioners, including the recently appointed Commissioner against racial discrimination (Bolivia);**
- 86.28. **Establish a National Children's Commissioner to monitor compliance with CRC (New Zealand);**
- 86.29. **Consider establishing an independent commissioner for child rights (Poland);**
- 86.30. **Continue measures for the adoption of the new National Action Plan on Human Rights (Azerbaijan);**

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- 86.31. **Adopt a rights-based approach to climate change policy at home and abroad, including by reducing greenhouse gas emissions to safe levels that are consistent with the full enjoyment of human rights (Maldives);**
 - 86.32. **Develop a comprehensive poverty reduction and social inclusion strategy, which would integrate economic, social and cultural rights (Ghana);**
 - 86.33. **In line with the Committee on Economic, Social and Cultural Rights recommendation, develop a comprehensive poverty reduction and social inclusion strategy, which should integrate economic, social and cultural rights (Pakistan);**
 - 86.34. **Implement the observations of the Human Rights Committee by adopting the necessary legislation to ensure that no one is extradited to a State where they would be in danger of the death penalty (France);**
 - 86.35. **Follow-up on the implementation of recommendations of human rights mechanisms (Austria);**
 - 86.36. **Consider implementing the recommendations of human rights treaty bodies and special procedures concerning indigenous people (Jordan);**
 - 86.37. **Implement the recommendations made by the United Nations Special Rapporteur on the rights of indigenous people after his visit in 2009 (Norway);**
 - 86.38. **Consider implementing the recommendations of UNHCR, human rights treaty bodies and special procedures with respect to asylum-seekers and irregular immigrants especially children (Jordan);**
 - 86.39. **Comply with the recommendations of the Committee on the Rights of the Child and the Committee on the Elimination of All Forms of Discrimination against Women concerning the sterilization of women and girls with disabilities (Denmark); enact national legislation prohibiting the use of non-therapeutic sterilization of children, regardless of whether they have a disability, and of adults with disability without their informed and free consent (United Kingdom); repeal all legal provisions allowing sterilization of persons with disabilities without their consent and for non-therapeutic reasons (Belgium); abolish non-therapeutic sterilization of women and girls with disabilities (Germany);**
 - 86.40. **Continue its laudable measures to address the plight of persons with disabilities, in particular through pursuance of the draft National Disability Strategy, and share its experience in this regard (Botswana);**
 - 86.41. **Complete as soon as possible a general framework of measures to ensure equality of chances for people with disabilities (Republic of Moldova);**
 - 86.42. **Ensure that its efforts to harmonize and consolidate Commonwealth anti-discrimination laws address all prohibited grounds of discrimination and promote substantive equality (United Kingdom);**
 - 86.43. **Enact comprehensive equality legislation at the federal level (Pakistan); grant comprehensive protection to rights of equality and non-discrimination in its federal law (India);**

- 86.44. **Enact comprehensive legislation which prohibits discrimination on all grounds to ensure the full enjoyment of all human rights by every member of society (South Africa);**
- 86.45. **Continue its efforts to harmonize and consolidate its domestic legislation against all forms of discrimination on the basis of international standards (Argentina);**
- 86.46. **Strengthen the federal legislation to combat discrimination and ensure an effective implementation with a view to a better protection of the rights of vulnerable persons, in particular children, persons in detention and persons with disabilities (Morocco);**
- 86.47. **Take firm measures to end discrimination and violence against women, children and people from vulnerable groups so as to enhance a better respect for their dignity and human rights (Viet Nam);**
- 86.48. **Put an end, in practice and in law, to systematic discrimination on the basis of race in particular against women of certain vulnerable groups (Islamic Republic of Iran);**
- 86.49. **Further ensure that everyone is entitled to equal respect and to a fair participation with full enjoyment of equal rights and opportunities in economic, political, social and cultural developments as incorporated in the laws and plans of action (Cambodia);**
- 86.50. **Take appropriate measures to reduce the development gap and social disparities so as to enhance the full enjoyment of all human rights for all Australian people, especially in the areas of economic, cultural and social rights (Viet Nam);**
- 86.51. **Intensify its efforts to further combat gender discrimination (Norway);**
- 86.52. **Strengthen the Sex Discrimination Act as indicated in the national report, and consider the adoption of temporary special measures, as recommended by the Committee on the Elimination of All Forms of Discrimination against Women (Israel);**
- 86.53. **Develop and implement policies to ensure gender equality throughout society and strengthen the promotion and protection of the rights of women, especially women from indigenous communities (South Africa);**
- 86.54. **Persist in its efforts in order to redress remaining gender inequalities, in particular with regard to the employment of women in the private sector (Japan);**
- 86.55. **Adopt targets of 40 per cent representation of women on public and private sector boards (Norway);**
- 86.56. **Remain steadfast in pursuing its policies towards gender equality, in particular through its Fair Work Act (Botswana);**
- 86.57. **Further strengthen its efforts to promote equality, non-discrimination and tolerance through the monitoring of racially motivated violence and inclusion of human rights education in school and university curriculum (Thailand);**
- 86.58. **Step up measures, such as human rights education in schools, so as to promote a more tolerant and inclusive society (Japan);**

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- 86.59. **Strengthen further the measures to combat discrimination against minority communities, including Muslim communities in Australia (Algeria);**
- 86.60. **Take measures towards ensuring the equal and the full enjoyment of the basic rights of all its citizens including persons belonging to indigenous communities, and to effectively prevent and, if necessary, combat racial discrimination (Sweden);**
- 86.61. **Continue its efforts to promote multicultural and racial tolerance through initiatives such as the Australian Multicultural Advisory Council and the Diversity and Social Cohesion Programme (Singapore);**
- 86.62. **Take more effective measures to address discrimination and other problems related to racial and ethnic relations including by developing and implementing appropriate policy and programmes with a view to improving and strengthening relations between races and cultures (Malaysia);**
- 86.63. **Strengthen its measures and continue its efforts in promoting multiculturalism and social inclusion (Morocco);**
- 86.64. **Continue their great efforts to put an end to all practices likely to interfere with the peaceful coexistence among the different groups of the multi-ethnic society of Australia (Yemen);**
- 86.65. **Implement additional measures to combat discrimination, defamation and violence (including cyber racism) against the Arab population and Australian Muslims, against recently arrived migrants (primarily from Africa) and also foreign students (essentially coming from India) (Russian Federation);**
- 86.66. **Continue to implement the harmonization and consolidation of anti-discriminatory laws and to move forward with the promulgation of laws protecting persons against discrimination on the grounds of sexual orientation or gender (Colombia);**
- 86.67. **Introduce a national legal provision prohibiting discrimination and harassment based on sexual orientation and gender (Switzerland);**
- 86.68. **As a high priority, introduce federal law which prohibits discrimination on the grounds of sexual orientation (New Zealand);**
- 86.69. **Take measures to ensure consistency and equality across individual States in recognizing same-sex relationships (United Kingdom);**
- 86.70. **Amend the Marriage Act to allow same-sex partners to marry and to recognize same-sex marriages from overseas (Norway);**
- 86.71. **Enact legislation to ensure the humane treatment of prisoners (Hungary);**
- 86.72. **Strengthen efforts to combat family violence against women and children with a particular focus on indigenous communities (United States);**
- 86.73. **Adopt special legislation to prevent and combat violence against women and girls and to prosecute and punish the perpetrators (Islamic Republic of Iran);**

- 86.74. **Adapt its legislation to ensure greater security for women and children (Switzerland);**
- 85.75. **Introduce a full prohibition of corporal punishment within the family in all states and territories (Russian Federation);**
- 86.76. **Speed up the process for the adoption of the National Plan to Reduce Violence against Women and their Children (Azerbaijan);**
- 86.77. **Take steps, in partnership with State, Territory and Local governments, to further advance and accelerate implementation of the National Action Plan to Reduce Violence against Women and Their Children, so as to effectively address prevalence of violence against these vulnerable groups (Canada);**
- 86.78. **Implement a national action plan to reduce violence against women and children (Switzerland);**
- 86.79. **Implement immediately the National Plan to Reduce Violence against Women and their Children (Norway);**
- 86.80. **Implement the National Action Plan to reduce violence against women and their children, including through an independent supervision mechanism that involves civil society organizations and take into account the specific situation of indigenous women and migrants (Mexico);**
- 86.81. **Effectively implement the national policy to reduce violence against women (Philippines);**
- 86.82. **Ensure that all victims of violence have access to counselling and assistance with recovery (Hungary);**
- 86.83. **Continue to work and coordinate with countries in the region to strengthen the regional framework to deal with irregular migration and human trafficking in a comprehensive and sustainable manner, bearing in mind international human rights and humanitarian principles (Thailand);**
- 86.84. **Strengthen further its commitment to the Bali process as the principal mechanism in the region which deals with people smuggling and trafficking (Indonesia);**
- 86.85. **Consider using the OHCHR's Recommended Principles and Guidelines on Human Rights and Human Trafficking as a guide in its anti-trafficking measures (Philippines);**
- 86.86. **Increase its efforts to fight human trafficking (Azerbaijan);**
- 86.87. **Increase efforts to criminally prosecute trafficking offenders, including employers and labour recruiters who subject migrant workers to debt bondage and involuntary servitude (United States);**
- 86.88. **Take effective legal measures to prohibit the use of excessive force and "Tasers" by the police against various groups of peoples (Islamic Republic of Iran);**
- 86.89. **Further improve the administration of justice and the rule of law including by setting up appropriate mechanisms in order to ensure adequate and independent investigation of police use of force, police misconduct and police-related deaths (Malaysia);**

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- 86.90. **Implement specific steps to combat the high level of deaths of indigenous persons in places of detention (Russian Federation);**
- 86.91. **Introduce a requirement that all deaths in custody be reviewed and investigated by independent bodies tasked with considering prevention of deaths and implement the recommendations of Coronial and other investigations and enquiries (New Zealand);**
- 86.92. **Increase the provision of legal advice to indigenous peoples with due translation services reaching especially indigenous women of the most remote communities (Bolivia);**
- 86.93. **Implement measures in order to address the factors leading to an overrepresentation of Aboriginal and Torres Strait Islander communities in the prison population (Austria);**
- 86.94. **Examine possibilities to increase the use of non-custodial measures (Austria);**
- 86.95. **Enhance the contacts and communication between Aboriginal and Torres Strait Islander communities and representatives of the law enforcement officials and enhance the training of those officials with respect to cultural specificities of the above communities (Austria);**
- 86.96. **Improve the human rights elements of its training for law enforcement personnel (United States);**
- 86.97. **Establish a National Compensation Tribunal, as recommended in the “Bringing Them Home” report, to provide compensation to Aboriginal and Torres Strait Islander people that are negatively affected by the assimilation policy, particularly as it applies to children unfairly removed from their families and the parents of those children (Slovenia);**
- 86.98. **Take regular measures to prevent hate speech, including prompt legal action against those who incite discrimination or violence motivated by racial, ethnic or religious reasons (Brazil);**
- 86.99. **Develop a national pay strategy to monitor pay gaps mechanisms and establish a comprehensive childcare policy, as recommended by the Committee on the Elimination of All Forms of Discrimination against Women (Israel);**
- 86.100. **Remove, in law and in practice, restrictions on the rights of workers to strike, as recommended by the Committee on Economic, Social and Cultural Rights (Israel);**
- 86.101. **Step up efforts to ensure that people living in the remote and rural areas, in particular the indigenous peoples, receive adequate support services relating to accommodation and all aspects of health and education (Malaysia);**
- 86.102. **Reform the Native Title Act 1993, amending strict requirements which can prevent the Aboriginal and Torres Strait Islander peoples from exercising the right to access and control their traditional lands and take part in cultural life (United Kingdom);**
- 86.103. **Institute a formal reconciliation process leading to an agreement with Aboriginal and Torres Strait Islander people (Slovenia);**

- 86.104. **Continue in particular the process of constitutional reform in order to better recognize the rights of indigenous peoples (France);**
- 86.105. **Continue to implement its efforts to attain the constitutional recognition of indigenous peoples (Colombia);**
- 86.106. **Revise its Constitution, legislation, public policies and programmes for the full implementation of the United Nations Declaration of the Rights of Indigenous Peoples (Bolivia); ensure effective implementation of the Declaration on the Rights of Indigenous People, including in the Northern Territory, and provide adequate support to the National Congress of Australia's First Peoples to enable it to address the needs of indigenous people (Ghana); develop a detailed framework to implement and raise awareness about the Declaration in consultation with indigenous peoples (Hungary); take further steps to ensure the implementation of the Declaration on the Rights of Indigenous Peoples (Denmark);**
- 86.107. **Launch a constitutional reform process to better recognize and protect the rights of the Aboriginals and Torres Strait Islanders which would include a framework covering the principles and objectives of the United Nations Declaration on the Rights of Indigenous Peoples and would take into account the opinions and contributions of indigenous peoples (Guatemala);**
- 86.108. **Include in its national norms recognition and adequate protection of the culture, values and spiritual and religious practices of indigenous peoples (Bolivia);**
- 86.109. **Promote the inclusion and participation of indigenous peoples and Torres Strait Islanders in any process or decision-making that may affect their interests (Bolivia);**
- 86.110. **Strengthen efforts and take effective measures with the aim of ensuring enjoyment of all rights for indigenous people, including participation in decision-making bodies at all levels (Bosnia and Herzegovina);**
- 86.111. **Ensure that its legislation allows for processes of consultations in all actions affecting indigenous peoples (Mexico);**
- 86.112. **Continue to engage with the Aboriginal population and Torres Strait Islanders and ensure the equal protection of their fundamental rights (Indonesia);**
- 86.113. **Increase the participation of the Aboriginal and Torres Strait Islander communities in the process of closing the gap in opportunities and life outcomes (Austria);**
- 86.114. **Continue the implementation of policies aimed at improving the living standards of indigenous peoples and take all the necessary measures to eradicate discrimination against them (France);**
- 86.115. **Continue its efforts to narrow the gap in opportunities and life outcomes between indigenous and non-indigenous Australians (Singapore);**
- 86.116. **Intensify its on-going efforts to close the gap in opportunities and life outcomes between Indigenous and non-Indigenous peoples, especially**

- in the areas of housing, land title, health care, education and employment (Thailand);
- 86.117. Continue addressing effectively the socio-economic inequalities faced by indigenous people (Jordan);
- 86.118. Carry out, in consultation with the communities concerned, a comprehensive assessment of the effectiveness of actions and strategies aimed at improving socio-economic conditions of indigenous peoples and if necessary correct these actions (Belgium);
- 86.119. Take immediate legal measures to remove restrictions against access of indigenous women and children to appropriate health and education services and employment opportunities (Islamic Republic of Iran);
- 86.120. Continue efforts to increase the representation of indigenous women in decision-making posts (Morocco);
- 86.121. Safeguard the rights of refugees and asylum-seekers (Sweden);
- 86.122. Honour all obligations under articles 31 and 33 of the Convention relating to the Status of Refugees and ensure that the rights of all refugees and asylum-seekers are respected, providing them access to Australian refugee law (Slovenia);
- 86.123. Ensure the processing of asylum-seekers' claims in accordance with the United Nations Refugee Convention and that they are detained only when strictly necessary (Norway);
- 86.124. Cease the practice of refoulement of refugees and asylum-seekers, which puts at risk their lives and their families' lives (Slovenia);
- 86.125. Ensure in its domestic law that the principle of non-refoulement is respected when proceeding with the return of asylum-seekers to countries (Ghana);
- 86.126. Repeal the provisions of the Migration Act 1958 relating to the mandatory detention (Pakistan); revise the Migration Law of 1958 so that federal initiatives do not penalize foreign migrants in an irregular situation (Guatemala);
- 86.127. Review its mandatory detention regime of asylum-seekers, limiting detention to the shortest time reasonably necessary (Ghana);
- 86.128. Address the issue of children in immigration detention in a comprehensive manner (Philippines);
- 86.129. Ensure that no children are held in detention on the basis of their migratory status and that special protection and assistance is provided to unaccompanied children (Brazil);
- 86.130. Take efficient measures to improve the harsh conditions of custody centres in particular for minorities, migrants and asylum-seekers (Islamic Republic of Iran);
- 86.131. Consider alternatives to the detention of irregular migrants and asylum-seekers, limit the length of detentions, ensure access to legal and health assistance and uphold its obligations under the Vienna Convention on Consular Relations (Brazil);

- 86.132. Do not detain migrants other than in exceptional cases, limit this detention to six months and bring detention conditions into line with international standards in the field of human rights (Switzerland);
 - 86.133. Ensure all irregular migrants have equal access to and protection under Australian law (Timor-Leste);
 - 86.134. Continue to work and coordinate with countries in the region to strengthen the regional framework to deal with irregular migration and human trafficking in a comprehensive and sustainable manner, bearing in mind international human rights and humanitarian principles (Thailand);
 - 86.135. Protect Official Development Assistance from budgetary cuts in the context of the international crisis and make every effort to bring it to the internationally agreed target of 0.7 per cent of GDP (Algeria);
 - 86.136. Investigate allegations of torture in the context of counter-terrorism measures, give publicity to the findings, bring perpetrators to justice and provide reparation to the victims (Brazil);
 - 86.137. Carry out a review of all 50 newly adopted laws since 2001 on combating terrorism, and of their application in practice so as to check their compliance with Australia's human rights obligations (Russian Federation);
 - 86.138. Review the compatibility of its legislative framework to combat terrorism with its international obligations in the field of human rights and remedy any possible gaps (Belgium);
 - 86.139. Continue to ensure that its legislation and methods to combat terrorism are in accordance with the International Covenant on Civil and Political Rights (Republic of Moldova);
 - 86.140. Ensure, in particular through its Independent National Security Legislation Monitor, that its national legislation is in keeping with its international obligations in the field of human rights (Switzerland);
 - 86.141. Continue to share its experiences for the promotion of human rights in the region and the world (Lao People's Democratic Republic);
 - 86.142. Actively continue to implement the best practice and policy for the promotion and protection of the rights and living conditions, and to narrow the gap in living standards in favour of the vulnerable groups in the country (Lao People's Democratic Republic);
 - 86.143. Continue the consultation with civil society in a follow-up to its universal periodic review (Poland);
 - 86.144. Continue to promote and protect human rights internationally through bilateral and multilateral dialogue to enhance human right capacity regionally across the Asia-Pacific and globally through the AusAID programme (Cambodia);
 - 86.145. Continue its efforts for the promotion and protection of human rights in the world and in their country (Chad).
87. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

III. Voluntary pledges and commitments

88. The delegation took the opportunity to announce a number of new commitments from the Australian Government, including funding for the Office for the High Commissioner for Human Rights and the Asia Pacific Forum, the establishment of a full-time Race Discrimination Commissioner at the Australian Human Rights Commission, a commitment to tabling in Parliament concluding observations from treaty bodies and the universal periodic review recommendations, and instituting a systematic process for review of Australia's reservations to human rights treaties.

Annex

Composition of the delegation

The delegation of Australia was headed by Senator the Hon. Kate Lundy, Parliamentary Secretary to the Prime Minister and composed of the following members:

- Alternate Head of Delegation, H.E. Mr. Peter Woolcott, Ambassador and Permanent Representative, Australian Permanent Mission;
 - Dr. Annemarie Devereux, Assistant Secretary, International Security and Human Rights Branch, Attorney-General's Department;
 - Ms. Cath Halbert, Group Manager, Office of Indigenous Policy Coordination, Department of Families, Housing, Communities and Indigenous Affairs;
 - Ms. Vicki Parker, Principal Advisor, Border and Humanitarian Strategies, Department of Immigration and Citizenship;
 - Mr. Pablo Kang, Assistant Secretary, International Organisations Branch, DFAT;
 - Ms. Elizabeth Brayshaw, Senior Advisor, Attorney-General's office;
 - Ms. Miranda Brown, Counsellor & Deputy Permanent Representative to the UN;
 - Mr. Sanjeev Commar, Minister-Counsellor (Health), Australian Permanent Mission;
 - Mr. Greg Vines, Minister-Counsellor (Labour), Australian Permanent Mission;
 - Mr. John Matthews, Minister-Counsellor (Immigration), Australian Permanent Mission;
 - Mr. Philip Kimpton, First Secretary, UN, Australian Permanent Mission;
 - Mr. Peter Higgins, First Secretary, UN, Australian Permanent Mission;
 - Ms. Helen Horsington, First Secretary, Australian Permanent Mission to the UN in New York;
 - Ms. Rowan McRae, Senior Legal Officer, Attorney-General's Department;
 - Ms. Sally Dawkins, Third Secretary, UN, Australian Permanent Mission;
 - Ms. Robyn Hodgkin, Policy Research Officer, Australian Permanent Mission;
 - Ms. Phoebe Ling, Executive Officer (Immigration), Australian Permanent Mission.
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