

Monday, 10 December 2018

## 70 years after Universal Declaration of Human Rights, Australia has unfinished business

On the 70th anniversary of Australia's leading role in drafting the Universal Declaration of Human Rights (UDHR) the Law Council is calling for a national human rights charter to be adopted.

Australia was one of eight states in the executive body whose delegates were responsible for drafting the UDHR. Its adoption in 1948 was also overseen by an Australian President of the United Nations General Assembly.

"Despite being an early advocate for the international adoption of human rights, Australia is now the only Western democracy without a national Human Rights Act or bill of rights," said Morry Bailes, President of the Law Council of Australia.

"We need such an instrument to enshrine both the rights and the corresponding responsibilities of all Australians," Mr Bailes said.

Mr Bailes said that some Australian stances from 70 years ago appeared relevant today.

"In 1948, Australia was emphatic about the importance of economic and social rights. It also supported the legitimacy of civil and political rights and advocated for governments' role in ensuring such rights.

"At the time Australian delegates held concerns about rights that interfered with immigration policies and tried to limit the civil and political rights awarded to Indigenous people.

"Delegates were also reluctant to limit freedom of speech where it collided with discrimination protections. All these three areas remain contentious within Australia's modern human rights debate.

"The Law Council has long campaigned to end the detention of asylum seekers and improve the abysmal justice and social outcomes for Aboriginal and Torres Strait Islander peoples.

"Australia also still lacks a comprehensive, consolidated anti-discrimination Act at the federal level that would protect against all kinds of discrimination, including regarding religion."

Australia took a seat on the Human Rights Council at the start of 2018 and will serve for a three-year term.

"Our seat on the Human Rights Council should be used as an opportunity to address outstanding issues that taint our human rights record," Mr Bailes said.

"Our seat is an opportunity for our nation to follow through on the steps made seventy years ago. We should implement our international human rights obligations domestically through measures which should include, as a minimum, a national Human Rights Act."

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**Patrick Pantano**  
P 02 6246 3715  
E Patrick.Pantano@lawcouncil.asn.au

**Anil Lambert**  
P 0416 426 722  
E Anil@hortonadvisory.com.au