



General Assembly

Distr.: General
10 August 2015

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-third session
2–13 November 2015

Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Australia*

The present report is a summary of 22 stakeholders' submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.



I. Information provided by the national human rights institution of the State under review accredited in full compliance with the Paris Principles

A. Background and framework²

1. Australia Human Rights Commission (AHRC) reported that it had lodged annual progress reports on the implementation of the UPR recommendations: identifying the status of all actions committed to as reflected in Australia's National Action Plan on Human Rights.³
2. AHRC observed that, since 2011, ratification of OP-CAT had been endorsed through parliamentary processes and model legislation to enable visits of UN's SPT⁴ had been prepared but not passed. AHRC recommended OP-CAT's ratification⁵ and that the Parliamentary Joint Standing Committee on Treaties conduct a National Interest Analysis on ratification of ILO Convention 169, ICRMW, OP-ICESCR and OP-CRC-IC; and Government confirm a timetable for the withdrawal of reservations to ICERD, CEDAW and CRC.⁶
3. AHRC commended the establishment of the Joint Committee on Human Rights in the Federal Parliament and the requirement for all legislation to be accompanied by a Statement of Compatibility which assessed consistency with Australia's human rights obligations.⁷ Noting that Australia continued to have limited legislative protection of human rights and fundamental freedoms at the federal level, AHRC recommended that Australia's human rights obligations be directly incorporated into Australian law.⁸
4. AHRC recommended that Government develop, in partnership with Aboriginal and Torres Strait Islander (ATSI) peoples, a National Strategy to give effect to the UN Declaration on the Rights of Indigenous Peoples; include the Declaration in the definition of human rights in the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth); and review existing legislation, policies and programmes for conformity with the Declaration.⁹
5. AHRC recommended that Government formulate a National Action Plan on Business and Human Rights, in consultation with the business sector.¹⁰
6. AHRC recommended that Government expand its support for human rights education initiatives, including targeted initiatives for public officials.¹¹

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

7. Observing that Government had wound-back funding support for the National Congress of Australia's First Peoples, a national NGO voice for Indigenous peoples, AHRC recommended that National-Congress be provided adequate funding to build a representative Indigenous voice at the national level.¹²
8. AHRC also recommended that Government working with Indigenous peoples: finalize a model for constitutional recognition; and redouble efforts to achieve the closing the gap targets, and implement the recommendations of the Close the Gap Campaign's Progress and Priorities Report 2015.¹³
9. While welcoming the *Workplace Gender Equality Act 2013* (Cth), AHRC noted that the gender pay gap had widened and recommended that Government: implement measures

to close the gender pay gap, strengthen the representation of women in leadership and managerial roles, value and recognise unpaid caring work, and address the gap in retirement savings to assure women economic security in later life; and amend the *Sex Discrimination Act 1984* (Cth) to improve its effectiveness.¹⁴

10. AHRC recommended that Government affirm its commitment to an inclusive society including by continuing to support the National Anti-Racism Strategy; and implement recommendations of the Migration and Multiculturalism and Access and Equity inquiries.¹⁵

11. While welcoming the enactment of legislation in 2013 prohibiting discrimination on the basis of sexual orientation, gender identity and intersex status, AHRC noted that exemptions to these provisions continued. AHRC recommended that: Federal, state and territory laws be brought into compliance with the *Sex Discrimination Act 1984* (Cth);¹⁶ all jurisdictions pass legislation expunging historic criminal convictions for consensual homosexual sex; Government conduct an inquiry into the issue of surgical intervention on intersex infants; and Australian Parliament legislate to provide marriage equality as a matter of priority.¹⁷

12. Noting that violence against women was endemic and community attitudes to violence against women had not substantially improved, AHRC recommended implementation of the National Plan to Reduce Violence Against Women and Their Children reflecting the diversity of women, include adequate and sustained funding for programmes and services and independent monitoring and evaluation.¹⁸

13. AHRC welcomed the establishment of the Royal Commission into Institutional Responses to Child Sexual Abuse and amendments to the *Family Law Act 1975* (Cth) in 2012, which strengthened protection of the rights of the child, especially in violent situations.¹⁹

14. Concerned that the rate of children in out-of-home care had increased, with Indigenous children over-represented, AHRC recommended that Government strengthen early intervention programs that support vulnerable families and improve data collection relating to child protection and out-of-home care.²⁰

15. Commending development of a National Action Plan to Combat Human Trafficking and Slavery 2015-2019, AHRC recommended that Government fully implement it.²¹

16. AHRC noted that Aboriginal and Torres Strait Islander, adults and juveniles, and people with disability were significantly over-represented in Australia's prison population. AHRC recommended that Government: adopt targets and introduce justice reinvestment trials to reduce Indigenous incarceration rates; adopt measures to improve access to justice for people with disabilities; develop alternative care arrangements where people are found unfit to plead for reasons including cognitive impairment or acquired brain injury; expand the use of diversionary programmes for juveniles; raise the minimum age of criminal responsibility; and cease detention of children in adult facilities.²²

17. AHRC reported that several Australian jurisdictions had expanded or introduced mandatory sentencing laws. Victoria had phased out the use of suspended sentences. There was overcrowding in some prisons. Australian governments should review mandatory sentencing and laws that limit judicial discretion, and expand the use of non-custodial measures.²³

18. AHRC recommended that State and territory governments amend anti-protest and anti-bikie laws so they do not unduly restrict human rights.²⁴

19. AHRC welcomed the recent announcement of a national review into barriers facing older workers and people with disability and recommended that Government, inter alia, address poverty in old age.²⁵

20. Commending the 2012 establishment of the National Mental Health Commission (NMHC), AHRC recommended that Government fund mental health services and implement the recommendations of the NMHC and the Children's Rights Report 2014.²⁶

21. While welcoming the world-leading National Disability Insurance Scheme, AHRC recommended that the Government fully fund the National Disability Insurance Scheme; support an inclusive employment culture; and introduce legal protections to ensure no sterilisation of persons with disabilities without their consent.²⁷

22. AHRC welcomed Australia's increased use of community arrangements for asylum seekers and the release of many children from closed detention since the last UPR. Despite those developments, Australia maintained a policy of mandatory immigration detention, with all people who arrived by boat liable for such detention, and transfer for processing to third countries. On third country processing, AHRC was concerned that people were detained for lengthy periods under extreme conditions with detrimental impacts on their physical and mental health. If owed protection, refugees subjected to those arrangements were resettled in third countries.²⁸

23. AHRC recommended that the Government introduce time limits and access to judicial oversight of detention so that detention occurs only when necessary, for a minimal period, and where it is a reasonable and proportionate means of achieving a legitimate aim; continue to expand the use of alternatives to closed detention; immediately cease the transfer of people to third countries, return people transferred back to Australia, and continue to negotiate through the Bali Process Regional Cooperation Framework.²⁹

24. AHRC commended Australia for establishing a statutory complementary protection framework, but noted that it faced repeal. Recent legislative change had empowered the Government to remove asylum seekers from Australia even where that violated non-refoulement obligations. AHRC was concerned by the Government's removal of references to the Refugee Convention from the *Migration Act 1958* (Cth); the reintroduction of temporary protection visas; and limitations placed on merits review of claims. AHRC recommended that: Government retain its complementary protection framework, codify the obligation of non-refoulement in law, review the impact of temporary protection visas and restore full access to merits review to all asylum seekers.³⁰

25. Noting that Australia's counter-terrorism laws restricted human rights, AHRC recommended that Government ensure all counter-terrorism laws remain under constant review to ensure that any infringement of human rights is legitimate and proportionate.³¹

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

26. Amnesty International (AI) reported that the Government had failed to implement six accepted UPR recommendations,³² relating to international human rights treaties, including ratifying OP-CAT.³³

27. As a significant labour-receiving country, with documented cases of disproportionately unfair treatment of migrant workers, World Vision Australia (WVA)

recommended that the Government reconsider its position not to support UPR first cycle recommendations³⁴ to sign and ratify ICRMW.³⁵

28. Australian Non-Governmental Organization Coalition (JS5/ANGOC) recommended that Australia ratify ICRMW, OP-ICESCR, OP-CAT, ILO C. 169, ICPPED and OP-CRC-IC.³⁶

29. With reference to 4 accepted recommendations,³⁷ Law Council of Australia (LCA) reiterated that Australia withdraw its reservations to international conventions to which it is a party.³⁸

2. Constitutional and legislative framework

30. Noting that sections of the Constitution still allowed for racial discrimination,³⁹ Joint Submission 1 (JS1) recommended, inter alia, that the Government implement Constitutional recognition of indigenous Australians in accordance with UNDRIP and implement the recommendations made by the Expert Panel to remove discrimination and formally recognize Indigenous Australians.⁴⁰

31. According to the National Congress of Australia's First Peoples (National-Congress), special measures under the *Racial Discrimination Act* (RDA) 1975 were not consistent with ICERD and not required to have the consent of the peoples concerned.⁴¹ National-Congress recommended that Australia revise national, regional and local constitutions, laws and policies to fully recognise and protect the rights of the Indigenous Peoples in domestic law, consistently across the nation.⁴²

32. Regarding the development of a consolidated federal anti-discrimination law, JS5/ANGOC noted that this reform was deferred indefinitely in May 2013.⁴³ Alliance Defending Freedom-International recommended adding religion as a protected characteristic in anti-discrimination legislation.⁴⁴ In accordance with commitments made in the first cycle UPR,⁴⁵ LCA stated that Australia should renew efforts to harmonize and consolidate Commonwealth anti-discrimination laws.⁴⁶

33. AI observed that Australia did not have overarching federal human rights legislation to reflect its international human rights obligations.⁴⁷ JS5/ANGOC stated that Australia should fully incorporate its international human rights obligations into domestic law (with the aim of eventual Constitutional entrenchment) by introducing a comprehensive, judicially enforceable federal Human Rights Act.⁴⁸ WVA recommended enactment of legislation to give direct effect to the CRC.⁴⁹ JS2 recommended adoption of legislation giving effect to ICCPR.⁵⁰

3. Institutional and human rights infrastructure and policy measures

34. JS5/ANGOC welcomed the establishment of a National Children's Commissioner.⁵¹ JS3 reported that it was in favour of the new Freedom Commissioner.⁵² However, JS5/ANGOC was concerned at the appointment of a Commissioner without a transparent process; the reduction of the Disability and Age Discrimination Commissioners from full-time to part-time roles; and persistent attacks on the President of the AHRC.⁵³ AI was also concerned at the Government's recent rejection of an AHRC report that criticised the treatment of children in immigration detention centres by successive governments.⁵⁴ International Service for Human Rights (ISHR) reported that in December 2014, the Government announced approximately 30 percent reduction in funding to the AHRC, which was incompatible with an accepted UPR⁵⁵ recommendation.⁵⁶ JS5/ANGOC recommended that Australia urgently restore funding and independence to the AHRC.⁵⁷

35. While welcoming the 2010 Human Rights Framework and the 2012 National Human Rights Action Plan (NHRAP), AI now considered both to be largely defunct.⁵⁸

JS5/ANGOC pointed to key Framework initiatives being defunded or discontinued and called for Australia to develop: human rights education further⁵⁹ and a National Plan for Children.⁶⁰

36. JS5/ANGOC recommended that Australia extend the mandate of the Joint Parliamentary Committee on Human Rights to include the domestic consideration, follow-up and oversight of implementation of recommendations and views of UN human rights mechanisms.⁶¹

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

37. JS5/ANGOC submitted that individuals experienced discrimination or disadvantage as a result of a combination of factors—such as race, ethnicity, gender, disability, age and sexual orientation. Australia should, *inter alia*, enact comprehensive equality legislation providing effective remedies to address systemic and intersectional discrimination.⁶²

38. National-Congress observed that the Government continued to support established targets to overcome social inequality between non-Indigenous and Indigenous populations.⁶³ Human Rights Watch (HRW) referred to the Prime Minister's Close the Gap report 2015, indicating modest improvements to certain education and health outcomes. However, while indigenous Australians accounted for 3 percent of Australia's population, they accounted for 27 percent of Australia's prison population.⁶⁴ International Commission of Jurists (ICJ) reported that the incarceration rate for indigenous women had increased by 74 percent since 2000.⁶⁵ AI stated that between June 2010 and June 2014, indigenous young people across the country were 22-26 times more likely to be in detention than non-indigenous youth.⁶⁶ National Aboriginal and Torres Strait Islander Legal Services (NATSILS) recommended that Australia incorporate targets to reduce the high rates of Aboriginal and Torres Strait Islander peoples in contact with the criminal justice system into the Closing the Gap agenda.⁶⁷ Society for Threatened Peoples (STP) particularly recommended that Australia urgently address factors causing young male Aboriginal people to come into conflict with the law.⁶⁸

39. JS5/ANGOC stated that Australia needed to support women in leadership, improve access to childcare and address the unequal distribution of unpaid caring work. Australia had significant gendered gaps in wages (24.7percent) and should address it.⁶⁹

40. LCA reported that the Victoria police had implemented a best practice model for engaging with minorities and other jurisdictions should consider following that model. LCA reiterated previous UPR recommendations⁷⁰ to monitor racially motivated violence and strengthen measures to combat discrimination against minorities.⁷¹

41. HRW reported that Australia, in 2013, successfully implemented the recommendation to prohibit discrimination on the grounds of sexual orientation, gender identity and intersex status in the Sex Discrimination Act. However, Australia should reconsider the rejection of the 2011 UPR recommendation⁷² to allow same-sex partners to marry.⁷³

42. National Seniors reported that Australia had an ageing population and faced challenges relating to social and economic participation, age discrimination, poverty and elder abuse. The need to strengthen and reform laws and policies and undertake specific research on the experiences of older people was important.⁷⁴

2. Right to life, liberty and security of the person

43. According to Organization for Defending Victims of Violence (ODVV), increased reliance on Tasers by police demonstrated an urgent need for more rigorous police training and more stringent regulation of police use of force.⁷⁵

44. JS5/ANGOC stated that excessive use of force by police due to inadequate regulation and training remained a serious concern and that racial minorities and Aboriginal and Torres Strait Islander people continued to be disproportionately targeted by police.⁷⁶ NATSILS recommended that Australia establish independent bodies in each State and Territory to investigate and determine police complaints.⁷⁷

45. NATSILS reported that many Australian detention facilities, particularly in regional and remote areas, were unhygienic, overcrowded and lacked air-conditioning. Individuals often received inadequate medical and mental health care, which contributed to the ongoing incidence of deaths in custody.⁷⁸ ICJ reported that 1 in 4 deaths was indigenous up from 1 in 7 deaths at the time of 1991 Royal Commission into Aboriginal Deaths in Custody.⁷⁹ NATSILS was expressly concerned at the state of juvenile detention centres, particularly in the Northern Territory, Western Australia and Queensland. NATSILS recommended that Australia inspect and report on systemic issues in prisons and juvenile detention centres.⁸⁰

46. LCA observed that a person deemed unfit to stand trial could be detained in a prison, which could result in an overrepresentation of people with intellectual disabilities in the prison system. LCA reiterated the first cycle UPR commitment⁸¹ that Australia ensure its treatment of prisoners accords with UN Minimum Standards.⁸²

47. Global Initiative to End All Corporal Punishment of Children reported that corporal punishment of children was lawful, despite repeated recommendations to fully prohibit it by UN Committees and during the first cycle UPR in 2011⁸³ where the recommendation was rejected.⁸⁴

48. Women's International League for Peace and Freedom (WILPF) reported that violence against women was the leading cause of death, disability, illness and homelessness for Australian women aged 15-44. Despite this pressing issue, support for organizations dealing with gender-based violence had been cut.⁸⁵ ODVV referred to reports that Aboriginal women were 31 times more likely to be hospitalized as a result of family violence-related assault than non-Aboriginal women. Women with disabilities were at a higher risk of being assaulted.⁸⁶ WILPF recommended that the Government make the eradication of gender-based violence a priority.⁸⁷

49. LCA welcomed the continued funding of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Victorian Government also held an Inquiry into the Handling of Child Abuse by Religious and Other Organisations.⁸⁸ JS5/ANGOC indicated that Aboriginal and Torres Strait Islander children accounted for almost 35 percent of all children in care despite comprising only 4.4 percent of the nation's child population.⁸⁹ LCA recommended that Australia should improve administration of justice regarding the abuse of children and consider establishing a national compensation scheme for victims, including for victims of the Stolen Generations, as proposed in a noted UPR⁹⁰ recommendation.⁹¹

50. Regarding the implementation of UPR recommendations⁹² on combatting human trafficking, WVA stated that the Government should be commended for the progress made, and called on Australia to better resource and increase the capacity of investigatory responses to reveal the extent of trafficking in persons and exploitation committed by Australians.⁹³ Concerned that Australia's response to trafficking was based on criminal justice outcomes,⁹⁴ JS1 called for a human rights-based approach to protecting the rights of victims of trafficking.⁹⁵

51. JS5/ANGOC recommended a consistent approach to decriminalization of sex work and measures to tackle discrimination against sex workers.⁹⁶ JS3 made recommendations to address its concerns, including on the growing sex industry, by taking the Nordic approach which criminalizes the purchase of sex.⁹⁷

3. Administration of justice and the rule of law

52. LCA stated that mandatory sentencing disproportionately affected indigenous Australians contributing to their higher imprisonment rates.⁹⁸ ICJ reported that, since the 2011 UPR, additional mandatory sentencing legislation had been introduced in Northern Territory, New South Wales, Queensland and Victoria.⁹⁹ STP noted that mandatory sentencing had existed in Western Australia for some time.¹⁰⁰ ICJ reported that, in 2013, indigenous prisoners represented 86 percent of the Northern Territory adult prisoner population and 40 percent of the Western Australian prisoner population.¹⁰¹ In accordance with its UPR commitment¹⁰² on addressing Aboriginal overrepresentation in prison, LCA stated that Australia should champion justice reinvestment strategies through the Council of Australian Government.¹⁰³ HRW recommended that Australia adopt CAT's recommendation to review mandatory sentencing laws with a view to abolishing them.¹⁰⁴

53. LCA referred to legislative provisions that might limit the ability of persons with disabilities to understand court proceedings and expose them to indefinite detention. Australia should ensure that they are afforded the right to a fair hearing and do not serve a longer period in detention.¹⁰⁵

54. NATSILS reported that a recent Government commissioned review by the Productivity Commission argued against planned cuts to the Indigenous Legal Aid and Policy Reform Programme, and instead called for an annual injection of \$200m to the legal assistance sector.¹⁰⁶ JS5/ANGOC recommended that Australia should implement the recommendations of the Productivity Commission and the Senate Inquiry into Access to Justice and provide additional funding for legal assistance services, including for strategic advocacy and law reform activities.¹⁰⁷

55. LCA reported that some jurisdictions treated minors as adults in the criminal justice system and did not accord with principles of rehabilitative justice. Australia should ensure that criminal systems were reflective of the best interests of the child, including a right to education.¹⁰⁸

4. Right to privacy

56. JS2 was gravely concerned that the vagueness and breadth of the laws governing secret surveillance and the immense powers and discretion they conferred on the authorities might result in serious violations of the right to freedom from arbitrary or unlawful interference in privacy and correspondence.¹⁰⁹ JS2 made recommendations including that Australia: ensure any communications surveillance or sharing of data is strictly necessary and proportionate; ensure that surveillance oversight bodies have sufficient resources, investigative powers and enforcement capabilities to prevent, detect, investigate and address abuses.¹¹⁰

5. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

57. JS5/ANGOC observed that Federal and State Governments had restricted advocacy by NGOs.¹¹¹ ISHR reported that the Government had recently moved to prohibit community legal centres from using Commonwealth funds for law reform, policy or advocacy work and defunded a number of key human rights organisations working in such

areas as indigenous rights, refugee and asylum seeker rights, and homelessness.¹¹² LCA called on Australia to reinstate funding.¹¹³

58. Reporting that the Government had recently referred journalists and whistleblowers inside immigration detention centres for investigation by Police, JS5/ANGOC recommended that Australia strengthen the *Public Interest Disclosure Act 2013* (Cth) to provide protection to whistleblowers.¹¹⁴

59. ISHR referred to regressive laws recently enacted or proposed which restricted the right to peaceful protest, including in Tasmania which announced 2015 plans to enact legislation providing corporations with the right to sue protestors and advocates, particularly targeting land and environment defenders.¹¹⁵ JS5/ANGOC recommended the repeal of those laws.¹¹⁶ LCA also recommended that Australia ensure that its anti-association laws comply with rule of law principles.¹¹⁷

60. Noting that all federal and state electoral laws continued to disenfranchise persons of ‘unsound mind’ and Queensland denied prisoners the right to vote, JS5/ANGOC stated that all persons should have the right to vote subject only to restrictions that are reasonable, necessary and proportionate.¹¹⁸

6. Right to social security and to an adequate standard of living

61. According to JS5/ANGOC, poverty had increased in Australia since the last UPR and the 2014-2015 Federal Budget included a range of measures that would further increase poverty.¹¹⁹ National-Seniors reported that 29 percent of women over 65 were living below the poverty line.¹²⁰ JS5/ANGOC recommended that Australia should increase social security payments to above the poverty line and index social security allowances and pensions to both wages and prices.¹²¹

62. National-Seniors reported that the Federal Government had disbanded the Social Inclusion Unit in September 2014. The onus had now been moved on to community organizations to fund programmes. However, in December 2014, \$270m over four years was cut by abolishing grants to the non-for-profit sector, to reduce poverty, prevent homelessness and support people with disabilities. National-Seniors, along with the wider community sector, had expressed concern over the withdrawal of funding and welcomed an inquiry to examine the impact of the loss of funding on the quality, efficiency and sustainability of support and services.¹²²

63. JS5/ANGOC reported that, since the last UPR, homelessness had increased, housing affordability had worsened and there continued to be a social housing shortage. Family violence was the most common cause of homelessness and Australia had failed to implement the recommendations of the Special Rapporteur on adequate housing. JS5/ANGOC recommended, inter alia, that Australia maintain its commitment to halve homelessness by 2020 and develop a comprehensive and coordinated national housing strategy.¹²³

7. Persons with disabilities

64. JS5/ANGOC stated that violence against people with disability and mental illness in institutional and residential settings was a national epidemic; and that the UN had long recommended that Australia investigate and address all forms of violence against persons with disability, including 2013 CRPD recommendations, but those recommendations had not been acted upon. Australia should commission a National Independent Inquiry into Violence and Abuse against People with Disability and Mental Illness in Institutional and Residential Settings.¹²⁴

65. JS5/ANGOC observed that for more than a decade the UN had made multiple recommendations to Australia to legislate to prohibit forced sterilization, but they had been ignored. A 2013 Senate Inquiry recommended regulation of the practice not prohibition.¹²⁵ LCA recommended that Australia, in accordance with its commitment under the previous UPR,¹²⁶ should ensure that its actions are reflective of the best interests of the child in regard to sterilization of a child with a disability.¹²⁷

8. Indigenous peoples

66. About 14 submissions referred to indigenous related issues, including Kaurareg Aboriginal Land Trust¹²⁸ which reported that Australia impeded their inalienable right to self-determine their future by continuing to impose forced integration on its peoples and sought redress.

67. JS5/ANGOC stated that since the last UPR, positive developments for Australia's Aboriginal and Torres Strait Islander Peoples included a commitment by the Australian Government to Constitutional Recognition, the adoption of the World Conference of Indigenous Peoples Outcome Document and continued commitment to the strategy for "Closing the Gap".¹²⁹ LCA stated that Australia should, as recommended at the previous UPR,¹³⁰ implement recommendations of treaty bodies and special procedures concerning indigenous peoples.¹³¹

68. National-Congress reported that Australia did not act in accordance with its UPR commitments¹³² to consult and cooperate with the Aboriginal and Torres Strait Islander Peoples.¹³³ LCA stated that there should be a statutory process for consultation.¹³⁴

69. According to STP, many aboriginal people neither acknowledged the National Congress nor the Prime Minister's Indigenous Advisory Council and asked Australia, inter alia, to respect the Aboriginal peoples' right to self-determination entering into dialogue by clearing the way for the establishment of freely elected sovereign Aboriginal bodies.¹³⁵

70. National-Congress pointed to the effects of present excessive policing and applied welfare controls over entire communities and populations, despite decades of United Nations recommendations to address the rates of separation and imprisonment of the First Peoples.¹³⁶ JS5/ANGOC called on Australia to revise the national intervention in the Northern Territory (Stronger Futures) in close cooperation with Aboriginal and Torres Strait Islander Peoples.¹³⁷ National-Congress recommended that Australia support Aboriginal self-governance including through the delivery of culturally-sustainable services.¹³⁸ JS5/ANGOC stated that Australia should ensure availability of, and funding for, quality community controlled services across early childhood, health, family support, housing and youth sectors, including programmes to address critical overcrowding and housing shortages.¹³⁹ WVA made related recommendations.¹⁴⁰

71. JS1 reported that many indigenous in rural and remote areas did not have driving licences, where there was little public transport, and half the prisoners in one Western Australian (WA) gaol were there because of traffic offences, and called for reforms.¹⁴¹ AI stated that many remote communities across Australia were vulnerable to closure following the Australian Federal Government's decision in 2014 to discontinue funding their essential and municipal services. The WA Government recently announced it would close up to 150 remote Aboriginal communities. Between September and December 2014, the WA Government demolished the majority of buildings in the remote Aboriginal community of Oombulgurri following a 2011 forced eviction.¹⁴²

72. STP stated that Aboriginal communities in the Northern Territory were de facto disposed of their land with so-called 99-year township leases and STP recommended that the 99-year lease programme be stopped.¹⁴³

73. JS5/ANGOC stated that the strict requirement of the *Native Title Act 1993* (Cth) of continuous connection to the land since colonisation was incompatible with the UN Declaration (UNDRIP) and recommended the regular review of native title laws. Australia should reverse the onus of proof for title to lands to require evidence that lands, territories and resources have been legitimately acquired from Aboriginal and Torres Strait Islander Peoples.¹⁴⁴

9. Migrants, refugees and asylum seekers

74. About 12 submissions referred to refugee and asylum related issues.¹⁴⁵ HRW stated that despite Australia's commitments at the 2011 UPR¹⁴⁶ to address refugee protection, there had been serious backsliding on the rights of asylum seekers and refugees.¹⁴⁷

75. ODVV reported that asylum seekers who arrived by boat, including children, were subjected to mandatory detention and transfer to third countries.¹⁴⁸ JS5/ANGOC indicated that mandatory removal to third country detention centres included gay men, despite criminalization of male to male sexual conduct in those third countries.¹⁴⁹ AI expressed concern at inhumane conditions or violations in third country detention centres and at the violent suppression of largely peaceful protests in detention centres.¹⁵⁰ JS5/ANGOC¹⁵¹ and WVA¹⁵² recommended that Australia implement the recommendations of AHRC's 2014 *The Forgotten Children Report*.

76. HRW reported that an asylum seeker could now be removed from Australia without any consideration of Australia's non-refoulement obligations.¹⁵³ On the new statutory framework for assessing protection claims, Refugee Council of Australia (RCOA), in its detailed submission, stated that most references to the Refugee Convention had been removed from the Migration Act and replaced with the Government's own interpretation of Australia's international obligations towards refugees. For example, asylum seekers would only be eligible for protection in Australia if their fear of persecution extended to the entire territory of their country of origin; and a person would not be entitled to refugee status in Australia if they could take reasonable steps to modify their behaviour so as to avoid persecution.¹⁵⁴

77. RCOA recommended that the *Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014* be repealed.¹⁵⁵ LCA stated that in accordance with its commitment under the previous UPR,¹⁵⁶ Australia should ensure that: it honours its obligations under Articles 31 and 33 of the Refugee Convention and the rights of all refugees and asylum-seekers are respected, providing them access to Australian refugee law.¹⁵⁷

10. Right to development, and environmental issues

78. Contrary to accepted UPR recommendations on development assistance,¹⁵⁸ JS5/ANGOC reported that the Government had significantly reduced the aid budget, and abolished AusAID as an independent agency; and the aid programme's aim was to pursue Australia's national interest with a focus on supporting private sector involvement.¹⁵⁹ WILPF raised related concerns.¹⁶⁰ WVA called on the Government to develop, without further delay, a National Action Plan on Business and Human Rights, which clearly articulates that Australian businesses respect human rights, particularly children's rights, in their global operations.¹⁶¹

79. JS4 submitted alleged human rights violations committed by Australian corporations abroad, particularly by OceanaGold Corporation.¹⁶² JS4 recommended, inter alia, that the Government establish an independent mechanism to monitor the compliance of the activities of Australian companies operating abroad with international human rights law;

and to officially respect the primacy of human rights norms and obligations over free trade agreements.¹⁶³

80. Regarding implementation of a UPR commitment¹⁶⁴ to take action to address climate change, JSI referred to the 2008-2013 International Climate Change Initiative and the Climate Change Adaptation Programme.¹⁶⁵ JSI recommended that Australia develop stronger policies on climate change that ensure the mitigation of the effects of the emission of greenhouse gases from Australian sources.¹⁶⁶

11. Human rights and counter-terrorism

81. HRW stated that some of the measures in a new range of counterterrorism provisions imposed severe criminal penalties for the vague offense of “advocating terrorism” and making unauthorized disclosures related to “special intelligence operations.” It was now a criminal offense to travel to “declared areas” abroad.¹⁶⁷ LCA recommended that Australia review the compatibility of its legislative framework to combat terrorism with its international obligations and remedy any possible gaps, including: responding to the reports of the Independent National Security Legislation Monitor, in building upon its commitment under the previous UPR¹⁶⁸ to review counter-terrorism legislation; and amending counter-terrorism laws and practices to respond to past recommendations of UN treaty bodies and special procedures.¹⁶⁹

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with “A” status).

*Civil society**Individual submissions:*

ADF-International	Alliance Defending Freedom – International, Geneva, Switzerland;
AI	Amnesty International, London, United Kingdom of Great Britain and Northern Ireland;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, UK;
HRW	Human Rights Watch, Geneva, Switzerland;
ICJ	International Commission of Jurists, Geneva, Switzerland;
ISHR	International Service for Human Rights, Geneva, Switzerland;
KALT	Kaurareg Aboriginal Land Trust, Thursday Island, Australia;
LCA	Law Council of Australia, Braddon, Australia;
National-Congress	National Congress of Australia’s First People’s, Redfern, New South Wales, Australia;
National-Seniors	National Seniors, Brisbane, Australia;
NATSILS	National Aboriginal and Torres Strait Islander Legal Services, Brisbane, Australia;
ODVV	Organization for Defending Victims of Violence, Tehran, Islamic Republic of Iran;
RCOA	Refugee Council of Australia, Surry Hills, Australia;
STP	Society for Threatened Peoples International, Goettingen, Germany;
WILPF	Women’s International League for Peace and Freedom, Geneva, Switzerland;
WVA	World Vision Australia, Burwood East, Australia.

Joint submissions:

JS1	Joint submission 1 submitted by: Franciscans International, International; Solidarity Foundation; Australian Catholic Religious against Trafficking in Humans; Destination Justice;
JS2	Joint submission 2 submitted by: Center for Democracy & Technology, Washington DC, United States of America; Australian Privacy Foundation; New South Wales Council for Civil Liberties; and Privacy International;
JS3	Joint submission 3 submitted by: Australian Christian Lobby, Deakin, Australia; FamilyVoice Australia, Adelaide, Australia; and Wilberforce Foundation, Adelaide, Australia;
JS4	Joint submission 4 submitted by: Franciscans International (FI), Geneva, Switzerland; Europe Third World Center (CETIM); Alyansa Tigil Mina (ATM); Fundacion de Estudios para la Aplicacion del Derecho (FESPAD);
JS5/ANGOC	Australian Non-Governmental Coalition, joint submission, prepared by the Human Rights Law Centre, Melbourne, Australia, the Kingsford Legal Centre, Sydney, Australia, and the National Association of Community Legal Centres, Sydney, Australia, with substantial contributions from a number of NGOs across Australia and is endorsed, in whole or in part, by the following 190 0 organisations: 2020Women; Aboriginal Legal Rights Movement; ActionAid Australia; Advocacy for Inclusion; Androgen Insensitivity Syndrome Support Group Australia; Aleph Melbourne; All Together Now; Amnesty International Australia (National Women’s Rights Team); Anti-Slavery Australia; Association for Services to Torture and Trauma Survivors; Asylum Seekers Centre Inc.; Australasian Council of Women and

Policing; Australian Baha'i Community – Office of Equality; Australian Capital Territory Disability Aged and Carer Advocacy Service; Australian Catholic Religious Against Human Trafficking; Australian Centre for Leadership for Women; Australian Council for International Development Gender Equity Working Group; Australian Federation of AIDS Organisations; Australian Federation of Graduate Women; Australian Federation of Medical Women; Australian Lawyers for Human Rights; Australian Marriage Equality; Australian Motherhood Initiative for Research and Community Involvement; Australian National Committee for UN Women; Australian Reproductive Health Alliance; Australian Tamil Congress; Australian Women Against Violence Alliance; Australian Women's Health Network; Australian Women sport and Recreation Association; Australians for Native Title and Reconciliation (ANTaR); Australians for Native Title and Reconciliation (ANTaR) Queensland; Baptistcare Inc; Basic Rights Queensland Inc; Bisexual Alliance Victoria Inc; Brigidine Asylum Seeker Project; Carmen Rupe Memorial Trust; Castan Centre; Central Coast Community Legal Centre; Centre for Human Rights Education at Curtin University; Centre for Multicultural Youth; Cerebral Palsy Alliance; Child Rights Task Force; Children by Choice; Children with Disability Australia; ChilOut; Civil Liberties Australia; Coffs Harbour Aboriginal Family Community Care Centre Inc; Combined Refugee Action Group; Communication Rights Australia; Community Information & Support Victoria (CISVic); Community Legal Centres New South Wales; Conference of Leaders of Religious Institutes New South Wales; COTA Australia; Council of Social Service of NSW (NCOSS); Council to Homeless Persons; CREATE Foundation; Darwin Asylum Seeker Support and Advocacy Network (DASSAN); Doctors for Refugees; Eastern Community Legal Centre; economic Security4Women; Edmund Rice Centre Sydney; Elizabeth Evatt Community Legal Centre; Enlighten Education; FECCA Women's Committee; Federation of Community Legal Centres (Victoria) Inc; Federation of Ethnic Communities' Councils of Australia; Fitted for Work; Footscray Community Legal Centre Inc; Gay & Lesbian Health Alliance SA; Geraldton Resource Centre; GetUp!; Gippsland Community Legal Service; Girl Guides Australia; Homebirth Australia; Home Ground; Human Rights Law Centre; Humanitarian Research Partners; Illawarra Legal Centre; Immigrant Women's Speakout Association NSW; International Commission of Jurists Victoria; International Social Service (ISS) Australia; International Women's Development Agency; JERA International; Jessie Street National Women's Library; Justice Connect; Justice Connect Homeless Law; Kingsford Legal Centre; Lentara Uniting Care; Marist Asylum-Seekers Refugee Service; Marrickville Legal Centre; Maternity Choices Australia; Melbourne Catholic Migrant & Refugee Office; Mental Health Australia; Mercy Works; Migrant Women's Lobby Group of South Australia; Missionaries of the Sacred Heart Justice and Peace Centre; Multicultural Women's Advocacy ACT; Murri Ministry Aboriginal Catholic Ministry of the Archdiocese of Brisbane, Queensland; National Aboriginal & Torres Strait Islander Legal Service (NATSILS); National Association of Community Legal Centres (NACLC); National Association of Services Against Sexual Violence; National Children's and Youth Law Centre; National Congress of Australia's First Peoples; National Council of Churches of

Australia Gender Commission; National Council of Jewish Women of Australia; National Council of Single Mothers and Their Children; National Council of Women of Australia; National Family Violence Prevention Legal Services; National Foundation for Australian Women; National LGBTI Health Alliance; National Liaison Committee for International Students in Australia – Women’s Department; National Mental Health Consumer and Carer Forum; National Rural Women’s Coalition; National Union of Students (Women’s Department); National Welfare Rights Network; New South Wales Council for Civil Liberties; New South Wales Gay and Lesbian Rights Lobby; Northern Rivers Community Legal Centre; Northern Territory Council of Social Service; Older Women’s Network Australia Inc; Older Women’s Network New South Wales Inc; Organisation Intersex International Australia; Oxfam Australia; Pax Christi Australia; Peninsula Community Legal Centre; People with Disability Australia; People with Disabilities WA Inc; Project Respect; Public Health Association of Australia (Women’s Special Interest Group); Public Interest Law Clearing House (VIC) Inc; Queenscliff Rural Australians for Refugees; Queensland Advocacy Incorporated; Queensland Association of Independent Legal Services; Redfern Legal Centre; Refugee Advice and Casework Service; Refugee Council of Australia; Remedy Australia; Safe Asylum; Save the Children Australia; Scarlet Alliance Australian Sex Workers Association; Secretariat of National Aboriginal and Islander Child Care; Sexual Health and Family Planning Australia; Shoalcoast Community Legal Centre Inc.; Sisters Inside; Soroptimist International; Soroptimist International Moreton North Inc.; South Australian Council of Social Services (SACOSS); Sydney Multicultural Community Services; Tasmania Opportunity; Taylor Street Community Legal Service; Tenants’ Union of NSW; The Addison Road Community Centre for Art, Culture, Community and Environment; The Australian Centre for Leadership for Women (ACLW); The Bridge of Hope Foundation Inc; The Ethnic Community Services Co-Operative Ltd; The House of Welcome; Touching Base Inc; Townsville Community Legal Centre; Transgender Victoria Inc; UNICEF Australia; Union of Australian Women; United Nations Association of Australian Status of Women Network; Uniting Justice Australia; Victorian Council of Social Service; Victorian Gay & Lesbian Rights Lobby; Victorian Immigrant and Refugee Women’s Coalition; VIEWS Club of Australia; Western New South Wales Community Legal Centre Inc; Wirringa Baiya Aboriginal Women’s Legal Centre Inc.; Women in Adult and Vocational Education; Women in Engineering Australia; Women on Boards; Women with Disabilities Australia; Women with Disabilities Victoria; Women’s Electoral Lobby; Women’s Environment Network Australia; Women’s Equity Think Tank; Women’s Housing Ltd; Women’s Information Referral Exchange (WIRE); Women’s International League for Peace and Freedom (WILPF) Australia; Women’s Legal Centre (ACT & Region); Women’s Legal Services Australia; Women’s Legal Services New South Wales; Women’s Property Initiatives; Working Against Sexual Harassment; Wyndham Legal Services Inc.; Yfoundations; Youthlaw; YWCA Australia; Zonta International Districts 22, 23, and 24.

National human rights institution(s):

AHRC

Australian Human Rights Commission*, Sydney, Australia.

² The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ AHRC, paras. 2-3 and Annex.

⁴ The following abbreviations are used in UPR documents:

CERD	Committee on the Elimination of Racial Discrimination
CECSR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child
CMW	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Committee on the Rights of Persons with Disabilities
CED	Committee on Enforced Disappearances
SPT	Subcommittee on Prevention of Torture

⁵ AHRC, para. 4.

⁶ AHRC, para. 5.

⁷ AHRC, para. 6.

⁸ AHRC, para. 8.

⁹ AHRC, para. 14.

¹⁰ AHRC, para. 11.

¹¹ AHRC, para. 10.

¹² AHRC, para. 15.

¹³ AHRC, paras. 16-17.

¹⁴ AHRC, para. 18.

¹⁵ AHRC, para. 36.

¹⁶ AHRC, para. 27.

¹⁷ AHRC, paras. 28-30.

¹⁸ AHRC, paras. 19-20.

¹⁹ AHRC, para. 31.

²⁰ AHRC, para. 32.

- 21 AHRC, para. 40.
22 AHRC, para. 43.
23 AHRC, para. 44.
24 AHRC, para. 41.
25 AHRC, para. 23.
26 AHRC, para. 42.
27 AHRC, paras. 24-26.
28 AHRC, paras. 33-34.
29 AHRC, paras. 33-34, recommendations.
30 AHRC, para. 35.
31 AHRC, paras. 37-38.
32 A/HRC/17/10, paras. 86.1 (Republic of Moldova), 86.2 (Azerbaijan), 86.3 (Maldives), 86.4 (New Zealand), 86.5 (Mexico) and 86.6 (Denmark) and A/HRC/17/10/Add.1.
33 AI, p.1.
34 A/HRC/17/10, paras. 86.7 (Thailand), 86.9 (Argentina), 86.10 (Algeria, Bolivia, Turkey, Philippines, Bosnia and Herzegovina) and A/HRC/17/10/Add.1.
35 WVA, para. 13.
36 JS5/ANGOC, para. 8.
37 A/HRC/17/10, paras. 86.13 (Hungary), 86.14 (Republic of Korea), 86.15 (South Africa), 86.16 (Denmark) and A/HRC/17/10/Add.1.
38 LCA, para. 4.
39 JS1, para. 47.
40 JS1, para. 49.
41 National-Congress, p.3.
42 National-Congress, p.6, recommendation 1.
43 JS5/ANGOC, para. 11.
44 ADF-International, paras. 2 c and 24.
45 A/HRC/17/10, paras. 86.42 (United Kingdom), 86.43 (Pakistan, India), 86.44 (South Africa) and 86.48 (Islamic Republic of Iran) and A/HRC/17/10/Add.1, paras. 3 and 4. See also, A/HRC/17/10, para. 86.45 (Argentina) and A/HRC/17/10/Add.1, para. 3.
46 LCA, para. 1.
47 AI, p.2.
48 JS5/ANGOC, para. 7.
49 WVA, para. 3, recommendation 3.
50 JS2, para. 45, recommendations.
51 JS5/ANGOC, para. 9.
52 JS3, para. 20.
53 JS5/ANGOC, para. 9.
54 AI, p.1.
55 A/HRC/17/10, para. 86.27 (Bolivia) and A/HRC/17/10/Add.1.
56 ISHR, p.2.
57 JS5/ANGOC, para. 9.
58 AI, p.2.
59 JS5/ANGOC, para. 6.
60 JS5/ANGOC, para. 61.
61 JS5/ANGOC, para. 10.
62 JS5/ANGOC, paras. 2 and 11. See also, JS5/ANGOC, para. 43.
63 National-Congress, p.3.
64 HRW, p. 3.
65 ICJ, para. 8.
66 AI, p.3.
67 NATSILS, para 7, recommendation (a).
68 STP, p.4.
69 JS5/ANGOC, para. 44.
70 A/HRC/17/10, paras. 86.57 (Thailand) and 86.59 (Algeria) and A/HRC/17/10/Add.1.
71 LCA, para. 13.

- ⁷² A/HRC/17/10, para. 86.70 (Norway) and A/HRC/17/10/Add.1.
⁷³ HRW, p.3. See also, HRW, recommendation, p.4.
⁷⁴ National-Seniors, introduction, p.1., and conclusion, p.7.
⁷⁵ ODVV, para. 16.
⁷⁶ JS5/ANGOC, para. 77-78.
⁷⁷ NATSILS, para. 7, recommendation (f).
⁷⁸ NATSILS, para. 8.
⁷⁹ ICJ, para. 8.
⁸⁰ NATSILS, paras. 10 and 13, recommendation (h).
⁸¹ A/HRC/17/10, para. 86.71 (Hungary) and A/HRC/17/10/Add.1.
⁸² LCA, para. 20.
⁸³ A/HRC/17/10, para. 86.75 (Russian Federation) and A/HRC/17/10/Add.1.
⁸⁴ GIEACPC, p.1.
⁸⁵ WILPF, p.2.
⁸⁶ ODVV, para. 22.
⁸⁷ WILPF, p.2.
⁸⁸ LCA, para. 9.
⁸⁹ JS5/ANGOC, para. 39. See also, ODVV, paras. 25-26.
⁹⁰ A/HRC/17/10, para. 86.97 (Slovenia) and A/HRC/17/10/Add.1.
⁹¹ LCA, para. 9.
⁹² A/HRC/17/10, paras. 86.83 (Thailand), 86.84 (Indonesia), 86.85 (Philippines), 86.86 (Azerbaijan), 86.87 (United States of America), 86.134 (Thailand) and A/HRC/17/10/Add.1.
⁹³ WVA, para. 13, recommendation 9.
⁹⁴ JS1, para. 60.
⁹⁵ JS1, para. 62, recommendation 4.
⁹⁶ JS5/ANGOC, para. 87.
⁹⁷ JS3, paras. 34, 38 and 40.
⁹⁸ LCA, para. 19.
⁹⁹ ICJ, para. 6.
¹⁰⁰ STP, p.4.
¹⁰¹ ICJ, para. 9.
¹⁰² A/HRC/17/10, paras. 86.93 (Austria) and A/HRC/17/10/Add.1.
¹⁰³ LCA, paras. 18-19.
¹⁰⁴ HRW, p. 4.
¹⁰⁵ LCA, para. 24.
¹⁰⁶ NATSILS, para. 16.
¹⁰⁷ JS5/ANGOC, para. 18.
¹⁰⁸ LCA, para. 12.
¹⁰⁹ JS2, para. 35.
¹¹⁰ JS2, para. 45, recommendations.
¹¹¹ JS5/ANGOC, para. 15.
¹¹² ISHR, p.2.
¹¹³ LCA, para. 25.
¹¹⁴ JS5/ANGOC, para. 16.
¹¹⁵ ISHR, p.1.
¹¹⁶ JS5/ANGOC, para. 13.
¹¹⁷ LCA, para. 26 and JS5/ANGOC, para. 14.
¹¹⁸ JS5/ANGOC, para.17.
¹¹⁹ JS5/ANGOC, para. 23.
¹²⁰ National-Seniors, p.5.
¹²¹ JS5/ANGOC, paras. 24 and 26.
¹²² National-Seniors, p.2.
¹²³ JS5/ANGOC, paras. 28-29.
¹²⁴ JS5/ANGOC, paras. 47-48.
¹²⁵ JS5/ANGOC, para. 46.
¹²⁶ A/HRC/17/10, paras. 86.39 (Denmark, United Kingdom, Belgium, Germany) and

- A/HRC/17/10/Add.1.
- ¹²⁷ LCA, para. 11.
- ¹²⁸ KALT, summary and para. 19; AI, pp.34-4 and p.6; JS5/ANGOC, paras. 8, 12, 18-19, 21-22, 34-42, 49 and 78; HRW, pp.3-4; ICJ, paras. 6-13 and recommendations h and i; ISHR, p.2; JS1, paras. 23-49; LCA, paras. 5-8., 18-19 and 25; National-Congress, pp.1-6; NATSILS, paras. 2-20; ODVV, paras. 12, 14, 22, 25-26 and 28; STP, pp.1-4; WILPF, p.2; WVA, paras. 20-25 and recommendations 14-16.
- ¹²⁹ JS5/ANGOC, para. 34.
- ¹³⁰ A/HRC/17/10, paras. 86.36 (Jordan), 86.106 (Bolivia, Ghana, Hungary, Denmark) and A/HRC/17/10/Add.1.
- ¹³¹ LCA, para. 8.
- ¹³² A/HRC/17/10, paras. 86.26 (Slovenia), 86.109 (Bolivia), 86.110 (Bosnia and Herzegovina), 86.111 (Mexico), 86.112 (Indonesia), 86.113 (Austria), 86.118 (Belgium) and A/HRC/17/10/Add.1.
- ¹³³ National-Congress, p.2.
- ¹³⁴ LCA, para. 25.
- ¹³⁵ STP, p.2.
- ¹³⁶ National-Congress, p.5.
- ¹³⁷ JS5/ANGOC, para. 36.
- ¹³⁸ National-Congress, p.6, recommendation 6.
- ¹³⁹ JS5/ANGOC, para. 41.
- ¹⁴⁰ WVA, pp.6-7, recommendations 15-16.
- ¹⁴¹ JS1, paras. 42-43.
- ¹⁴² AI, p.4.
- ¹⁴³ STP, pp. 2-3.
- ¹⁴⁴ JS5/ANGOC, paras. 37-38.
- ¹⁴⁵ AI, pp.4-6; JS5/ANGOC, paras. 16, 56-59 and 62; HRW, pp.1-4; ICJ, paras. 2-5 and 20, recommendations a-g; ISHR, p.2; JS1, paras. 2-21; JS3, paras. 58-62; LCA, paras. 14-16 and 21-22; ODVV, paras. 8-11, 27 and 31-32; RCOA, pp.1-6; WILPF, pp. 1-2; WVA, paras. 4-8 and recommendations 4-8.
- ¹⁴⁶ A/HRC/17/10, para. 86.123 (Norway) and A/HRC/17/10/Add.1.
- ¹⁴⁷ HRW, p.1.
- ¹⁴⁸ ODVV, para. 11.
- ¹⁴⁹ JS5/ANGOC, para. 56.
- ¹⁵⁰ AI, p.4.
- ¹⁵¹ JS5/ANGOC, para. 62.
- ¹⁵² WVA, para. 8.
- ¹⁵³ HRW, p.2.
- ¹⁵⁴ RCOA, para. 2.2.
- ¹⁵⁵ RCOA, para. 7, recommendation a).
- ¹⁵⁶ A/HRC/17/10, para. 86.122 (Slovenia) and A/HRC/17/10/Add.1.
- ¹⁵⁷ LCA, para. 21.
- ¹⁵⁸ A/HRC/17/10, paras. 86.135 (Algeria), 86.144 (Cambodia), 86.145 (Chad) and A/HRC/17/10/Add.1.
- ¹⁵⁹ JS5/ANGOC, para. 80.
- ¹⁶⁰ WILPF, pp.2-3.
- ¹⁶¹ WVA, recommendation 13.
- ¹⁶² JS4, para. 6.
- ¹⁶³ JS4, para. 40, recommendations 3 and 6.
- ¹⁶⁴ A/HRC/17/10, para. 86.31 (Maldives) and A/HRC/17/10/Add.1, para. 4.
- ¹⁶⁵ JS1, paras. 50-51.
- ¹⁶⁶ JS1, para. 54, recommendation 1.
- ¹⁶⁷ HRW, p.2.
- ¹⁶⁸ A/HRC/17/10, paras. 86.137 (Russian Federation), 86.138 (Belgium), 86.139 (Republic of Moldova), 86.140 (Switzerland) and A/HRC/17/10/Add.1.
- ¹⁶⁹ LCA, para. 17.