

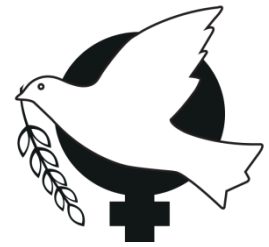
Women's International League for Peace and Freedom

Ligue Internationale de Femmes pour la Paix et la Liberté

Liga Internacional de Mujeres por la Paz y la Libertad

Consultative Status with UN ECOSOC, UNCTAD and UNESCO; Special Consultative

Relations with FAO, ILO, and UNICEF



Australian Section

Suggested recommendations by WILPF for the second Universal Periodic Review of Australia

1. Off-shore and international transfer and processing of asylum seekers

The new Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014 removes any reference to the 1951 Refugee Convention and its 1967 Protocol and as such to accountability and compliance with international legal obligations and standards; it substitutes "fast track" assessment of claims of refugee status, for due process in accordance with the minimum standards set by the Refugee Convention, of which Australia is a signatory; and it reintroduced temporary protection visas, with many discretionary and conditional aspects which contravene the minimum standards of protection, which Australia is obliged to provide as a signatory of the Refugee Convention. Temporary protection visas have proven to impose a variety of deleterious circumstances on those holding them, especially the damaging impact on mental health,¹ in contravention of several international treaty obligations, such as the Convention Against Torture.

Asylum seekers reaching Australia by boat, transferred to off-shore detention centres in other countries, established and funded by Australia, experience sexual, physical and mental abuse and violations of their human rights.² Pregnant women are especially vulnerable; many have depression, with numerous reported cases of self-harm and suicide³; pregnant women in detention are at an increased risk of death, stillbirth, miscarriage and low birth weight babies.⁴

WILPF recommends the following for the UPR of Australia:

- Ensure obligations of the 1951 Refugee Convention and 1967 Protocol are legislated in Australian law, as is mandated for Convention signatories
- Australian government ceases to transfer its obligations to respond to claims for refugee status and provides properly resourced procedures for assessment of claims for refugee status, for asylum seekers reaching Australia by boat, and all future asylum seekers

¹ An Australian 2006 study found that both "past immigration detention and ongoing temporary protection each contributed independently to risk of ongoing PTSD [post traumatic stress disorder], depression and mental health-related disability". Momartin, Shakeh et al. 2006. 'A comparison of the mental health of refugees with temporary versus permanent protection visas'. *The British Journal of Psychiatry* 188: 58-64.

² 'Detention centre child sex abuse claims number in dozens'. *Sydney Morning Herald*, 30 September 2014. Available at <http://www.smh.com.au/federal-politics/political-news/detention-centre-child-sex-abuse-claims-number-in-dozens-20140930-10o7pv.html>.

³ 'Asylum-seeker mothers on suicide watch on Christmas Island'. *The Guardian*, 8 July 2014. Available at <http://www.theguardian.com/world/2014/jul/08/asylum-seeker-mothers-on-suicide-watch-on-christmas-island>.

⁴ Caroline de Costa, Professor of Obstetrics and Gynaecology at James Cook University School of Medicine in 'Grim prospects for pregnant asylum seekers on Nauru'. Available at <http://blogs.crikey.com.au/croakey/2014/04/29/grim-prospects-for-pregnant-asylum-seekers-on-nauru-and-links-to-the-four-corners-manus-report/>.

- Ensure the security and medical staff operating in off-shore detention facilities are adequately trained in human rights and gender sensitivity, i.e. bilateral agreements on off-shore detention centres should make provision for such training
- Department of Immigration should investigate allegations of sexual exploitation in off-shore detention centres and ensure the proper protection of women under its care
- Women who have recently given birth should not be returned to off-shore detention with their newborns
- If found to be refugees, pregnant women and those with small children should be resettled to the Australian mainland immediately

2. Gender-Based Violence

Violence against women is one of the most widespread human rights abuses in Australia; it is the leading cause of death, disability, illness and homelessness for Australian women aged 15-44.⁵ One in three Australian women experiences violence in an intimate relationship, and one in five women have experienced sexual violence in her lifetime.⁶ Many women and girls are unable to leave an abusive household due to economic constraints.⁷ Despite this pressing issue, support for organizations dealing with gender-based violence has been cut. Indigenous women in remote communities and non-English speaking women are at an increased risk, as services for women in regional areas and those with a non-English speaking background are even more limited.

WILPF recommends the following for the UPR of Australia:

- Government makes the eradication of gender-based violence a priority
- Government ensures women's shelters, support mechanisms, and compliance with protection orders are adequately resourced via policing and support services
- Government ensures that services are accessible to women of all backgrounds and location and include measures to address culture, language and distance barriers
- Government ensures a financial safety net for women and girls to remove any financial dependence which traps them in an abusive environment

3. Disarmament

Australia plans an increase in defence spending to 2% of GDP over the next decade. In contrast, foreign aid spending is reduced to 0.22% of Australia's gross national income (GNI)⁸, with severe consequences for the world's most disadvantaged, the majority of whom are women and children.

Equal representation of women and their representative organization in consultations for Defence Department strategy, fiscal and policy priorities (culminating in a 2015 whole-of-government White Paper) has been neglected and the imbalance should be redressed.⁹

⁵ The Australian Psychological Society (APS). 'Submission to the Inquiry into Domestic Violence in Australia', 12 August 2014. Available at <http://www.aph.gov.au/DocumentStore.ashx?id=dbd5c616-26ea-4e57-8b13-d31997b29c6a&subId=298947>.

⁶ Ibid.

⁷ Ibid.

⁸ 'Foreign aid slashed by \$3.7bn in Myefo, taking total Coalition cuts to \$11bn'. *The Guardian*, 15 December 2014. Available at <http://www.theguardian.com/australia-news/2014/dec/15/foreign-aid-slashed-by-37bn-in-myefo-taking-total-coalition-cuts-to-11bn>.

⁹ The expert panel is comprised of just six male experts.

WILPF recommends the following for the UPR of Australia:

- Government ensures equity in consultation on all Defence matters
- Government ensures the Defence budget is not increased to the detriment of the budget requirements for health, social services, education and foreign aid
- Government empowers and resources the Australian Human Rights Commission to oversee the eradication of sexism and misogyny in the Australian Defence Force
- Government ensures the privatized military sector, complies with all relevant international obligations, covenants and treaties to which Australia is signatory, especially the Arms Trade Treaty.

4. Women, Peace and Security (WPS)

UN Security Council Resolution 1325 (2000) (UNSCR 1325) addresses the importance of women's equal participation and full involvement in international peace and security. Australia released its National Action Plan (NAP) on 8 May 2012 and made WPS a priority during its presidency on the UN Security Council from September 2013. A gap remains between Australia's commitment to the WPS agenda and the full implementation of the NAP by 2018.

WILPF recommends the following for the UPR of Australia:

- The main focus of UNSCR 1325 is the participation of women in decision making at all levels. The disparity in Australian government decision making at senior levels should be addressed, e.g. only 2 women currently serve as Cabinet Ministers.
- Ensure the appointment of focal points for the NAP (senior level civil servants) within each relevant government department to liaise within and across departments and engage with civil society
- Develop training and education tools on WPS for relevant government departments
- Develop publicly available implementation plans for each relevant department which include measurable targets.
- Encourage and assist countries in the Asia-Pacific to develop and implement their own NAPS and help strengthen the Regional Action Plan on WPS.

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