

**Human Rights Council
Session
Item: UPR Australia**

8 June 2011

Speaker: Moy Hitchen

Mr President,

Franciscans International, Edmund Rice International and Marist International Solidarity Foundation thank Australia for its consideration and support of the recommendations raised during its UPR on January 27, 2011.

We appreciate the commitment expressed by Australia through its setting up a Human Rights Commission, the decision to appoint two new full-time commissioners to this, and its establishing a Human Rights Framework, to help implement the recommendations it has accepted.

We are encouraged by Australia's signing of the UN Declaration on the Rights of Indigenous Peoples and calls on the Australian Government to implement fully its provisions. We recommend the constitutional recognition of its Indigenous Peoples, and a fundamental rethink of the Northern Territory Emergency Response, by involving all the Indigenous people affected through consultation and their active participation.

We strongly endorse recommendation **86.116** proposed by Thailand during the UPR, and hope the Australian Government will make this a priority in its Plan of Action in closing the gap between Indigenous and non-Indigenous peoples.

We express concern at the Australian Government's policy of mandatory detention for asylum-seekers, as a breach of Australia's international human rights obligations. We urge them to lift the moratorium on processing claims by Afghan people; the unnecessary delays are threatening their mental health. The proposed bilateral agreement between Australia and Malaysia for the processing of asylum-seekers and resettlement of refugees must ensure compliance by both countries with international human rights standards.

We call on the Australian Government to prevent the *refoulement* of asylum-seekers to countries where their life is in danger and their human rights not recognised. We further urge the Australian Government to prevent asylum-seekers being demonised in political debate, and to cease trivialising human rights issues with expressions such as 'border management'.

Finally, we call on Australia to re-consider the impact of its carbon emissions on the exercise of fundamental human rights by the peoples of low-lying islands. Effective leadership by the Australian Government both in mitigating emissions and putting a price on carbon emissions will help prevent future humanitarian disasters.

Thank you, Mr President