

National Motion of Public Importance

This House endorses the Implementation of a Federal Human Rights Bill.

This House:

- a) *Notes that human rights are fundamental to the wellbeing and dignity of all members of society*
- b) *Notes that there is a need for a comprehensive and unified framework that protects human rights at the national level*
- c) *Notes that shortcomings in current human rights legislation disproportionately impacts vulnerable and diverse populations*
- d) *Recognises that Australia is the only liberal democracy without a Human Rights charter or equivalent in federal legislation.*
- e) *Endorses that young people be recognised as a distinct group within the Charter, with their own set of rights*

Background

Australia currently does not have any national human rights protections implemented, which means that as a country, Australia is not fully implementing its obligations under the International Covenant on Civil and Political Rights ('ICCPR') and International Covenant On Economic, Social and Cultural Rights ('ICESCR'). Currently, Victoria is the only state that has a Charter of Human Rights, whereas Queensland and the Australian Capital Territory have Human Rights Acts.

Arguments for a federal charter/bill of human rights

- It would unify the protections of human rights across all of Australia, compared to an inconsistent framework between states and territories
- A charter of human rights would ensure all Australians have their fundamental human rights met, and ensure those who violate human rights are held accountable
- A charter of rights would improve Australia's international reputation in regards to past and current human rights violations and allow for these violations to be addressed
- A charter of human rights would be of symbolic importance, fostering a culture of human rights within the nation, and enhancing public education and awareness of human rights

Arguments against a federal charter/bill of human rights

- The Australian Constitution, Common law and Australia's obligations under numerous international Human Rights treaties are adequate enough to protect human rights
- A Human Rights Act would give too much powers to courts and unelected judges to make decisions about human rights.
- A uniform approach to human rights may not adequately capture the unique considerations and issues of individual states and territories which could be better captured by state-level Human Rights Act.
- A Human Rights Act would be an example of Government overreach by further dictating day to day civilian actions and interactions.