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Human Rights
Commissioner

SECOND YEAR OF TERM

'Human rights are intrinsically important but they are not inevitable. The role of the Commission in promoting and protecting human rights in Australia is more important than ever.'

TERM GOALS

- **Build** greater community awareness of human rights and fundamental freedoms, including in the development of law, policy and practice.
- **Strengthen** human rights frameworks to meet identified future challenges.
- **Strengthen** Australia's response to countering modern slavery and human trafficking.
- **Improve** oversight and human rights protections in Australia's detention systems, including immigration detention.

PRINCIPLES/APPROACH

- Fostering public understanding of, and engagement with, fundamental human rights.
- Strategic public advocacy and engagement to foster discussion about key human rights challenges.
- Developing partnerships and collaborations to address common goals.
- Providing policy and law reform advice supported by research and evidence.
- A focus on practical solutions that deliver improved human rights outcomes for individuals and communities.

KEY ACTIVITIES: 2022-23 WORKPLAN

<p>Effective oversight of places of detention through implementation and operationalisation of OPCAT</p>	<ul style="list-style-type: none"> • Australia ratified the Optional Protocol to the <i>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</i> (OPCAT) in December 2017, and is required to be compliant with its OPCAT obligations by 20 January 2023. Australia has chosen to adopt a multiple-body monitoring system, with each Australian jurisdiction to designate their own National Preventive Mechanism (NPM), and the Commonwealth Ombudsman designated as the NPM Co-ordinator. • In 2022, the Human Rights Commissioner will convene a National OPCAT Symposium, bringing together relevant stakeholders from the Commonwealth, State and territory governments, oversight and statutory bodies, and civil society to assess implementation progress to date, identify any existing barriers and establish next steps. The Commissioner will also produce a Roadmap to OPCAT Compliance, which will set out a clear pathway of the actions required to ensure that Australia achieves full OPCAT compliance by the extended deadline of 20 January 2023. • The Commissioner will also engage with international scrutiny bodies reviewing Australia's progress under CAT and OPCAT, when the Sub-Committee on Torture conducts a visit to Australia in October 2022 and the Committee on Torture reviews Australia's compliance with the CAT treaty in November 2022.
<p>Asylum seeker, refugee and immigration detention program</p>	<ul style="list-style-type: none"> • This work aims to improve human rights protection in Australia's immigration system. It will involve inspections of immigration detention facilities in Australia, as well as advocacy and engagement on the human rights implications of policies affecting asylum seekers, refugees and other migrants residing in the Australian community. • In 2022, the Human Rights Commissioner has commenced an Inspection of the Melbourne and Brisbane Alternative Places of Detention ('Hotel APODs') with the aim of both examining the conditions of detention in Hotel APODs, and also the broader impacts of detention on the people who were or are still detained.
<p>Business and human rights program</p>	<ul style="list-style-type: none"> • This program seeks to progress the business and human rights agenda by working with business, government and civil society stakeholders to promote the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs) and other relevant frameworks in Australia. • In particular, the Commissioner will focus on supporting and strengthening Australia's efforts to eradicate modern slavery and human trafficking, including through engagement with the statutory review of the <i>Modern Slavery Act 2018</i> (Cth) in 2022 to help improve the effectiveness of this legislation. • The Commissioner will also continue to engage with business, government and civil society stakeholders to promote the responsible and ethical development and use of technology. This work supports the implementation of the recommendations made in the Final Report of the Human Rights and Technology project, published in May 2021. In particular, this includes the development of Human Rights Impact Assessments to identify and address the benefits and risks to human rights posed by new and emerging technologies.