

Human rights report looks at what's getting better and worse

The Centre's broad range of human rights expertise has again been put to use, analysing the best and worst for human rights in 2016. The annual 2016 Human Rights Report was launched at this year's conference, asking what's got better, what's got worse and what needs to change in thirteen vital human rights areas.

The report's overall conclusion? A lot has got worse and a lot needs to change, however there have been some improvements.

What's got better?

For women's human rights, the Victorian Royal Commission into Family Violence's final report spurred the government to commit \$572 million towards housing, support and services. Resources such as this will have a real impact for women and children faced with family violence. While there are many uncertainties surrounding the National Disability Insurance Scheme, after commencing in July this year in most states and territories, it has been largely welcomed by disability advocates. The Victorian government made an historical apology to the LGBTI community for having criminalised homosexual conduct and conducted a thorough review of its Charter of Human Rights and Responsibilities Act.

Internationally, the ICC Office of the Prosecutor officially requested to open a situation into alleged crimes committed during the 2008 separatist war in Georgia. Mongolia, Madagascar, Fiji, Suriname and the Congo all abolished the death penalty and four more countries ratified the Optional Protocol to the Convention Against Torture (OPCAT), bringing the total to 81.

What's got worse?

Unfortunately there are many things that have got worse. Australia's continuing immigration policy of detaining asylum seekers and refugees in a state of almost indefinite detention has led to immense suffering in Nauru and on Manus Island. Additionally, the government has been unclear about when it intends to ratify OPCAT, which would require it to set up an independent monitoring body for all places of detention.

Prime Minister Malcolm Turnbull released the annual Closing the Gap report with a positive tone, yet the report showed that the gap between Indigenous and non-Indigenous Australians is failing to close in many areas. Many of the targets are not on track or have not been met, and Aboriginal deaths in custody are now more frequent than they were in 1991 at the time of the landmark deaths in custody report.

Attacks on LGBTI people are increasing, with the massacre in Orlando earlier this year being the biggest attack on LGBTI people since the Holocaust. For LGBTI Australians, the prospect of a plebiscite on same-sex marriage brought with it the fear of potential transphobia and homophobia that would harm vulnerable LGBTI youth and children in same-sex families.

In the past year, two Senate reports have shone a light on violence, abuse and lack of education for people with disability. These reports as well as recent media reports show that there is a need to take more seriously the educational needs of students with disabilities. They also show that instead of addressing the needs of these children, children have in some cases been

abused and locked up, an unacceptable practice that must be abolished.

What needs to change?

Australia's refugee policy requires fundamental change, starting with an end to the differential treatment of asylum seekers based on their mode of arrival. Many of the human rights issues present in Australia could be aided by the adoption of state, and also a federal, bills of rights. While only Queensland seems likely to adopt such a law in the near future, some things the government needs to consider are: the incorporation of the Convention of the Rights of the Child into domestic law, a more consistent approach to advocacy for death penalty abolition, the ratification of OPCAT and the addition of a new Closing the Gap target aimed at reducing Indigenous incarceration rates. Internationally, states need to re-affirm their commitment to international criminal justice as well as taking more action to hold businesses to account for human rights abuses.

All of these issues are covered by the Centre's academics on a voluntary basis and we thank them for their time and effort. We also thank our In-House interns who helped in the research for this report.

Although the situation for human rights in Australia and internationally often seems to be getting worse, we maintain hope that the work of organisations such as ours will help turn the tide.

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What got better?

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What needs to happen?