

28 October 2022

Restoring Australia's human rights status

The passage yesterday of the Australian Human Rights Commission Legislation Amendment (Selection and Appointment) Bill 2022 (Cth) (the Bill) will improve the transparency of appointments to the Australian Human Rights Commission (AHRC) and thus help this vital institution maintain its global standing.

“Australia has a long and proud history as a leading advocate for the international adoption of human rights,” Law Council of Australia President, Mr Tass Liveris said. “However, there have been a number of issues in recent times which demonstrate there is still work to be done here at home.

“The decision of the Global Alliance of National Human Rights Institutions (GANHRI) in March this year to defer the AHRC’s A-status reaccreditation was a major wake up call. In making this decision, GANHRI cited particular concerns regarding the AHRC’s appointment processes.

“Therefore, we welcome the passage of the Bill, which will establish a merit based and publicly advertised appointment process for AHRC members and set a maximum appointment period.

“With this legislation, the AHRC will better meet the minimum standards required of national human rights institutions under the Paris Principles,” Mr Liveris said. “These standards relate to independence in law, membership, operations and control of resources.

“We were also pleased to see an increase in the AHRC’s base funding in the Budget on Tuesday night, plus further funding to implement Respect@Work recommendations and to develop a National Anti-Racism Strategy.

“However, careful scrutiny is needed as to whether the AHRC’s increased base funding is now sufficient to ensure that it can carry out its core functions effectively, in light of its recent staffing cuts. In March 2022, the GANHRI also emphasised that sustainable, ongoing base funding is vital to assure the Commission’s ongoing independence and the fulfilment of its mandate.

“The Law Council calls on all federal politicians to ensure that Australia’s national human rights institution is well placed to carry out its mandate, now and into the future. Having a strong, independent national human rights institution is in the interest of all Australians.”

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