



22 April 2022

Samantha Klintworth
National Director
Amnesty International Australia
Email: exec.admin@amnesty.org.au

Dear Ms Klintworth,

I write in response to your Election 2022 Pledge.

Please find below the Australian Labor Party's response to the key areas you have raised. Please note we have responded to your key areas of concern in a clustered fashion, as some questions/areas overlap.

Yours sincerely,

Paul Erickson
National Secretary
Australian Labor Party

Human Rights

Promoting universal human rights is an essential policy objective for Labor, and our diplomatic, economic and international development assistance goals recognise this.

Labor has been a strong advocate for human rights and civil liberties both in Australia and on the international stage, and we will continue to pursue effective human rights diplomacy that supports international and regional security in Australia's national interest. We will continue to pursue effective human rights diplomacy at every appropriate opportunity.

Our view is that protection and promotion of internationally-accepted human rights is vital to ensuring a peaceful world where all people have the right to live with dignity, freedom, safety, security and prosperity. Labor supports the Australian Government's long-standing practice to oppose the death penalty in all circumstances for all people.

Labor has been a strong advocate for human rights and civil liberties on the international stage, and we will continue to pursue effective human rights diplomacy that supports international and regional security in Australia's national interest.

All people should be able to practice their religion free from unwarranted state interference.

Labor has advocated strongly for the implementation of Magnitsky-style legislation in Australia, and it was finally passed late 2021 after ongoing sustained pressure from Labor. The delay by the Morrison-Joyce Government in introducing Magnitsky-style legislation is regrettable, but it is now finally in place and provides a vital tool to send a strong message to those that continue to commit human rights violations around the world.

- *Australian Human Rights Commission*

The Australian Labor Party was founded on the principles of fairness and inclusion. Since Federation, Labor has worked to build a society in which everyone has the opportunity to participate fully in the economic, political and social life of our nation. It is Labor's firm belief that a nation that respects fundamental human rights is a nation that is safer, more resilient, more prosperous and more stable.

When Labor was last in office, we established a set of polices called *Australia's Human Rights Framework*. Pursuant to this Framework, a Parliamentary Joint Committee on Human Rights was established by statute, charged with responsibility to scrutinise legislation for compliance with human rights standards, as set out in the human rights treaties to which Australia is a party. In addition, under the Framework Labor mandated that all new legislation introduced to the Parliament be accompanied by a statement of compatibility with human rights. These important measures remain in place today, despite suggestions from some in the Morrison Government that they be torn down.

The Australian Labor Party will continue to review the Human Rights Framework that we established in order to ensure that the human rights and freedoms, that we hold dear as a nation, are properly protected.

Consistent with Labor's belief in human rights, both in government and in opposition, Labor has been a resolute defender of the Australian Human Rights Commission and its important work upholding the rights of all Australians. When the Abbott Government attacked former AHRC President Professor Gillian Triggs for daring to embarrass the Government, Labor fiercely defended her and ensured that former Liberal Attorney-General Brandis was formally censured by the Australian Senate for his attacks on her and the independence of the AHRC.

Over the last 9 years, this Liberal government has also been shamelessly handing out high-paid jobs to Liberal Party mates and cronies, with no application process other than a nudge and a wink. Appallingly, Mr Morrison has been doing the same thing with positions at the AHRC, with the consequence that in March this year the international body responsible for accreditation of national human rights institutions has threatened to downgrade the AHRC to 'B-status', jeopardising its capacity to engage on vital issues of human rights in the Pacific region and beyond. This is because the appointment of government mates as commissioners, without any transparent process, threatens the AHRC's independence and places Australia in breach of the Paris Principles that we once championed. This a damning indictment of the Morrison Government, of its willingness to stack important bodies with Liberal Party insiders without any kind of accountability, and its hostility to human rights generally.

In contrast, Labor fully supports the AHRC and will always ensure that appointment of commissioners is conducted in a transparent manner consistent with international standards.

- ***Age of criminal responsibility***

Labor believes that the age of criminal responsibility is too young and strongly supports moves by Federal, State and Territory Attorneys-General to review it. Labor is particularly concerned to reduce the over-incarceration of First Nations children, who are [17 times more likely to be imprisoned](#) than non-Indigenous children.

In contrast with the Morrison Government's years of dithering on this important issue, an Albanese Labor Government will work closely with the States and Territories to ensure the age of criminal responsibility reflects what is best for children, for families, and for the communities in which they live. In addition, an Albanese Labor Government will invest \$79 million to expand [justice reinvestment](#) initiatives that address the drivers of children's contact with the criminal legal system.

Indigenous Affairs

Starting with our commitment to implement the Uluru Statement from the Heart in full, an Albanese Labor Government will renew our national commitment to Reconciliation and work in genuine partnership with First Nations people for better outcomes.

We recognise that First Nations peoples hold the solutions and must lead the way on policies, legislation and practices that affect them.

That principle underlies our commitment to the Uluru Statement, including working with First Nations people towards a referendum to constitutionally enshrine a First Nations Voice to Parliament in the Constitution in our first term. We believe Australia is ready for that conversation, that referendum, and an Albanese Labor Government would get on with it.

An Albanese Labor Government will also work with the Coalition of Peaks and all levels of government to raise ambitions and ensure sustained progress on the current National Agreement on Closing the Gap. Labor has already announced several policies that will deliver greater national leadership on the Closing the Gap. This includes our landmark commitment to [justice reinvestment](#) as a means of supporting communities and families to turn the tide on over-incarceration.

Labor's \$79 million in funding for justice reinvestment will enable up to 30 communities to establish locally tailored initiatives that address the underlying causes of incarceration and help families stay together.

Labor is also committed to working with First Nations women to address the unacceptable rates of family and domestic violence they experience. This includes funding 500 new frontline workers to support women in crisis, with a specific focus on plugging the gaps for First Nations women in rural and regional communities.

Labor supports calls for a separate national plan for First Nations people to end violence against women and family violence. The plan must be sufficient in scale and ambition and properly resourced to make a difference. More can be found about our commitment to addressing First Nations women's safety in our 2022 [Women's Budget Statement](#) and on [our website](#).

Refuges and Immigration

Labor believes Australia can have secure borders while being compassionate.

Seeking asylum is a human right that provides persecuted and vulnerable people a route to safety and long-term security to live to their fullest human potential.

Regional offshore processing was never meant to be indefinite detention. For almost a decade, this tired Liberal Government has made regional processing an ongoing form of cruelty, with people left to languish for years without a durable solution.

People on Nauru and PNG would most likely all have a durable solution by now, had this Liberal Government not refused to take up the resettlement agreement struck by Julia Gilliard and the then New Zealand Prime Minister John Key.

For almost a decade, Labor has called on Mr Morrison to act – but only on the eve of an election does he decide to take up the New Zealand offer.

At the recent ALP National Conference, we reconfirmed our commitment to:

- Increase our refugee intake to 27,000.
- Set up a community sponsorship program similar to the successful Canadian model, with an additional 5,000 places.
- Convert temporary protection visa holders to permanent protection visas.
- Accept and deliver the New Zealand resettlement offer.
- Support regional resettlement through the UNHCR.

An Albanese Labor Government will maintain our strong border security measures without losing our humanity.

- ***Afghanistan***

Labor is deeply concerned about the ongoing humanitarian crisis in Afghanistan.

It has been devastating for the people of Afghanistan, for Afghan-Australians fearful for their loved ones' safety, for the Afghan staff that supported our military and diplomatic operations for over 20 years, and for our own veterans.

In failing to assist those Afghans and Afghan-Australians owed support by Australia ahead of military withdrawal, the Morrison-Joyce Government left too many behind in their time of greatest need.

Prior to Australia's withdrawal from Afghanistan, the Morrison-Joyce Government was far too slow to act on a range of migration and visa issues and allowed wait times for visas to build. We may never know the full, tragic consequences of this inaction.

Labor remains concerned that the Morrison-Joyce Government has not given assurances to Afghans in Australia that no one will be returned to Afghanistan. This is a simple step that would go a long way.

Labor is worried about the impact Temporary Protection Visas and Safe Haven Enterprise Visas are having on Afghan refugees here in Australia. These are people that will never be able to return to Afghanistan but their lives in Australia will remain temporary – unless the Government intervenes. These are people already in Australia right now – they are living in our community, they work here, pay taxes, create jobs, and employ Australians.

Labor continues to call on the Morrison-Joyce Government to work with Afghanistan's neighbours to ensure safe passage for those seeking refuge. Australia must share how it is working with international partners and organisations to provide humanitarian assistance to the people of Afghanistan – wherever they are in the world.

- ***China and Myanmar***

Labor has been a strong advocate for human rights and civil liberties on the international stage, and we will continue to pursue effective human rights diplomacy that supports international and regional security in Australia's national interest.

We will speak out clearly and consistently in support of human rights around the world, including in our region.

We have called for unfettered access for the United Nations to Xinjiang and use all bilateral and multilateral forums to urge the Chinese Government to uphold its international human rights obligations.

And we have called on the Government to strengthen Australia's Modern Slavery regime to address forced labour around the world including in Xinjiang, and consider targeted sanctions on foreign companies, officials and other entities known to be directly profiting from Uyghur forced labour and other human rights abuses.

Labor has advocated strongly for the implementation of Magnitsky-style legislation in Australia, and it was finally passed late 2021 after ongoing sustained pressure from Labor. The delay by the Morrison-Joyce Government in introducing Magnitsky-style legislation is regrettable, but it is now finally in place and provides a vital tool to send a strong message to those that continue to commit human rights violations around the world.

Labor has repeatedly called on the Morrison-Joyce Government to implement targeted sanctions against those responsible for the Myanmar military coup and subsequent violent crackdown – but it has refused to act.

This is despite the Government-chaired Joint Standing Committee on Foreign Affairs and Trade recommending sanctions against the Tatmadaw in June 2021 and, in August, the Joint Standing Committee on Treaties embarrassingly having to remind the Morrison-Joyce Government once again of the need to act.

The Morrison-Joyce Government's refusal to act over the past year sends precisely the wrong message - that Australia does not care and that we are mere bystanders to authoritarian backsliding in our region.

Labor stands in solidarity with the people of Myanmar and with Myanmar communities in Australia.

Climate change

Creating jobs, cutting power bills and reducing emissions by boosting renewable energy are at the centre of Labor's [Powering Australia Plan](#). This plan will bring cheaper renewable energy to Australian homes and businesses.

Labor's [Powering Australia Plan](#) will reduce emissions by 43 per cent by 2030 – keeping us on track for net zero by 2050.

For nearly a decade, the Liberal Government's mismanagement of our energy policy has been a threat to our economy - leaving Australia missing out on the jobs, growth, and opportunities that our abundant renewable resources could unlock.

Business has shown leadership. Government must play its part.

A Labor Government will close the yawning gap between our current Federal Government and our business community, agricultural sector and state governments when it comes to investing in the renewables that will power our future.

COVID

Labor believes it is important that Australia helps ensure that people in developing countries have access to COVID vaccines and treatments. This is not only the humanitarian and the right thing to do. It is also in our interests to ensure that people in developing countries can access vaccines. COVID needs to be contained not only in Australia but also in countries Australians travel to, study in, trade and do business with.

The Morrison Government has committed to sharing 60 million COVID vaccine doses with countries in the Indo-Pacific region by the end of 2022 as well as providing assistance with medical

equipment, testing facilities and treatment. Labor supports these policies however we are concerned that the Morrison Government has a poor track record when it comes to delivering on its promises.

The Morrison-Joyce Government had to be dragged to show muted support for a COVID vaccine TRIPS waiver, which was only admitted in September 2021 following pressure from Labor and advocacy groups, including Amnesty International, AFTINET, Oxfam, The Salvation Army and the ACTU.

Labor joined with advocates across Australia and the world in calling on Trade Minister Dan Tehan to co-sponsor the COVID-19 vaccine waiver in the WTO. If Scott Morrison and Dan Tehan want to make a real difference in the COVID pandemic on the global stage, they should have acted diplomatically to build a coalition of support for the TRIPS waiver in the WTO.

Our global economy will only move through the COVID-19 global pandemic if vaccines are available to all. Vaccine accessibility in both developed and developing nations is imperative for global supply chains to recover.

Women's safety

Labor will match the \$1.3 billion National Plan package funded in the 2022 Budget. This is on top of our existing commitments, including \$1.6 billion to build new social housing properties for women and children fleeing family violence, funding 500 new community sector workers and investing in \$77 million to support high quality respectful relationships education in schools around the country. You can read more about Labor's Woman's Safety Policy details [here](#). We will work closely with sector experts, people with lived experience of violence, and state and territory governments to ensure there is adequate funding to implement the National Plan to End Violence Against Women and Children.

LGBTQIA

Labor understands the critical importance of ensuring that the LGBTIQ+ community has equal access and opportunity to healthcare, and appreciates the needs for specialist programs, support and funding for this unique community. While many issues are pressing for this community, mental health and aged care will continue to be a focus for Labor, and we are committed to removing all barriers to access and opportunity.