



**Andrew Wilkie MP**  
INDEPENDENT MEMBER FOR CLARK

Ms Sam Klintworth  
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BROADWAY NSW 2007

Dear Ms Klintworth

Thank you for providing me with a copy of Amnesty International Australia's Human Rights Agenda for the next Australian Government. The agenda addresses a number of very important issues and I'm delighted to provide a response.

***Legislate a national Human Rights Act***

I strongly believe that Australia must enact a Bill of Rights. Indeed Australia is the only democratic nation without any sort of bill or charter of rights.

I have introduced the *Australian Bill of Rights Bill* twice in the Federal Parliament, but without the support of either of the major parties and it has lapsed on both occasions. The Bill outlines a number of rights, and renders invalid any Commonwealth, state or territory law which is inconsistent with those rights. It also requires that Commonwealth, state and territory laws be interpreted as to be consistent with the rights outlined in the Bill.

The Bill also allows for the Australian Human Rights Commission to inquire into any act or practice, done by the Commonwealth or a state or territory government, that may infringe on a right or freedom in the Bill of Rights. It also allows for people to make complaints to the Commission if they believe that an act or practice infringes on a right or freedom outlined in this Bill.

You can read more about the *Australian Bill of Rights Bill 2019* at [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/Bills\\_Search\\_Results/Result?bId=r6404](https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r6404).

***Increase the minimum age of criminal responsibility to at least 14 years of age***

I agree that Australia must raise the minimum age of criminal responsibility from 10 years to at least 14 years. In 2019 I stood with Amnesty, Change the Record, the Law Council and fellow independents to support the Private Members' Bill introduced by the Member for Mayo, Rebekha Sharkie MP, in the Federal Parliament which would achieve this.

***Invest in Indigenous-led solutions that support children, families and communities to stay strong and together***

It is obviously of great importance that Indigenous children, families and communities are supported to stay together, and I support greater investment to this effect. This should be guided by Indigenous communities and groups, rather than in the paternalistic manner that has too often been government practice.

***Increase the annual refugee resettlement intake to at least 30,000 people***

I agree that Australia's annual refugee settlement intake should be increased to at least 30,000 people and have said as much publicly on many occasions.

***End the system of offshore detention and accept the New Zealand offer of resettlement***

Australia must abolish offshore detention, not least because it is incredibly cruel, in breach of international law and not in our best interests.

My *Refugee Protection Bill 2019* provides for a sustainable, humane and equitable response to the protection and processing of asylum seekers and refugees in the Asia Pacific region. It is a regional solution that has been developed in accordance with international human rights law and UNHCR guidelines. You can read more about the Bill at [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/Bills\\_Search\\_Results/Result?bId=r6294](https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r6294).

Moreover I have long called for bringing all asylum seekers and refugees from Nauru and Manus to Australia immediately. I would be happy to see all refugees trapped in Australia's offshore detention regime resettled in New Zealand, but maintain that it should be Australia's responsibility.

***Provide permanent protection to those of Temporary Protection Visas and Safe Haven Protection Visas***

I believe Australia should abolish Temporary Protection Visas and Safe Haven Protection Visas and instead provide permanent protection to refugees with genuine claims.

***End the indefinite detention of people seeking asylum***

Australia has a legal and moral obligation to protect people claiming to be fleeing persecution, to quickly hear their claims and to provide permanent refuge if their claims are upheld. I have introduced legislation in the Federal Parliament to this effect.

My *Ending Indefinite and Arbitrary Immigration Detention Bill 2021* makes mandatory and indefinite detention illegal and provides alternatives to immigration detention. You can read more about the Bill at [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/Bills\\_Search\\_Results/Result?bId=r6675](https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r6675).

***Create a fair and affordable Community Sponsorship Program for refugees***

I support a fair and affordable Community Sponsorship Program for refugees, and agree that the current program is too expensive and inaccessible for ordinary Australians.

I support Amnesty International's *My New Neighbour* campaign and have lobbied the Federal Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, the Hon Alex Hawke MP, to implement an accessible and equitable community-led refugee sponsorship program in Australia.

***Allocate at least 20,000 humanitarian places, in addition to the existing program, to those fleeing the Taliban***

Australia obviously played a major role in the occupation of Afghanistan for two decades and has a moral obligation to protect high-risk and vulnerable groups in the region.

I have lobbied the Federal Government to give refuge to Afghans fleeing their country, which will require a substantial increase, of at least 20,000 places, to Australia's humanitarian intake.

***Proactively raise awareness of the harmful impacts and ineffectiveness of conversion practices on LGBTQIA+ young people***

It is abhorrent that conversion practices are still legal in many Australian states and territories.

I look for any opportunity to raise awareness about the harmful impacts and ineffectiveness of such practices, as well as better protections for members of the LGBTQIA+ community as a whole.

***End non-emergency, invasive and irreversible medical interventions on infants and children with variations in sex characteristics;***

I acknowledge that people with variations in sex characteristics, particularly children, have suffered a long history of invasive and often unnecessary medical interference, which in most cases causes life-long harm. This must stop.

I have lobbied the Tasmanian Government on several occasions to implement the recommendations made by the Tasmanian Law Reform Institute in its final report into the Legal Recognition of Sex and Gender. The report contains a number of recommendations, including abolishing non-consensual surgical treatments, enshrining existing legal principles regarding the capacity of children to consent, or not consent, to medical procedures and making it easier for intersex people to access compensation for harm suffered as a result of non-consensual surgical intervention.

***Allow individuals to self-identify their sex or gender on identification documents***

Individuals should be able to self-identify their sex or gender on identification documents, and any changes to such documents should be free. I have lobbied the Tasmanian Government on several occasions to make this important change.

***Ensure that no legislation privileges religious views to the detriment of LGBTQIA+ people***

I share the concerns of many in the community that the proposed federal religious freedom legislation puts at risk the rights and freedoms already enjoyed in Australia, particularly in Tasmania. Indeed I am opposed to the *Religious Discrimination Bill* in its current form and was one of only six MPs to vote against it in the House of Representatives. Tasmania has the strongest anti-discrimination legislation of all Australian states and provides protections to a number of minority groups, including people with disability, women, LGBTQIA+ people, and those from racial and religious minorities. It is because of this that Tasmania has the most to lose under this proposed legislation.

I support religious freedom and legal protections to ensure there is no discrimination against people of faith. However, I am concerned that federal reform of religious freedom laws must not allow for discrimination and hate speech in the name of faith. Any reforms should be about moving towards a more inclusive and accepting society that promotes equal rights for all, not special rights for some.

***Fully fund the National Plan to Reduce Violence Against Women and their Children***

I support fully funding the National Plan to Reduce Violence Against Women and Children. Moreover I will continue to advocate for much greater investment in specialist support, legal and frontline services for women and children facing violence, as well as prevention and education measures developed in consultation with community.

***Commit to a dedicated National Plan for Aboriginal and Torres Strait Islander women***

I also agree that Aboriginal and Torres Strait Islander community-led initiatives must be addressed in a standalone national action plan and prioritised by the Australian Government.

***Establish a bipartisan National Anti-Racism Strategy***

I fully support the establishment of a bipartisan National Anti-Racism Strategy and would be delighted to work with all sides to make this happen.

***Strengthen 2030 carbon emissions target and significantly accelerate the phase-out of fossil fuels, including coal and gas***

I strongly agree that we must take urgent action on climate change and believe we need to reach net zero as fast as possible. I will continue to advocate for a target of at least 75% below 2005 emissions levels by 2030, aiming for net zero by at least 2035, and it should be legislated as a matter of priority in 2022. These targets must be backed by clear timelines and sector-specific policies, to hold the government to account while achieving certainty for households and businesses.

We must immediately rule out any new fossil-fuel projects, start winding down coal, oil and gas production and genuinely fast track renewables. Subsidies to fossil fuel companies must end, and investment instead be channelled to renewable energy projects and regional communities to support the transition.

***Redistribute all surplus COVID-19 vaccine stocks to low- and lower-middle income countries***

I fully support the redistribution of all surplus COVID-19 vaccine stocks to low- and lower-middle income countries, not only to assist these countries in their fight against the pandemic but also as part of our global obligation to support widespread vaccination as the means to beat this pandemic.

***Support, promote and resource international initiatives that encourage open and non-exclusive vaccine manufacturing licences, including knowledge and technology transfer***

I believe it is past time for Australia to join the World Health Organisation and World Trade Organisation member countries participating in the Trade-Related Aspects of Intellectual Property Rights (TRIPS) waiver. This is vital to help lower-income countries prevent, contain or treat COVID-19 until there is widespread global vaccination. I raised this matter with the Prime Minister last year urging him to act on this swiftly, not only because it is in the interest of all Australians to tackle the pandemic, but also because we obviously have a moral obligation to support less wealthy countries.

***Continue the strong bipartisan support to end the death penalty worldwide and commit funds to support this effort***

I oppose the death penalty and believe the fact that other countries still think it's okay to execute people is a shocking abuse of the power of the state, deeply unethical and entirely fruitless as a deterrent to crime.

***Stop supplying arms to Saudi Arabia, the UAE, and other states where there is an overriding risk that such weapons will be used to commit or facilitate human rights abuses***

I am outraged that the Australian Government continues to approve military sales to countries like Saudi Arabia, Turkey, the UAE, Eritrea and Sudan, which have appalling human rights including abducting children to become child soldiers, mass executions of prisoners, torture and other horrific war crimes.

This trade is obviously unethical and out of step with community expectations. I raised this matter in the Federal Parliament in late 2021 and will continue calling on the Australian Government to cease arms exports to these countries.

***Deliver all recommendations of the Brereton Report, develop a permanent international crime mechanism resourced to provide effective access to justice for all those in Afghanistan affected by breaches of human rights carried out by Australian forces***

I agree that the Australian Government must promptly implement all recommendations of the Brereton Report. I also believe it is hypocritical that the members of the Australian Government who claim to be acting upon the recommendations of the report are the same people who are actively pursuing and punishing whistle-blowers, for example Major David McBride, who were integral in exposing the wrongdoing in the first place.

***Use all bilateral, multilateral and regional platforms to urge the Chinese Government to end any crimes under international law and allow independent human rights investigators unrestricted access to Xinjiang***

I am deeply disturbed by the overwhelming evidence proving that the Chinese Government is committing crimes against international law, including forcibly harvesting organs from non-consenting prisoners of conscience.

I fully support pressuring the Chinese Government to end any crimes under international law and allow independent human rights investigators unrestricted access to Xinjiang. Moreover, I believe the Australian Government must urge the international community to take appropriate action against the Chinese Government for its breaches against international law.

***Lead the call for targeted multilateral sanctions against Myanmar's military chief Min Aung Hlaing and other senior officials responsible for atrocity crimes***

The Australian Government must take stronger action and increase its support for the people of Myanmar. This must include targeted sanctions on the leaders of the coup and support for the legitimately elected opposition movement, the National Unity Government of Myanmar.

Yours sincerely



Andrew Wilkie MP  
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23 February 2022