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Summary of Stakeholders' submissions on Australia*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 26 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles²

2. The Australian Human Rights Commission (AHRC) commended the ratification of the OP-CAT in 2017, but noted that Australia delayed implementation of the National Preventive Mechanism (NPM) for 3 years. It recommended that Australia commence operation of NPM bodies without delay.³

3. AHRC commended the withdrawal of Australia's reservation to CEDAW on women in combat roles. It recommended removing existing reservations to human rights treaties and its interpretative declaration to the CRPD.⁴

4. AHRC recommended ensuring that Australia's international human rights obligations are comprehensively incorporated into law.⁵

5. AHRC stated that the Government should reform federal anti-discrimination laws to ensure comprehensive protection and improve effectiveness.⁶ The Government should also set a timetable for achieving reform of the Constitution to remove capacity for racial discrimination.⁷

* The present document was not edited before being sent to United Nations translation services.



6. Racial discrimination was present in society, particularly for Aboriginal and Torres Strait Islander peoples. AHRC was concerned about the increase in severe Islamophobic attacks, far-right extremism, and increased racism experienced by people of Asian background during the COVID-19 pandemic and cyber racism.⁸
7. Age discrimination was a major barrier to the participation of old persons in the labour force. Older women were the fastest growing cohort of homeless in 2011–2016.⁹
8. AHRC was concerned about involuntary surgery on people born with variations in sex characteristics, especially infants.¹⁰
9. The Governments should abolish mandatory sentencing laws and expand the use of non-custodial measures where appropriate.¹¹
10. The Governments should raise the minimum age of criminal responsibility to at least 14 years, and prohibit the use of isolation and force as punishment in juvenile justice facilities.¹²
11. National security laws and law enforcement powers on metadata retention and encryption, unjustifiably limited freedom of expression and privacy, especially for journalists and whistleblowers. Government should amend national security laws so that they do not unduly limit human rights, particularly freedom of expression and the right to privacy.¹³
12. Some state and territory laws unduly restricted the right of peaceful assembly. Governments should ensure that all laws that regulate protest activity are consistent with the right of peaceful assembly.¹⁴
13. AHRC recommended ensuring that restrictions enacted to combat the COVID-19 pandemic are proportionate and are removed as soon as the public emergency is over.¹⁵
14. The main income support payment for unemployed Australians ‘JobSeeker Allowance’ was inadequate. AHRC expressed concerns at punitive welfare programs, notably the ‘ParentsNext’ ‘pre-employment’ program and compulsory income management schemes that disproportionately affected indigenous peoples. Government should ensure that JobSeeker Allowance payments provide recipients with an adequate standard of living, that Welfare support programs be reformed so they are not punitive, and that current models of income management be discontinued or redesigned as voluntary, opt-in schemes that are used as a ‘last resort’.¹⁶
15. The Government should expand human rights education in all areas of the public sector, particularly for those working with children and in the administration of justice and places of detention, and incorporate human rights more fully in the national school curriculum.¹⁷
16. The gender pay gap was 14 percent, contributing to the significant gap in retirement savings for women. Government should implement targeted strategies to close the gender pay gap and ensure women’s economic security later in life.¹⁸
17. AHRC noted that domestic and family violence against women remained endemic. The Government should increase prevention and early intervention initiatives on domestic and family violence.¹⁹
18. Rates of children in out-of-home care increased, with Indigenous children significantly over-represented. Governments should prioritise early intervention programs to prevent children entering child protection systems.²⁰
19. The National Disability Strategy 2010–2020 remained underfunded, with key commitments not achieved. There was limited progress in addressing the sterilisation of persons with disabilities without consent, and implementing a nationally consistent supported decision-making framework.²¹ Rates of labour force participation of persons with disabilities had not improved.²² Little progress were made in addressing the indefinite detention of persons with disabilities who were assessed as unfit to stand trial or not guilty by reason of mental impairment.²³
20. The Closing the Gap strategy aimed to ‘close the gap’ between Indigenous and non-Indigenous Australians across a range of life outcomes. In 2020, two of the seven targets-

early childhood education and Year 12 attainment - were on track to be met by 2031. Other areas such as employment and school attendance had not seen improvements, and the life expectancy gap persisted.²⁴

21. AHRC recommended ensuring that immigration detention is justified, time limited, and subject to prompt and regular judicial oversight. Government should reduce numbers of people held in immigration detention to maintain safety during COVID-19 pandemic. Government should amend the Migration Act 1958 to prohibit placing children in immigration detention.²⁵

22. AHRC recommended conducting refugee status determination consistently with international obligations, and providing permanent protection for refugees and family sponsorship. Government should provide sufficient support to asylum seekers to ensure an adequate standard of living.²⁶

III. Information provided by other stakeholders

A. Scope of international obligations²⁷ and cooperation with international human rights mechanisms and bodies²⁸

23. LCA stated that Australia should implement OP-CAT effectively, including by adopting an expansive interpretation of the definition of ‘places of detention’, fully enacting the NPM and ensuring its adequate resourcing.²⁹

24. JS1 stated that Australia must ratify ICRMW,³⁰ the Convention on Indigenous and Tribal Peoples (169) of the ILO,³¹ **ICPPED, OP-ICESCR, and OP-CRC-IC.**³²

B. National human rights framework³³

25. **JS1 stated that Australia must revise the Constitution to recognise Aboriginal and Torres Strait Islanders’ rights, remove racist elements and include an anti-discrimination clause.**³⁴

26. **AI noted that the Federal Government continued to resist pressure to introduce a Human Rights Act.**³⁵ LCA and JAI recommended enacting a federal human rights act.³⁶

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

*Equality and non-discrimination*³⁷

27. LCA noted that Australia’s federal anti-discrimination framework was unnecessarily complex, not comprehensive in its protection, and often lacked an effective remedy.³⁸ JS1 stated that Australia must enact a comprehensive Equality Act addressing all prohibited grounds of discrimination, promoting substantive equality and providing effective remedies, including against systemic and intersectional discrimination.³⁹

28. SHRL stated that incidents of racism increased.⁴⁰ AI stated that racism towards indigenous people remained embedded, with many facing discrimination when seeking access to adequate housing, education, health care and in the criminal justice system.⁴¹ SHRL noted that stereotypes of indigenous peoples as violent, dangerous, culturally inferior, welfare profiteers and negligent parents were perpetuated in media and online.⁴²

29. JS1 stated that Australia must strengthen measures to combat discrimination and violence on racial, ethnic or religious grounds.⁴³

30. AI was concerned that, under the Religious Discrimination Bill currently before the Parliament, people who held religious beliefs would be able to discriminate against Australians who did not, or whose characteristics fell outside that particular religious

belief.⁴⁴ JS1 stated that the Bill privileged religious views over patient health needs, and removed existing anti-discrimination protections. Australia must not enact the Religious Discrimination Bill.⁴⁵

31. JS1 stated that racially discriminatory policing remained prevalent. Australia must conduct a comprehensive audit into policing law, policy and procedure to identify and eliminate discriminatory impacts, and immediately implement stop and search monitoring to address racial profiling.⁴⁶

32. AI welcomed the amendments to the Marriage Act to legally recognise same-sex marriage.⁴⁷ JS1 noted that States amended laws to make it easier for legal gender to be changed and allow adoption by couples regardless of gender.⁴⁸

33. However, JS1 reported that discrimination, harassment and violence on the grounds of sexual orientation, gender identity and expression remained prevalent.⁴⁹ AI recommended ending discrimination on the grounds of sexual orientation, gender identity and intersex status.⁵⁰

34. JS2 noted the use of harmful medical and surgical interventions for children who did not conform to sex stereotypes or were diagnosed with gender dysphoria.⁵¹ JS1 stated that Australia must advance reforms in those states which imposed unjust hurdles, including requirements for surgery on people seeking official identity documents reflecting their gender and implement recommendations on ending harmful practices, including forced and coercive medical interventions to ensure the bodily integrity of children with intersex variations.⁵²

*Development, the environment, and business and human rights*⁵³

35. JS1 stated that Australia must increase its Official Development Assistance budget to 0.7 percent of GNI.⁵⁴

36. JS1 reported that Australia's emissions were increasing.⁵⁵ JAI noted that Australia's emissions reductions target was insufficient and that Australia was not even on track to meet its current target.⁵⁶ JS9 stated that Australia's economy remained carbon-intensive and the Government promoted the production and use of fossil fuels.⁵⁷ JS3 recommended that the Government reduce emissions from all sources and sectors, and specifically carbon emissions by 45 percent on 2010 levels by 2030, and ensure net zero emissions by 2050. There must be a ban on all new coal mines and coal-powered electricity generation, combined with the orderly phase-out of the existing plants to create the low-carbon and renewable energy industries of the future.⁵⁸

37. JS3 reported that Australia faced unprecedented level of climatic events in 2019 and 2020, namely the confluence of ongoing drought followed by severe bushfires and then heavy rain and floods.⁵⁹ JS3 noted that 30 people died and thousands of homes were destroyed. There had been a massive loss of wildlife and species diversity. The Government was reportedly slow in responding to the bushfire crisis and ineffectual in that response.⁶⁰ LCA recommended ensuring that Australia's climate change response takes full account of its international obligations to respect, protect and fulfil human rights.⁶¹

38. JS1 stated that Australian companies continued to have adverse human rights impacts within Australia and abroad. Corporate contributions to the climate crisis, attacks on civic space, human rights violations in corporate supply chains, impacts on public health and abuses associated with the extractives, financial and immigration detention sectors were of particular concern.⁶² LCA recommended adopting a national action plan on business and human rights.⁶³ JS1 stated that Australia must introduce mandatory human rights and environmental due diligence obligations for companies to effectively combat forced labour and other human rights violations in corporate supply chains.⁶⁴

*Human rights and counter-terrorism*⁶⁵

39. HRW reported on some measures taken to revoke the citizenship of Australians suspected of involvement in terrorism activity.⁶⁶ Since 2019, Australia banned the return of citizens as young as 14 for two years if they were suspected of supporting a foreign terrorist organization.⁶⁷

40. HRW recommended revising counter-terrorism legislation to ensure that the definitions of terrorist acts are narrowly crafted, covering only conduct that is “genuinely of a terrorist nature,” and abolishing legislation that would ban the return of Australian citizens for up to two years if they are suspected of being foreign fighters abroad.⁶⁸

2. Civil and political rights

*Right to life, liberty and security of person*⁶⁹

41. HRW reminded that during the 2015 UPR Australia agreed to continue implementing its voluntary commitment to improve the way the criminal justice system treats people with mental and/or cognitive disability.⁷⁰ JS1 stated that little progress were made towards this commitment.⁷¹ HRW found that prisoners with disabilities experienced violence from fellow prisoners or staff, and endured difficult conditions of confinement.⁷²

*Administration of justice, including impunity, and the rule of law*⁷³

42. LCA noted overrepresentation of persons with disabilities in the criminal justice and correction systems.⁷⁴ HRW stated that they were disproportionately represented in solitary confinement units.⁷⁵ JS1 stated that Australia must address the over-representation of persons with disabilities.⁷⁶ HRW recommended ensuring that prisoners with disabilities cannot be held in solitary confinement and have adequate access to support and mental health services.⁷⁷

43. HRW noted that despite two recommendations⁷⁸ of the 2015 UPR to reduce incarceration rates of indigenous peoples, they remained over-represented in the criminal justice system, often for minor offenses like unpaid fines.⁷⁹ LCA stated that in 2018, indigenous children were 21 times as likely as non-Indigenous young people to be in detention on an average night.⁸⁰ HRW noted that deaths in custody of indigenous prisoners remained a problem.⁸¹

44. HRW recommended reducing incarceration rates of indigenous peoples and ending the over-imprisonment of indigenous peoples by repealing punitive bail laws, mandatory sentencing laws, and decriminalizing public drunkenness.⁸²

45. LCA stated that the Government’s per capita share of government legal aid commission funding was at its lowest level in more than 20 years.⁸³

Fundamental freedoms

46. JS11 recommended supporting and enabling libraries to provide greater access to collections to a greater number of people and from a diversity of backgrounds.⁸⁴

47. HRW stated that broadly drafted national security laws could be used to intimidate lawyers, journalists, and whistleblowers.⁸⁵ AI stated that defamation laws limited freedom of the press, while secrecy laws provided that anyone who breached them, including journalists, be imprisoned for up to five years for publishing classified information obtained from a federal public servant.⁸⁶

48. CIVICUS was alarmed by unwarranted restrictions on media freedoms, due, in large part, to an increase in police raids on independent media outlets.⁸⁷ JS6 reported that in 2019, the Federal Police conducted two raids targeting journalists and media outlets. Both targets had been reporting on national security issues that were of public interest.⁸⁸

49. AI stated that whistle-blowers were also being targeted when they exposed government wrongdoing and were being prosecuted under the Intelligence Services Act.⁸⁹

50. CIVICUS recommended that Australia provide civil society members, human rights defenders and journalist with a safe and secure environment to carry out their work.⁹⁰ HRW recommended introducing safeguards to protect journalists, human rights activists, lawyers, whistleblowers and others making disclosures in the public interest.⁹¹ JS1 stated that Australia must repeal laws criminalising public interest reporting and strengthen journalist warrant obligations, and strengthen existing protections for whistleblowers and enable public disclosure of serious wrongdoing within intelligent and defence agencies.⁹²

51. CIVICUS noted that protesters for climate and environment action and on other issues faced arrest.⁹³ AI noted that several state Governments took steps to suppress those protests.⁹⁴ JS1 stated that Queensland and New South Wales passed anti-protest legislation that unfairly restricted peaceful assembly, and increased penalties for trespass and using lock-on devices during peaceful protests. Australia must repeal laws criminalising peaceful protest and recommit to facilitating peaceful protests.⁹⁵

52. CIVICUS was concerned that the Government was using some measures to discourage civil society organisations (CSOs) from engaging in advocacy and critique of government policies, including threats to strip environmental groups of charity status and its associated benefits on the grounds of being ‘too political’.⁹⁶ CIVICUS recommended fostering a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit the right to association and remove all undue restrictions on the ability of CSOs to receive funding.⁹⁷

*Prohibition of all forms of slavery*⁹⁸

53. JS1 stated that since the 2015 UPR, Australia strengthened its anti-trafficking strategies. Access to government funded support for human trafficking survivors, however, remained contingent on their participation in criminal justice processes, creating barriers to support.⁹⁹ ASA observed that the visa framework for survivors who were not non-citizens or permanent residents continued to be tied to participation in the criminal justice process.¹⁰⁰ ASA recommended de-linking access to support and the visa pathways from participation in the criminal justice process.¹⁰¹ JS7 recommended expanding the federal government funded support services to all victims of trafficking rather than only to those who were able and willing to testify against their trafficker.¹⁰²

54. JS7 stated that human trafficking for labour exploitation was found in a variety of employment sectors. JS7 recommended eradicating labour trafficking and exploitation and slavery.¹⁰³

*Right to privacy and family life*¹⁰⁴

55. JS1 stated that the Government passed laws requiring telecommunication companies to retain metadata and facilitate access to encrypted messages.¹⁰⁵ JS6 explained that Australia introduced a metadata retention scheme, the Telecommunications Amendment Act, in 2015, which raised serious concerns for journalists, having the ethical obligation to protect the identity of their confidential sources.¹⁰⁶ HRW concluded that law enforcement and intelligence agencies had unprecedented access to stored metadata in the interest of national security.¹⁰⁷

56. CIVICUS stated that Parliament passed, in 2018, the Telecommunications and Other Legislation Amendments Act (2018 Act) allowing the intelligence and law enforcement agencies to demand access to end-to-end encrypted digital communications.¹⁰⁸ JS6 observed that the 2018 Act expanded the agencies' access to journalists' sources and withdrew the requirement for a Journalist Information Warrant and, consequently, of judicial oversight.¹⁰⁹ HRW observed that the Act lacked adequate safeguards to protect individuals from misuse by government officials. The Attorney-General could issue notices without prior judicial oversight.¹¹⁰

57. Furthermore, CIVICUS noted that the Telecommunications Legislation Amendment Bill 2020, introduced in March 2020, could allow the Government to access data across borders. It would also enable foreign agencies to directly obtain access to data stored in Australia.¹¹¹

58. JS6 recommended revising the data retention scheme in order to restrict the scope to retain only data that is strictly necessary, to require judicial warrants for access to metadata, to reduce the overall retention period requirement, and to extend protections and safeguards for journalists and whistleblowers. It recommended supporting, not undermining, encryption and encrypted communications. The Australian Parliament should repeal the damaging the 2018 Act or heavily amend it in order to ensure that individual rights are protected in functioning of law enforcement agencies and intelligence services.¹¹²

59. JS1 noted that indigenous children were over 10 times more likely to be removed from their families than other children.¹¹³

3. Economic, social and cultural rights

60. JS3 commended the Government for its actions during the COVID-19 pandemic crisis. The special assistance through organisational and income support payments including the JobKeeper and JobSeeker schemes, provided immediate relief to many. JS3 noted, however, that more than 1.5 million people, including casual workers, migrant workers and homeless people did not benefit from Government support at this time.¹¹⁴ Likewise, JS5 observed that asylum seekers on bridging visas and temporary visa holders, including refugees, migrant workers and potentially stateless persons were left out of the Government's economic measures during the pandemic.¹¹⁵

*Right to social security*¹¹⁶

61. JS8 stated that the "Newstart Allowance" - a welfare payment available for unemployed persons and many single mothers - was not increased since 1994, despite significant increase in living costs.¹¹⁷ JS1 stated that Australia must increase allowance payments so that people can afford the basics.¹¹⁸

62. JS4 recommended that a robust safety net be developed for those unable to work because of poor health or disability and those who cannot find work in the current recession.¹¹⁹ JS8 recommended improving unemployment services, particularly for long-term unemployed, to facilitate timely return to work.¹²⁰

63. JS1 explained that cashless debit and income management schemes expanded in recent years despite their discriminatory impact on indigenous peoples and single mothers, their restriction on individual decision making, and weak evidence of effectiveness.¹²¹ SHRL explained that the Community Development Program required welfare recipients in remote communities to undertake work or training in order to access social security payments, with indigenous peoples heavily overrepresented in the program and in financial penalties resulting from non-compliance, further plunging them into poverty.¹²² JS1 stated that Australia must replace compulsory cashless debit and income management schemes with voluntary models which are non-discriminatory in design and implementation.¹²³

*Right to an adequate standard of living*¹²⁴

64. JS1 reported that homelessness increased, housing affordability did not improve, and social housing stock continued to decline. Government payments assisting renters on low incomes were inadequate.¹²⁵ JS4 recommended that the Government commit to long-term, realistic levels of funding for social and affordable housing and develop a national homelessness and affordable housing strategy underpinned by adequate funding.¹²⁶ JS1 stated that Australia must develop a new inter-governmental indigenous peoples housing strategy.¹²⁷

65. Noting that older women were the fastest growing group experiencing homelessness LCA stated that Australia should address older women's homelessness.¹²⁸

*Right to health*¹²⁹

66. JS2 noted limited access to safe surgical abortions in remote areas. The Religious Discrimination Bill proposed to protect the right of health professionals to refuse service based on conscientious objection, which was likely to further restrict the availability of family planning services. JS2 recommended protecting the rights of women and girls to physical and reproductive autonomy, including access to contraceptive and pregnancy termination services and ensuring that pregnancy termination and family planning services are available through the public health system with the full cost covered by Medicare.¹³⁰

*Right to education*¹³¹

67. JS3 stated that indigenous children must have access to quality education based on their own culture, and non-indigenous children must be educated on indigenous matters to address the high levels of ignorance about the cultural differences.¹³²

4. Rights of specific persons or groups

*Women*¹³³

68. JS3 noted with concern that domestic violence against women and children continued to be a prevalent concern. Efforts were mainly focused on addressing the effects and impacts of domestic violence, but not on prevention.¹³⁴

69. JS1 stated that the National Plan to Reduce Violence against Women and Their Children was inadequately resourced, and was not inclusive of all forms of gender-based violence. The second national plan must incorporate adequate funding, specific measures to address violence against women of diverse experiences, and a monitoring and evaluation system.¹³⁵ JS2 recommended restoring, expanding and supporting women's refuges and other domestic violence support services.¹³⁶

70. JS2 noted a reluctance by police to apply for protection orders on behalf of women where there was no physical evidence of injury and an unwillingness to pursue orders excluding men from the family home generally. As a result, there were many women needing to flee their home for safety.¹³⁷ JS2 recommended that police and judicial staff administering domestic violence and family laws be vetted and trained to ensure an understanding of the dynamics of domestic violence. It recommended introducing specialist police units and courts able to determine matters relating to domestic violence, family law and care and protection of children in the one jurisdiction.¹³⁸

71. LCA noted a persistent gender pay gap. Men still out-earned women, on average by 21.3 percent. One in two mothers experienced workplace discrimination as a result of pregnancy, parental leave or on return work.¹³⁹ Australia should implement measures to bridge the gender pay gap and combat gender discrimination.¹⁴⁰

*Children*¹⁴¹

72. GIEACPC stated that legislation should be enacted in all states and territories to explicitly prohibit all corporal punishment in all settings.¹⁴²

73. AI noted with concern that the current minimum age of criminal responsibility of 10 years undermined the best interest of the child.¹⁴³ JS7 reported that children as young as 10 years of age were being detained in watch-houses for long periods and often under harsh conditions. In some cases, children with aggressive behaviour or at-risk behaviour were forced to wear a "suicide smock" and placed in isolation cells. Australia retained a reservation to article 37 (c) of the CRC requiring separation of children from adults in detention.¹⁴⁴

74. LCA, JS8 and HRW recommended raising the age of criminal responsibility to a minimum age of at least 14 years.¹⁴⁵ JS7 recommended ensuring that children were not kept in remand longer than four hours and improving the conditions of detention.¹⁴⁶ JS1 state that Australia must mandate separate detention of children from adults.¹⁴⁷ HRW recommended prohibiting the practice of solitary confinement of children and ending abuse of children in detention.¹⁴⁸

*Persons with disabilities*¹⁴⁹

75. LCA stated that persons with disabilities continued to face discrimination. They were twice as likely to be unemployed.¹⁵⁰ **ODVV recommended eliminating discrimination and violence against persons with disabilities and ensuring them equal opportunity to enjoy their economic, social and cultural rights.**¹⁵¹

76. JS1 reported that children with disabilities experienced segregation and human rights violations in education settings. Australia must develop a national action plan for inclusive education and end restraint and seclusion of those children.¹⁵²

77. ECLJ observed that forced sterilisations of persons with disabilities occurred.¹⁵³ HRW recommended adopting uniform legislation prohibiting sterilization of women and girls with disabilities in the absence of free and informed consent.¹⁵⁴

*Indigenous peoples*¹⁵⁵

78. JS3 expressed concern for the situation of indigenous peoples and regretted that most of the recommendations from the 2015 UPR were not implemented.¹⁵⁶

79. SHRL noted that entrenched racial discrimination manifested in underlying disparities between indigenous peoples and non-indigenous Australians.¹⁵⁷ AI maintained that the Government failed to effectively provide redress for past discrimination, or address existing inequalities, disadvantages, and discrimination suffered by indigenous peoples.¹⁵⁸

80. JS3 and JS4 noted that two of the seven Closing the Gap targets were met.¹⁵⁹ JS4 stated that other five goals – child mortality rates, literacy and numeracy targets, employment and life expectancy rates had fallen far short.¹⁶⁰ JS3 noted that in 2018, the indigenous child mortality rate was twice the rate for non-Indigenous children. In rural and remote areas where most students were indigenous, the quality of education was often so poor that they reached year 12 with a very low level of skills in literacy and numeracy. Employment rate of indigenous peoples was 49 per cent compared with 75 per cent for non-indigenous Australians. JS3 called upon the Federal Government to commit to closing the gap between indigenous Australians and the rest of the population.¹⁶¹

81. JS3 highlighted an urgent need for significant resourcing of health and wellbeing services for indigenous peoples.¹⁶² JS10 recommended ensuring that indigenous peoples have access to culturally appropriate healthcare, with special attention to maternal and infant healthcare.¹⁶³

82. JS4 stated that Uluru Statement from the Heart document, which was released in 2017 called for a Makarrata Commission to supervise a process of agreement-making and truth-telling between Government and indigenous peoples.¹⁶⁴ JS8 stated that the document asked for a voice to Parliament. Its main proposal was rejected by former Prime Minister Turnbull and the current Government ignored it.¹⁶⁵ SHRL recommended establishment of a Makarrata Commission and an indigenous legislative body.¹⁶⁶

83. JS1 stated that land management and legislative regimes did not uphold the rights of indigenous peoples to manifest cultural traditions and customs on traditional lands, territories and waters.¹⁶⁷ SHRL stated that the Native Title Act narrowed native title claims which could be subverted in favour of mining interests and compulsory acquisition for a third party's benefit without compensation or requiring consent of indigenous peoples. The 2017 Native Title Amendment Act further streamlined the ability for the extraction industry to get access to indigenous lands without consent of indigenous peoples.¹⁶⁸

84. JS1 stated that Australia must amend all policies and legislation impacting rights of indigenous peoples to practice their cultural traditions. Australia must amend the Native Title Act to include free, prior and informed consent, remove power to compulsorily acquire native title lands and extinguish native title rights, and include compensation regardless of date of extinguishment.¹⁶⁹

85. SHRL noted that the Government supported a recommendation¹⁷⁰ from the 2015 UPR to support indigenous institutions, such as the National Congress of the First Peoples of Australia. The Government defunded the National Congress, instead opting for government hand-picked advisors.¹⁷¹

86. SHRL noted a lack of a genuine audit of historical grievances of indigenous peoples. Three States had reparation schemes for the Stolen Generation – a federal approach was needed.¹⁷²

87. AI recommended developing a national action plan to implement the Declaration on the Rights of Indigenous Peoples.¹⁷³

*Migrants, refugees and asylum seekers*¹⁷⁴

88. JS3 stated that several recommendations from the 2015 UPR regarding migrant workers were not implemented. The poor enforcement of labour and criminal laws resulted in a low risk operating environment for those seeking to exploit migrant workers. JS3 recommended ensuring that prospective migrant workers have access to independent advice in their countries of origin and in their own language, prior to their departure for Australia

and once they are in Australia, and that migrant workers be protected from discrimination, exploitation and intimidation.¹⁷⁵

89. JS12 was alarmed by the cancellation of large numbers of New Zealand citizens' Australian visas under ss501 and 116 of the Migration Act, and the proposed drastic expansion of Australia's visa cancellation regime.¹⁷⁶ Many of them lived and worked in Australia for most of their lives but remained temporary visa holders, with insecure immigration status and limited access to social services.¹⁷⁷ JS12 recommended narrowing the scope of ss501 and 116 of the Migration Act to exclude long-term permanent residents from the provisions.¹⁷⁸

90. AI noted that Australia accepted many of the recommendations from the 2015 UPR pertaining to refugee rights and yet many of refugees suffered under poor conditions.¹⁷⁹

91. JS1 stated that asylum seekers remained subject to mandatory and indefinite detention.¹⁸⁰ JS8 stated that they were held in prison-like facilities and detention could last months, or many years.¹⁸¹ HRW recommended ending mandatory detention, introducing reasonable time limits for detention, and ensuring that asylum seekers are only detained as a last resort and that asylum claims are dealt with promptly and subject to judicial review.¹⁸² HRFA recommended amending the Migration Act to state that children must never be detained and prioritise unification of families/care givers with children.¹⁸³ **LCA recommended enacting legislative protections against refoulement.**¹⁸⁴

92. JS3 and JS4 noted changes in the treatment of refugees, including the re-introduction of Temporary Protection Visas and the removal of government-funded legal assistance, and the 2018 re-assessment of Status Resolution Support Services for those deemed to be "Work Worthy" with cuts to financial assistance and loss of accommodation. The Government was subjecting asylum seekers and refugees to long periods of processing, leaving them in a state of suspension and insecurity, and now ceasing most financial support.¹⁸⁵

93. FMSI noted that 'fast-track process' did not afford the procedural fairness safeguards afforded to other applicants available in a review at the Administrative Appeals Tribunal.¹⁸⁶ FMSI explained that even upon recognition of refugee status, members of this group were required to reapply every few years for ongoing protection. There were denied the right to being reunited with their families, traveling outside of Australia and were subject to other numerous restrictions.¹⁸⁷

94. JS8 recommended ensuring that all asylum seekers have access to a fair and prompt refugee status determination procedure.¹⁸⁸ JS3 and JS4 recommended developing appropriate processes to facilitate the settlement of asylum cases, with adequate resources provided to the immigration department and expediting the processing of citizenship applications and converting all temporary protection visas into permanent protection visas.¹⁸⁹

95. FMSI recommended amending the fast-track review system to reinstate a degree of procedural fairness to asylum seekers by providing the opportunity for a merit review.¹⁹⁰ JS1 stated that Australia must repeal the fast-track process and restore funding for legal assistance, income support and basic healthcare for asylum seekers, and repeal policies preventing family reunion for refugees.¹⁹¹

96. LCA noted recent Government efforts to remove children from offshore processing and to reduce, overall numbers of asylum seekers and refugees remaining in offshore processing. It remained concerned, however, that many of those transferred back to Australia were returned to mandatory and indefinite detention.¹⁹² **JS1 stated that as of July 2020, around 370 refugees and asylum seekers sent to two neighbouring countries in 2013 and 2014 remained there, many without access to durable solutions and some at risk of being arbitrarily detained. Healthcare remained inadequate.**¹⁹³ HRW stated that those refugees and asylum seekers who were transferred to Australia for medical or other reasons remained in limbo, with no permanent visas.¹⁹⁴ **AI documented the abysmal conditions and abusive treatment of refugees held in those countries.**¹⁹⁵

97. JS8 recommended that Australia halt its policy of offshore processing of asylum claims, transfer all asylum seekers and refugees to Australia and process any remaining asylum claims while guaranteeing all procedural safeguards.¹⁹⁶

Stateless persons

98. JS4 recommended introducing a statelessness determination procedure and visa category to protect stateless persons.¹⁹⁷

Notes

- ¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with “A” status).

Civil society

Individual submissions:

AI	Amnesty International, London, United Kingdom;
ASA	Anti-Slavery Australia, Sydney, Australia;
CIVICUS	World Alliance for Citizens Participation, Johannesburg, South Africa;
ECLJ	European Centre for Law and Justice, Strasbourg, France;
FMSI	Marist International Solidarity Foundation, Rome, Italy;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom;
HRW	Human Rights Watch, Geneva, Switzerland;
HRFA	Human Rights For All, Lindfield, Australia;
JAI	Just Atonement Inc, New York, United States of America;
LCA	Law Council of Australia, Canberra, Australia;
ODVV	Organization for Defending Victims of Violence, Tehran, Iran;
SHRL	Stockholm Human Rights Lab, Sweden;
WILPF	Women’s International League for Peace and Freedom, Australia.

Joint submissions:

JS1	Joint submission 1 submitted by: 202 Australian NGOs and coordinated by the Human Rights Law Centre, the Kingsford Legal Centre and the Caxton Legal Centre;
JS2	Joint submission 2 submitted by: Feminist Legal Clinic Inc. on behalf of the Women’s Human Rights Campaign in Australia;
JS3	Joint submission 3 submitted by: World Council of Churches, Geneva Switzerland and National Council of Churches in Australia;
JS4	Joint submission 4 submitted by: Congregations of the Sisters of St Joseph of the Sacred Heart rsj, Sisters of St Joseph of Lochinvar ssj, the Loreto Sisters of Australia and South East Asia ibvm, and the Mercy Sisters of Parramatta rsm, Australia;
JS5	Joint submission 5 submitted by: The Peter McMullin Centre on Statelessness, Australia; Refugee Advice & Casework Service, Australia; Statelessness Network Asia Pacific, Malaysia and Institute on Statelessness and Inclusion, the Netherlands;
JS6	Joint submission 6 submitted by: Access Now, United States of America and Digital Rights Watch, Australia;
JS7	Joint submission 7 submitted by Edmund Rice International, Edmund Rice Centre, Australia, Dominicans for Justice and Peace (Order of Preachers), Franciscans International, International Presentation Association, Marist Foundation for International Solidarity, Brisbane Catholic Aboriginal Ministry, the Congregation of Our Lady of Charity of the Good Shepherd, the Australian Catholic Religious Against Trafficking in Humans, Parade College Advocacy Team and

- JS8 St James College;
Joint submission 8 submitted by: Ethos- the Australian Evangelical Alliance's Centre for Christianity and Society, Australia and the World Evangelical Alliance, Switzerland;
- JS9 **Joint submission 9 submitted by** Environmental Justice Australia and Environmental Defenders Office, Australia and Earthjustice, United States of America;
- JS10 **Joint submission 10 submitted by:** Cultural Survival and the American Indian Law Clinic of the University of Colorado, United States of America;
- JS11 **Joint submission 11 submitted by:** the International Federation of Library Associations, Hague, The Netherlands and the Australian Library and Information Association, Australia;
- JS12 **Joint submission 12 submitted by:** The Community Law Centres o Aotearoa, The New Zealand.

National human rights institution:

AHRC Australian Human Rights Commission (AHRC) *, Sydney, Australia.

- ² For relevant recommendations see A/HRC/31/14, paras. 136.3–136.29, 136.59, 136.116–136.126, 136.132–136.167, 136.172–136.202, 136.209, 136.226, 136.227, 136.234, and 136.258–136.273.
- ³ AHRC, paras. 6 and 7. See also AI, para. 3, JS1, p. 2 and LCA, paras. 37–38.
- ⁴ AHRC, para. 6. See also JS1, p. 1, JS10, p. 13 and SHRL, p. 6.
- ⁵ AHRC, para. 10.
- ⁶ AHRC, para. 11.
- ⁷ AHRC, para. 15. See also JS1, p. 1.
- ⁸ AHRC, para. 38.
- ⁹ AHRC, paras. 23–24.
- ¹⁰ AHRC, para. 30.
- ¹¹ AHRC, para. 52.
- ¹² AHRC, paras. 53–54.
- ¹³ AHRC, para. 47.
- ¹⁴ AHRC, para. 49.
- ¹⁵ AHRC, para. 9.
- ¹⁶ AHRC, para. 40.
- ¹⁷ AHRC, para. 13.
- ¹⁸ AHRC, para. 19.
- ¹⁹ AHRC, para. 22.
- ²⁰ AHRC, para. 32.
- ²¹ AHRC, para. 25. See also LCA, para. 17 and JS1, p. 5.
- ²² AHRC, para. 26.
- ²³ AHRC, para. 28.
- ²⁴ AHRC, para. 16.
- ²⁵ AHRC, para. 33.
- ²⁶ AHRC, para. 34.
- ²⁷ The following abbreviations are used in UPR documents:
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| OP-ICESCR | Optional Protocol to International Covenant on Economic, Social and Cultural Rights; |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women; |
| OP-CEDAW | Optional Protocol to CEDAW; |
| OP-CAT | Optional Protocol to Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; |
| CRC | Convention on the Rights of the Child; |
| OP-CRC-IC | Optional Protocol to CRC on a communications procedure; |
| ICRMW | International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; |
| ICPPED | International Convention for the Protection of All Persons from Enforced Disappearance. |
- ²⁸ For relevant recommendations see A/HRC/31/14, paras. 136.1–136.49, 136.51–136.54 and 136.57.
- ²⁹ LCA, para. 39. See also JS1, p. 2.
- ³⁰ See also JS3, p. 9.
- ³¹ See also JS10, p. 12 and SHRL, p. 6.

- ³² JS1, p. 1. See also ODVV, para. 23.
- ³³ For relevant recommendations see A/HRC/31/14, paras. 136.70–136.76 and 136.116.
- ³⁴ JS1, p. 1, See also JS8, para. 9, SHRL, p. 7, WILPF, para. 4, JS10, p.13, JS4, p. 6, LCA, para. 8 and ODVV, para. 24.
- ³⁵ AI, para. 8. See also ODVV, para. 5 and JS8, para. 48.
- ³⁶ LCA, para. 3 and JAI, para. 35. See also JS1, p. 1, JS4, p. 16JS7, para. 65, JS8, para. 52 and AI, para. 9 and p. 5.
- ³⁷ For relevant recommendations see A/HRC/31/14. 136.117–136.140 and 135.220–135.224.
- ³⁸ LCA, para. 4. See also JS1, p. 7.
- ³⁹ JS1, p. 7. See also JS8, para. 57 and LCA, para. 7.
- ⁴⁰ SHRL, para. 15.
- ⁴¹ AI, para. 14.
- ⁴² SHRL, para. 15. See also JS10, para. 26.
- ⁴³ JS1, p. 4.
- ⁴⁴ AI, para. 36.
- ⁴⁵ JS1, p. 7. See also AI, p. 5.
- ⁴⁶ JS1, p. 10.
- ⁴⁷ AI, para. 3. See also JS1, p. 5.
- ⁴⁸ JS1, p. 5.
- ⁴⁹ JS1, p. 5.
- ⁵⁰ AI, p. 5. See also JS1, p. 5.
- ⁵¹ JS2, p. 15.
- ⁵² JS1, p. 5.
- ⁵³ For relevant recommendations see A/HRC/31/14, paras. 136.212–136.219.
- ⁵⁴ JS1, p. 13. See also JS4, p. 15.
- ⁵⁵ JS1, p. 11, JS7, para. 50 and JS9, paras. 1 and 19.
- ⁵⁶ JAI, paras. 17 and 18. See also JS1, p. 11 and JS9, paras. 1 and 19.
- ⁵⁷ JS9, para. 1. See also JAI, para. 19 and 21 and JS1, p. 11.
- ⁵⁸ JS3, p. 2. See also JS1, p. 12, JAI, paras. 30-32, JS4, p. 7, JS7, para. 61 and JS9, para. 23.
- ⁵⁹ JS3, p. 1. See also JS9, para. 4, JAI, paras. 2-6, 8-12 and 16, JS7, para. 57 and JS4, para. 6.
- ⁶⁰ JS3, pp. 1-2. See also JS4, pp. 6-7 and JS9, para. 4.
- ⁶¹ LCA, para. 44. See also AHRC, para. 43.
- ⁶² JS1, p. 12.
- ⁶³ LCA, para. 43. See also AHRC, para. 44.
- ⁶⁴ JS1, p. 12.
- ⁶⁵ For relevant recommendations see A/HRC/31/14, paras. 136. 228 and 136.229.
- ⁶⁶ HRW, para. 27. See also HRW paras. 29 and 30, JS1, p. 8 and JS5, para. 58.
- ⁶⁷ HRW, para.31.
- ⁶⁸ HRW, para. 34. See also JS1, p. 8.
- ⁶⁹ For relevant recommendations see A/HRC/31/14, paras. 136.191–136.195.
- ⁷⁰ HRW, para. 16. For the statement see A/HRC/31/14/Add.1, p. 5, para. 37.
- ⁷¹ JS1, p. 9.
- ⁷² HRW, para. 17.
- ⁷³ For relevant recommendations see A/HRC/31/14, paras. 136.112, 136.113, 136.193, 136.195, 136.200–136.205.
- ⁷⁴ LCA, para. 18.
- ⁷⁵ HRW, para. 18.
- ⁷⁶ JS1, p. 9.
- ⁷⁷ HRW, para. 20.
- ⁷⁸ For the full text of the recommendations, see A/HRC/31/14, paras. 136.204 (Ireland) and 136.205 (Uruguay).
- ⁷⁹ HRW, para. 9. See also AHRC, para. 51, JS1, p. 9, JS3, p. 4, JS10, para. 14, ODVV, para. 20, and LCA, para. 9.
- ⁸⁰ LCA, para. 10. See also JS7, paras. 20-24, JS1, p. 6, JS10, para. 22, and SHRL, para. 20.
- ⁸¹ HRW, para. 10. See also JS1, p. 10 and JS10, para. 19.
- ⁸² HRW, para. 12. See also LCA, para. 9, JS1, p. 8 and JS10, p. 13.
- ⁸³ LCA, para. 27.
- ⁸⁴ JS11, p. 3.
- ⁸⁵ HRW, para. 28. See also AI, para. 34.
- ⁸⁶ AI, para. 35.
- ⁸⁷ CIVICUS, para. 1.5.
- ⁸⁸ JS6, para. 14. See also AI, para. 35, HRW, para. 28, CIVICUS, paras. 3.3 and 3.4, ODVV, para. 9, and JS1, p.7.

- ⁸⁹ AI, para. 35. See also CIVICUS, para. 1.6, JS1, p. 7, JS6, para. 15 and JS8, paras. 39–41.
- ⁹⁰ CIVICUS, para. 6.2. See also ODVV, para. 25.
- ⁹¹ HRW, para. 34. See also JS6, para. 28.
- ⁹² JS1, p. 7. See also LCA, para. 42.
- ⁹³ CIVICUS, paras 5.3–5.5.
- ⁹⁴ AI, para. 31. See also CIVICUS, paras. 5.6–5.8, ODVV, para. 10 and JS9, paras. 2 and 20.
- ⁹⁵ JS1, p. 7. See also CIVICUS, paras. 5.6–5.8, JS9, para. 20, AI, paras. 31 and 32 and p. 5, and ODVV, para. 10.
- ⁹⁶ CIVICUS, para. 2.1. See also JS1, p. 8, JS9, para. 20 and WILPF, para. 21.
- ⁹⁷ CIVICUS, para. 6.1. See also JS1, p. 8 and JS9, para. 23.
- ⁹⁸ For relevant recommendations see A/HRC/31/14, paras.136.230–136.233.
- ⁹⁹ JS1, p. 13. See also ASA, para. 4.2.
- ¹⁰⁰ ASA, para. 4.3.
- ¹⁰¹ ASA, para. 5.6.
- ¹⁰² JS7, para. 70. See also JS1, p. 13.
- ¹⁰³ JS7, paras. 67 and 70.
- ¹⁰⁴ For relevant recommendations see A/HRC/31/14, paras. 136.113, 136.226 and 136.227.
- ¹⁰⁵ JS1, p. 8.
- ¹⁰⁶ JS6, paras. 6–7. See also, JS11, para. 11.
- ¹⁰⁷ HRW, para. 32.
- ¹⁰⁸ CIVICUS, para. 4.4. See also JS6, para. 9.
- ¹⁰⁹ JS6, para. 10.
- ¹¹⁰ HRW, para. 33.
- ¹¹¹ CIVICUS, para. 4.5. See also JS6, para. 20.
- ¹¹² JS6, paras. 26 – 27. See also HRW, para. 34 and JS1, p. 7.
- ¹¹³ JS1, p. 6. See also LCA, para. 12 and JS2, p. 5.
- ¹¹⁴ JS3, p. 12.
- ¹¹⁵ JS5, para. 76. See also JS7, para. 47.
- ¹¹⁶ For relevant recommendations see A/HRC/31/14, para. 136. 207.
- ¹¹⁷ JS8, para. 27.
- ¹¹⁸ JS1, p. 10.
- ¹¹⁹ JS4, p. 15.
- ¹²⁰ JS8, para. 32.
- ¹²¹ JS1, p. 10. See also SHRL, para. 16.
- ¹²² SHRL, para. 17.
- ¹²³ JS1, p. 10.
- ¹²⁴ For relevant recommendations see A/HRC/31/14, para. 136.207.
- ¹²⁵ JS1, pp. 10–11. See also JS4, p. 12.
- ¹²⁶ JS4, p. 13. See also JS1, p. 11.
- ¹²⁷ JS1, p. 11.
- ¹²⁸ LCA, paras. 22 and 23.
- ¹²⁹ For relevant recommendations see A/HRC/31/14, paras. 136.180–136.184 and 136.210.
- ¹³⁰ JS2, p. 5.
- ¹³¹ For relevant recommendations see A/HRC/31/14, paras. 136.108, 136.109, 136.111 and 136.211.
- ¹³² JS3, p. 5. See also SHRL, p. 6 and AHCR, para. 42.
- ¹³³ For relevant recommendations see A/HRC/31/14, para. 136.144–136.149 and 136.152–136.164.
- ¹³⁴ JS3, p. 9.
- ¹³⁵ JS1, p. 7. See also LCA, para. 20.
- ¹³⁶ JS2, p. 11. See also JS3, p. 10.
- ¹³⁷ JS2, p. 12.
- ¹³⁸ JS2, p. 12.
- ¹³⁹ LCA, para. 21. See also JS2, p.7.
- ¹⁴⁰ LCA, para. 23. See also JS1, p. 7 and JS4, p. 15.
- ¹⁴¹ For relevant recommendations see A/HRC/31/14, paras. 136.112, 136.113, 136.165, 136.172–136.179 and 136.193.
- ¹⁴² GIEAPC, p. 2.
- ¹⁴³ AI, para. 16. See also HRW, para. 13, JS1, p. 9, JS7, para. 4, JS8, para. 5 and JS10, para. 22.
- ¹⁴⁴ JS7, para. 10. See also JS10, para. 22.
- ¹⁴⁵ LCA, para. 26, JS8, para. 13 and HRW, para. 15. See also JS1, p. 9, JS7, para. 7 and JS10, p. 13.
- ¹⁴⁶ JS7, para. 13.
- ¹⁴⁷ JS1, p. 9.
- ¹⁴⁸ HRW, para. 15.
- ¹⁴⁹ For relevant recommendations see A/HRC/31/14, paras. 136.180–136.184 and 136.186–136.190.

- ¹⁵⁰ LCA, para. 16.
- ¹⁵¹ ODVV, para. 27.
- ¹⁵² JS1, p. 6.
- ¹⁵³ ECLJ, para. 9.
- ¹⁵⁴ HRW, para. 20. See also JS1, p. 5 and AHRC, para. 25.
- ¹⁵⁵ For relevant recommendations see A/HRC/31/14, paras. 136.15, 136.78–136.115 and 136.125–136.127.
- ¹⁵⁶ JS3, p. 3. See also JS4, p. 4.
- ¹⁵⁷ SHRL, para. 15. See also JS10, para. 11.
- ¹⁵⁸ AI, para. 12.
- ¹⁵⁹ JS3, p. 3 and JS4, p. 4. See also LCA, para. 13. AI, paras. 4 and 13.
- ¹⁶⁰ JS4, p. 4. See also JS8, para. 2.
- ¹⁶¹ JS3, pp. 3-5.
- ¹⁶² JS3, p. 5.
- ¹⁶³ JS10, p. 13.
- ¹⁶⁴ JS4, p. 5.
- ¹⁶⁵ JS8, para. 8. See also SHRL, para. 6 and JS4, p. 5.
- ¹⁶⁶ SHRL, p. 7. See also JS3, p. 5, JS4, p. 6 and WILFP, para. 2.
- ¹⁶⁷ JS1, p. 2.
- ¹⁶⁸ SHRL, paras. 3-5. See also JS10, paras. 37, 40 and 41.
- ¹⁶⁹ JS1, p. 3. See also JS10, pp. 12-13.
- ¹⁷⁰ For the full text of the recommendation see A/HRC/31/14, para. 136.87 (Peru).
- ¹⁷¹ SHRL, para. 11.
- ¹⁷² SHRL, para. 13. See also JS4, p. 5.
- ¹⁷³ AI, p. 5. See also JS1, p. 1, LCA, para. 8.
- ¹⁷⁴ For relevant recommendations see A/HRC/31/14, paras. 136.235–136.290.
- ¹⁷⁵ JS3, pp. 7-9.
- ¹⁷⁶ JS12, para. 2.
- ¹⁷⁷ JS12, para. 5. See also paras. 6-8.
- ¹⁷⁸ JS12, para. 2.
- ¹⁷⁹ AI, para. 5. See also JS3, p. 5 and HRW, para. 3.
- ¹⁸⁰ JS1, p. 3. See also AI, para. 22, HRFA, section 4, p. 5, JS4, p. 8, JS5, paras. 2 and 51, AI, paras. 22 and 29, and LCA, para. 3.
- ¹⁸¹ JS8, para. 18.
- ¹⁸² HRW, para. 8. See also AI, p. 5, LCA, para. 34, HRFA, section 7, p. 8, JS1, p. 3, JS3, p. 7 and JS8, paras. 22-24.
- ¹⁸³ HRFA, Section 7, p. 9. See also JS1, p. 6, LCA, para. 34, AI, p. 5 and JS3, p. 7.
- ¹⁸⁴ LCA, para. 36. HRFA, Section 7, p. 8, ODVV, paras. 29 and 30, and JS3, p. 6.
- ¹⁸⁵ JS3, p. 6 and JS4, p. 9. See also JS1, p. 3.
- ¹⁸⁶ FMSI, para. 7.
- ¹⁸⁷ FMSI, para. 10. See also JS1, p. 3 and JS3, p. 6.
- ¹⁸⁸ JS8, para. 22.
- ¹⁸⁹ JS3, p. 7 and JS4, p. 10. See also LCA, para. 30.
- ¹⁹⁰ FMSI, p. 6, para. 1. See also JS1, p. 3.
- ¹⁹¹ JS1, p. 3. See also LCA, para. 30 and FMSI, p. 6, para. 2.
- ¹⁹² LCA, para. 33.
- ¹⁹³ JS1, p. 3. See also HRFA, section 4, p. 6, JS3, p. 6, JS4, p. 9, ODVV, paras. 13 and 16, AI, para. 25, and HRW, paras. 5 and 7.
- ¹⁹⁴ HRW, para. 7.
- ¹⁹⁵ AI, para. 27. See also HRW, para. 6 and ODVV, para. 7.
- ¹⁹⁶ JS8, para. 25. See also AHRC, paras. 36-37, JS7, para. 39, JS1, p. 3, JS3, p. 6, JS4, p. 10, HRW, para. 8 and AI, p. 5.
- ¹⁹⁷ JS4, p. 11. See also JS5, para. 83.