



Chief Executive Women

Parliamentary Joint Committee on Human Rights
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Inquiry into Australia's Human Rights Framework: Human Rights Submission

Chief Executive Women (CEW) welcomes the Commonwealth Government's initiative to review of the scope and effectiveness of [Australia's 2010 Human Rights Framework](#) and the [National Human Rights Action Plan](#). We thank the Parliamentary Joint Committee on Human rights for the opportunity to comment on Australia's Human Rights Framework.

Chief Executive Women's (CEW) shared purpose is 'women leaders empowering all women'. CEW's over 1200 members represents Australia's most senior and distinguished women leaders across business, academia, government, sport, the arts, and not-for-profit sectors. CEW's members have leading roles within Australia's largest private and public organisations. They oversee more than 1.3 million employees and \$749 billion in revenue. Member's organisations have a combined market capitalisation greater than \$1.144 trillion and contribute in excess of \$249 billion to Australia's GDP.

CEW members, as business and community leaders, drive change to realise a vision of:

- *Diverse women leaders at every decision-making table*
- *Enabling women'*

For all women to be empowered, physical, cultural, economic and other human rights must be recognised and protected. Gender equality can thrive when respect, fairness, dignity for all and equality is legislatively protected. CEW believes that greater protection of human rights is a universal good and creates a means for Australians to take action if their rights are violated. The Australian Human Rights Commission's (AHRC) Position Paper, *A Human Rights Act for Australia (position Paper)* explores Australia's 'patchy human rights



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protections' in more depth. A human rights charter will put people and communities on more equal footing and reflects the values of the society we want to live in.

Australia is at a cross roads

Australia has an opportunity to create the foundation for sustainable change and close the gender equality gap for the good of all. Sustainable, long-term change requires institutional change. Systemic, structural and cultural factors perpetuate gender inequality in Australia. Intentional steps now, and over coming years, will build towards a gender equal Australia in 2030. In international best practice gender equality mechanisms have been legislated or structurally embedded to ensure they are sustained and not subject to political will.

Australia has no national Charter of Human Rights that comprehensively protects people's human rights in law. Australia is the only Western democracy without a national Charter or similar law. CEW commends the important work the Commonwealth Government has done to support human rights in Australia, particularly for women and girls, the ongoing development of the National Gender Equality Strategy, and the strengthening of the anti-discrimination framework.

However, Australia's human rights framework still has significant gaps .Essential human rights, for instance the right to health, the right to education, freedom of association, or freedom of expression, are [not adequately protected in Australian laws](#). International best practice, and [Australia's history](#) as an international leader in human rights legislation demonstrates that protection of human rights improves quality of life, safety of families and strength of communities. CEW believes that by enacting a Federal Human Rights Act, embodying the rights within the treaties to which Australia is a signatory, the rights of women and girls will be fully realised in Australia. The advancement of Australia's Human Rights Framework is an important opportunity to further protect and advance the rights and protections of women and girls in Australia.

- The empowerment of women and girls, and achieving gender equality, are preconditions for achieving the 17 Sustainable Development Goals (SDGs) set out in the 2030 Agenda for Sustainable Development to eliminate global poverty and inequality.



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- Australia is a signatory to the Convention on the Elimination of all forms of Discrimination and Against Women
- Australia is also a signatory to the Beijing Platform for Action

The introduction of a legislative Human Rights Charter is in the interest of the entire community:

- Creating an Australian Charter of Human Rights & Freedoms will benefit the whole community.
- A Charter will help prevent human rights violations, provide a powerful tool to challenge injustice, and foster understanding and respect for human rights.
- An Australian Charter of Human Rights will ensure the decisions and actions of our governments are guided by the values of freedom, equality and dignity.
- A Charter will mean if someone's rights are violated they can take action to get justice.

CEW Supports

- ***A legislated Human Rights Charter or Act:*** similar to those currently in operation in Victoria, Queensland and the Australian Capital Territory. This strengthens the human rights of everyone in the community whilst retaining parliamentary sovereignty.
- ***A Charter should cover the human rights Australia has already promised to uphold under international law:*** Including civil, political, economic, social and cultural rights under the International Covenant of Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as the rights of children and people with disabilities, and other obligations under international treaties Australia has ratified.
- ***People should be able to take fast, low cost and effective action when their rights are violated:*** People should be able to make a complaint to the Australian Human Rights Commission, as well as other remedies such as the courts.
- ***A Charter should cover all Federal public authorities.***

CEW also recommends that, in line with other important legislation documents like the National Gender Equality strategy, the Framework be grounded in some Foundational Principles:

- Clear and measurable protections



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- Clear alignment with First Nations communities through the Constitutionally enshrined voice to Parliament
- Focus on long term success as well as short term measures
- Intersectional lens
- Lifecycle approach
- Operate as a living document
- Cross sectoral participation
- Involve whole of government
- Link to the United Nations Sustainable Development Goals

Communication and collaboration with women and girls, with a particular focus on marginalised communities, about these principles and prohibitions across our diverse communities, will be vital to the Frameworks success.

CEW recommends that the Parliamentary Joint Committee on Human Rights include a gendered lens in the creation of the Framework. A gendered lens, particularly an intersectional lens, will support the Framework in incorporating the experiences and needs of the whole community. We know that inequality is even greater for First Nations women, women from migrant and refugee backgrounds, women with disability and people of marginalised genders who experience multiple, diverse, and intersecting forms of discrimination and disadvantage.

We thank you for the opportunity to submit our observations and recommendations.