

The Hon Julie Bishop MP
Minister for Foreign Affairs
Parliament House
Canberra ACT 2600

By email: Julie.Bishop.MP@aph.gov.au

17 June 2015

Dear Minister,

RE: Bid for election to the United Nations Human Rights Council

We the undersigned, representatives of Australian academia, Non-Government Organisations (NGOs), and legal and medical professionals, understand that your Department is currently considering options for voluntary pledges and/or commitments to the UN General Assembly in support of Australia's bid for election to the Human Rights Council (HRC) in 2018.

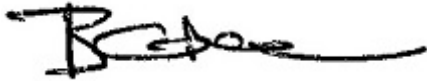
Australia's principled approach to human rights issues overseas as a member of the Security Council may go some way towards securing the nation's place on the HRC, but our domestic implementation of human rights obligations will also be an important consideration.

As emphasised by the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein last year, one of the areas of most concern for the HRC is Australia's treatment of people in immigration detention. We believe it would be a highly significant indicator of goodwill for Australia to ratify the Optional Protocol to the Convention Against Torture (OPCAT) and to implement a National Preventive Mechanism. Alternatively, Australia should pledge or commit to ratifying OPCAT.

Ratification of the OPCAT has been consistent with the Government's policy intention since Australia's signature of this treaty in 2009 and, as far as we are aware, remains so. Since 2009, ratification has been recommended by the Parliamentary Joint Standing Committee on Treaties (in 2012), the UN Committee Against Torture (in 2014) and concerned NGOs constituting a broad cross-section of Australian civil society (letter to the Attorney-General of September 2014 attached for reference). We also note that member States of the HRC itself recommended OPCAT ratification during Australia's Universal Periodic Review in 2011, and that OHCHR's guidance on voluntary pledges places 'indications of intent to ratify further instruments' first on its list of pledge recommendations.

Opening up all places of detention to OPCAT-compliant oversight would be of great benefit not only to the human rights of a particularly vulnerable group (that is, those detained by the State), but also to Australia's international reputation in this regard.

Yours sincerely,



Associate Professor Bronwyn Naylor, Law Faculty, Monash University

Joint signatories to letter:

Organisations

Amnesty International Australia
Association for the Prevention of Torture (Geneva)
Australian College of Mental Health Nurses
Australian Lawyers for Human Rights
The Castan Centre for Human Rights Law
Doctors4Refugees
Ethnic Community Services Cooperative Limited
Human Rights Council of Australia
International Service for Human Rights (Geneva)
Multicultural Disability Advocacy Association of Australia
National Ethnic Disability Alliance
NSW Council for Civil Liberties
People With Disabilities Australia
Public Health Association of Australia
Queensland Advocacy Incorporated
UNICEF Australia
UnitingJustice Australia, Uniting Church in Australia
Victorian Foundation for Survivors of Torture
Women With Disabilities Australia

Individuals

Dr Olivia Ball, Director of Remedy Australia
Dr Cynthia Banham, Post-doctoral Fellow, RegNET, the Australian National University
Corinne Dobson, Public Health Consultant
Dr Michael Dudley, Psychiatrist, UNSW and Suicide Prevention Australia Board Director
Peter Bazzana, Montazzana Mental Health Consulting
Stephen Blanks, President, NSW Council for Civil Liberties
Marianne Dickie, Director Migration Law Program ANU College of Law
Adam Fletcher, Doctoral Candidate in Law, Monash University

Gerard Goggin, Professor of Media and Communications, University of Sydney
Dr Rosemary Howard, Child and Adolescent Psychiatrist
Jessica Kinsella, Lecturer in Migration Law, the Australian National University
Rebecca Minty, Consultant, the Association for the Prevention of Torture (Geneva)
Dr Susan Harris Rimmer, Asia-Pacific College of Diplomacy, the Australian National University
Dorothy Hoddinott AO, 2014 Australian Human Rights Medalist
Dr Richard Kidd, co-founder Doctors4Refugees; AMA Federal Councillor
Prof Louise Newman AM, Director, Centre for Women's Mental Health, Royal Women's Hospital
Dr Barri Phatarfod, Co-founder and Convenor, Doctors4Refugees
Dr John-Paul Sangarran, University of New South Wales
Chris Sidoti, Adjunct Professor, University of Western Sydney, Griffith University, University of
the Sunshine Coast and the Australian Catholic University
Dr Dinesh Joseph Wadiwel, School of Social and Political Sciences, University of Sydney
Dr Peter Young, Psychiatrist