

SUBMISSION
Universal Periodic Review (UPR) of Australia

Stakeholders Report
14 July 2025

Sisters of St Joseph of the Sacred Heart
Sisters of St Joseph of Lochinvar
Loreto Sisters of Australia and South East Asia
Sisters of Mercy Parramatta
Passionists International

Contact: Jan Barnett rsj
justice@sosj.org.au

We educate, advocate and work for justice, for earth and people,
especially for those pushed to the edge.

SUBMITTING STAKEHOLDERS

Sisters of St Joseph of the Sacred Heart rsj
PO Box 1508 North Sydney NSW 2060
Phone +61 2 8912 4853
www.sosj.org.au



Sisters of St Joseph of Lochinvar ssj
85 Albert St Warners Bay NSW 2282
Phone: +61 2 4948 4063
www.ssjl.org.au
Email: office@ssjl.org.au



Loreto Sisters of Australia and South-East Asia ibvm
PO Box 4082 Auburn South VIC 3122
Phone: +61 3 9813 4023
www.loreto.org.au
Email: admin@loreto.org.au



Sisters of Mercy Parramatta rsm
6 Victoria Rd, Parramatta, NSW, 2150
Phone: +61 2 9683 2555
www.parramattamercy.org.au
Email: congregationleader@parrasom.org.au



Passionists of the Holy Spirit Province
196 Livingstone Road, Marrickville, NSW 2204
Phone: +61 2 8577 5600
www.passionists.com
Email: province.centre@passionists.com



INTRODUCTION

1. This 2025 UPR Report is submitted on behalf of the Congregations of the Sisters of St Joseph of the Sacred Heart, the Sisters of St Joseph of Lochinvar, the Loreto Sisters of Australia and Southeast Asia, the Mercy Sisters of Parramatta, and Passionists International. The Congregations and our Associates (numbering approximately five and a half thousand women and men) were founded to work with those suffering from poverty and social disadvantage. We educate, advocate and take action for justice, for earth and people, and especially for women and children and those pushed to the margins of society.
2. As Australians committed to justice and a fair deal for all, we are grateful for this opportunity to analyse the human rights record in Australia over the past four years, particularly in light of the 3rd UPR. From this scrutiny, we hope to make recommendations that will lead to greater commitment to, and observance of, human rights in this country.
3. One of the strongest recommendations from the 3rd UPR was that Australia develop a comprehensive national human rights action plan to achieve concrete results in the areas highlighted in the UN report. We support this recommendation. While we do acknowledge that Australia does possess a sense of people's rights, the events of the past four years have also demonstrated that the basic human rights of all persons are fragmented and not well protected in Australian law. Clearly not sufficient progress has been made to implement the recommendations of the 3rd UPR.
4. It is our strongest endorsement of the 3rd UPR recommendation that the Australian Government move towards the development of an Act or Charter of Human Rights (judicially enforceable) over the next four years, to ensure that all members of the Australian community are appropriately protected and their rights safeguarded.

BACKGROUND

5. Since the 3rd UPR, Australia has experienced a change of Government. This has led to a stronger recognition of human rights and some changes of policy to reflect this shift. New directions have resulted in positive responses to a number of the recommendations of the 3rd UPR. These have included improving life options for First Nations peoples, taking practical action to confront the climate crisis, introducing more favourable work conditions, expanding access to health services, and working to deal with issues related to child poverty and the age of criminal responsibility.
6. In significant areas, however, including those named above, there have been clear breaches of human rights as recommended in the 3rd UPR, and in the past five years, human rights groups across Australia have worked to address issues identified as matters needing reform.
7. This submission is the result of both our work on the ground and our advocacy. It endeavours to examine the extent to which Australia is complying with its international human rights obligations under the UN Charter, the Universal Declaration of Human Rights, international treaties and other commitments. It is our hope that this Stakeholders Report will contribute

to the report of the 4th UPR when Australia appears before the United Nations Human Rights Council in Geneva for its major four-yearly Human Rights Review in January/February 2026.

8. THIS REVIEW

Seven key areas have been identified as critical for this review, and clearly some of them overlap, demonstrating the intersectionality of the issues. Areas comprise:

- A. First Nations Peoples
- B. The Climate Crisis
- C. Refugees and People Seeking Asylum
- D. Human Rights and National Security
- E. The Widening Wealth Gap
- F. Housing and Homelessness
- G. Rights of the Child

A. FIRST NATIONS PEOPLES

9. In the 3rd UPR, the Australian Coalition Government made an explicit commitment “to work towards a [referendum to recognize Aboriginal and Torres Strait Islanders in the Constitution](#)”, as well as to co-design models for an Indigenous Voice, and to improve local and regional decision-making.
10. The newly elected Labor Government introduced the referendum as one of its first initiatives in 2022, only to have it denounced by the very Coalition Parties that had pledged to promote a referendum at the 3rd UPR. The lack of bipartisanship and the resultant [defeat of the proposed Voice to Parliament in 2023](#) demonstrated the Coalition’s lack of political will to address the structural inequalities faced by First Nations peoples and the stark societal divisions across the country.
11. These divisions had been highlighted in the 3rd UPR and acknowledged by Australia in its acceptance of 53 recommendations specifically addressing the rights of Indigenous Australians. These included commitments to reduce systemic discrimination, improve outcomes in the justice system, and advance reconciliation through mechanisms such as treaty-making and truth-telling. However, despite this formal acceptance, Australia has made little meaningful progress in implementing these recommendations.
12. We submit this report with deep concern regarding Australia’s ongoing failure to meet its human rights obligations to Aboriginal and Torres Strait Islander peoples. In this submission, we focus on two urgent areas: the need for a Makarrata Commission to progress truth-telling and treaty-making, and the continued failure to raise the age of criminal responsibility.

The Urgent Need for a Makarrata Commission

13. Australia has yet to reckon fully with the deep and ongoing injustices experienced by Aboriginal and Torres Strait Islander peoples as a result of colonisation, dispossession, and systemic discrimination. [The Uluru Statement from the Heart](#) issued in 2017 by hundreds of First Nations leaders, called for the establishment of a [Makarrata Commission as a national mechanism for truth-telling, agreement-making, and reconciliation](#). Eight years on, that call remains unmet.
14. ["Makarrata" is a Yolŋu word meaning a coming together after a struggle](#) and embodies the process of acknowledging and addressing historical wrongs through truth, justice, and healing. The absence of a commission has created a national vacuum in addressing structural racism, intergenerational trauma, and broken relationships between governments and First Nations communities.
15. One of the clearest manifestations of this failure is the continued [overrepresentation of Aboriginal and Torres Strait Islander children in the criminal justice system](#). This is not merely a criminal justice issue—it is a human rights crisis that stems from the broader societal refusal to acknowledge and address the root causes of First Nations disadvantage. The disproportionate criminalisation of Indigenous children reflects systemic failures that a Makarrata Commission could begin to address through public truth-telling and legal reform grounded in justice and historical understanding.
16. The lack of a Makarrata Commission undermines Australia's commitments to self-determination, cultural rights, and reparative justice under international human rights law, including the [UN Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#). A Commission would provide a foundation for treaty-making and legal reform that is built upon historical truth, moral legitimacy, and Indigenous sovereignty.

Minimum Age of Criminal Responsibility

17. Australia's current minimum age of criminal responsibility—[set at just 10 years of age—is in clear violation of international human rights standards](#), and is at odds with the recommendations of the 3rd UPR supported by Australia at the time and disproportionately affecting Aboriginal and Torres Strait Islander children. The United Nations Committee on the Rights of the Child has consistently recommended that the minimum age be raised to at least 14. Yet Australia remains out of step with this obligation under the [Convention on the Rights of the Child \(CRC\)](#).
18. The criminalisation of such young children reflects [a justice system more concerned with punishment than with rehabilitation, prevention, or healing](#). Indigenous children as young as ten are often arrested in public, removed from school or community, and placed in [environments that expose them to further trauma](#). The evidence shows that early contact with the justice system increases the [likelihood of long-term offending and entrenched disadvantage](#).

19. This criminalisation crisis cannot be separated from the absence of a national truth-telling process, such as [the proposed Makarrata Commission](#). Without a shared national reckoning with the causes of dispossession and systemic inequality, the state continues to respond to social disadvantage with criminalisation, particularly in relation to First Nations youth. The justice system becomes a default response to issues that should instead be addressed through restorative, culturally grounded, and community-led approaches.
20. We call on the Australian Government to urgently raise the minimum age of criminal responsibility to at least 14 years, in line with [recommendations from the 3rd UPR](#) and a wide consensus of legal, health, and child welfare experts. This reform must be accompanied by investment in Indigenous-led diversion programs, wraparound services, and healing initiatives, and embedded within a broader national framework of truth, justice, and historical accountability. Until Australia centres First Nations experiences and rights in both legal and policy responses, it will remain in breach of its international human rights obligations.

21. RECOMMENDATIONS

1. That a fully resourced, independent Makarrata Commission be commissioned as a national mechanism for truth-telling, historical justice, and agreement-making with First Nations peoples
2. That the minimum age of criminal responsibility be raised to at least 14 years, in line with international human rights standards and the recommendations of the United Nations Committee on the Rights of the Child
3. That justice responses, grounded in culture, healing, and community leadership, rather than incarceration, be developed for First Nations children.

B. CLIMATE CRISIS

22. The 3rd UPR strongly recommended that Australia tackle climate change and its negative impacts, especially its impact on the realisation of human rights. The Coalition Government had made no commitment to create a more sustainable environment and was strongly urged in the 3rd UPR to implement the goals of the Paris Agreement. The government was pressed to ensure that environmental impact assessments be prepared “in full transparency and with the meaningful participation of affected communities.”

23. Climate Action within Australia

From 2022, the newly elected Labor Government adopted a much stronger commitment to a sustainable future for Australia, beginning with the [Climate Change Act 2022](#) and a range of other policies aimed to provide the government with science-based policy advice annually. Clear directions and policies were instituted and in the past four years, there has been exponential growth in renewable energy to deal with the accelerating climate crisis within this country.

24. Australia as a top exporter of fossil fuels

There is clearly an explicit commitment to reducing emissions within Australia, but unfortunately this does not extend more broadly to the export of fossil fuels. In 2024, Australia held the dubious honour of being the [second largest coal exporter](#) in the world, making this country a key enabler of global fossil fuel emissions. The latest action by the government in [approving Woodside's proposed life extension](#) to its West Australian gas facility to 2070 demonstrates how clearly Australia has opted for compliance to corporate power and political expediency. To pretend (as the government is continuing to do) that Australia bears no accountability for the burning of fossil fuels exported from this country is to ignore its responsibility for the human rights of some of the most vulnerable people across the world, as well as to all created species.

25. Such capitulation will inevitably exacerbate the climate breakdown affecting the entire planet.

26. Already affected by climate change, Australia's Pacific neighbours face growing threats to their socioeconomic viability and their very existence. In August 2024, Antonio Guterres called on Australia to show leadership in cutting emissions to prevent [Pacific climate catastrophe](#).

27. If Australia continues to refuse to take action on the phasing out of the fossil fuel industry, the climate crises facing our country, our Pacific neighbours, and indeed the planet itself, will be exacerbated, and global temperatures will continue to rise. The momentum on the climate emergency is leading the world on a trajectory it cannot afford.

28. RECOMMENDATIONS

1. That the Government of Australia negotiate with all political parties and independent members of Parliament, to take urgent action to end the fossil fuel industry
2. That the Government place a ban on all new coal mines and coal-powered electricity generation, and combine this with the orderly phasing-out of existing plants in a way that supports workers and low-carbon industries of the future
3. That the Government remove subsidies and tax breaks for polluting industries, place a price on carbon emissions, and use the revenue saved for ongoing investment in renewable technologies
4. That practical measures be taken to protect Australian species, vulnerable ecosystems and water-use policies

C. REFUGEES AND PEOPLE SEEKING ASYLUM

29. In its reports to both the 2nd and 3rd UPR, the Australian Coalition Government declared its commitment to a managed and equitable system of migration, consistent with its international obligations. The reality has fallen far short of this commitment. [In the 3rd UPR](#), forty-five UN member states raised concerns about Australia's refugee, asylum and immigration detention policies. Critically, the need for a human rights-based approach received special attention in the 3rd UPR report, which urged Australia to change its policies of mandatory detention, to halt its policy of offshore detention and indefinite immigration detention, to prohibit the detention of children, and to ensure that the non-refoulement principle was secured in both policy and practice. Of particular concern was Australia's failure to comply with international law.

30. Refugee Protection in Australia

Since the 3rd UPR, there has been a change of government in Australia. As a result, some [steps have been taken](#) to improve refugee protection in Australia. It is deeply regretted, however, that Australia remains in breach of its most basic human rights obligations.

31. Australia's Contravention of the International Human Rights Act

In 2024, the Labor Government ruthlessly infringed its international and human rights obligations. With the full support of the Coalition, the Government enacted the [Migration Amendment \(Removal and Other Measures\) Bill 2024](#), which runs counter to every recommendation of the 3rd UPR and massively expands government powers. It clearly contravenes international law and repudiates recommendations from the 3rd UPR to abandon mandatory detention, offshore processing, deportation, and the infringement of people's liberty and rights.

32. This Bill frees the Minister to revise the visa of any refugee so that barriers to that person's removal can be eliminated, and it increases the Minister's powers to gather and share personal information. It expands offshore detention, exposing people to significant harm. It rejects non-refoulement and guarantees the immunity of officials from liability. Inevitably also, many people seeking protection in Australia are [stateless](#) and remain among the most vulnerable groups in this country.

33. Clearly, the actions of the Australian Government directly contradict the most critical recommendations from the 3rd UPR, and flout Australia's international human rights obligations. It is unethical, dangerous and repressive, treating as criminal some of the most vulnerable people in this country.

34. RECOMMENDATIONS

1. That the [Migration Amendment \(Removal and Other Measures\) Bill 2024](#) be rescinded
2. That indefinite and arbitrary offshore detention be abolished, that offshore processing centres be closed and all asylum seeker claims be processed in Australia according to the Refugee Convention

3. That mandatory detention be ended, that temporary protection visas be converted into permanent protection visas, and that family reunions be re-established and facilitated, regardless of the type of visa held or the mode of arrival
4. That refugees be given appropriate measures of assistance, Including access to income support on the same basis as other Australian residents
5. That an administrative mechanism be established for stateless people to seek a permanent rights-based resolution for their statelessness in Australia.

Human Rights and National Security

35. West Papuan human rights

In the 3rd UPR, Australia was strongly urged to develop a Human Rights Act or Charter, with a clause of precedence over all other legislation. The government's relations with West Papua contravene its stated commitment to human rights of this land. Australia had a significant role in the [flawed process of incorporation of West Papua into Indonesia](#). The so-called "Act of Free Choice" was a UN sponsored vote held in 1969 in which 1,025 Papuan people selected by the Indonesian military voted unanimously in favour of Indonesian control over West Papua. Despite its oversight by the UN, serious questions about the vote's proper administration and fairness remain.

36. Australia was involved in the questionable process. Just weeks before the vote, two West Papuan political leaders, Clemens Runawery and Wilhelm Zongganao, were sent to New York from Jayapura, carrying petitions asking the UN Secretary-General to halt the vote. When they reached the Australian administered territory of New Guinea they were halted, questioned by ASIO officers, and then held in detention on Manus Island at the request of Indonesia. Thus, Australia was pivotal in silencing the voice of the Papuan people at the United Nations.
37. Widespread Indonesian violence against the Papuans has continued since then. Over 100,000 people have died violently since the Indonesian takeover. The Australian government supports the Indonesian position, declining to comment on the abuses. Over 90,000 Papuans are internally displaced, fleeing from armed clashes, military raids and the appropriation of their lands by large corporations. Over 10,000 Papuans have fled across the border into Papua New Guinea. West Papua's rich resources add significantly to the wealth of Indonesia. However, Papuans are the poorest, least educated and most displaced group under the Indonesian Government.
38. A potent means of concealment is Indonesia's restrictions on the entry of foreign journalists into West Papua. Any rare success by journalists to obtain visas has been followed by surveillance, threats, violence and even deaths.
39. Australian governments and major news outlets such as the Murdoch Press and Fairfax/9 have complied with Indonesia's regime in West Papua. The silence of major Australian news

distributors and the government indicates the extent of corporate and official refusal to challenge Indonesia. A diverse range of reports from inside West Papua and extensive commentary from the Pacific and elsewhere are testimony to the plethora of information which the Australian government chooses to ignore.

40. The Australian government claims that since being an original signatory to the Universal Declaration of Human Rights in 1948 “Australia has been a strong advocate for the promotion and protection of human rights, especially in the context of advancing human rights in the Indo-Pacific region.” As regards West Papua this is blatantly false. The Australian government’s silence and inaction are testimony to its ongoing complicity with Indonesia in human rights abuses.

41. Recommendations

1. That the UN High Commissioner for Human Rights visits West Papua immediately
2. That foreign diplomats and journalists be allowed into West Papua
3. That the UN undertake a public and thorough review of the 1969 Self-Determination Act.

42. Daniel Duggan

Daniel Duggan is a former United States citizen, was a major in the US Marines and became an Australian citizen on 26 January 2012. The US has accused him of training Chinese military pilots in techniques for landing on aircraft carriers, arms trafficking and money laundering when he was working between 2010 and 2012 in the Test Flying Academy of South Africa.

43. Duggan maintains his innocence and is challenging the extradition. He claims he trained civilian test pilots using training materials that are not classified, that all payments were declared on his tax returns and that the activities were unrelated to defence services.

44. High levels of secrecy and the compliance of the Australian government with all demands of the US is concerning, as the accusations make sense only in regard to the fraught relationship between the US and China.

45. The treatment of the Australian citizen Daniel Duggan is unacceptable and raises serious concerns about his human rights and the status of citizenship. He was arrested on behalf of the US and has not been charged with any offence under Australian law. He has been gaoled since December 2022, with 19 months in solitary confinement. The Australian government has expressed its intention to extradite him to the US. If convicted in the US, Duggan faces up to 60 years in prison. The Australian government’s subservience to the demands of the US regarding Daniel Duggan is a flagrant abuse of this Australian citizen’s human rights.

46. Recommendations

1. That the Australian Government reverse its decision to extradite its citizen Daniel Duggan to the USA
2. That Daniel Duggan be released from gaol immediately
3. That proper judicial procedures under Australian law be set in place to assess Mr Duggan's case.

C. WEALTH GAP IN AUSTRALIA

47. Since the 3rd UPR, wealth inequality in Australia has accelerated. [New data](#) from ACOSS and UNSW research reveals that the gap between the richest and poorest households in Australia continues to rise. [Wealth distribution is highly unequal](#) with the wealthiest 20% holding average wealth of \$3,240,000 – six times the wealth of the middle 20% and 90 times that of the lowest 20%. Across the community, Aboriginal and Torres Strait Islanders, migrant workers, and people seeking asylum, as well as those on social welfare, suffer the most significant disadvantage. Women also remain at ever increasing risk.
48. At significant odds with this, more than one in three of Australia's largest corporations have paid no taxes at all (with an official [corporate tax gap of \\$2billion](#)). Homelessness remains the most visible manifestation of the wealth gap in Australia

Housing and homelessness

49. Since the 3rd UPR, the expanding wealth gap and the risks of homelessness in Australia have increased, particularly for those structured at the edge of society. Currently, we are in contravention of the strong recommendation of the UPR Working Party, as well as infringing our own expressed commitment to the [Universal Declaration of Human Rights](#) its declaration of housing as a fundamental human right. It also infringes the [International Covenant on Economic, Social and Cultural Rights](#).
50. In May 2025, the [State of the Housing Report 2025](#) published by the National Housing Supply and Affordability Council (NHSAC), found housing affordability has continued to deteriorate, especially for people on the lowest incomes, with rental stress becoming more persistent and damaging to people's health. Property has come to be seen as a commodity and an investment, rather than a human right, and as an instrument of private gain, with tenancy laws regarded as in place to better protect the rights of investors rather than the rights of renters.
51. Budgets since the 3rd UPR have increased inequality in Australia. They have privileged the wealthy, while JobSeeker and other welfare payments have remained stagnant, and people on welfare have been forced to exist on inadequate incomes. Such budgetary decisions have only served to ensure that vulnerable members of the Australian community have been increasingly

left behind with disproportionate housing stress experienced by First Nations people, including higher rates of homelessness, rental stress and housing insecurity. (ABS Census 2021).

52. For a nation as wealthy as Australia, these statistics are shameful.
53. In response, the Government has introduced a number of policies and initiatives. Key strategies include the [National Housing and Homelessness Plan \(NHHP\)](#), developed in collaboration with state and territory governments. Unfortunately, its focus on policies rather than on legislation is not supportive of a human rights standpoint.
54. As the government faces the challenges of economic deficits, tax reform is essential. Policies, such as capital gains tax and negative gearing that exacerbate inequities, are clearly in need of reform. [The Henry Report](#) offered a clear direction for a possible future. Its aim was to enhance overall economic, social and environmental wellbeing and it paved a way for a more equitable tax system. Unfortunately, it was economically sound but politically unsavoury and so was undermined by powerful lobby groups whose influence resulted in the current inequitable system.
55. In August 2025, the Albanese Government is set to hold an economic “roundtable” to discuss productivity, budget sustainability and resilience. Australia’s tax system will be one of the central issues, and lobbyists are already taking action with their self-focussed arguments for change. Hopefully, the breadth of the representation will lead to more equitable reform that will remove some of the most blatant inequalities currently besetting the wealth gap and homelessness in this country.
56. Unfortunately, also, it is not only within Australia that the most vulnerable are being penalised. More broadly, Australia’s foreign aid at 0.19% remains well below the recommended 0.7% of national GDP.

57. RECOMMENDATIONS

1. That a rights-based, broad, strategic and legislated housing plan be put in place to confirm each person’s right to a home
2. That income supports for those on the lowest incomes be significantly lifted, and social housing supply boosted, to include a commitment to a long-term target that includes energy efficient, climate-resilient and accessible facilities
3. That government raise the maximum threshold for Commonwealth Rent Assistance by 60%, and review rental subsidies to prevent people (particularly families and elderly women) being pushed into homelessness
4. That JobSeeker and other income support payments be increased to at least \$82 a day to help those struggling to stay housed and avoid homelessness
5. That a robust, controlled and targeted safety net be developed for those unable to work because of poor health or disability, and those who cannot find work

6. That resolute strategies be taken on corporate tax avoidance
7. That governments provide greater financial support for First Nations housing organisations
8. That gender inequality be addressed, including women's unpaid caring work and gendered gaps in wages and retirement savings
9. That tax structures be urgently reviewed and reformed to include curbing negative gearing and capital gains tax concessions and replacing stamp duty with a broad-based land tax.
10. That Australian aid be increased to at least 0.7% of National GDP, and allocated according to need and our global responsibilities, rather than being decided by political benefit.

D. RIGHTS OF THE CHILD

58. In its 3rd UPR, Australia [accepted numerous recommendations related to children's rights](#), including the development of a national children's rights framework, improving the out-of-home care system, enhancing data collection on children and youth, and addressing socio-economic inequality affecting children. Despite these accepted recommendations, progress remains insufficient and uneven, placing Australia in ongoing breach of its obligations under the Convention on the Rights of the Child and other international human rights instruments.

Child Poverty

59. [According to a 2020 UNICEF report ranking rich countries on child wellbeing outcomes, Australia ranks 32 out of 38 rich countries for child wellbeing.](#) This data has been underpinned by the fact that there is still no comprehensive, rights-based national framework that ensures a coordinated, adequately funded, and monitored approach to the well-being of all children in Australia. According to the [Breaking Down Barriers Report](#), this lack of national strategy contributes to the persistence of entrenched child poverty, which disproportionately affects Aboriginal and Torres Strait Islander children, children in single-parent households, and those living in remote or regional areas.
60. Despite accepting calls to address the structural causes of poverty, including unequal access to housing, healthcare, and education, successive Australian governments since the 3rd UPR have failed to implement a coordinated plan to reduce child poverty. According to recent national data, [over one in six Australian children live below the poverty line, with long-term implications for health, education, and intergenerational equity.](#)
61. Australia must shift from rhetorical commitments to concrete, measurable action. The ongoing rates of child poverty, and the removal of First Nations children far from family and community demonstrate an urgent need for transformative policy rooted in justice, equity, and the full recognition of children as rights holders.

Access to Education in Rural and Remote Areas

62. Despite formal commitments at the 3rd UPR to improve the human rights of children in Australia, there has been limited progress in fulfilling these obligations. Nowhere is this more evident than in the [persistent inequality in access to quality education for children in rural and remote areas, particularly Aboriginal and Torres Strait Islander children](#). These inequities are deeply linked to child poverty. Rural and remote areas experience disproportionately high rates of child poverty, driven by structural factors such as limited employment opportunities, housing insecurity, food and transport disadvantage, and the cost of accessing essential services. Poor educational access both reflects and perpetuates this poverty—limiting children’s opportunities for social and economic participation and increasing their vulnerability to poor life outcomes.
63. The situation is particularly urgent for Aboriginal and Torres Strait Islander children, who are overrepresented in both remote communities and the child protection and youth justice systems. Australia’s commitment in 2021 to address health disparities in [Indigenous children is undermined by the failure to act decisively on access to education, which is a fundamental determinant of health and wellbeing](#). This neglect stands in contradiction to Australia’s support for UPR recommendations aimed at eliminating systemic discrimination and advancing equity.
64. Australia’s ongoing reservation to Article 37(c) of the CRC, despite accepting the recommendation to withdraw it, also reflects a broader inconsistency in its approach to child rights. [Children in rural and remote areas who enter alternative care, or the youth justice system are particularly affected by this reservation](#), as they are more likely to be held in adult facilities or isolated from family and community supports. The failure to remove this reservation calls into question Australia’s commitment to align domestic legislation and policy with international human rights standards.
65. This submission expresses concern that Australia’s UPR commitments from 2021 are not being implemented in a way that realises the rights of rural and remote children, particularly in relation to the structural causes of poverty and systemic underinvestment in education.

66. RECOMMENDATIONS

1. That Australia develops and implements a national children’s rights strategy aligned with the Convention on the Rights of the Child, with clear targets for reducing child poverty and supporting child well-being
2. That Australia withdraws its reservation to Article 37(c) of the Convention on the Rights of the Child, in line with recommendations accepted in the previous UPR cycle
3. That a commitment be made to develop a national child poverty reduction plan with a specific focus on rural and remote communities and its intersection with educational inequality
4. That independent oversight and data mechanisms be set in place to track progress on children’s rights, disaggregated by age, gender, ethnicity, disability, and socio-economic background

5. That equitable access to health, education, and social services for children be established in rural areas, consistent with its commitment to address disparities in outcomes for children in remote, Indigenous, and alternative care settings.

CONCLUSION

67. The strongest recommendation from the 3rd UPR was that Australia, as the only developed country without a Human Rights Act or Charter, take steps towards the development of an Act that would be judicially enforceable. It is this recommendation that we unconditionally support.
68. At this time in our history, we believe it is critical for Australia put aside short-term political advantage and work collaboratively to resolve the critical issues facing us. We are at a decisive turning point in our country's, and indeed, our planet's history. These challenges provide us with new possibilities for developing a vision and strategies, which can demonstrate clearly our commitment to international law, the rights of each person, and the common good. This commitment will be seen in the way we respond to the crises facing us.
69. Australia's human rights record in recent years has confirmed the need for a stronger willingness by Australia to conform to international human rights law. A human rights bill or charter would provide safeguards for the protection of all people across this land
70. The question for all of us must be faced: what sort of country and planet will our children, grandchildren and great grandchildren inherit, if we do not choose justice and the human rights of all over short-term political or economic gain?

REFERENCE LIST

Abbondanza, G. (2024). Out of sight, out of mind? The bipartisan Australian foreign policy on irregular migration. *Australian Journal of International Affairs*, 78(5), 702–721.

Attorney-General's Department. (2021, July 8). Universal periodic review: Australia's adoption statement to the UN Human Rights Council – 2021 [PDF]. Commonwealth of Australia. <https://www.ag.gov.au/sites/default/files/2023-05/Universal-Periodic-Review-Australias-Adoption-Statement-to-the-UN-Human-Rights-Council-2021.pdf>

Australian Bureau of Statistics. (2023). Estimating homelessness: Census. Australian Government.

Australian Conservation Foundation. (2019, April 2). Morrison Government's Budget 2019–20: Devaluing our environment while fuelling global warming. ACF. <https://www.acf.org.au/news/budget-2019-20-devaluing-our-environment-fuelling-global-warming>

Australian Human Rights Commission. (2018). Face the facts: Gender equality. Sydney: Australian Human Rights Commission.

Australian Human Rights Commission. (2018). Face the facts: Gender equality [PDF]. https://humanrights.gov.au/sites/default/files/2018_Face_the_Facts_Gender_Equality.pdf

Australian Taxation Office. (2024, October 30). Large corporate groups income tax gap: How we estimate and reduce the large corporate groups income tax gap for 2021–22. <https://www.ato.gov.au/about-ato/research-and-statistics/in-detail/tax-gap/i-p-tax-gaps/large-corporate-groups-income-tax-gap>

Bielefeld, S. (2019, May 17). Submission to United Nations Special Rapporteur on Extreme Poverty and Human Rights: Thematic Report to the United Nations General Assembly on Digital Technology, Social Protection and Human Rights.

Climate Action Tracker. (n.d.). Australia. In Climate Action Tracker. Retrieved July 14, 2025, from <https://climateactiontracker.org/countries/australia/>

Department of Climate Change, Energy, the Environment and Water. (2025, May 26). Quarterly update of Australia's national greenhouse gas inventory: December 2024 [PDF]. Commonwealth of Australia. <https://www.dcccew.gov.au/sites/default/files/documents/nggi-quarterly-update-december-2024.pdf>

Department of Home Affairs. (2019, October). Immigration detention statistics: 31 October 2019 [PDF]. Australian Government. <https://www.homeaffairs.gov.au/research-and-stats/files/immigration-detention-statistics-31-october-2019.pdf>

Grudnoff, M. (2025, February 25). Wealth inequality by asset types: What's driving wealth inequality? The Australia Institute. <https://australiainstitute.org.au/wp-content/uploads/2025/02/P1767-Wealth-inequality-Web.pdf>

History Guild. (2024, March 19). A brief history of West Papua: Indonesia's unwilling territory. <https://historyguild.org/the-home-of-languages-a-brief-history-of-west-papua-indonesias-troubled-territory/>

International Covenant on Civil and Political Rights. (1966). United Nations. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

Krishnamurthy, P. (2025, July 2). Socio-economic disparities and development trajectories: A comparative analysis of per capita income, health, and education indicators in major Indian states. SSRN. <https://doi.org/10.2139/ssrn.4684095>

Lowy Institute. (2019). Immigration and refugees - Lowy Institute Poll 2019. <https://poll.lowyinstitute.org/themes/immigration-and-refugees/>

Migration Amendment (Removal and Other Measures) Act 2024 (Cth). Federal Register of Legislation. <https://www.legislation.gov.au/C2024A00107/asmade>

National Housing Supply and Affordability Council. (2025, May 21). State of the housing system 2025 [PDF]. Commonwealth of Australia. <https://www.nhsac.gov.au/sites/nhsac.gov.au/files/2025-05/ar-state-housing-system-2025.pdf>

Parliamentary Joint Committee on Human Rights. (2024, May 30). Inquiry into Australia's Human Rights Framework (Report, Recommendation 2). Parliament of Australia.

Refugee Council of Australia. (2018). Statelessness in Australia [PDF]. <https://www.refugeecouncil.org.au/wp-content/uploads/2018/12/1508-Statelessness.pdf>

Treasury. (2023). Equity economics: Submission in response to "Measuring what matters" [PDF]. Australian Government, The Treasury. https://treasury.gov.au/sites/default/files/2023-03/c2023-379612-equity_economics.pdf

Umair, M., Aizhan, A., Teymurova, V., & Chang, L. (2024). Does the disparity between rural and urban incomes affect rural energy poverty? Energy Strategy Reviews, 56, 101584. <https://doi.org/10.1016/j.esr.2023.101584>

United Nations General Assembly. (1948). Universal declaration of human rights. https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf

United Nations. (1966). International Covenant on Economic, Social and Cultural Rights. Office of the High Commissioner for Human Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

Wilkie, M. (1997). Bringing them home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children and their Families. Human Rights and Equal Opportunity Commission.

Woodburn, J., & Connaughton, M. (2025, January 14). Australian pilot Daniel Duggan to fight US extradition order. ABC News. <https://www.abc.net.au/news/2025-01-14/federal-court-challenge-launched-to-block-pilots-extradition/104815936>