

# President's comments:

**Australia's obligations under various international treaties have been taking some battering recently especially in relation to asylum seekers and children in detention.**

Significantly, the Australian government is now interested in UN sanctioned resolutions - in relation to any proposed attack on Iraq - but has consistently rejected UN criticism in relation to its own internal policies. In particular, the Howard government has rejected any criticism or claims that Australia is in breach of the Convention on the Rights of the Child (CROC) in relation to its treatment of children in immigration detention centres. In response to a request from the UN High Commissioner for Human Rights for an envoy to visit Australia's detention centres to investigate human rights violations, Prime Minister Howard said that he was "not particularly bowled over by a request from Mary Robinson" (The Age, 7 February 2002).

These concerns about breaches of Australia's human rights obligations are being tested by the Human Rights and Equal Opportunity Commission which is expected to bring down its report on the National Inquiry into Children in Immigration Detention by the end of the year. The submissions to the inquiry (available on HREOC's website) clearly indicate that Australia's treatment of children in detention centres lacks compassion and is in breach of its obligations under CROC and other international treaties. Barbara Rogalla's lead article provides a valuable summary of the issues and concerns.

Australia had an important role in the formulation of the Convention and was one

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of the first countries to become a party to it after it came into force. The Convention was ratified by the Australian government in December 1990. This means that Australia accepted its obligations to respect and ensure the rights outlined in the Convention for all children within Australia's jurisdiction without discrimination. By ratifying the Convention, Australia undertook to implement the articles by all appropriate legislative, administrative and other measures, to make sure that the rights are well known to adults and children, and to report regularly to the UN Committee on the Rights of the Child on the steps taken to ensure that children in Australia enjoy these rights in practice.

As an organisation with standing at the United Nations, DCI Australia – with a great deal of work by Helen Bayes, the 1999 HREOC Human Rights medal winner - prepared Australia's first non-government report. DCI and the National Children's and Youth Law Centre (NCYLC) have now agreed to co-ordinate the preparation of the next NGO report to the UN Committee. This report will consider Australia's performance under the Convention between 1996 and 2003 and include a consideration of Australia's response to the Committee's criticisms of Australia's performance. The two organisations intend to consult widely with relevant non-government organisations in preparing the NGO report. This will involve a substantial amount of work and both organizations will be seeking help from members across Australia to do this.

DCI and NCYLC are preparing an outline of the issues to be covered and will invite you to contribute to this process and to provide information from your knowledge of local developments. You will hear more about this as the proposal is developed. In the meantime, perhaps you can take some heart from the announcements from the Shadow Minister for Children & Youth, Nicola Roxon, calling for

a national plan for children and for the establishment of a federal Commissioner for Children, and from the Minister Larry Anthony on a national agenda for early childhood.

A start perhaps but real achievements for children in Australia require action, not just plans or agendas for action.

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**The UN has urged the British government to change the law which allows parents to smack their children. The Committee criticises the government for its continued failure to meet its obligations under the UN Convention on the Rights of the Child. The report expressed concern over high levels of teenage pregnancy, the high rates of children in secure accommodation and young offenders institutions and a lack of ban on physical punishment.**

Source: BBC Online

[http://news.bbc.co.uk/1/hi/uk\\_politics/2297821.stm](http://news.bbc.co.uk/1/hi/uk_politics/2297821.stm)

Further Information:

available online

<http://www.unhchr.ch/html/menu2/6/crc/doc/co/nited%20KingdomCO2.pdf>

Concluding Observations of the Committee on the Rights of the Child:  
UK NSPCC Press Release  
<http://www.nspcc.org.uk/html/home/informationresources/unreport.htm>