

Australia's 2015 UPR—NGO Coalition Fact Sheet 18

International Assistance & Business and Human Rights

International Assistance

The Australian Government abolished AusAID (the Australian Agency for International Development) as an independent agency. Aid is now delivered through the Department of Foreign Affairs and Trade, with a significantly reduced budget. The new stated aim of the aid program is to pursue Australia's national interest with a focus on supporting private sector development which is contrary to OECD guidelines and commitments such as the Paris Declaration and Accra Agenda.

Bolstering the role of Australian companies operating in developing countries without provisions for protecting human rights, or assessing their past human rights record is a concern in light of projects such as the Australian Aid funded Cambodia Railways Project, run by an Australian company.

The project forcibly evicted 4000 families and offered inadequate resettlement options without water or electricity, which ultimately led to the deaths of two children. There is limited accountability from private sector entities that are projected to be more involved in aid program delivery, and currently no guidelines or monitoring process against human rights indicators. This leaves communities unsupported and at risk of human rights violations with no formal avenue for recourse or redress.

Proposed Recommendation:

Australia should implement a human rights-based approach to overseas development co-operation, including through the establishment of human rights safeguards and monitoring mechanisms such as an Independent Ombudsman for its aid program.

Business and Human Rights

Australian companies can have human rights impacts either directly, or through their operations, products or services, both in Australia and abroad.

While Australian laws guide corporations' direct responsibilities within the Australian jurisdiction, there is no coherent legal or policy framework that provides Australian corporations with guidance on their responsibility to respect human rights when they are (a) operating overseas, especially in areas of weak regulation and/or enforcement, or (b) in indirect relationships with impacted individuals or communities.

Labour violations in transnational supply chains of Australian businesses, especially in the garment sector, and Australian companies' extractives operations abroad are areas of particular concern. Avenues for legal redress for those who experience human rights violations connected to Australian business activity abroad are very limited at best.

The Australian National Contact Point for the OECD Guidelines for Multinational Enterprises needs strengthening. Australia should build on the momentum generated by similarly situated countries such as the UK, Germany and the USA, and begin a process towards developing a National Action Plan on business and human rights.

Proposed Recommendation:

Australia should begin a consultative process towards adoption of a National Action Plan on business and human rights.