

Committee Secretary
Senate Legal and Constitutional Affairs Committee
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Parliament House
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Australia

Exposure Draft of Human Rights and Anti-Discrimination Bill 2012

I hereby submit the following comments regarding the [Exposure Draft of Human Rights and Anti-Discrimination Bill 2012](#)

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SUBMISSION

[The Human Rights and Anti-Discrimination Bill](#) undermines free speech, freedom of religion, freedom of association and natural justice. It should be rejected, or amended.

Surrendering Human Rights Control to the UN

Since the need to surrender human rights control to foreign agencies has not been established, the Bill must be amended by deleting Division 2, Section 3 of the Bill.

The vital importance of this is clear since The Human Rights Commission has emphasised that ([1](#), [2](#)) the [United Nations Universal Declaration of Human Rights](#), & derived treaties & agreements, have *“become binding as a part of customary international law.”* Both the [International Covenant on Civil and Political Rights](#) & the [International Covenant on Economic, Social and Cultural Rights](#) come under the umbrella of the UN and the [United Nations Universal Declaration of Human Rights](#).

The urgency of the case for deletion of Section 3 is made clear by Article 29 of the [United Nations Universal Declaration of Human Rights](#) which states:

“These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.”

To enforce compliance with the dictates of the UN, & to attempt to disguise this as a ‘human right’, is of course a fundamental violation of human rights & an abandonment of sovereignty.

For these reasons, Section 3 must be deleted.

Additional Changes

- Clause 124 which reverses the onus of proof must be deleted in keeping with normal legal practice
- The words, “*conduct that offends, insults or intimidates*” must be deleted from clause 19.
- The words “*religion*” and “*political opinion*” must be deleted from the list of protected attributes in clause 17.
- Legal representation must be permitted.
- Religious freedom must be ensured to religious bodies in all circumstances.

It is clear that the Bill, in its present form, represents a serious restriction on fundamental freedoms and human rights ([3](#), [4](#), [5](#), [6](#)) and therefore I urge you to introduce all of the above suggested amendments or reject the Bill in its entirety.