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MEDIA RELEASE

NEW LAWS PROPOSED TO STOP BREACHES OF INTERNATIONAL LAW

Independent Members and Senators are this week introducing a package of private bills jointly into both houses of parliament that would bring Australia's domestic legislation into line with our international obligations.

In the absence of a federal human rights act, the Red Lines package is an important suite of legislative amendments that has huge support across civil society and shifts the focus from prohibition to prevention - where it needs to be.

The package is being co-sponsored in the Senate by Senators Thorpe, Payman, Pocock and Faruqi. It is being introduced in the House on Monday September 14th by Independent Member for Mackellar Dr Sophie Scamps MP and is being seconded by the Member for Clark Mr Andrew Wilkie MP.

The package amends a number of pieces of legislation designed to ensure Australia does not breach its international human rights obligations, including via imports, defence exports and investments.

It will be launched at a special event at Parliament House on Tuesday evening with special guest speakers Emeritus Professor Gillian Triggs AC, former President of the Australian Human Rights Commission Louise Adler AM, publisher and cultural leader Rawan Arraf, Executive Director, Australian Centre for International Justice Professor Sarah Joseph, Professor of Human Rights Law and Director of Castan Centre for Human Rights and Robert Richter KC, barrister and human rights advocate.

ACT Independent Senator David Pocock said: "Of all the many issues people contact me about, human rights and the Gaza Genocide is by far the biggest.

"I have received thousands of emails from Canberrans desperately concerned about the indiscriminate killing we have seen overseas. At the same time we know there is huge support for a federal human rights act and legislation that will give effect in our domestic laws to the obligations we have signed up to in international treaties and conventions. This package of bills is sensible "

Senator Lidia Thorpe said: "This country has a long history of failing to uphold and respect people's human rights, whether that's the rights of First Peoples here, or the human rights of people around the world.

"These bills are about turning that around. They put clear legal red lines around this country's involvement in genocides, crimes against humanity and war crimes – the most heinous of all crimes.

"They will make sure that investment, trade, institutions and defence activities in this country cannot contribute to atrocities, no matter where.

"This is about ensuring that this country upholds fundamental human rights – rights this government is already committed to under international law – and that it ends its complicity in atrocities. That's something that everyone should support."

Independent Member for Mackellar Dr Sophie Scamps said: "Despite Australia's history as a champion of international law, including its commitment to prevent and punish genocide and prohibit torture under international treaties, we are increasingly falling short of these obligations due to critical gaps in our domestic laws.

"In the absence of a Human Rights Act, this package of legislation would ensure that Australia's policy and actions align with international law and our human rights obligations, ensuring we are on the right side of history.

"This is not about a single country; there are grievous human rights abuses going on in countries all around the world.

"It is not nearly good enough for our government to say they are not sure if components we manufacture here in Australia are being used in F-35s that have killed tens of thousands of people in Gaza.

"There must be no doubt about the integrity of Australian defence supply chains, investments and trade to ensure that everything from local business to the Federal Government are not knowingly or unknowingly complicit in war crimes and genocide and other human rights violations."

Senator Mehreen Faruqi, Deputy Leader of the Australian Greens and spokesperson for International Aid and Global Justice said:

"For three years, Labor has told Australians horrified by the genocide in Gaza that there is nothing our government can do. The Red Lines Bill is a comprehensive package of actions the government must take to stop Australia's complicity in the slaughter and make sure future governments can never go down the same road.

"The Red Lines Package gives Labor the chance to prove that all their talk about international law and human rights actually means something, by ending the Australian Government's shameful support of genocide, apartheid and illegal occupation.

"This package is far from radical and delivers exactly what Australians expect of their government. Australian governments and corporations should not be sending military parts, trading with, or profiting from, a genocide."

Independent Member for Clark Andrew Wilkie said: “Australia has often had an outsized influence in the creation and preservation of international law, including in critical matters from the peaceful scientific settlement in the Antarctic, to the end of apartheid in South Africa and the independence of East Timor.

“The Red Lines Package would ensure Australia reaffirms its leadership on these matters and meets its moral and legal obligation not to fund, arm or invest in illegal settlements, war crimes or genocide.

“In times of increasing global uncertainty it’s more important than ever that responsible middle powers like Australia reinforce the fundamental principles of international justice and accountability that protect us here in Australia, and indeed billions of people right around the world.”

Senator Fatima Payman said: “As a middle power, Australia has a responsibility ensure its laws prevent complicity in genocide, war crimes and crimes against humanity. I hope that my parliamentary colleagues who personally agree with me on this stance will put their money where their mouth is by supporting this package.”

Notes for editors

The Red Lines Package Omnibus Bill would strengthen Australian law to ensure Australia, Australian companies and Australian institutions are not contributing to genocide, war crimes, crimes against humanity or illegal occupation. It brings together reforms across defence exports, investment, corporate accountability and trade.

In practical terms, the Bill would:

- stop Australian defence goods, technology and services being supplied where there is a real risk they could enable genocide, war crimes or crimes against humanity, and require greater transparency and oversight of defence exports;
- stop the Future Fund, super funds and registered charities investing in companies or activities connected to illegal settlements or serious violations of international law, and require divestment where such investments are identified;
- require large companies, defence-related businesses, Commonwealth entities and other covered organisations to identify, report on and take reasonable steps to address genocide risks in their operations and supply chains, backed by an independent Australian Anti-Genocide Commissioner;
- ban the import and sale of goods produced in illegal settlements and the acquisition or provision of services supporting those settlements, with criminal and civil penalties for breaches.

Put simply, the Bill seeks to put clear legal “red lines” around Australian involvement in the most serious breaches of international law so Australian weapons, money, businesses and trade cannot be used to support them.

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