



HUMANIST SOCIETY OF VICTORIA Inc.

(Reg. No. A0020272M)

Affiliated with the Council of Australian Humanist Societies (CAHS)
and the International Humanist and Ethical Union (IHEU), London, UK

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Committee Secretary
Foreign Affairs, Defence and Trade Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
fadt.sen@aph.gov.au

Dear Secretary,

Re: Fair Trade (Workers' Rights) Bill 2013.

SUBMISSION FROM THE HUMANIST SOCIETY OF VICTORIA INC.

The Humanist Society of Victoria (HSV) is a secular organisation whose members foster an ethical, rational and responsible approach to life. HSV supports human rights, democratic processes, and a just and inclusive governance.

HSV seeks to alleviate suffering, to promote well-being and the circumstances where all individuals can attain their full potential. It engages in educational and charitable activities.

The views that follow have been formulated at specially convened group discussions to which all HSV members are invited. Further supportive evidence has been obtained from print publications, the Internet, the mass media and from individuals with relevant experience.

The President, Vice-President and Submissions Conveners of the HSV are authorised to present these views.

The Humanist Society of Victoria congratulates the Australian government on holding this inquiry and we appreciate the opportunity to make a submission on the Fair Trade (Workers' Rights) Bill 2013.

Victorian Humanists support the Bill's stated aim to encourage Australia's trading partners to ensure that workers are protected by internationally accepted minimum standards of workers' rights. We understand that the *Human Rights (Parliamentary Scrutiny) Act 2011* holds Australian legislation accountable for compatibility with international human rights obligations. As part of this requirement, equal and accountable protection must surely be given to the human rights of those international citizens whose employment, safety and welfare fall within the purview of Australian trading partners.

Rationale:

We note the following examples of Australia's international obligations in support of this Bill:

1. The *Universal Declaration of Human Rights* includes the right to work; to free choice of employment; to just and favourable working conditions; to protection against unemployment; to equal and adequate pay; and to the formation of unions for mutual protection (Article 23).
2. The *International Covenant on Civil and Political Rights* forbids slavery, servitude, and forced or compulsory labour (Article 8). This implicitly includes sweat-shops, indentured servitude, child labour, or other abuses by employers.
3. The *International Covenant on Economic, Social and Cultural Rights* guarantees job training and vocational guidance; free choice of employment opportunities; fair and safe working conditions and rates of remuneration; paid holidays; opportunities for advancement; and the rights of unions to contribute to working conditions (Articles 6, 7 and 8).
4. The *Convention on the Elimination of All Forms of Discrimination against Women* warns that: "in situations of poverty women have the least access to ... training and opportunities for employment". The Convention places a responsibility upon states to ensure equal employment opportunities for women (Article 11).
5. The *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* promotes the equality, dignity, safety and welfare of immigrant workers and it recognises that their concerns extend into their families and communities.
6. The *Convention on the Rights of Persons with Disabilities* endorses these same principles of equal opportunity, free choice and self-empowerment for those living with differing abilities.

Such international treaties provide the context, definition and frameworks for minimum internationally accepted standards as may be contained in the Conventions listed in Section 8 of the proposed Bill. However, international agencies such as the International Labor Organisation (ILO) have expertise which should be consulted to ensure that this Bill contains the world's best practice.

Recommendations:

1. Victorian Humanists support the proposed Bill, subject to the approval of international and Australian experts such as the Members of the Committee of Experts on the Application of Conventions and Recommendations (ILO), and the Australian Human Rights Commission. Every opportunity must be taken to ensure that this Bill provides world-class standards of human rights protection and does justice to the noble aims of its authors.
2. We recommend that legislation mandate transparency, disclosure and accountability among all businesses and trading partners involved, so that commercial confidences cannot trump human rights.

Thank you for the commendable principles contained within this Bill and for the opportunity to contribute to this inquiry.

Yours faithfully,

Geoff Allshorn
Co-Convenor, Submissions Committee
Humanist Society of Victoria Inc.

The Humanist philosophy of life emphasizes reasoned enquiry and dialogue, individual freedom with responsibility, the need for tolerance and co-operation, and the recognition that we are a dependent part of nature.