



Fact sheet: List of Issues Prior to Reporting

May 2026

This fact sheet summarises the key requests in the List of Issues Prior to Reporting (LOIPR). It explains what information the UN Human Rights Committee (HRC) has asked Australia to include in its next International Covenant on Civil and Political Rights (ICCPR) report.

What is the List of Issues Prior to Reporting?

The LOIPR is a set of requests for information from the HRC. The LOIPR asks Australia to provide specific information on how it is implementing the ICCPR.

Australia must respond to these requests in its next report under the ICCPR.

Part A - General human rights framework and implementation

Paragraph 1

The HRC asks Australia to provide information on:

- any major legal or institutional changes affecting human rights since the last review
- how ICCPR rights are applied by laws and courts
- what steps have been taken to implement past UN recommendations and decisions to ensure effective remedies for individuals.

Part B - Specific information on the implementation of articles 1 to 27 of the Covenant

A. Constitutional and legal frameworks

Paragraph 2

The HRC asks Australia to provide information on how it ensures that federal and state laws are compatible with the ICCPR. This includes how new laws are assessed for human rights compliance and how awareness of the ICCPR is promoted among courts and law enforcement.

Paragraph 3

The HRC seeks information on whether Australia intends to withdraw its remaining reservations to certain ICCPR rights and how it regularly reviews whether those reservations remain necessary and justified.

B. National human rights institutions (art. 2)

The HRC asks Australia to provide information on what steps it has taken to strengthen the independence of the Australian Human Rights Commission and ensure it has sufficient funding, staff, and technical resources to carry out its human rights mandate in line with the Paris Principles.

The HRC also seeks an update on Australia's response to recommendations to expand the Commission's mandate, so it covers all relevant international human rights treaties.

C. Non-discrimination (arts. 2, 19, 20 and 26)

Paragraph 5 – Non-discrimination protections in law

The HRC asks Australia to provide information on:

- how federal law provides comprehensive protection against all forms of discrimination under the ICCPR
- how people are supported to report discrimination
- what data shows about complaints, investigations, penalties, and remedies for victims.

Paragraph 6 – Racial discrimination, hate speech, and profiling

The HRC asks Australia to provide information on how it addresses racial discrimination, hate speech, and incitement to violence. This includes:

- law enforcement action
- preventing racial profiling
- training officials
- promoting tolerance and diversity through public education.

Paragraph 7 – Sexual orientation and gender identity

The HRC asks Australia to provide information on how it:

- prevents discrimination and stigma based on sexual orientation or gender identity, including in healthcare and education
- ensures timely access to gender-affirming healthcare without unnecessary legal barriers.

A. Violence against women, including domestic violence (Arts. 3,6,7 and 26)

Paragraph 8 – Gender-based violence

The HRC asks Australia to provide information on how it is preventing and responding to violence against women. This includes:

- implementation of the National Plan to End Violence Against Women and children (2022-2032)
- data collection
- victim support services
- accountability for perpetrators.

D. Counter-Terrorism measures (arts. 2, 9, 12, 14, 17 and 22)

Paragraph 9

The HRC asks Australia to provide information on how its Counter-Terrorism laws and expanded surveillance powers comply with human rights principles contained in the ICCPR such as necessity, proportionality, non-discrimination, due process, and independent oversight.

E. Right to life (art. 6)

Paragraph 10 – Climate change, environment, and the right to life

The HRC asks Australia to explain provide information on how it:

- protects the right to life in the context of climate change and environmental harm, particularly for vulnerable communities
- avoids returning people to countries where environmental risks may cause serious harm.

Paragraph 11 – Use of force and deaths in custody

The HRC asks Australia to provide information on how allegations of excessive use of force and deaths in custody are independently investigated. This includes outcomes for accountability, compensation and systemic reform.

F. Prohibition of cruel, inhuman or degrading treatment or punishment (arts. 2,3,7,9,17, 24 and 26)

Paragraph 12 – Sterilisation and intersex medical treatment

The HRC asks Australia to provide information on how it prevents non-therapeutic sterilisation of people with disabilities. It also asks for information on how Australia regulates irreversible medical procedures on intersex children in line with human rights standards.

G. Treatment of aliens, including refugees and asylum-seekers (arts. 2,7,9,10 and 17)

Paragraph 13 – Refugee protection and offshore processing

The HRC asks Australia to provide information on how it ensures fair refugee processes and respects the principle of non-refoulement. This includes maritime interceptions, offshore processing arrangements and transfers to third countries.

Paragraph 14 – Immigration detention

The HRC asks Australia to provide information on how its immigration detention laws comply with the ICCPR. This includes:

- limiting detention to what is necessary
- expanding alternatives to detention
- ensuring children are not detained
- providing effective judicial review.

Paragraph 15 – Conditions of immigration detention

The HRC asks Australia to provide data on immigration detention and explain how it ensures humane detention conditions, access to healthcare and accountability for the use of force. This includes remedies for people affected by abuse or ill-treatment.

H. Liberty and security of person and treatment of persons deprived of their liberty (art. 7, 9, 10, 14,26 and 27)

Paragraph 16 – Detention and prison conditions

The HRC asks Australia to explain how it:

- limits the use and length of pre-trial detention
- improves prison conditions
- reduces overcrowding and solitary confinement
- ensures adequate mental health care and support for people in custody.

Paragraph 17 – People with disabilities in detention

The HRC asks Australia to provide information on the safeguards in place for people with disabilities who are detained. This includes protections against indefinite detention, involuntary treatment and forced interventions, as well as the availability of community-based alternatives.

Paragraph 18 – Indigenous over-incarceration

The HRC asks Australia to provide information on what measures it is taking to address the over-representation of Aboriginal and Torres Strait Islander peoples in prisons. This includes sentencing practices, use of community-based alternatives and access to culturally appropriate legal services.

I. Right to privacy (art. 17)

Paragraph 19 – Right to privacy

The HRC asks Australia to provide information on how its laws and practices protect individuals from arbitrary or unlawful interference with privacy. This includes new privacy remedies, online safety regulation and safeguards for surveillance, data access and digital harms.

Freedom of expression (art. 19)

Paragraph 20

The HRC asks Australia to provide information on how its laws and practices, including online safety measures and social media age restrictions, comply with the ICCPR by protecting freedom of expression, access to information and privacy while appropriately safeguarding children.

J. Freedom of assembly (art. 21)

Paragraph 21

The HRC asks Australia to provide information on how anti-protest laws, including recent New South Wales legislation, comply with the ICCPR right to peaceful assembly and do not disproportionately restrict the rights to protest, freedom of expression or freedom of association.

K. Rights of the child (arts. 9, 14 and 24)

Paragraph 22

The HRC asks Australia to provide information on what steps it has taken to:

- raise the minimum age of criminal responsibility
- ensure that children are detained only as a last resort
- prevent solitary confinement of children
- hold children separately from adults.

L. Right to participate in public life (art. 25)

Paragraph 23

The HRC asks Australia to provide information on:

- how many people are excluded from voting because of disability
- what measures are in place to ensure that any restrictions are reasonable, proportionate and directly related to a person's capacity to vote.

M. Rights of minorities and Indigenous Peoples (arts. 2, 9, 14, 26 and 27)

Paragraph 24 – Indigenous participation after the referendum

The HRC asks Australia to provide information on what alternative measures are being taken to ensure effective participation of Aboriginal and Torres Strait Islander peoples in decision-making following the 2023 referendum.

Paragraph 25 – Native title and reparations

The HRC asks Australia to provide information on:

- how native title law complies with human rights obligations
- what steps are being taken to establish reparations, including compensation for members of the Stolen Generations.