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Committee Secretary  
Joint Standing Committee on Treaties  
Parliament House, Canberra ACT 2600

By email: [jsct@aph.gov.au](mailto:jsct@aph.gov.au)

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Dear Committee Secretary

Thank you for the opportunity to make a submission on whether Australia should become a party to the *Optional Protocol to the Convention on the Rights of Persons with Disabilities*. As members of the Sydney Centre for International Law, we strongly urge Australia to become a Party to the Protocol. It is in Australia's national interest to allow individual complaints to be made to the UN Disabilities Committee – of which our colleague, Professor Ron McCallum, is a member, for these reasons:

- The individual complaints mechanism is a constructive procedure for obtaining independent advice from international legal experts, which can help to identify and remedy systemic problems in the legal protection of disability rights in Australia;
- The individual complaint process will provide guidance to Australia in the best practice interpretation of the Disabilities Convention and facilitate the development of progressive interpretations of non-discrimination standards in Australian courts and public administration;
- Becoming a party to the Protocol would further signal Australia's recognition of the special needs and experiences of disabled persons and the importance of providing specialised human rights protections for the benefit of the disabled;
- The complaint process itself appropriately provides for a non-threatening and participatory dialogue between the Disabilities Committee and Australia in individual cases;
- The complaints process is a natural complement to the specialised complaint procedures under other human rights treaties to which Australia is a party, and need not duplicate those processes;
- Becoming a party to the Protocol will enable Australia to further demonstrate its leadership and good international citizenship on human rights issues and its commitment to working through and strengthening multilateral processes, consistent with Australian Government policy and the outcomes of the 2020 Summit in 2008.

Please be in touch if you require any further information.

Yours sincerely

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