

Our Concerns

Unlike other fundamental human rights, religious freedom is not legislated or protected in Federal law, and religious discrimination is not prohibited.

The Religious Discrimination Bill of 2022 failed, despite being approved by the vast majority of faith leaders and a bi-partisan Parliamentary committee.¹

The Human Rights Act proposed by the Australian Human Rights Commission does not replace a Religious Discrimination Bill. Instead, it re-defines and further undermines religious freedom as defined in ICCPR Article 18.²

The proposals from the Australian Law Reform Commission fundamentally undermine the ability of faith schools to operate as a community of faith. Prime Minister Albanese committed to maintain “the right of religious schools to preference people of their faith in the selection of staff.”³

Our Requests

We are asking the Federal Government to:

- keep their original promises to faith schools, and reject the proposals floated by the Australian Law Reform Commission
- commit to protecting the rights of people of faith, and re-start consultations with faith groups so they can pass a robust Religious Discrimination Bill this term
- fully protect our religious freedoms in accordance with Article 18 of the ICCPR when considering a possible Human Rights Act.

Australia’s International Obligations

The International Covenant on Civil and Political Rights (ICCPR), of which Australia is a signatory, outlines religious freedom as a fundamental human right in Article 18.

Article 18

1. *Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.*
2. *No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.*
3. *Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.*
4. *The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.*

¹freedomforfaith.org.au/rdb ²freedomforfaith.org.au/hra ³freedomforfaith.org.au/alrc