

National Emergencies and human rights

Equality and fairness

Other priority human rights issues

Human rights have not been sufficiently addressed in times of natural disaster or emergency, with lessons still to be learned from the COVID-19 pandemic and included in national emergency management frameworks.

Human rights are not always considered in national emergencies, including during the COVID-19 pandemic. For over two years, the Australian federal, state and territory governments introduced a range of measures that restricted free movement and association. There was limited transparency about how decisions to restrict human rights were made, with many enacted through delegated legislation and consequently reduced Parliamentary scrutiny.

These included restrictions on:

- travel overseas and across interstate borders
- when and for how long people were permitted to leave their homes
- the number of people who could gather in private residences, restaurants and businesses, and attendees at funerals and weddings
- access to family in aged care
- public gatherings.

The measures were broadly effective in avoiding mortality rates experienced in other countries and Australia's economic performance was comparatively strong. Recurring criticisms of those measures were however raised by thousands of Australians through an Australian Human Rights Commission [report](#). These concerns included that the measures: were inconsistently applied, did not accommodate reasonable exemptions, were not localised, were not proportionate, were not communicated effectively, and that governments failed to adequately acknowledge and mitigate the immediate and long-term impacts of these measures. The Commission identified 7 key principles to

guide Australia in being better prepared when the next emergency arises. Building on this work, the Commission is currently preparing a report on the human rights impacts of responses to natural disasters in Australia.

Priority action

The Australian government should embed human rights in decision-making during emergencies.