

A Fair Society

Democracy and Participation Policy

Human Rights

1. Congress notes that the ACTU was involved in the launch of the Human Rights Act for Australia Campaign in 2005 and in the development of the campaign's model Human Rights Bill. In particular, the ACTU advocated strongly for the inclusion within the model Bill of internationally-recognised rights of workers and children. These rights include:
 - a) the right to freedom of association, including the right to form and join trade unions for the protection of their economic and social interests;
 - b) the right to bargain collectively in pursuit of their economic and social interests;
 - c) the right to work, including the right of everyone to the opportunity to gain their living by work which they freely choose or accept;
 - d) the right to decent work including the right to the enjoyment of just and favourable conditions of work;
 - e) the right to strike;
 - f) the right to freedom from discrimination in employment on the grounds of sex, race, colour, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinion, property, birth, disability, age, sexual orientation or gender identity;
 - g) the right to freedom from forced or compulsory labour; and
 - h) the rights of children, including the right to be protected from exploitative labour practices.
2. Everyone within Australia's jurisdiction should be entitled to these fundamental rights.

3. Congress encourages affiliates to participate actively in debates over the desirability of a human rights bill or charter in Australia.

Constitutional Reform

4. Congress recognises that Australia's constitution is outdated and inaccessible to many Australians. Moreover, it is basically undemocratic in the role it assigns to the Governor General and its reliance on uncodified, vague and ambiguous conventions.
5. Congress believes Australia's Constitution should be amended to better reflect Australian community values and priorities.
6. Aboriginal and Torres Strait Islander peoples' status and rights as first nations people must be recognised in Australia's constitution, and not simply in the constitution's preamble.
7. Constitutional changes must encompass Aboriginal and Torres Strait Islander world views and embody a fundamental shift which establishes a new relationship between government and Aboriginal and Torres Strait Islander peoples based on mutual respect.
8. The Commonwealth should not be permitted to legislate according to a person's race. It should only be able to enact laws for Aboriginal and Torres Strait Islander peoples and their communities in a way that clearly provides a benefit to them.
9. Congress reaffirms its 1993 policy on an Australian republic. The ACTU reiterates its support for:
 - a) removal of all reference to the Queen in the Australian Constitution for reasons of autonomy, independence and symbolism;
 - b) the creation of a purely symbolic Head of State to be known as President of Australia;
 - c) the Constitution setting out the reality in terms of executive power i.e. that it is to be exercised by the Prime Minister and Cabinet; and
 - d) all States severing their links with the Monarchy.

Federal-State Relations

10. Congress recognises that many of the national challenges Australia faces require cooperative action by the Commonwealth and State governments, including in health, education, skills, Indigenous affairs, the environment and infrastructure development.
11. The ACTU calls upon Australian governments to end the blame game, buck passing, and duplication and complexity that have plagued Australia's federal system for too long.

12. Congress calls for any harmonisation to capture and improve upon the best standards that are found in any Australian jurisdiction to protect the rights and interests of workers, particularly in OHS matters.
13. Congress calls for reform of the Council of Australian Governments (COAG) so as to achieve greater transparency, openness and accountability in COAG decision making processes, structures and outcomes. The COAG process must also be reformed so as to ensure greater involvement of, and responsiveness and accountability to, the Australian community. COAG should also better recognise the expertise and views of the non-government sector.
14. ACTU supports the development of a well funded and supported national representative body for Aboriginal and Torres Strait Islander peoples.

Electoral Reform

15. Congress reaffirms its commitment to the fundamental principles of democracy and political legitimacy. We support democratic participation and measures directed at encouraging citizens to participate in the political process. We support the broadest possible enfranchisement and compulsory voting.
16. The ACTU welcomes the Government's reversal of the former Coalition Government's partisan and undemocratic amendments to Australia's electoral laws.
17. Congress supports robust and fair electoral funding and disclosure rules.
18. Congress supports public funding of political parties on the basis that it maintains political integrity and promotes participation in the democratic process. We support public transparency of political donations.
19. The ACTU welcomes electoral reform directed at ensuring that Australia's electoral financing and disclosure rules protect the democratic process and promote fairness, transparency and political integrity.
20. Congress affirms the right of independent third parties to engage in political activity and to campaign publicly on issues of concern. Australia's electoral laws must recognise this right.
21. Australia's electoral funding laws must continue to respect the principle of freedom of political association and the nature and diversity of party structures. The capacity of party members to contribute towards the political process should not be restricted.