

	Right protected	Drawn from	Explanation	Section
1.	Recognition and equality before the law	Articles 16 and 26 of the ICCPR	Every person has the right to recognition as a person before the law and the right to enjoy their human rights without discrimination. Every person is equal before the law and is entitled to equal protection of the law without discrimination. Every person is entitled to equal and effective protection against discrimination.	15
2.	Right to life	Article 6(1) of the ICCPR	Every person has the right to life and the right not to be deprived of life. The right not to be deprived of life is limited to arbitrary deprivation of life.	16
3.	Protection from torture and cruel, inhuman or degrading treatment	Article 7 of the ICCPR	A person must not be tortured or treated in a way that is cruel, inhuman or degrading. This includes that a person must not be subjected to medical or scientific experimentation or treatment unless they have given their full, free and informed consent.	17
4.	Freedom from forced work	Article 8 of the ICCPR	A person must not be made a slave or forced to work. Forced work does not include certain forms of work or service, such as work or service required of a person who is detained because of a lawful court order.	18
5.	Freedom of movement	Article 12 of the ICCPR	Every person lawfully within Queensland has the right to move freely within Queensland, enter or leave Queensland, and choose where they live.	19
6.	Freedom of thought, conscience, religion and belief	Article 18 of the ICCPR	Every person has the right to think and believe what they want and to have or adopt a religion, free from external influence. This includes the freedom to demonstrate a religion individually or as part of a group, in public or in private.	20
7.	Freedom of expression	Article 19 of the ICCPR	Every person has the right to hold and express an opinion, through speech, art, writing (or other forms of expression) and to seek out and receive the expression of others' opinions.	21
8.	Peaceful assembly and freedom of association	Articles 21 and 22 of the ICCPR	Every person has the right to join or form a group and to assemble. The right to assembly is limited to peaceful assemblies.	22
9.	Taking part in public life	Article 25 of the ICCPR	Every person in Queensland has the right and opportunity without discrimination to take part in public life. Every eligible person has the right to vote, be elected, and have access on general terms of equality to the public service and public office.	23
10.	Property rights	Article 17 of the UDHR	All persons have the right to own property alone or in association with others. A person must not be arbitrarily deprived of their property.	24

11.	Privacy and reputation	Article 17 of the ICCPR	A person's privacy, family, home and correspondence must not be unlawfully or arbitrarily interfered with. A person has the right not to have their reputation unlawfully attacked.	25
12.	Protection of families and children	Articles 23(1), 24(1) and 24(2) of the ICCPR	Families are recognised as the fundamental unit of society and are entitled to protection. Every child has the right, without discrimination, to the protection that is in their best interests as a child. Every person born in Queensland has the right to a name and to registration of birth.	26
13.	Cultural rights—generally	Article 27 of the ICCPR	All persons with particular cultural, religious, racial and linguistic backgrounds have a right to enjoy their culture, declare and practise their religion, and use their language, in community with other persons of that background.	27
14.	Cultural rights—Aboriginal peoples and Torres Strait Islander peoples	Article 27 of the ICCPR and Articles 8, 25, 29 and 31 of the UNDRIP	Aboriginal peoples and Torres Strait Islander peoples hold distinct cultural rights as Australia's first people. They must not be denied the right, with other members of their community, to live life as an Aboriginal or Torres Strait Islander person who is free to practise their culture.	28
15.	Right to liberty and security of person	Articles 9 and 11 of the ICCPR	Every person has the right to liberty and security. This right protects against the unlawful or arbitrary deprivation of liberty. If a person is arrested or detained, they are entitled to certain minimum rights, including the right to be brought to trial without unreasonable delay.	29
16.	Humane treatment when deprived of liberty	Article 10(1) and 10(2)(a) of the ICCPR	A person must be treated with humanity and respect when deprived of liberty. An accused person who is detained must not be detained with convicted persons unless reasonably necessary, and must be treated in a way that is appropriate for a person who has not been convicted.	30
17.	Fair hearing	Article 14(1) of the ICCPR	A person has the right to have criminal charges or civil proceedings decided by a competent, independent and impartial court or tribunal after a fair and public hearing. There is an exception to the right to a public hearing, whereby a court or tribunal may exclude certain people from a hearing if it is in the public interest or the interests of justice.	31
18.	Rights in criminal proceedings	Article 14 of the ICCPR	A person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law, and is entitled without discrimination to receive certain minimum guarantees. A person has the right to appeal a conviction in accordance with law. A child charged with a criminal offence has the right to a procedure that takes into account their age and the desirability of promoting rehabilitation.	32

19.	Children in the criminal process	Article 10(2)(b) and 10(3) of the ICCPR	Children in the criminal process are entitled to special protections on the basis of their age. An accused child must not be detained with adults and must be brought to trial as quickly as possible. A convicted child must be treated in a way that is appropriate for their age.	33
20.	Right not to be tried or punished more than once	Article 14(7) of the ICCPR	A person must not be tried or punished more than once for an offence in relation to which they have already been finally acquitted or convicted according to law.	34
21.	Retrospective criminal laws	Article 15 of the ICCPR	A person must not be prosecuted or punished for conduct that was not a criminal offence at the time the conduct was engaged in. A person must not receive a penalty that is greater than the penalty that applied at the time they committed the offence.	35
22.	Right to education	Article 13 of the ICESCR	Every child has the right to have access to primary and secondary education appropriate to their needs. Every person has the right to have access, based on their abilities, to further vocational education and training that is equally accessible to all.	36
23.	Right to health services	Article 12 of the ICESCR	Every person has the right to access health services without discrimination. A person must not be refused necessary emergency medical treatment.	37

Sourced from: *Human Rights Bill 2018 Explanatory Notes, State of Queensland, 2018.*

Key:

UDHR – Universal Declaration of Human Rights

ICCPR – International Covenant on Civil and Political Rights

ICESCR – International Covenant on Economic, Social and Cultural Rights

UNDRIP – United Nations Declaration on the Rights of Indigenous Peoples