

30 March 2023



Ms Sanda Ojiambo  
Assistant Secretary-General & CEO  
UN Global Compact  
685 3rd Avenue  
New York NY 10017  
USA

### Submitted online

Dear Ms Ojiambo

### Communication on Engagement

I write to express the **Law Council** of Australia's ongoing support of the United Nations **Global Compact**, and renew its commitment to this initiative.

As the peak professional body representing lawyers in Australia, the Law Council is committed to protecting and promoting the rule of law in Australia and internationally. This includes support for the Global Compact's Ten Principles and, more broadly, the Sustainable Development Goals (**SDGs**).

The Law Council is pleased to present this Communication on Engagement (**CoE**), consistent with its obligations as a non-business participant in the UN Global Compact. This CoE details work the Law Council has been doing since its last CoE in March 2021 that is relevant to the Global Compact's Ten Principles. This CoE has been drafted in accordance with the Global Compact's CoE policy<sup>1</sup> and list of suggested activities.<sup>2</sup>

Key practical actions that the Law Council has taken to support the Global Compact Principles in this past reporting period (March 2021 – March 2023), grouped by Principle(s), include:

- Principles 1 and 2 — Businesses support and respect the protection of internationally proclaimed human rights, and make sure that they are not complicit in human rights abuses
  - Substantial advocacy on multiple human rights issues involving enterprise, including (most relevantly) modern slavery, the UN Guiding Principles on Business & Human Rights (**UNGPs**) and climate change.
  - Substantial submissions to the Australian Government and/or Parliament on:
    - privacy reforms, including to extend the protection of Australia's federal privacy regime to those dealing with small to medium enterprises;

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<sup>1</sup> *Global Compact COE Policy*: <<https://unglobalcompact.org/library/1861>>.

<sup>2</sup> *Global Compact, Suggested Activities to Report for COEs*: <<https://unglobalcompact.org/library/2951>>.

- protecting Indigenous cultural heritage, which is a particular issue in respect of extractive industries in Australia, as well as Indigenous knowledge/intellectual property, and
  - regulation of businesses operating aged care facilities in Australia.

Further details of these submissions are in **Appendix A**.

- Principles 4 and 5 — The elimination of all forms of forced and compulsory labour, and the effective abolition of child labour
  - Advocacy in support of the adoption and implementation of the *Modern Slavery Act 2018* (Cth) in Australia, including substantial submissions (see **Appendix A**) and organising and/or participating in various meetings and parliamentary inquiries (see **Appendix B**).
- Principle 6 — The elimination of discrimination in respect of employment and occupation
  - Submissions sent to the Parliamentary Joint Standing Committee on Migration, in relation to the [Inquiry into Australia's skilled migration program](#) which addressed *inter alia* protections for undocumented workers and temporary visa holders who experience workplace abuse.
  - Submissions on other matters relating to mistreatment of workers, including:
    - *Guide to Assist the Development of COVID-19 Vaccination Policies*;
    - the ability of religious educational institutions to discriminate against employees or prospective employees on the basis of faith, sexuality or related attributes;
    - protecting migrant workers as an independent category under the Migration Amendment (Protecting Migrant Workers) Bill 2021 (Cth);
    - legislation addressing the gender pay gap in Australian workplaces, and
    - in response to the Australian Human Rights Commission's (**AHRC's**) Respect@Work Report, which resulted in sweeping changes to Australia's workplace relations and associated laws (the Law Council played an instrumental role in contributing to the Australian Parliament's consideration of the required reforms in this area).

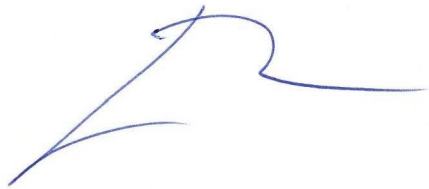
Further details of these submissions are in **Appendix A**.

- Principles 7 and 8 — Businesses should support a precautionary approach to environmental challenges, and undertake initiatives to promote greater environmental responsibility
  - A Climate Change Policy Statement, accompanied by a substantial Background Paper on the Legal Implications of Climate Change in November 2021.
  - Several submissions relating to Australia's climate policy settings affecting enterprise, including in relation to Australia's transition to green energy, climate-related financial disclosure, and the federal environmental approvals regime under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (see **Appendix A** for further details).
  - A number of related meetings and conferences (details in **Appendix B**).

- Principle 10 — Businesses should work against corruption in all its forms, including extortion and bribery
  - Submissions relating to the regulation of the finance industry, including the so-called 'Buy Now Pay Later' sector and others not presently subject to appropriate regulation or oversight (details in **Appendix A**).
  - Substantial work on the promotion of regulation to limit the proportion of awards in class action litigation which can be claimed by legal costs and litigation funders (to protect class action participants).

In summary, the Law Council has been an active Global Compact member. It has worked continually over the reporting period on advocacy and policy development work relating to business and human rights; in particular, to promote adherence to international rights-related and environmental norms by Australian organisations.

Yours sincerely



**James Popple**  
**Chief Executive Officer**