



**Australian
Human Rights
Commission**

Third phase (2015-2019) of the World Programme for Human Rights Education

**AUSTRALIAN HUMAN RIGHTS COMMISSION SUBMISSION TO THE
OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS**

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1 Introduction

The Australian Human Rights Commission welcomes the opportunity to make a submission to the Office of the High Commissioner for Human Rights to provide feedback on the Third Phase of the World Programme for Human Rights Education (**the World Programme**).

2 Recommended target sector for the Third Phase on the World Programme for Human Rights Education

(a) Existing Focus Areas

The Commission wishes to emphasise the ongoing nature of the implementation of the First and Second Phases of the World Programme. The Commission believes further progress is necessary in order to ensure human rights education is effectively implemented in the target sectors identified in the First and Second Phases. As discussed below, the Commission continues to work on a range of human rights education programs in these target sectors.

The Commission notes that the 2010 evaluation of the implementation of the First Phase of the World Programme reports that there continue to be a range of challenges relating to national implementation, including: the absence of explicit policies and detailed implementation strategies, the lack of systemic approaches to the production of materials, the training of teachers and the promotion of learning environments that foster human right values.¹

Given the Commission's continuing efforts to promote all these areas in Australia, the recommendations for work to continue in primary and secondary education are strongly supported. These include the recommendation that governments build on existing efforts to advance human rights education in the school system including through the development of educational policies, policy implementation measures, the learning environment, teaching and learning processes and tools and education and professional development for teachers and other educational personnel.²

(i) Human rights education in schools

The Commission believes that creating a society in which all human rights are respected and promoted must start with human rights education in schools. In 2008, the Australian Government announced the development of Australia's first national school curriculum, to be rolled out in stages over four years. The Commission continues to provide advice to the Australian Curriculum, Assessment and Reporting Authority (ACARA) on the development of the national curriculum and on ways in which the human rights content can be strengthened. The Commission is also advocating for a more cohesive approach to be taken by state and territory education departments to the delivery of human rights education.

(ii) Human rights education and the public service

The Commission firmly believes in the importance of a strong human rights culture within the Australian Public Service (**APS**). With the aim of fostering human rights awareness within the APS, the Commission coordinates the APS Human Rights Network. Launched in 2011, the Network currently has over 600 members. The Network encourages discussion of how human rights relate to and inform the work of the APS. In addition, in 2012 the Commission launched *Human Rights at Your Fingertips*, a pocket guide which provides APS officers with quick references to Australia's human rights obligations.³ Given the size, diversity and continual introduction of new staff within the APS, the Commission believes that human rights education programs must be ongoing to be effective.

(iii) Human rights education and the military

Persistent concerns about sex discrimination and sexual harassment within the military highlight the serious need for human rights education as a means to combat such violations. The Commission recently conducted a review, firstly of the treatment of women at the Australian Defence Force Academy (ADFA) (phase one)⁴ and, secondly, of the effectiveness of cultural change strategies and initiatives required to improve leadership pathways for women in the Australian Defence Force (phase two).⁵ Both reviews highlight the need for ongoing implementation of human rights education within the military.⁶

3 Focus areas for the Third Phase on the World Programme for Human Rights Education

In addition to ensuring an ongoing focus on the implementation of the first and second phases of the World Programme, through the experience of our work in Australia, the Commission recommends the following options be given consideration as focus areas for the Third Phase of the World Programme.

(a) Human rights and the internet

The Commission believes that both the negative and positive impacts of the internet on human rights would be a valuable focus of human rights education programs. On the one hand, the internet serves as a platform for the violation of human rights in the form of such things as: cyber bullying, hate speech and infringements of freedom of speech. On the other hand, the internet can be used as a powerful tool for human rights education and social change. The Commission further believes that access to the internet and technological literacy are important to harnessing the benefits that the internet presents for the delivery of human rights education.

(b) Business and Human Rights

The Commission believes that the business community should be a focus of human rights education because of its wide-ranging impact on human rights. In fact, there are few human rights that are not affected by business, including the right to: freedom from discrimination, fair working conditions, equality and dignity, health and

an adequate standard of living. The Commission welcomed the United Nations Human Rights Council's endorsement of the *Guiding Principles on Business and Human Rights*.⁷ The Guiding Principles provide a global standard for preventing and addressing the risk of adverse human impacts linked to business activity. It is important for both businesses and the community to be educated about businesses' responsibility to respect and promote human rights.

(c) Indigenous rights

The Commission believes that human rights education focussing on the historical and present day disadvantages faced by Aboriginal and Torres Strait Islander peoples is instrumental to the process of overcoming such disadvantages.

The Commission welcomed the Australian Government's formal support for the *United Nations Declaration on the Rights of Indigenous Peoples*. However, the Commission wishes to emphasise that, in order for Australia to give effect to the Declaration, ongoing human rights education is needed. An issue of particular concern is the 17-year life expectancy gap between Indigenous and non-Indigenous Australians, a gap that is closely linked to Indigenous health.⁸ The '*Close the Gap Campaign*' – a national action plan – is an example of ways in which the broader Australian community can be educated about the disadvantages faced by Aboriginal and Torres Strait Islander peoples.

(d) Asylum seekers

The Commission has been engaged in work around the human rights of people seeking asylum in Australia for many years. This work has included inspections of immigration detentions centres, the detention of children, conditions of detention and conditions and support for those living in the community.⁹ In addition, the Commission has sought to engage in public debate and dialogue in an attempt to debunk many myths around those who have been forced from their homes and are seeking asylum in Australia. The Commission remains concerned, however, about misinformation and ignorance within the Australian community broadly and especially among key decision makers.

The Commission believes that the treatment of asylum seekers is partially facilitated by a lack of understanding and awareness of the situation of asylum seekers and refugees in Australia. Ignorance often breeds discrimination and xenophobia. Therefore the Commission supports education initiatives aimed at countering such ignorance and intolerance in the broader community and among decision makers.

(e) Human rights and environment

The Commission recognizes the impact of climate change on the enjoyment of human rights.¹⁰ The effects of climate change threaten a broad range of internationally accepted human rights, including the rights to: life, to food and to a place to live and work. Additionally, those most affected by climate change are often the world's poorest and most marginalised, exacerbating existing social inequity at both the local and international level.¹¹ Education about the effects of climate change on human rights is a necessary step towards policy development in this area.

¹ United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System, *Final Evaluation of the Implementation of the First Phase of the World Programme for Human Rights Education*, UN Doc A/65/322 (2010), para 65.

² United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System, above, para 68.

³ Australian Human Rights Commission, *Human Rights at Your Fingertips*, http://www.humanrights.gov.au/human_rights/fingertips/index.html (viewed 22 March 2013).

⁴ Australian Human Rights Commission, *Report on the Review into the Treatment of Women in the Australian Defence Force Academy*, Phase 1 of the review into the treatment of women in the Australian Defence Force. At <http://humanrights.gov.au/defencereview/index.html> (viewed 22 March 2013).

⁵ Australian Human Rights Commission, *Review into the Treatment of Women in the Australian Defence Force*, Phase 2 Report. At <http://humanrights.gov.au/defencereview/index.html> (viewed 22 March 2013).

⁶ Australian Human Rights Commission, note 4, Recommendations 22 and 23. Also, Australian Human Rights Commission, note 5, Recommendation 18.

⁷ United Nations, *Guiding Principles on Business and Human Rights*, HR/PUB/11/04, United Nations Human Rights Office of the High Commissioner, 2011, at <http://www.ohchr.org/EN/Issues/Business/Pages/BusinessIndex.aspx>, (viewed 22 March 2013).

⁸ Australian Human Rights Commission, *Close the gap – campaign for Indigenous and Torres Strait Islander health equality by 2030*, at http://www.humanrights.gov.au/social_justice/health/ctg_community.html (viewed 14 March 2013).

⁹ See, for example: Australian Human Rights Commission, *An Age of Uncertainty: Inquiry into the treatment of individuals suspected of people smuggling offences who say that they are children*, July 2012, <http://www.humanrights.gov.au/ageassessment/report/index.html> (viewed 22 March 2013); Hon C Branson, *Mandatory Immigration Detention of Children in Australia: How far have we come and where to from here?* (Speech delivered at the Bred Selway Memorial Lecture, 18 November 2010). At http://www.humanrights.gov.au/about/media/speeches/speeches_president/2010/20101118_children.html (viewed 22 March 2013); Australian Human Rights Commission, *Protection of the Rights of the Child in the Context of Migration*, April 2010, http://www.humanrights.gov.au/legal/submissions/2010/201004_OHCHR_child_migration.html (viewed 22 March 2013); Australian Human Rights Commission, *A Last Resort? National inquiry into children in immigration detention centres*, April 2004, http://www.humanrights.gov.au/human_rights/children_detention_report/index.html (viewed 22 March 2013).

¹⁰ Australian Human Rights Commission, *Climate Change and Human Rights*, at http://www.humanrights.gov.au/human_rights/climate_change/index.html (viewed 22 March 2013).

¹¹ Hon J von Doussa QC, *Climate Change: Catastrophic Impacts and Human Rights*. (Speech delivered at the University of Adelaide, 11 December 2007). At http://www.humanrights.gov.au/about/media/speeches/speeches_president/2007/20071211_Climate_Change.html (viewed 14 March 2013).