

Progress made towards the goals of the United Nations Decade for Human Rights Education

Introduction

- 5.1 This chapter focuses on Australia's efforts towards achieving the goals of the United Nations Decade for Human Rights Education and the implications for future endeavours in this area.

The United Nations Decade for Human Rights Education

- 5.2 The World Conference on Human Rights (1993)¹, in the Vienna Declaration and Programme of Action, stated that human rights education, training and public information were essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace. The Conference recommended that States should strive to eradicate illiteracy and should direct education towards the full development of the human personality and the strengthening of respect for human rights and fundamental freedoms.²

1 UN. *Vienna Declaration and Programme of Action*, 12 July 1993, World Conference on Human Rights, Vienna, 14-25 June 1993. UN Document A/CONF.157/23.

2 United Nations Decade for Human Rights Education (1995-2004), *History*
<http://www.unhchr.ch/html/menu6/1/edudec.htm#history>

- 5.3 On 23 December 1994, the United Nations formally proclaimed the United Nations Decade for Human Rights Education (1995-2004).³ The General Assembly's Plan of Action for the Decade put forward the following objectives (also termed 'components'):
- The assessment of needs and the formulation of effective strategies for the furtherance of human rights education at all school levels, in vocational training and formal as well as non-formal learning;
 - The building and strengthening of programmes and capacities for human rights education at the international, regional, national and local levels;
 - The coordinated development of human rights education materials;
 - The strengthening of the role and capacity of the mass media in the furtherance of human rights education;
 - The global dissemination of the Universal Declaration of Human Rights in the maximum possible number of languages and in other forms appropriate for various levels of literacy and for the disabled.⁴
- 5.4 The UN Guidelines for the Decade for Human Rights Education also suggest a series of steps towards the implementation of a national plan for human rights education such as:
- establishing a national committee for human rights education;
 - conducting a baseline study;
 - setting priorities and identifying groups in need;
 - developing the national plan;
 - implementing the national plan; and
 - reviewing and revising the national plan.⁵
- 5.5 In respect to the goal of building and strengthening human rights education at the national and local levels, the UN urged member states to establish 'focal points' (national committees) for human rights education
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3 United Nations resolution 49/184 of 23 December 1994.

4 UN. *Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms – Addendum*, 12 December 1996, UN Document A/51/506/Add.1.

5 UN. *Human Rights Questions, Including Alternative Approaches For Improving The Effective Enjoyment Of Human Rights And Fundamental Freedoms*, Report of the Secretary-General, Addendum: *Guidelines for national plans of action for human rights education*, 20 October 1997, UN Document A/52/469/Add.1.

and establish resource and training centres for human rights education. It also envisaged that a key task for the proposed ‘focal points’ would be to develop ‘national plans of action for human rights education’ containing specific objectives, strategies and programmes for the enhancement of human rights education at all levels: schools, higher education, training for public officials and non-formal learning (including general public information).⁶

- 5.6 Hurights Osaka describes the United Nations’ Decade of Human Rights Education (1995-2004) as having provided much-needed support to the region.

This Decade gave governments the chance to see human rights education from a more positive light. For the NGOs, the Decade legitimized their programmes. Human rights education was no longer seen simply as a means to foster dissent against the government, but as a means to protect the rights of victims of human rights violations such as the women, children and other marginalized and vulnerable sectors of society. The series of UN world conferences from Rio to Copenhagen constituted another important boost to the recognition of human rights across many issues. The widened scope of human rights provided the space for the three sectors (NGO, national human rights institution, and the government) to work together in human rights education.⁷

Progress

Mid-term global evaluation of progress

- 5.7 In 2000, the United Nations undertook a mid-term global evaluation of progress made in the first five years of the United Nations Decade for Human Rights Education towards the achievement of the objectives⁸. The aim of the evaluation was to take into account all available information on

6 UN. *Human Rights Questions, Including Alternative Approaches For Improving The Effective Enjoyment Of Human Rights And Fundamental Freedoms*, Report of the Secretary-General, Addendum: *Guidelines for national plans of action for human rights education* UN Document A/52/469/Add.1.

7 Submission 29, Asia-Pacific Human Rights Information Center, p.3.

8 UN. *Report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004)* September 2000, UN Document A/55/360.

what had been accomplished at the international, regional, national and local levels, identify remaining shortcomings and needs, and make recommendations for action during the five remaining years of the Decade. This review revealed that local and national human rights education initiatives and activities tended to address both national and regional concerns, issues, needs and priorities and so presented the results at a regional level.

- 5.8 The review was not overly optimistic about the level of progress that had been made in the region in meeting the goals of the decade. The NCHRE argues that the UN's view that 'generally speaking governments have a long way to go in responding to the Decade', is true of Australia and most countries in the region.⁹
- 5.9 Only a limited number of responses to the mid-term review questionnaire were received within the Asia Pacific region, a trend reflected globally, and so the report focuses on comparative and conceptual analysis of the information gathered rather than naming countries and national entities. This approach aims to compensate for "the incompleteness of the picture of the efforts, achievements and shortcomings in the various regions".
- 5.10 At the time of the mid-term review, a number of countries in Asia and the Pacific had taken steps to create legal and institutional support for the Decade, with four countries having established national committees for human rights education¹⁰. Only two countries were reported to have adopted national action plans and one country with a national committee was in the process of drafting a plan. In most countries, non-government organisations were not involved in the development of national plans of action but took part in their implementation. There were no adequate reports on the extent of implementation of the existing national plans of action or of any human rights education programme by Governments in the region.
- 5.11 The mid-term review acknowledged national human rights institutions played a significant role in national activities for human rights education by producing education materials, involving government officials in education workshops, providing ideas on the development of national plans of action and developing awareness-raising programmes for the general public. However, the report noted that collaboration between

9 Submission 28, NCHRE, p.3

10 UN. *Report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004)* September 2000, UN Document A/55/360, p.10

these national institutions and intergovernmental agencies did not occur on a regular basis.

5.12 The review also showed that international non-government organisations concentrate largely on the human rights issues that relate to their own mandate, and carry out generic work on human rights awareness to increase support for their particular concerns¹¹.

5.13 One of the needs identified by the review was for better networking between national (government and non-government) entities and intergovernmental organisations, as well as cooperation, consultation and participation in human rights advocacy efforts¹². The review observed that while many activities for human rights education exist independently of national plans of action, there is a strong correlation between the level of participation by various sectors of society in the development of a plan and its effective implementation.

5.14 A telling trend identified by the review was that:

The occasion of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights ... appears to have had a greater catalytic impact on the United Nations system than has the Decade¹³.

Other views on progress

5.15 The less than optimistic view seen in the mid-term review of the Decade for Human Rights Education, is reflected in a number of submissions received by the Committee.

5.16 The National Committee described the Decade as having “simply initiated the contribution that human rights education potentially can make to a world which is more peaceful and which better respects and protects human rights for all individual members of the human family”.¹⁴

11 UN. *Report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004)* September 2000, UN Document A/55/360, p.19

12 UN. *Report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004)* September 2000, UN Document A/55/360, p.12

13 UN. *Report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004)* September 2000, UN Document A/55/360, p.19

14 Submission 28, NCHRE, p.4.

- 5.17 Hurights Osaka claims that the fact that many countries do not have national human rights education action plans, has contributed to the goals of the Decade not having been fulfilled, through the lack of components such as national focal points, training programmes, teaching and learning materials and cooperation between NGOs and governments. However, Hurights Osaka suggests there is still room to urge countries to undertake the proposed measures, as they have not withdrawn support for human rights education.¹⁵

Australia's progress in meeting the goals of the decade

- 5.18 Despite Australia having proposed the establishment of the Decade for Human Rights Education ten years ago¹⁶, the NCHRE argues that “Australia cannot be said to be leading in terms of pursuit of the goals of the Decade as compared to others in the region”¹⁷.
- 5.19 The National Committee further stated that to its knowledge, no country of the region has in place comprehensive human rights education plans and programmes as envisaged pursuant to the Decade. In fact the National Committee’s proposal to set up a National Centre for Human Rights Education (discussed in Chapter 3) had been supported by various HR Commissioners in the region so as to lend leadership and support on human rights education to the region.¹⁸
- 5.20 ACFOA concurs with the observations of NCHRE regarding the adequacy of the promotion of the Decade in the region by the UN and leading aid donors such as Australia, and with the comparison of Australia to other countries in the region, in terms of progress towards achieving the goals of the Decade:

It is unfortunate that given the position of Australia in the region, greater initiative has not been shown in pursuing and collaborating on regional strategies as part of the decade of Human Rights Education goals.¹⁹

15 Submission 29, Asia-Pacific Human Rights Information Center, p.18

16 Kazunari Fuji, 2003 ‘*UN Decade for Human Rights Education: Report of the 59th Session of the UN Commission on Human Rights*’, Soka Gakkai International (SGI) UN Liaison Office, Geneva, p.6

17 Submission 28, NCHRE, p.3.

18 Submission 28, NCHRE, p.3.

19 Submission 34, ACFOA, p.6.

- 5.21 The Human Rights Council of Australia contends that the Australian Government took considerable time to act on the Decade and while it supported the establishment of the national committee, it has provided only limited resources.²⁰
- 5.22 The Committee believes that it is important to evaluate Australia's progress against the UN's stated goal of "building and strengthening of programmes and capacities for human rights education at the international, regional, national and local levels", as this directly relates to activities by national governments.
- 5.23 As noted previously, in meeting this goal, the UN urged national governments to establish '*focal points*' (national committees) for human rights education and establish *resource and training centres* for human rights education. It was also envisaged that a key task for the proposed '*focal points*' would be to develop '*national plans of action for human rights education*' containing specific objectives, strategies and programmes for the enhancement of human rights education at all levels: schools, higher education, training for public officials and non-formal learning (including general public information). Lastly, the focal point would commission or conduct a *baseline study or needs assessment* to determine local and national needs.²¹
- 5.24 The establishment of the NCHRE in 1998, some years after the commencement of the Decade, met one of the criteria for meeting this goal.
- 5.25 Australia has not met the remaining three components called for in the goal, specifically the establishment of a resource and training centre for human rights education and the development and implementation of a national plan of action for human rights education. Although a national centre for human rights education has been proposed by the NCHRE, the Committee was not presented with any evidence of progress on this initiative, nor has the Committee received evidence of progress in developing a discrete national plan of action for human rights education (this plan would be more targeted than the Action Plan on Human Rights which is currently being prepared, and is discussed in more detail below).

20 Submission 32, The Human Rights Council of Australia, p.1.

21 UN. *Human Rights Questions, Including Alternative Approaches For Improving The Effective Enjoyment Of Human Rights And Fundamental Freedoms*, Report of the Secretary-General, Addendum: *Guidelines for national plans of action for human rights education*, 20 October 1997, UN Document A/52/469/Add.1.

In respect to the third component, the Committee has already recommended the conduct of a baseline study in Chapter 2.

5.26 It is clear, as indicated in Chapter 3, that there is no real strategic and coordinated effort in respect to human rights and good governance education. This is pertinent to both domestic efforts, and to Australia's regional efforts.

5.27 This absence of a strategic and coordinated approach to human rights education in Australia has been acknowledged previously. In a submission addressing the *Australian Government's International Human Rights Policy and Activities 1994-5*, the Department of Foreign Affairs and Trade stated that:

... although there is a wide variety of educational activities in Australia on issues such as non-discrimination, tolerance, cultural diversity, ethics and social justice, there is no coherent program of human rights education.²²

5.28 The Committee concurs with the observation made by the NCHRE that this statement remains applicable as a description of human rights education in Australia today.²³

5.29 The Committee has highlighted the lack of a discrete national action plan for human rights education, which would make a considerable contribution to providing the necessary coordination.

5.30 In respect of facilitating the sharing of information and experiences regarding human rights education, the United Nations Association of Australia suggested that:

There are quite a lot of individual initiatives in different parts of the country. They depend very much on the particular situation or teacher or resource person. They are not as well integrated into the curriculum. If you had somebody at a national level who was actually identifying what was happening and could share that with other people, people might then say, 'Okay, there is something there that I can draw on and build on.'²⁴

5.31 The NCHRE pointed to a lack of coordination and relevant data which hampers education efforts, arguing that:

22 Submission by DFAT, *The Australian Government's International Human Rights Policy and Activities 1994-1995*, September 1996, p. 21, cited in Submission 22, NCHRE, p.16.

23 Submission 22, NCHRE, p.16.

24 Transcript, 19 June 2003, FADT 169

There is an absence of any overall national coordination in human rights education. Compounding this lack of coordination is the absence of comprehensive and up to date bodies of data analysing the state of human rights education in the country. The lack of such data is a critical weakness in efforts to carry forward human rights education initiatives.²⁵

- 5.32 As stated above, in regard to school programmes, the Australian Government works through Commonwealth / State cooperative mechanisms, such as the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), in order to arrive at common agreed principles on which to base education efforts. This has influenced how HREOC has approached the development of education programmes, resulting in the internet based approach which can be easily accessed by teachers and incorporated into lesson plans.²⁶
- 5.33 A number of proposals to address coordination of human rights and good governance education efforts were put to the Committee in the course of the inquiry.
- 5.34 In respect to programmes for primary and secondary schools, the UN Association of Australia recommended that more funds be provided for the development of school curricula and that a national coordinator be established for human rights education programmes in schools.²⁷
- 5.35 The Castan Centre pointed to the informal teaching and research networks that have built up between various human rights and good governance educators in the tertiary education sector which highlights cooperation in this sector. This includes teaching personnel from different institutions coming together through consultancies for standalone projects (such as AusAID projects)²⁸
- 5.36 The Committee notes that meeting the guidelines outlined by the UN would greatly enhance human rights and good governance education efforts. It would provide the necessary strategic view and coordination, as well as a level of consistency, more efficient use of resources, and sharing of knowledge on better approaches to human rights and good governance education.

25 Submission 22, NCHRE, pp.16-17.

26 Submission 37, HREOC, p.3.

27 Submission 11, UNAA, p.4.

28 Submission 40, Castan Centre for Human Rights Law, p.7.

National Committee for Human Rights Education

- 5.37 As noted, a central initiative of the Decade was for countries to establish a National Committee for Human Rights Education as part of the overall objective of formulating a National Action plan for Human Rights Education.²⁹
- 5.38 In December 1998, the Attorney General announced the establishment of a National Committee for Human Rights Education (NCHRE). The NCHRE has 23 members, and is Australia's focal point for the Decade for Human Rights Education.³⁰ The secretariat and membership operate on a voluntary basis.
- 5.39 On its establishment, the NCHRE had a very extensive work-plan set out which reflected the criteria put forward by the UN. This included³¹:
- conducting a comprehensive audit of human rights education needs of the Australian community;
 - identifying and assessing current initiatives in human rights education;
 - developing a national action plan for human rights education in Australia, focussing on priority needs;
 - providing assistance in the development of comprehensive and effective human rights education programmes in priority areas, in consultation with education delivery agencies;
 - developing effective communication strategies for human rights education;
 - communicating with international agencies and counterparts in other countries to make available best techniques and resources;
 - supporting human rights education initiatives addressing Asia-Pacific needs;
 - developing effective partnerships between Government, business and community sectors;
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29 UN. *Human Rights Questions, Including Alternative Approaches For Improving The Effective Enjoyment Of Human Rights And Fundamental Freedoms*, Report of the Secretary-General, Addendum: *Guidelines for national plans of action for human rights education*, 20 October 1997, UN Document A/52/469/Add.1.

30 Submission 22, NCHRE, p.8-9.

31 Office of the UN High Commissioner for Human Rights. 2002. *Summary of national initiatives undertaken within the Decade for Human Rights Education (1995-2004)*. Information on Australia provided by the Human Rights Branch of the Commonwealth Attorney-General's Department, 17 July 2003 (<http://www.unhchr.ch/html/menu6/1/initiatives.htm#asia>).

- reviewing implementation and reporting progress.
- 5.40 Since its inception, the NCHRE has undertaken a range of activities, notably: launching the *Citizenship for Humanity* programme; carrying out a study of human rights education in China; hosting the 2002 National Strategic Conference on Human Rights Education; and developing a national network of state and territory human rights education associations and entities.³²
- 5.41 The NCHRE has been successful in attracting cooperation from a range of government, educational and private sector agencies and organisations. In 2001, the NCHRE established the Australian Human Rights Education Fund (which has tax deductible status) for the specific purpose of attracting gifts from the private and public sector for human rights education initiatives.
- 5.42 The NCHRE informed the Committee that it had been provided with a total of \$30 000 funding from the Commonwealth Attorney General's Department, including seed funding and on-going additional funding. In addition, it had received \$10 000 from Rio Tinto to assist in hosting the annual conference in 2002.³³
- 5.43 However, given the extensive work-plan provided to the NCHRE and the high public expectations, adequate and on-going funding is a priority for the National Committee.
- 5.44 The Government considers that funding should not be drawn solely from the Commonwealth and that the NCHRE should source funding from a range of private and public sectors.³⁴ NCHRE informed the Committee that efforts to attract corporate sponsorship are well advanced, including the production of a fund raising brochure. Senior members of the NCHRE are taking a lead role.³⁵
- 5.45 While Government and private sector funding was welcomed by the NCHRE, it was strongly suggested to the Committee that present funding was inadequate considering the aims of the NCHRE. The NCHRE stated that the provision of sufficient funds to establish a full time secretariat would greatly improve efforts at promoting human rights education. Beyond that, funding to allow the NCHRE to take a more active regional

32 Submission 22, NCHRE, pp.9-10.

33 Transcript, 3 April 2003, FADT 28.

34 Submission 37, HREOC, p.1.

35 Transcript, 3 April 2003, FADT 28.

role is also required.³⁶ The Committee was told that the NCHRE, within their budget, has no funding at all for any form of travel and that on their study tour of China in 2002 members funded their own travel costs.³⁷ The lack of funding precludes the NCHRE from effective engagement in such activities as the bilateral human rights dialogues between Australia and China, Iran and Vietnam, where the NCHRE considers human rights education to be a key issue.³⁸

- 5.46 Chief Justice Malcolm clearly highlighted the ramifications of inadequate funding, suggesting that the National Committee:

...is operating literally on a shoestring basis, and there is a grave danger that it will eventually be perceived simply as window dressing and not as a substantive commitment by government or parliament to truly support, encourage and properly fund a national programme of human rights education.³⁹

- 5.47 The Committee believes that the establishment of a National Committee fulfils one of the key requirements of the UN Decade and is a positive and worthwhile initiative. The Committee also appreciates the need for the NCHRE to seek funding from a range of public and private sources and is pleased that they are actively seeking private sector funding.

- 5.48 However, the initial work plan of the NCHRE was ambitious and has raised high expectations. Given the evidence provided to the Committee, it appears that the combination of an ambitious work plan, limited core funding and a reliance on a volunteer committee and secretariat has created a situation in which it will be very difficult for the NCHRE to succeed. If the NCHRE is to fulfil the role expected of it, as outlined in the work-plan, it requires adequate core funding to establish a permanent secretariat and to better fulfil the role envisaged for it.

- 5.49 To ensure that at least the initial work plan is fulfilled, the Committee supports limited further assistance for the NCHRE, in the form of provision of base funding provided on the basis that appropriate budgetary and appointment guidelines are developed. In particular, procedures for the appointment of members should ensure that such appointments are transparent, objective, representative and credible.

36 Submission 22, NCHRE, p.11.

37 Transcript, 3 April 2003, FADT 28.

38 Transcript, 3 April 2003, FADT 28.

39 Transcript, 3 April 2003, FADT 31.

Recommendation 20

That the Government consider providing the National Committee for Human Rights Education with base funding, adequate to establish a modest full-time secretariat and fulfil the 1998 work-plan, on the basis of production of appropriate budgetary and appointment guidelines.

National Plan of Action for Human Rights Education

- 5.50 As indicated above, a key task for the NCHRE is the development of a national plan of action for human rights education.
- 5.51 The UN proposed a number of principles for national action plans and suggested governments should develop national action plans for human rights education that:
- promote respect for and protection of all human rights through educational activities for all members of society;
 - promote the interdependence, indivisibility and universality of human rights;
 - integrate women's rights as human rights in all aspects of the national plan;
 - recognise the importance of human rights education for democracy, sustainable development, the rule of law, the environment and peace;
 - recognise the role of human rights education as a strategy for the prevention of human rights violations;
 - encourage the analysis of chronic and emerging human rights problems, which would lead to solutions consistent with human rights standards;
 - foster knowledge of and skills to use global, regional, national and local human rights instruments and mechanisms for the protection of human rights;
 - empower communities and individuals to identify their human rights needs and to ensure that they are met;
 - develop pedagogies that include knowledge, critical analysis and skills for action furthering human rights;
 - promote research and the development of educational materials to sustain these general principles; and

- foster learning environments free from want and fear that encourage participation, enjoyment of human rights and the full development of the human personality.⁴⁰
- 5.52 The Committee was most interested in ascertaining what progress had been made in developing a national action plan for human rights education, considering that the Decade for Human Rights Education will be over in 2004.
- 5.53 At the time the last report to the Office of the UN High Commissioner for Human Rights was provided by the Commonwealth Attorney-General's Department, no national Plan of Action for human rights education had been developed.⁴¹ Moreover, in the course of the inquiry the Committee was not presented with any evidence indicating any solid progress towards a national action plan for human rights education, as called for in the UN Decade. The Committee notes that countries such as Fiji, with less resources and capacity, have managed to produce a National Action Plan for Human Rights Education before Australia has even begun the process.
- 5.54 The Committee also notes that there appears to be a debate as to responsibilities in this area between the Attorney General's Department and the NCHRE, as to who is responsible for developing a national plan for human rights education. The Attorney General's Department envisaged that the recommendations flowing from the 2002 *National Strategic Conference on Human Rights Education*, which was organised by the NCHRE, would provide a framework for developing a coordinated national human rights education strategy. Further, the Department suggests that HREOC and the NCHRE are the appropriate bodies for developing a national plan.⁴² However, the NCHRE indicated that inadequate funding has precluded them from developing a national plan.
- 5.55 The Committee notes that a working group, comprised of government departments and agencies has been meeting since 1999 to develop a new National Action Plan for Human Rights (as opposed to human rights education). The Australian Government recently announced its approval of the draft plan which will be finalised following consultation with State
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40 UN. *Human Rights Questions, Including Alternative Approaches For Improving The Effective Enjoyment Of Human Rights And Fundamental Freedoms*, Report of the Secretary-General, Addendum: *Guidelines for national plans of action for human rights education*, 20 October 1997, UN Document A/52/469/Add.1.

41 Office of the UN High Commissioner for Human Rights. 2002. *Summary of national initiatives undertaken within the Decade for Human Rights Education (1995-2004)*. Information on Australia provided by the Human Rights Branch of the Commonwealth Attorney-General's Department, 17 July 2003 (<http://www.unhchr.ch/html/menu6/1/initiatives.htm#asia>).

42 Submission 37, HREOC, p.1.

and Territory governments, the Human Rights and Equal Opportunity Commission, and non-government organisations. The plan will then be published and lodged with the United Nations⁴³.

- 5.56 The Committee strongly recommends that in lieu of the development of a discrete national action plan for human rights education, that human rights education be given a prominent place in the draft action plan. However, this is considered a second best option in respect to a specific national action plan for human rights education.
- 5.57 The UN Decade concludes at the end of this year. It is unacceptable that to date a discrete national plan for human rights education has not been developed. In the course of the inquiry, the Committee was not provided with any information or explanation as to why a plan has not been developed. Therefore the committee can only assume that a range of factors including lack of funding, poor coordination between agencies and a lack of commitment has retarded progress. As such, the Committee recommends that the development and implementation of a discrete national plan of action for human rights education be a priority for the Government and the NCHRE.

Recommendation 21

That the development of a discrete National Plan of Action for Human Rights Education be a priority for government, HREOC and NCHRE and that adequate funding be made available for this task.

National Centre for Human Rights Education

- 5.58 As noted, the UN has called for national governments to establish resource and training centres to support human rights education. The NCHRE argues that while it will continue with cooperative ventures, 'it is clear that the acceleration of human rights education activities within Australia requires the funding of an agency such as a National Centre for Human Rights Education'. Detailed information on the proposal is scarce. According to NCHRE the mandate for the Centre would focus on

43 Joint Media Release 50/2004, *Draft Action Plan on Human Rights Approved*. (Attorney-General, The Hon Philip Ruddock MP; Minister for Foreign Affairs, The Hon Alexander Downer MP) 26 April 2004.

‘catalysing human rights education work around Australia’,⁴⁴ with a significant outreach to the Asia-Pacific.⁴⁵

- 5.59 NCHRE suggests that the Centre be established with capital funding sufficient for an initial ten-year operating period sourced from government and private sources on a dollar for dollar basis.⁴⁶ The NCHRE estimates that the centre would require a budget of at least \$300 000 per year, or a capital fund of \$5 million to enable its operations to be realistic.⁴⁷ Funding would be used for establishing a permanent⁴⁸ secretariat and carrying out research and awarding scholarships to those working in the field of human rights education.⁴⁹ The NCHRE did not specify a location for the proposed centre, although it is envisaged that it would operate in conjunction with a major Australian university and universities will be invited to tender for the centre to be sited within their ambit⁵⁰. The Attorney General’s Department indicate that the NCHRE has developed a proposal and is liaising with the Department in terms of further developing the proposal.⁵¹
- 5.60 NCHRE indicated it had received positive feedback from NGOs and other human rights institutions. However, the proposal received a mixed response from other agencies and organisations engaged in human rights education who participated in this inquiry.
- 5.61 The Diplomacy Training Programme (DTP) supported the proposal suggesting that it ‘would be a valuable indication of the value attached by Australia to human rights education’ and that they would welcome the opportunity to be involved in providing input to the development of the centre’s work.⁵² The DTP indicated that a national centre would assist them by being a repository of relevant and up to date information on best practice in human rights education at the national, regional and international level. It would also facilitate access to academics and practitioners, and assist the DTP to enhance its programmes and increase its collaborations with others in the field of human rights and good governance education.⁵³
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44 Submission 22, NCHRE, p.11.

45 Submission 22, NCHRE, p.18.

46 Submission 22, NCHRE, p.8.

47 Submission 22, NCHRE, p.17.

48 Submission 22, NCHRE, p.18.

49 Submission 22, NCHRE, p.11.

50 Submission 22, NCHRE, p.18.

51 Submission 44, Attorney General’s Department, p.3

52 Submission 35, Diplomacy Training Program, p.1.

53 Submission 35, Diplomacy Training Program, p.1.

- 5.62 ACFOA also indicated their support for the proposal. ACFOA highlighted a number of issues that should be considered in the mandate for the proposed centre:
- engagement with multilateral and international initiatives to promote human rights;
 - participation in regional human rights education programmes;
 - close collaboration with current human rights research bodies; and
 - the level of autonomy and independence of the proposed centre.⁵⁴
- 5.63 The Committee believes that if a National Centre was established, it should assist in the training of human rights educators.
- 5.64 The Castan Centre for Human Rights Law gave qualified support to the proposal, noting that there is a ‘genuine need for a national forum of some kind to improve knowledge exchange between key players in human rights education’, which would ‘assist improvements in both the method and substance of human rights teaching and research and, through that, positive human rights outcomes in Australia and the region’.⁵⁵
- 5.65 The Castan Centre argues that the final form such a body should take—a national centre for human rights education and /or a national coordination council and /or a national policy consultation—is not clear. However, the Castan Centre indicated their support for a national centre for human rights education ahead of the other institutions mentioned. Nevertheless, the Castan Centre cautioned that a number of issues remain to be resolved in regard to the potential effectiveness and efficiency of such a centre particularly in terms of the administrative burden.⁵⁶
- 5.66 In contrast, Australian Lawyers for Human Rights indicated they were ‘not immediately supportive of the proposal’ and raised a number of concerns. ALHR believe that the proposal raises questions about the future role of HREOC. In addition, they contend that no national centre should be supported without strong support from the relevant sectors and stakeholders such as NGOs, the education sector, State and Territory governments and discrimination bodies and HREOC. Finally, even if such

54 Submission 34, ACFOA, p.3.

55 Submission 40, Castan Centre for Human Rights Law, p.1.

56 Submission 40, Castan Centre for Human Rights Law, p.1.

support is available, the proposal should not be promoted without serious consideration of its long term financial viability and effectiveness.⁵⁷

- 5.67 In light of the proposed National Centre, the Committee was interested in how it aligned with the ALHR's *Australian Human Rights Project* in terms of its researching of effective and viable models for a national approach to human rights advocacy and education. ALHR suggested that the *Australian Human Rights Project* will lead to an understanding of the perceived need in the relevant sectors, from which will come a considered proposal that has been developed in consultation with and with the support of stakeholders.⁵⁸
- 5.68 Similarly, the Centre for Democratic Institutions was not sure of the role for a national centre for human rights education in light of other proposals such as a national policy consultation (discussed below). CDI argues that an existing body such as HREOC may be able to take on the role of facilitating the sharing of information and ideas, and is wary of allowing proposals such as the national centre or the national policy consultation to claim a coordination role as it may add another layer of bureaucracy to decision making.⁵⁹

National Policy Consultation

- 5.69 Another recommendation aimed at enhancing coordination called for the Commonwealth Government to host a National Policy Consultation involving federal and state government agencies and civil society representatives to consult on the steps required to pursue effective, coordinated human rights education in Australia.⁶⁰
- 5.70 The NCHRE proposed the initiative in the context of the unmet priority of developing a national policy framework for human rights education which includes comprehensive coverage of relevant sectors, including the formal education sector.⁶¹ The NCHRE argues that, for example, 'significant inroads have yet to be made into the consciousness of policy makers in the educational sector at the federal level as to the importance of human rights education and the framework provided by the UN Decade for Human Rights Education'. The goal of such a consultation would be

57 Submission 36, Australian Lawyers for Human Rights, p.1.

58 Submission 36, Australian Lawyers for Human Rights, p.1.

59 Submission 38, Centre for Democratic Institutions, p.1.

60 Submission 22, NCHRE, p.4.

61 Submission 22, NCHRE, p.24.

the development of a national framework for the elaboration of human rights education in Australia and the region.⁶²

- 5.71 In contrast to the proposed national centre for human rights education, this proposal attracted a generally positive response.
- 5.72 ACFOA indicated that the proposal was welcomed and would be a 'valuable initiative as part of a holistic approach to engage civil society on issues promoting human rights and good governance'. ACFOA also suggests that such a consultation should not be restricted to representatives from Australia but should be open to the wider Asia Pacific region and that similar overseas consultations and forums be studied prior to launching this initiative.⁶³
- 5.73 ACFOA also highlighted the need for increased cooperation between human rights institutions in Australia to address issues such as identifying and documenting the 'shared objectives' and collective knowledge of Australia's human rights institutions. Enhanced cooperation does, however, require increased or additional funding. ACFOA suggests that the role of a 'coordination council' for human rights institutions could be similar to the proposed national centre for human rights education.⁶⁴
- 5.74 ALHR indicated that such an initiative would be useful depending on the methodology and the real intended outcomes. In their view a conference format would not be suitable as a form of consultation and suggested that HREOC might undertake an inquiry into the issue. They suggested that possible goals for a consultation on human rights education would be an agreement on goals, strategies and responsibilities for human rights education in Australia.⁶⁵
- 5.75 ALHR suggested that this 'exercise might better have been undertaken at the beginning of the Decade'.⁶⁶
- 5.76 The Centre for Democratic Institutions expressed support for a consultation as useful means of exchanging information and looking for better ways of working with others in the field. However, they reiterated the caution that such a consultation should not 'claim a coordination role

62 Submission 28, NCHRE, p.1.

63 Submission 34, ACFOA, p.4. For example, the *Regional Response to the UN Decade for Human Rights Education*, Nepal, 1999, organised by Forum Asia and the Asian Regional Resource Centre for Human Rights Education.

64 Submission 34, ACFOA, p.5.

65 Submission 36, Australian Lawyers for Human Rights, p.2.

66 Submission 36, Australian Lawyers for Human Rights, p.2.

as that could complicate matters by adding an additional layer of bureaucracy to decision making'.⁶⁷

5.77 The Castan Centre suggested that a national policy consultation would provide a 'snapshot' of human rights and good governance education in the region and would be helpful in starting other initiatives. However, the Castan Centre doubted a consensual policy position would eventuate from such an exercise.⁶⁸

5.78 Furthermore, the Castan Centre advised against establishing a 'peak policy body'. Citing significant differences between key stakeholders in how human rights law and policy is interpreted in Australia and internationally, the Castan Centre argued that:

Arriving at a coordinated, unified policy position, while retaining broad stakeholder base, would be extremely difficult and a questionable use of resources.⁶⁹

5.79 Given this caveat, the Castan Centre suggested that consolidation around an issue on which shared objectives are possible, such as education, is a more positive initiative.⁷⁰

Conclusion

5.80 There is obviously a need for coordination frameworks to provide direction and assist with the better use of resources, avoiding duplication, and sharing of knowledge and experiences. Such coordination should attempt to bring together all parties involved in human rights education in Australia, in an effort to combat the divergence between the players and the confusion this leads to in achievement of the goals of the Decade.

5.81 The establishment of a national centre for human rights education and the conduct of a policy consultation, along with the development of a national plan of action for human rights education, would fulfil one of the key goals of the Decade which calls for national governments to establish 'focal points' (national committees), and a resource and training centre for human rights education.

5.82 The Committee agrees with the observation by ALHR that the issue of coordination of human rights and good governance education initiatives

67 Submission 38, Centre for Democratic Institutions, p.1.

68 Submission 40, Castan Centre for Human Rights Law, p.7.

69 Submission 40, Castan Centre for Human Rights Law, p.2.

70 Submission 40, Castan Centre for Human Rights Law, p.2.

should have been addressed at the beginning of the UN Decade for Human Rights Education in 1995.

- 5.83 However there is a range of views on these matters which merit further consideration.
- 5.84 It does not reflect well on Australia's efforts in the fields of human rights and governance that these processes are not progressed. The Committee notes that the role played by HREOC in human rights education is an important one in Australia, and the Committee supports HREOC's continuing focus and responsibility in this area. The Committee recognises that HREOC's role in human rights education can only be effective if there is appropriate funding for them to continue.

Recommendation 22

That a National Policy Consultation, involving Federal and State government and civil society, be convened by HREOC and supported by the Attorney General's department. The consultation should be centred the issue of education, and aim for agreement on goals, strategies and responsibilities to advance human rights education in Australia and the region.

National Action Plans for Human Rights Education: Progress made by other national governments

- 5.85 Within the Asia Pacific region, there are increasing numbers of government programmes on human rights education. According to Hurights Osaka, the Philippines, Thailand, Indonesia and Pakistan have adopted or are developing national human rights education action plans, as has Hurights Japan itself⁷¹. Many local governments in Japan have developed their own local human rights education action plans and established human rights centres which function, at least, as sources of basic information on human rights and related domestic legislations. A number of other countries have either incorporated human rights education in the school curriculum or are in the process of doing so.

71 Submission 29, Asia-Pacific Human Rights Information Center, p.9

Fiji

- 5.86 Fiji is one of the few countries in the region that has produced a National Action Plan for Human Rights Education in 2003. The Asia Pacific Forum assisted the Fiji Human Rights Commission in the development of the plan which details strategies and targets for the development of human rights education in the national curricula of Fiji⁷². Professor Chris Sidoti, a member of the National Committee on Human Rights Education, also acted as a facilitator in the development of the plan⁷³.
- 5.87 The Fiji National Action Plan for Human Rights Education seeks to “encourage and mobilise the formal and non-formal education sectors and the whole community to promote and provide human rights education for all in Fiji”⁷⁴. The plan sets out the constitutional responsibility and priorities of the Fiji Human Rights Commission in human rights education and makes recommendations about the roles and functions other parts of society should undertake. The action plan is presented in three sections: the formal education system; informal or community education and targeted education.
- 5.88 The plan recognises that although the government has principal responsibility to ensure that human rights education occurs, it is the responsibility of the whole nation. The Commission therefore works in partnership with various institutions, government departments and other groups mentioned in the plan to ensure its vision of building a human rights culture in Fiji.

Japan

- 5.89 The National Action Plan of the United Nations' Decade on Human Rights Education, compiled in 1997, calls for the promotion of human rights education in the schools and people whose occupations are closely related to human rights. The plan urges Japan to address problems related to the rights of the child as well as those of women, elderly people and foreigners.⁷⁵

72 Submission 33, Asia Pacific Forum, p.5.

73 Submission 28, NCHRE, p.3.

74 Exhibit 9: Fiji Human Rights Commission. 2003. *Fiji National Action Plan for Human Rights Education*.

75 Ministry of Foreign Affairs, Japan, *Japan's Action Plan against Commercial Sexual Exploitation of Children* <http://www.mofa.go.jp/policy/human/child/action.html>

Thailand

- 5.90 Thailand is in the process of drafting a national human rights plan of action and a national plan of action on human rights education.⁷⁶

Pakistan

- 5.91 UNESCO Islamabad is supporting the Ministry of Education, in Pakistan to develop a National Plan of Action on Human Rights Education, within the framework of various national and international conventions on human rights, elimination of all forms of discrimination, women's empowerment, gender equality, tolerance, and promotion of a culture of peace. The Provincial Education Departments engaged in implementing activities on human rights, have also been involved in the development of a workable plan of action.⁷⁷

A second Decade for Human Rights Education?

- 5.92 A recent report by Kazunari Fujii⁷⁸ has said that although some governments made efforts to promote human rights education through national socio-legal infrastructure and cooperated with NGOs that proactively took steps to implement the Plan of Action for National Human Rights education at national and regional levels, due to the lack of a proper monitoring mechanism within the UN system the Decade is coming to an end without sufficient achievement of its objects.
- 5.93 In 2002, the Office of the United Nations High Commissioner for Human Rights was requested to develop and submit to the 59th session of the Commission (resolution 2002/74) a study on the follow-up to the United Nations Decade for Human Rights Education (1995-2004)⁷⁹. The report of this study stated:

76 The Royal Thai Embassy, Washington DC, *Thailand and Human Rights*
<http://www.thaiembdc.org/socials/hr0200.html> (dated February 2000)

77 UNESCO Pakistan, *National Plan of Action on Human Rights Education*
<http://www.un.org.pk/unesco/socialnpa.htm>

78 Fujii, Kazunari, 2003, *UN Decade for Human Rights Education: Report of the 59th Session of the UN Commission on Human Rights*, Soka Gakkai International (SGI) UN Liaison Office, Geneva, p.6

79 United Nations High Commissioner for Human Rights. 2003. *Promotion and Protection of Human Rights: Information and Education*. Study on the follow-up to the United Nations Decade for Human Rights Education (1995-2004). 28 February 2003, UN Document E/CN.4/2003/101.

Any consideration concerning the follow-up to the Decade must build necessarily on the achievements and shortcomings of the Decade and lessons learned from it (in terms of structures and legislative frameworks developed, the status of its implementation, as well as shortcomings and remaining needs).

- 5.94 A number of UN member countries at the fifty-fifth session of the UN Sub-Commission on the Promotion and Protection of Human Rights, called on the Commission to proclaim a second decade for human rights education to begin in January 2005.⁸⁰
- 5.95 A number of submissions received by the Committee call for Australia to support a 2nd decade for Human Rights Education.
- 5.96 The United Nations Association of Australia⁸¹ submission supports the holding of a second Decade for Human Rights Education.
- 5.97 The National Committee has urged the Australian government to support key findings of the report of the Office of the High Commissioner for Human Rights on a follow up to the UN Decade for Human Rights Education. In particular they support the establishment of a 2nd Decade for Human Rights Education.⁸²
- 5.98 ACFOA believes a 2nd decade for Human Rights Education would build on the momentum in human rights education that has only recently emerged. Such an extension would permit opportunities to be utilised, rather than them being lost due to a lack of time or action. A 2nd decade for Human Rights Education would permit close evaluation of current and previous projects and refining of objectives for the next ten years. Extending the decade for Human Rights Education “would build the potential for greater universal human rights promotion and protection with effective outcomes, rather than a rush to stagger across the finish line in 2004”.⁸³
- 5.99 ACFOA feels that it is unfortunate given the position of Australia in the region, that greater initiative has not been taken in pursuing and collaborating on regional strategies as part of the Decade of Human Rights Education goals.⁸⁴
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80 UN Commission on Human Rights, Sub-Commission on the Promotion and Protection of Human Rights, *Specific Human Rights Issues*, 7 August 2003, UN Document E/CN.4/Sub.2/2003/L.14

81 Submission 11, United Nations Association of Australia, p.2.

82 Submission 28, NCHRE, p.2

83 Submission 34, ACFOA, pp.5-6.

84 Submission 34, ACFOA, p.6.

- 5.100 The Human Rights Council of Australia states that many countries, including Australia, took a considerable time to take action on the Decade. The Council believes that as a promoter and active supporter of the first Decade and as a re-elected member of the United Nations High Commission for Human Rights, Australia is in a good position to actively promote a second Decade and should begin lobbying in support of a Second Decade of Human Rights Education for approval at the next UN Commission on Human Rights⁸⁵.
- 5.101 The National Committee⁸⁶ describes the first Decade as a powerful catalyst for both governments and civil society organisations to encourage activities in the field of human rights education. They go further to say that a second Decade would ensure continued focus at international (and thus regional and national) level on the pursuit and encouragement of human rights education and enable further progress to be made.
- 5.102 The Committee also collected evidence which was not supportive of a second decade, at least at this time.
- 5.103 HREOC believes that a final evaluation of the accomplishments and shortcomings of the current decade is needed before a decision is made to commit to a 2nd Decade for Human Rights education.⁸⁷
- 5.104 The APF agrees that a formal evaluation of the success or otherwise of the 1st Decade would need to be undertaken to determine the value of instituting a 2nd Decade.⁸⁸
- 5.105 The Castan Centre questions whether another UN Decade for Human Rights Education would appropriately pressure states through public education and UN reporting requirements, so as to assist in achieving the mainstreaming of human rights education in public agencies, private corporations and community and educational organisations over the next ten years. The Centre also suggests that the law of diminishing returns might apply to special UN Decades and the difficulties in measuring the impact of the first Decade for Human Rights Education should be considered. On balance, the Castan Centre's position is that a second UN Decade would not be worthwhile.⁸⁹

85 Submission 32, Human Rights Council of Australia Inc., p.3

86 Submission 22, NCHRE, p.23.

87 Submission 37, HREOC, p.6.

88 Submission 33, Asia Pacific Forum, p.4.

89 Submission 40, Castan Centre for Human Rights Law, pp.10-11.

- 5.106 HREOC states⁹⁰ that their position is similar to that reported as the view of the Australian delegate to the 59th session of the UN Commission on Human Rights, “that the Australian government remains very committed to the promotion of human rights education, but believes that a final evaluation of the accomplishments and shortcomings of the current decade is needed before a decision is made to commit to a 2nd decade”.
- 5.107 Voluntary financial commitment from member states has been suggested to overcome problems associated with insufficient achievement of the objects of the Decade. It is expected that such a commitment would assist with issues such as the exchange of information and good practice through the UN system and regional networks; and human and financial resources for human rights education at all levels. Unless this financial commitment was forthcoming, as well as funding at a national level, HREOC states that it “is difficult to assess what could be achieved with an additional 10 years devoted to human rights education”.⁹¹ The possibility of a UN fund for human rights education has been raised with the OCHR, with the Assisting Communities Together Project promoted as providing guidance for the setting up of such a fund.⁹²
- 5.108 Based on the overall findings of this inquiry it may be premature to advocate a second decade to immediately follow the present decade. Australia has yet to meet the goals of the first decade and the Government, in concert with civil society and practitioners, needs to fully evaluate human rights and good governance education efforts and frameworks. As such, the Committee does not feel that it is appropriate to recommend a second decade.
- 5.109 The Committee also believes that it is imperative that an evaluation of the effectiveness of achievements of the Decade be carried out before a decision is made on a second Decade. A rigorous evaluation will also enable the retention and continuation of the useful initiatives of the Decade. Too much time should not be allowed to elapse before such an evaluation or other follow-up, otherwise there is a risk that the work already undertaken will be lost or overtaken by other issues.

90 Submission 37, HREOC, p.6.

91 Submission 37, HREOC, p.7.

92 UN Economic and Social Council, Promotion and Protection of Human Rights: Information and Education, *Study on the follow-up to the United Nations Decade for Human Rights Education (1995-2004)*, 28 February 2003, UN Document E/CN.4/2003/101, paragraphs 11-12.

Recommendation 23

That the Australian government call for the United Nations to conduct a rigorous evaluation of the effectiveness of achievements of the United Nations Decade for Human Rights Education (1995-2004) at the earliest possibility. This evaluation should be conducted prior to further discussion on an additional Decade

Senator Alan Ferguson

Chairman

23 June 2004

