

*Supplied with Compliments  
by the Senate Table Office*



**Australian Government**

---

**AusAID**

**GOVERNMENT RESPONSE**

**to the**

**Joint Standing Committee on Foreign Affairs,  
Defence and Trade Report**

**Human Rights and Good Governance  
Education in the Asia Pacific Region  
June 2004**

**SEPTEMBER 2005**

***Human Rights and Good Governance Education in the Asia Pacific Region***  
**Report by the Joint Standing Committee on Foreign Affairs, Defence and Trade**  
**June 2004**

**Government Response**

**1 That the National Committee for Human Rights Education undertake a baseline survey of human rights attitudes and understanding in Australia, as indicated in its mission statement and in the guidelines for the Decade for Human Rights Education.**

Recommendation beyond the Government's responsibility and not responded to.

**2 The Committee recommends that human rights education be incorporated into all levels of civics and citizenship education initiatives.**

Agreed. Civics and citizenship education resources have been made available free to schools in Australia since 1998. From 1997-2004 resources were developed under *Discovering Democracy*, the Australian Government's civics and citizenship education programme. Civics and citizenship education enables students to identify how the rights and obligations of Australian citizens relate to local, national and global contexts. Students are provided with opportunities to investigate the role of Australian and international legal institutions in protecting human rights; how rights can be lost and how they can be protected. Many of these resources are available online at [www.curriculum.edu.au/democracy](http://www.curriculum.edu.au/democracy).

State and Territory Governments are responsible for the delivery of curriculum in their jurisdictions. The Australian Government has provided funding of \$31.6 million (1997-2004) for civics and citizenship education, and \$4 million was committed in the 2004-05 Budget for 2004-2008.

**3 The Committee recommends that the Minister for Education, in collaboration with state and territory Ministers on the Ministerial Council on Education, Employment, Training and Youth Affairs, develop a coherent and consistent approach to human rights education, and to providing human rights education with a formal role in the education system.**

Agreed in principle. In Australian schools, human rights education is a part of civic and citizenship education. While the States and Territories are responsible for developing and delivering curriculum in their jurisdictions, at the July 2003 meeting of the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), Australian Government and State and Territory Ministers of Education all agreed to develop nationally consistent curriculum outcomes in civics and citizenship education (along with English, mathematics and science).

**4 The Committee recommends that the Department of Defence ensure that pre-deployment training includes a specific human rights education programme, focusing on international human rights law.**

Agreed. The Department of Defence accepts this recommendation and notes that it has been implemented.

**5 That human rights education be provided to all Commonwealth public sector employees, particularly those whose work is affected by International Human Rights agreements.**

Agreed in principle. All Australian Public Service (APS) employees are bound by the APS Code of Conduct and APS Values, which are set out in the *Public Service Act 1999*. The APS Values and Code articulate the culture and operating ethos of the APS and set out the standards of conduct required of APS employees. While not referred to explicitly, the protection of human rights is inherent in the APS Values and Code which, among other things, require employees to obey all applicable laws, have the highest ethical standards, promote equity in employment, treat everyone with respect and courtesy and without harassment and deliver services fairly, effectively, impartially and courteously to the Australian public and be sensitive to its diversity. APS employees on duty overseas must at all times behave in a way that upholds the good reputation of Australia.

The Public Service Commissioner is responsible for promoting the APS Values and Code of Conduct and for evaluating the extent to which agencies incorporate and uphold the APS Values and the adequacy of their systems and procedures for ensuring compliance with the Code. The Commissioner is also responsible for facilitating continuous improvement in people management throughout the APS, co-ordinating and supporting APS-wide training and career development opportunities and fostering leadership. Agency heads, however, are responsible for ensuring that their employees receive training that is specifically targeted to their particular operational requirements.

Around 60 per cent of agencies responding to a survey conducted for the purposes of the Public Service Commissioner's State of the Service Report 2003-04 offer training sessions on how the APS Values and Code should operate in practice. Around 97 per cent of agencies provide awareness-raising of the APS Values and Code as part of induction or orientation training.

Training on human rights is provided to employees of the Department of Foreign Affairs (particularly those about to leave on overseas postings), AusAID and Attorney General's Department.

In 2004, the Department of Foreign Affairs and Trade updated and distributed the Human Rights Manual (Third edition) for use by government officials who handle human rights as a part of their daily responsibilities, both in Australia and at overseas posts.

The Human Rights and Equal Opportunity Commission promotes, on behalf of the Australian Government, awareness of, and respect for, human rights in the community. It achieves this through public awareness and educational programmes aimed at the community, government and business sectors, and conducting national inquiries into issues of major importance.

**6 The Committee recommends that the NCHRE convene a forum specifically focusing on human rights education in the workplace.**

Recommendations beyond the Government's responsibility and not responded to.

**7 The Committee recommends that funding be provided to the NCHRE to work with professional bodies and tertiary schools of communication to:**

- **develop and implement a specific human rights awareness programme for the media; and**
- **incorporate human rights into the core curriculum of journalism and media courses taught at tertiary schools of communication.**

Not agreed. Individual universities are responsible for the design and delivery of curriculum taught in their journalism and media courses. There is no funding available for the NCHRE for the purposes outlined in the recommendation. However, the NCHRE could apply for funding through the Collaboration and Structural Reform Fund (CASR) in collaboration with one or more higher education providers. CASR funds are allocated competitively against priorities set by the Minister for Education, Science and Training. Proposals received in the first CASR funding round are currently being assessed and a second round will be conducted later in 2005. Further information is available at –

[http://www.dest.gov.au/sectors/higher\\_education/publications\\_resources/profiles/collaboration\\_structural\\_reform\\_fund.htm](http://www.dest.gov.au/sectors/higher_education/publications_resources/profiles/collaboration_structural_reform_fund.htm)

**8 That AusAID, in its provision of aid both directly and through contractors, provides an increased focus on institutional strengthening and capacity building of regional human rights education organisations, particularly in regard to basic infrastructure.**

Agreed in principle. The Government is committed to providing practical support for the promotion and protection of human rights. Capacity building is fundamental to Australia's aid program which has long been one of the principal means of promoting good governance and human rights. Assistance to enhance human rights and good governance education is pursued in a number of ways one of which is support for regional human rights education organisations. Funding for good governance initiatives has increased from 15 per cent of total Australian ODA in 1999-2000 to 33 per cent in 2004-05. The current contract with the Asia Pacific Forum of National Human Rights Institutions (APF) places an emphasis on expanding membership with a particular focus on the Pacific region.

**9 That AusAID quantify the current level of human rights and good governance education training for government officials and NGO representatives, and increase efforts to provide training in this area.**

Agreed in principle. Australia provides support for good governance and human rights education to varying degrees through bilateral, regional and multilateral channels. Difficulties in assembling this data preclude the provision of a precise figure. Human rights and good governance education are often part of broader governance programs and can be delivered in a number of ways such as through training courses, study tours or technical cooperation and given interpretation issues, such a figure would probably have limited value. However, the continuing focus on governance in the aid program will entail that good governance and human rights education will continue to be featured.

Australia's aid program supports regional human rights through funding to the Asia Pacific Forum of National Human Rights Institutions (APF) and to the United Nations Office of the High Commissioner for Human Rights (OHCHR). Key activities of both the APF and OHCHR involve capacity building through education and training of key government officials, community leaders and staff of national human rights institutions in the Asia Pacific region on human rights. The Human Rights Small Grants Scheme (HRSGS) provides funding for locally

based organisations in developing countries to undertake activities, including education and training of human rights workers.

In addition, the Government provides support to the Centre for Democratic Institutions (CDI) based at the Australian National University. CDI provides training, information exchange and networking for government officials, policy makers and NGO representatives from the Asia Pacific region in the areas of good governance and democratic institutions.

**10 That AusAID ensures that access to culturally and socially relevant basic education is integrated and prioritised throughout its governance programme.**

Agreed in principle. Australia's assistance for improved governance focuses on five key aspects: improved economic and financial management; strengthened law and justice; increased public sector effectiveness; development of civil society; and strengthened democratic systems. Investments in governance enhance the effectiveness and coverage of service delivery such as education. AusAID's quality assurance processes in design and implementation seek to ensure that adequate attention is given to the cultural and social relevance of education programs. It does this through consultation with beneficiaries, accessing relevant expertise, and through appropriate monitoring and evaluation of activities. Education programs form part of Australia's development cooperation assistance in many partner countries. Basic education comprised 37 per cent of education expenditure in 2004-05.

**11 That AusAID actively promote the inclusion of human rights and good governance education in the work done by NGOs, and that AusAID review the criteria by which NGOs access funding available specifically for human rights and good governance education.**

Not agreed. The Human Rights Small Grants Scheme (HRSGS) focuses on providing funding for locally based organisations in developing countries for activities that promote and protect human rights in a direct and tangible way. HRSGS projects are undertaken at the community level and focus on education and training of human rights workers, raising awareness of human rights issues and promoting international human rights standards.

AusAID's primary funding mechanism for NGOs is the AusAID-NGO Cooperation Program. The ANCP is a mechanism for supporting NGOs' own development activities. To be eligible for funding under ANCP, agencies must, among other criteria, be implementing development activities. AusAID does not determine the nature of these activities but NGOs must align their programs with AusAID country program strategies.

**12 That non-government organisations directly engaged in human rights and good governance education be considered as deductible gift recipients (DGRs) so that they can receive income tax deductible gifts.**

Agreed in principle. The Overseas Aid Gift Deduction Scheme (OAGDS) administered by AusAID enables Non-Government Organisations (NGOs) that meet all seven criteria specified under the scheme, to be accepted as 'approved organisations' by the Minister for Foreign Affairs. To attain Deductible Gift Recipient (DGR) status, each NGO then must satisfy the Treasurer that it has established a public fund exclusively for the relief of persons in declared developing countries. This scheme does not exclude agencies engaged in development activities that focus on human rights and good governance education.

**13 The Committee recommends that the services of Radio Australia be more extensively utilised by the Government to support human rights and good governance education efforts in the region.**

Agreed in principle. The ABC is a statutory body independent in programming and editorial policy from the Government of the day. Accordingly, the Government has no power of direction over the ABC, including Radio Australia, in relation to programming matters. Parliament has guaranteed this independence to ensure that what is broadcast is free of political interference.

However, as the Committee report notes, Radio Australia currently offers a number of programs on human rights and good governance to regional audiences. In particular, the Time to Talk series has focused on politics, society and governance in the Pacific, including titles such as Governance, Structure of Government, Community Governance and Human Rights.

Since 2000, the Government has provided Radio Australia with approximately \$3m a year to strengthen its transmission services to the Asia-Pacific.

**14 That AusAID review its definition of 'good governance' to include a reference to the role of the media.**

Not agreed. The Government's definition of 'good governance' is the competent management of a country's resources and affairs in a manner that is open, transparent, accountable, equitable and responsive to people's needs, as stated in *Good Governance: guiding principles for implementation* (August 2000). Key political principles of good governance include a "strong and pluralistic civil society, where there is freedom of expression and association", and a "high degree of transparency and accountability". This involves a strong, independent and active media, and programs such as the Pacific Media Initiative is an example of such support. Australian support for the media in increasing government accountability and transparency was also reinforced by the Minister for Foreign Affairs in his 11<sup>th</sup> Annual Statement to Parliament, *Australian Aid – Investing in Growth, Stability and Prosperity* (2002).

**15 That Committee recommends that the Pacific Media Initiative be expanded to include media professionals from countries in East Asia, including East Timor.**

Agreed in part. Australia assists the media and communications sector in various regions as a cornerstone of good governance. We are strongly supportive of the role media plays in informing regional communities about governance related policies and programs. The Pacific Media and Communications Facility (PMCF) is a new three-year project which has replaced the Pacific Media Initiative.

Australia is developing a country strategy for East Timor. Australia recognises that media development is a major area of need for East Timor. The scope for support in this area will be considered in the context of the overall country strategy being developed. That said, it would be administratively feasible to include East Timorese media professionals in the PMCF, particularly since East Timor has formed linkages with Pacific organisations in a number of areas.

Expansion of the PMCF to include East Asia would be problematic. Australian aid to East Asian countries forms a small part of the overall aid flows to the countries of this region. In order to achieve some impact, it is essential to target our assistance to a small number of key

sectors. This means that in some cases we are unable to provide media support, while in others, Australia provides limited support through media exchanges.

East Asia and the Pacific have differing media development needs, and considerable refinement would be required for the approaches set out in PMCF to achieve an impact in East Asia. Inclusion of East Asia could lead to a considerable distortion of the PMCF, which has been customised specifically to meet the needs of the Pacific. This is likely to be a costly approach to media development in East Asia, particularly when other more cost-effective approaches already exist. In view of the above, and while not unsympathetic to further media development in East Asia, the Government considers that expansion of the PMCF to include East Asia would not be feasible.

**16 That human rights and governance education be clearly identified as a key component and outcome in the strategies and objectives of AusAID's governance programmes and projects.**

Not agreed. Australia's assistance for improved governance focuses on five key aspects: improved economic and financial management; strengthened law and justice; increased public sector effectiveness; development of civil society; and strengthened democratic systems. Priorities for Australia's governance programs and projects are determined in consultation with partner governments, not all of which would be relevant to the recommendation.

**17 The Committee recommends that AusAID enter into a three-year funding commitment with the APF, to enable the APF secretariat to undertake effectively its future development, management and planning needs.**

Agreed. On Human Rights Day, 10 December 2003, the then Parliamentary Secretary to the Minister for Foreign Affairs, Mrs Gallus, announced a three year, \$1.5 million commitment to the APF. AusAID has since signed a three year contract with the APF to 30 June 2006.

**18 In line with the National Action Plan, the Committee recommends that Australia continues efforts to promote and assist in the establishment of national human rights institutions in the region as the most effective way to meet the objective of a regional human rights instrument and associated mechanisms.**

Agreed in part. Australia is a key donor to the Asia Pacific Forum of National Human Rights Institutions (APF) which provides support to national human rights institutions in the region. The role of the APF is to strengthen the capacity of member institutions, assist in the establishment of national institutions and to promote regional cooperation on human rights issues. The Government also provides funding to the United Nations Office of the High Commissioner for Human Rights (OHCHR) with contributions earmarked for use by the National Institutions Unit for work in the Asia Pacific region and the planned sub-regional office in Suva.

**19 The Committee recommends that, through the Asia Pacific Forum of National Human Rights Institutions, Australia works towards developing consensus on definitions of human rights and good governance with the aim of promoting the development of a regional human rights education agreement.**

Not agreed. The government considers that education is the basis upon which a genuine and lasting respect for human rights is founded. The work plan of the Asia Pacific Forum of



National Human Rights Institutions (APF) is decided on an annual basis by members. The APF provides training on key human rights themes for staff from human rights institutions as well as individuals from government and non-government organizations engaged in promoting and protecting human rights. The Government also notes that in the report from the Good Governance Seminar held in Seoul in September 2004, "there is a mutually reinforcing relationship between good governance and human rights and that there is no exhaustive definition of the notion of good governance ..." (Commission on Human Rights, Sixty-first session, Item 17 of the provisional agenda, "Promotion and Protection of Human Rights", 15 December 2004, E/CN.4/2005/97).

**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.**

Not agreed. A national council, the Ministerial Council for Education, Employment Training and Youth Affairs (MCEETYA) is a forum for the relevant ministers to discuss education issues at a national level. At these annual meetings, the Australian Government works with States and Territories in determining the strategic direction of education in Australia. Any changes to curriculum including Human Rights Education could be dealt with through the MCEETYA processes.

**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.**

Not agreed. The Government believes that education and raising public awareness are the most lasting and effective ways to minimise discrimination and promote tolerance of all members of the community, irrespective of gender, differing racial, religious or cultural backgrounds, age or physical or mental disability. The Government recently finalised, published and widely disseminated a whole-of-government policy document, the *National Framework for Human Rights*, which lists as one of the Government's five central human rights priorities, the fostering of a strong human rights education program. In this context, the Government does not consider it necessary to develop a separate National Plan for Human Rights Education.

**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 on the issue of education, and aim for agreement on goals, strategies and responsibilities to advance human rights education in Australia and the region.**

Not agreed. The Australian Government recognises that the most lasting and meaningful way to reduce discrimination and abuses of human rights is to change community attitudes through practical educative initiatives to promote a tolerant, fair and equitable society. That is why the Government has recently finalised, published and widely disseminated a whole-of-government policy document, the *National Framework for Human Rights*, which lists as one of the Government's five central human rights priorities, the fostering of a strong Human Rights education program.

In the process of developing the National Framework, the Government consulted widely including with 106 non-government organisations, State and Territory Governments, and the



Human Rights and Equal Opportunity Commission (HREOC). The Framework sets out the goals, strategies and responsibilities to advance human rights education in Australia. These strategies include, among others, continuing to support HREOC's role in promoting awareness and respect for human rights in the community and supporting the initiatives of the National Committee on Human Rights Education.

**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**

Agreed. In 2003, the United Nations High Commissioner for Human Rights conducted an evaluation of the achievements and shortcomings of the United Nations Decade for Human Rights Education, 1995-2004, and on future UN activities in this area (E/CN.4/2004/93) to which Australia contributed a submission. Subsequently, the UN Commission on Human Rights adopted without a vote a Resolution (2004/71) on "Follow-up to the United Nations Decade for Human Rights Education" which recommended to the UN General Assembly that it proclaim at its Fifty-Ninth Session a world programme for human rights education, to begin on 1 January 2005, structured in consecutive phases, in order to maintain and develop the implementation of human rights education programmes in all sectors. A resolution proclaiming the world programme was adopted by consensus in the General Assembly on 10 December 2004. Australia has actively contributed to the draft of this world programme, and a plan of action for the first phase (2005-2007) focusing on the primary and secondary school systems.