

INFORMATION FOR STUDENTS

what are human rights? and why are they so important?



Human rights are something we all share. They are about recognising the value and dignity of all people.

In learning about human rights, we learn about ideas of respect, fairness, justice and equality. We learn about standing up for our own rights and about our responsibility to respect the rights of others.

Understanding human rights shapes our thinking and our actions – because human rights are about real-life issues.

They are about:

- having clean water to drink and food to eat;
- being able to go to school or have a job; and
- being treated fairly by others, regardless of your age, race, religion or where you were born.

Use the resources included on the **Information for Students website** and also in this booklet to find out more about human rights – both in Australia and overseas.

Developed by the
Human Rights and Equal Opportunity Commission
Visit: www.humanrights.gov.au/info_for_students



HUMAN RIGHTS ESSENTIALS

Human Rights are not a recent invention - discussion of rights and responsibilities has been an important part of all societies throughout history.

Rights are related to the values that societies live by. These values have their origins in the world's great religions and philosophies.

Since the end of the Second World War, there has been a concerted attempt by the nations of the world to work together to identify what human rights exist and how they can best be promoted and protected.

Check out the resources on the following pages to find out more:

Frequently Asked Questions About Human Rights

Short answers to some of the big questions, with links to further information.

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Resource Sheet: What are Human Rights?

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Background to the first international statement on human rights.

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Resource Sheet: The Origins of Modern Human Rights Laws

Explores the development of our current human rights and anti-discrimination laws, also extracted from HREOC's Youth Challenge program

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You should also check out the following pages on the HREOC website:

- **Human Rights Explained**

A detailed look at some of the current debates about human rights.
Available at: www.humanrights.gov.au/hr_explained

- **Youth Challenge: Unit 1 - Human Rights in the Classroom**

An overview of human rights from HREOC's Youth Challenge Program
Available online at: www.humanrights.gov.au/youthchallenge



FREQUENTLY ASKED QUESTIONS ON HUMAN RIGHTS

1. What are human rights?

Every person has dignity and value. One of the ways that we recognise this fundamental worth is by acknowledging and respecting a person's human rights.

Human rights are concerned with equality and fairness. They recognise our freedom to make choices about our life and develop our potential as human beings. They are about living a life free from fear, harassment or discrimination.

There are a number of basic rights that people from around the world have agreed on, such as the right to life, freedom from torture and other cruel and inhuman treatment, rights to a fair trial, free speech and freedom of religion, rights to health, education and an adequate standard of living.

These human rights are the same for all people everywhere – male and female, young and old, rich and poor, regardless of our background, where we live, what we think or what we believe. This is what makes human rights 'universal'.

Rights also describe what is lawful: that is, some rights may be laid down in law. If you have a legal right to something, you may be able to defend it in court.

In many situations, though, rights exist but are not covered by law. These rights are often called moral rights and are based on people's sense of what is fair or just.

2. Where do human rights come from?

Human rights are not a recent invention. Discussion about these ideas can be traced back to the ancient civilisations of Babylon, China and India . They contributed to the laws of Greek and Roman society and are central to Buddhist, Christian, Confucian, Hindu, Islamic and Jewish teachings.

Concepts of ethics, justice and dignity were also important in societies which have not left written records, but consist of oral histories, such as Indigenous people in Australia and elsewhere.

A significant development in human rights took place in the 18th Century, during a time of revolution and emerging national identities. The American Declaration of Independence (1776) was based on the understanding that certain rights, such as 'life, liberty and the pursuit of happiness', were fundamental to all people.

The French Declaration of the Rights of Man and the Citizen (1789) challenged the sovereignty of the aristocracy and recognised the 'liberty, equality and fraternity' of individuals. These values were echoed in the United States ' Bill of Rights (1791), which recognised freedom of speech, religion and

the press in its Constitution, as well as the right to 'peaceable' assembly, private property and a fair trial.

However, the growth of totalitarian regimes in the 20th Century and the atrocities of World War 2 made the protection of human rights an international priority. The first attempt to develop a comprehensive statement of human rights was made in the Universal Declaration of Human Rights (the UDHR).

The UDHR sets out the fundamental rights of all people, including the right to life; freedom from slavery, torture and arbitrary arrest; freedom of thought, opinion and religion; the right to a fair trial and equality before the law; the right to work and education; and the right to participate in the social, political and cultural life of one's country.

Australia played an important role in drafting the UDHR, which was adopted unanimously by members of the United Nations in 1948. Since then it has been the foundation on which much international law has been based.

3. Are there different types of human rights?

Human rights cover virtually every area of human life and activity.

They include **civil and political rights**, such as freedom of speech and freedom from torture. They also include **economic, social and cultural rights**, such as the rights to health and education. Some rights apply to individuals, such as the right to a fair trial: these are called **individual rights**. Others apply to groups of people, such as women and children: these are called **collective rights**.

One of these characteristics of human rights is that they are 'universal'. This means they apply to everyone, regardless of status, race, gender, nationality or other distinction.

Another characteristic is that they are 'indivisible'. In other words, people are entitled to all rights - civil and political (such as the right to a fair trial) and economic, social and cultural (such as the right to education). They can't be ranked, or traded off.

4. What are the human rights 'standards'?

The Universal Declaration of Human Rights, agreed to by the nations of the world on 10 December 1948, sets out the basic rights and freedoms of all men, women and children.

It has become the most important document of its kind and forms the basis of many legally-binding national and international laws.

Since then, human rights standards have been developed and incorporated into many international laws and treaties. Two of the most significant of these are the:

- International Covenant on Civil and Political Rights
- International Covenant on Economic Social and Cultural Rights.

Civil and political rights attempt to protect the individual from the misuse of political power and recognise a person's right to participate in their country's political process. They include freedom from slavery, torture and arbitrary arrest; freedom of thought, opinion and religion; the right to a fair trial and equality before the law.

Economic, social and cultural rights require a government to ensure that its people share in the economic wealth of the country, can participate in its social and cultural life, have access to adequate health care, education, social support and a clean environment and develop to their full potential.

International law has also developed to protect people from racial discrimination and recognise the rights of specific groups of people, such as women, children and people with a disability.

5. Who has responsibility to protect human rights?

Human rights cannot exist in isolation; for instance, an individual on a desert island does not really 'have' any rights because there is no-one to meet the corresponding responsibilities that go with them. In other words, human rights connect us to each other in a shared set of rights and responsibilities.

Human rights involve responsibility and duties toward other people and the community. Individuals often have a responsibility to ensure that they exercise their rights with due regard for the rights of others. For example, when a person exercises their right to freedom of speech, they should not infringe someone else's right to privacy.

Governments have a particular responsibility to ensure that people are able to enjoy their rights. They are required to establish and maintain laws and services that enable their citizens to enjoy a life in which their rights are observed.

Whether or not governments actually do this, it is generally accepted that this is the government's responsibility and citizens can call them to account if they fail to protect their basic human rights.

6. Why are human rights important?

In recent decades there has been a tremendous growth in how we think about and apply human rights ideas. This has had many positive results - knowledge about human rights can empower individuals and offer solutions for specific problems.

Values of tolerance, equality and respect can help reduce friction within society. Putting human rights ideas into practice can help us create the kind of society we want to live in.

Human rights are an important part of how people interact with others at all levels in society - in the family, the community, schools, the workplace, in politics and in international relations.

It is vital therefore that people everywhere should strive to understand what human rights are. When people better understand human rights, it will be easier for them to promote justice and the well-being of society.

7. Are some human rights more important than others?

Disagreements over whether one form of rights is more important than another have occurred over past decades between countries with different political ideologies.

Some nations have asserted that priority should be given to economic, social and cultural rights and point to the fact that their particular country's history, culture or religious background is not suited to incorporating ideas of an individual's civil and political rights.

Other nations have argued the opposite; that civil and political rights should take precedence and that the cost to governments of meeting the economic, social and cultural rights of its citizens would be impossible to meet.

However, over the last decade there has been broad agreement between members of the United Nations that human rights are universal, indivisible, interdependent and interrelated. In other words, all rights are equally important and necessary in creating a strong and healthy society.

8. Can my human rights be taken away from me?

A person's human rights cannot be taken away. The Universal Declaration of Human Rights states, in its final Article, that no State, group or person “[has] any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein”.

This doesn't mean that abuses and violations of human rights don't occur. On television and in newspapers every day we hear tragic stories of murder, violence, racism, hunger, unemployment, poverty, abuse, homelessness and discrimination.

However, the Universal Declaration and other human rights treaties are more than just noble aspirations. They are essential legal principles. To meet their international human rights obligations, many nations have incorporated these principles into their own laws. This provides an opportunity for individuals to have a complaint settled by a court in their own country.

Individuals from some countries may also be able to take a complaint of human rights violations to a United Nations committee, which would then give its opinion.

In addition, education about human rights is just as important as having laws to protect people. Long term progress can really only be made when people are aware of what human rights are and what standards exist.

9. How are human rights protected in Australia ?

In Australia today, there are a number of important ways in which the rights of individuals are promoted and protected, including:

- an independent judiciary and centuries of common law
- the Australian Constitution and the Constitutions of the States
- democratically elected governments, and
- a free media.

Australia has helped develop a range of international human rights laws and standards. We have also become signatories to them and have ratified them, which means that we've agreed to uphold these principles. However, signing an international treaty doesn't mean that these human right principles automatically become part of Australian law. They have to first be written into domestic law.

Some examples of Australian laws that have incorporated international human rights principles include the:

- *Age Discrimination Act 2004*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Disability Discrimination Act 1992*
- *Human Rights and Equal Opportunity Commission Act 1986.*

10. What can I do to promote human rights?

There are literally hundreds of things you can do to promote discussion, education and action about human rights issues in your local area. Here are a few ideas.

- Read the newspaper and get up to speed with some of the issues in your community, in Australia or overseas
- Set up a human rights project or awareness campaign in your school or neighbourhood
- Talk to your teacher about issues you could study at school
- Write to your school or local newspaper about an issue that concerns you
- Join a human rights group, like Amnesty International
- Raise money for an overseas aid program or a local human rights project.

WHAT ARE HUMAN RIGHTS?

The basic notion of human rights lies in people's recognition of the need to protect and affirm every other person's individual dignity.

Human rights are important. No matter where people come from, or what their age, culture, religion or income may be, they tend to talk about their concerns in terms of human rights. Human rights issues are often seen as national or international in scope, but human rights are equally relevant at an individual and community level.

Some people seek ways to access their rights to land or to freedom from discrimination. Some protest in pursuit of the right to a healthy environment. Some people talk about the rights of the consumer and the rights of the child. When people are in a dispute they may assert their right to speak and to be heard. When people are accused of a crime, they often focus on their right to be presumed innocent and their right to a fair trial. Many people are often concerned about human rights situations overseas and may find ways to call for freedom from persecution and from torture for other people.

So what are human rights?

There is no universally agreed definition; indeed, **people's understanding of human rights is continually evolving**. There are general understandings, though, of what is meant by the term. One way of looking at rights is to see them as a special kind of claim on others. For example, the right to education means that everyone is entitled to a good education and, in particular, that governments have an obligation to provide education facilities and services.

Another way of understanding human rights is to look at the specific **human rights that people around the world have agreed upon**. Equality and freedom from discrimination are generally accepted as fundamental. Specific rights include the right to life, freedom from torture and other cruel and inhuman treatment, rights to a fair trial, free speech and freedom of religion, rights to health, education and an adequate standard of living. There are many others.

Rights are **related to the values that societies live by**. These values have their origins in the world's great religions and philosophies. Value systems can vary in detail between one society and another but the fundamental ideas are very similar. Concepts of justice and human dignity are at the heart of these values.

People everywhere seek physical security, freedom from suffering and freedom from unreasonable restraint for themselves and their families. They seek equality and fairness, the opportunity to reach their potential and acknowledgment of their inherent dignity.

Over the last few hundred years, ideas about human rights have developed as a way of expressing some of those values. But whether expressed or not, rights are, and always have been, a part of the way people interact with one another.

Rights also relate to what is lawful: that is, some rights may be laid down in law. If you have a legal right to something, you may be able to defend it in court. In many situations, though, rights exist but are not covered by law. These rights are often called **moral rights**. Moral rights are based on people's sense of what is fair or just.

An Australian example

An Australian example of the distinction between moral and legal rights is that of Native Title.

After the High Court's Mabo decision in 1992 and the Native Title Act of 1993, Indigenous peoples in certain circumstances obtained Native Title to land. That is, the Native Title Act gave Indigenous peoples in Australia a **legal** right. This **legal position was based on a moral right** that had always been there. Prior to these decisions, Indigenous people in Australia may have had no legal rights to native title, but justice, history and humanity supported their moral rights to land.

- Additional information about the Mabo Native Title case can be found on the web at: www.nlc.org.au/html/land_native.html
- Read the Papers of Edward Koiki Mabo (1936-1992) on the National Library of Australia website at: www.nla.gov.au/ms/findaids/8822.html
- Further resources regarding native title issues in Australia can be accessed via the HREOC website at: www.humanrights.gov.au/social_justice/native_title/

Which rights?

There can be disagreement about human rights - for example about which rights are more important or whether a particular moral or legal right is a human right. When we talk about **human rights** we are usually referring to those principles that the nations of the world have agreed to refer to as human rights. These have been set down in international agreements and form part of international law. The rights set out in these agreements are often also written into the domestic law of individual countries.

Human rights cover virtually every area of human activity. They include **civil and political rights**, such as freedom of speech and freedom from torture. They also include **economic and social rights**, such as the rights to health and education. Some rights apply to individuals, such as the right to a fair trial: these are called **individual** rights. Others apply to groups of people, such as the right to a healthy environment or to native title: these are called **collective** rights.

Human rights are more than mere demands: they have some special characteristics that have been agreed by the international community. One of these characteristics is that human rights are **universal**. This means they apply to everyone, regardless of status, race, gender, nationality or other distinction. Indeed, equality is one of the fundamental human rights ideas. Another characteristic is that they are **indivisible** - people are entitled to **all** rights, whether they be civil and political such as the right to a fair trial or economic, social and cultural such as the right to education.

Human rights and responsibilities

Human rights involve **responsibility and duties toward other people** and the community. Individuals often have a responsibility to ensure that they exercise their rights with due regard for the rights of others. For example, exercising freedom of speech should not infringe someone else's right to privacy. **Human rights are part of a context of people living together in societies.** As part of this, there must be a **legal, social and international order** for human rights to be realised effectively.

Governments have a particular responsibility to ensure that people are able to enjoy their rights. The human rights claim by an individual or community implies an obligation on the part of the wider society, usually through government, to guarantee the right in question. Governments today, if they wish to have credibility, have to ensure a framework of law and have to provide services that together enable all their citizens to enjoy a life in which their rights are observed. Whether or not governments actually do this, it is generally accepted that this is the government's responsibility and citizens can call them to account if they fail to ensure rights.

Why are human rights important?

There has been a tremendous expansion in the understanding and application of human rights ideas over recent decades. This has had many positive results and promises more. Knowledge about human rights can empower individuals and promote remedies for specific problems. Values of tolerance and equality promote the reduction of friction within society. **Proper observance of human rights promotes the security and well-being of all people**, including people living in countries overseas.

Action on human rights develops our ideas about the kind of society we want to live in. Such action can include community discussions, incorporation by administrators of human rights ideas into practical programs, activism on issues of concern and legislation by governments, among many other things.

Human rights are a prominent part of how people interact with others at all levels in society - in the family, the community, in educational institutions, the workplace, in politics and in international relations. It is vital therefore that people everywhere should strive to understand what human rights are. When people better understand human rights, it will be easier for them to promote justice and the well-being of society.

Want to know more?

Find links to useful human rights websites at: www.humanrights.gov.au/info_for_students

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Human rights are not a recent invention. Discussion of rights and freedoms goes back to the earliest civilisations and has been central to the world's major religions.

However, it was the growth of totalitarian regimes in the 20th Century and the atrocities of World War 2 which helped make the protection of human rights an international concern.

The first attempt to develop a comprehensive statement of human rights resulted in the Universal Declaration of Human Rights (UDHR).

Developing the UDHR was a difficult task and drafting the document took a number of years. Different countries held very different views which had been shaped by their cultural, social and religious backgrounds.

However, Australia played an important role in drafting the document and building agreement between the different countries.

On 10 December 1948, the UDHR was adopted unanimously by the members of the United Nations. Since then it has been the foundation on which much international law has been based.

The UDHR sets out the fundamental rights of all people, including the right to life; freedom from slavery, torture and arbitrary arrest; freedom of thought, opinion and religion; the right to a fair trial and equality before the law; the right to work and education; and the right to participate in the social, political and cultural life of one's country.

The UDHR contains three forms of rights:

Civil and political rights are often described in a negative form ('freedom from') rather than a positive form ('rights to'). They attempt to safeguard the individual, alone and in association with others, against the misuse of political authority. See Articles 2 - 21 of the UDHR.

Economic, cultural and social rights require governments to help their citizens to participate fully in society, such as the right to work and to education. They are 'positive' rather than 'negative'. See Articles 22 - 27 of the UDHR.

Solidarity rights reflect the emergence of developing countries and their call for a global redistribution of power and wealth. The rights include the right to political, social and cultural self-determination and the right to economic and social development. See Article 28 of the UDHR.

Visit the UN Website at: <http://www.un.org/Overview/rights.html> to read the full text of Universal Declaration of Human Rights in English and other languages.

HUMAN RIGHTS TIMELINE

Use the Human Rights Timeline below to learn more about how concepts of human rights have developed.

Visit the Human Rights Timeline Online to discover links to further information:

www.humanrights.gov.au/info_for_students/essentials/timeline

Early Civilization

Codes associated with rulers such as Menes, Hammurabi, Draco, Solon and Manu outline standards of conduct for their societies, which existed within limited territorial jurisdictions. The Code of Hammurabi, written on clay tablet, outlines punishment based on 'an eye for an eye'.

1200 - 300 BCE

The scriptures of the ancient Israelites also form the basis of Christian and Muslim thinking. The Ten Commandments outline respect for life and for the property of others. The principle that a person is innocent until proven guilty and the tradition of granting asylum originate in Jewish law.

Greek city-states

Political rights - and duties - are conferred upon free male citizens.

500 BCE

Confucian teaching develops based on 'jen' or benevolence and respect for other people.

27 BCE - 476 CE

Roman Empire develops natural law and the rights of citizens.

40 - 100 CE

The Christian New Testament teaches equality before God: 'In Christ there is neither Jew nor Greek, slave nor free, male nor female'. Followers were urged to feed the hungry, clothe the naked and forgive their enemies.

476 – 1453

Medieval Christian theology holds that infidels and barbarians are not entitled to humanistic considerations.

1215

Britain's King John is forced by his lords to sign the Magna Carta acknowledging that free men are entitled to judgment by their peers and that even a sovereign is not above the law.

1492 – 1537

Colonisation of Western Hemisphere culminates in massacre of the Incas by the Spanish Conquistadors causing some Christian theologians to challenge the means employed to enforce God's laws.

1583 -1645

Hugo Grotius, Dutch jurist credited with the birth of international law, speaks of brotherhood of humankind and the need to treat all people fairly.

1628

British Petition of Rights is adopted.

1648

Treaty of Westphalia ends Thirty Years' War, which splits Germany into hostile religious camps. Europe reorganizes into a society of nation states.

1689

British Bill of Rights is adopted which ensures that royalty can not override laws created by a freely-elected Parliament; John Locke sets forth the notion of natural rights of life, liberty and property.

1776

U.S. Declaration of Independence proclaims that 'all men are created equal' and endowed with certain inalienable rights. Thomas Jefferson was strongly influenced by Locke and French philosophers such as Montesquieu, Voltaire and Rousseau.

1789

French Declaration of the Rights of Man and the Citizen is adopted.

1791

U.S. Bill of Rights incorporates notions of freedom of speech, press, and fair trial into the new U.S. Constitution.

1815

The Congress of Vienna is held by states that defeated Napoleon. International concern for human rights is demonstrated for first time in modern history. Freedom of religion is proclaimed, civil and political rights discussed, slave trade condemned.

1833

Great Britain passes Abolition Act, ending slavery in the British Empire.

1841

Russia, France, Prussia, Austria and Great Britain sign the Treaty of London abolishing slavery.

1848

Some 200 women and men meet in Seneca Falls, New York, to draft a "bill of rights" outlining the social, civil and religious rights of women.

1863

On January 1, United States President Abraham Lincoln issues the Emancipation Proclamation, declaring that 'all persons held as slaves within any State, or designated part of a State, the people whereof shall be in rebellion against the United States [are] forever free.'

1885

Berlin Conference on Africa passes antislavery act.

1890

Brussels Conference passes antislavery act.

1893

Women in New Zealand are given the vote - the first in the world.

1901

The Commonwealth of Australia is established. Because a Bill of Rights is not part of the Australian Constitution, protection of human rights is left to state and federal parliaments, not the courts. The White Australia Policy is established.

1902

Women are entitled to vote and stand for election in the first federal election.

1907

In Australia, the Harvester Judgment establishes the basic wage.

1914

The Great War begins. With new weapons, civilian populations become victims of expanded warfare. As a reaction, a new sense of international morality begins to emerge.

1919

At end of World War I, the Treaty of Versailles requires that Kaiser Franz Josef be placed on trial for a 'supreme offense against international morality and the sanctity of treaties'. He escapes but for the first time in history nations seriously consider imposing criminal penalties on heads of state for violations of fundamental human rights. At Versailles, other treaties stress minorities' rights, including right to life, liberty, freedom of religion, right to nationality of the state of residence, complete equality with other nationals of the same state, and exercise of civil and political rights.

The International Labour Organization (ILO) is established to advocate human rights represented in labour law, encompassing concerns such as employment discrimination, forced labour and worker safety.

1920

League of Nations Covenant requires members to 'endeavour to secure and maintain fair and humane conditions of labour for men, women and children', 'secure just treatment of the native inhabitants of territories under their control', and 'take measures for the prevention and control of disease'.

1926

Geneva Conference passes Slavery Convention.

1930

Convention Concerning Forced or Compulsory Labour (ILO) is adopted.

1933-1939

A series of discriminatory laws are passed in Germany (the 'Laws of April' and the 'Nuremberg Laws') which progressively exclude people of Jewish ancestry from employment, education, housing, healthcare, marriages of their choice, pension entitlements, professions such as law and medicine, and public places such as theatres, cinemas and vacation resorts. Physically and mentally disabled people are murdered by gas, lethal injection and forced starvation.

1939

Germany invades Poland thus beginning the Second World War.

1939-1945

During World War II, six million European Jews are exterminated by Hitler's Nazi regime. Millions of other civilians (gypsies, communists, Soviet POWs, Poles, Ukrainians, people with disabilities, unionists, 'habitual' criminals, socialists, Jehovah's Witnesses, homosexuals, Free Masons, vagrants and beggars) are forced into concentration camps, subjected to 'medical' experiments, starved, brutalised and murdered.

1941

United States President Franklin D. Roosevelt, in a speech before the United States Congress, identifies Four Freedoms as essential for all people: freedom of speech and religion, freedom from want and fear.

President Roosevelt and British Prime Minister Winston Churchill adopt the Atlantic Charter, in which they state their hope, among other things, "that all men in all the lands may live out their lives in freedom from want and fear".

1942

Following the attack on the United States by Japan on 7 December 1941, the US government forcibly moves some 120,000 Japanese-Americans from the western United States to detention camps; their detention lasts three years. Some 40 years later, the government acknowledges the injustice of its actions with payments to Japanese-Americans of that era who are still living.

Rene Cassin of France urges that an international court be created to punish those guilty of war crimes.

1945

The United Nations (UN) is established. Its Charter states that one of its main purposes is the promotion and encouragement of 'respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion'. Unlike the League of Nations Covenant, the Charter underscores the principle of individual human rights.

1946

The Commission on Human Rights is established by the UN Economic and Social Council (ECOSOC).

1948

On 10 December the UN General Assembly adopts the Universal Declaration of Human Rights, the primary international articulation of the fundamental and inalienable rights of all members of the human family and the first comprehensive statement of nations as to the specific rights and freedoms of all people.

The Convention on the Prevention and Punishment of the Crime of Genocide (UN) is adopted.

1949

Convention on the Right to Organize and Collective Bargaining (ILO) is adopted.

Geneva Conventions provide standards for more humane treatment for prisoners of war, the wounded and civilians. Statute of Council of Europe asserts that human rights and fundamental freedoms are the basis of the emerging European system.

1951

Convention on the Status of Refugees (UN) is adopted.

1953

European Commission on Human Rights and Court of Human Rights are created; Convention on Political Rights of Women (UN) is adopted.

1958

Convention Concerning Discrimination in Employment and Occupation (ILO) is adopted.

1961

Amnesty International established in Great Britain.

1962

In Australia, the Commonwealth Electoral Act was amended to grant all Aborigines the right to vote in federal elections. Enrolment was voluntary but, once enrolled, voting was compulsory. Despite this amendment it was illegal under Commonwealth legislation to encourage Aborigines to enrol to vote.

1965

International Convention on the Elimination of All Forms of Racial Discrimination (UN) is adopted.

1966

International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (UN) are adopted and opened for signature. Together these documents further developed rights outlined in the Universal Declaration of Human Rights.

1967

Over 90 per cent of Australians vote for constitutional changes to ensure full participation and equal treatment for Indigenous Australians. The referendum gives the Commonwealth Parliament the power to make special laws for Aboriginal Australians.

1973

International Convention on Suppression and Punishment of the Crime of Apartheid (UN) is adopted.

1975

In Australia, the Racial Discrimination Act 1975 comes into force.

1976

International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights enter into force after ratification by the required number of UN member States.

1979

The Convention on the Elimination of All Forms of Discrimination Against Women (UN) is adopted.

1981

In Australia, the Human Rights Commission Act 1981 is enacted, which establishes the national Human Rights Commission.

Declaration on the Elimination of All Forms of Intolerance Based on Religion or Belief was adopted after nearly 20 years of drafting (UN).

1984

Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (UN) is adopted.

In Australia, the Sex Discrimination Act comes into force.

1986

Declaration on the Right to Development (UN) is adopted.

In Australia, the Human Rights and Equal Opportunity Commission Act is enacted. The Human Rights and Equal Opportunity Commission is established and replaces the existing Human Rights Commission.

1989

Convention on the Rights of the Child (UN) and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, are adopted.

1990

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (UN) is adopted.

1992

In Australia, the Disability Discrimination Act comes into force.

1993

Criminal Tribunal on the Former Yugoslavia is established to prosecute persons responsible for crimes against humanity and war crimes since 1991. These trials represent the first international war crimes tribunal since the Nuremberg Trials following WWII.

Vienna Declaration and Program of Action adopted by 185 nations at the Second World Conference on Human Rights. It is the most comprehensive consensus affirmation of the universality of human rights. The United Nations General Assembly creates the post of High Commissioner for Human Rights.

In Australia, the Office of the Aboriginal and Torres Strait Islander Social Justice Commissioner is created to monitor the human rights of Indigenous Australians.

1994 – 2005

UN Decade for Human Rights Education is declared.

1994

Emergency session of the Commission on Human Rights convenes to respond to genocide in Rwanda.

1995

Beijing Declaration at the World Conference on Women declares 'women's rights are human rights'. The Platform for Action adopted at the conference contains dozens of references to human rights pertaining to women.

1998

50th Anniversary of the Universal Declaration of Human Rights.

2002

The International Criminal Court is established to try individuals responsible for genocide, crimes against humanity and other serious breaches of human rights.

2004

In Australia, the Age Discrimination Act comes into force.

2005

60th anniversary of the United Nations.

Sources:

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THE ORIGINS OF MODERN HUMAN RIGHTS LAWS

Throughout history, concepts of ethical behaviour, justice and human dignity have been important in the development of human societies.

Such ideas can be traced back to the ancient civilisations of Babylon, China and India. They contributed to the laws of Greek and Roman society and are central to Buddhist, Christian, Confucian, Hindu, Islamic and Jewish teachings. Concepts of ethics, justice and dignity were also important in societies which have not left written records, but consist of oral histories such as those of Indigenous people in Australia and elsewhere.

Ideas about justice were prominent in the thinking of philosophers in the Middle Ages, the Renaissance and the Enlightenment. An important strand in this thinking was that there was a 'natural law' that stood above the law of rulers. This meant that individuals had certain rights simply because they were human beings. Significant development in thinking about human rights took place in the seventeenth and eighteenth centuries.

This found expression in the American Declaration of Independence (1776) and the French Declaration of the Rights of Man and the Citizen (1789). Whereas earlier the focus had been on the sovereignty of rulers, the emphasis now started to shift to the rights of the individual as against the state, with its associated ideas of fundamental freedoms that people should be able to enjoy.

The American Declaration of Independence stated:

'We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.'

The nineteenth and early twentieth centuries saw continuing advances in social progress, for example in the abolition of slavery, the widespread provision of education and the extension of political rights. Despite these advances, international activity on human rights remained weak. The general attitude was that nations could do what they liked within their borders and that other countries and the broader international community had no basis for intervening or even raising concerns when rights were violated. This is expressed in the term 'sovereignty' or the sovereign rights of a state to govern as it pleases, make whatever laws or decrees it wishes, leaving it to others to condemn, praise or ignore.

The atrocities and violations of human rights that occurred during World War II galvanised worldwide opinion and made human rights a universal concern. During World War II millions of soldiers and civilians were killed or maimed. The Nazi regime in Germany created concentration camps for certain groups - including Jews, communists, homosexuals and political opponents. Some of these people were used as slave labour; others were exterminated in mass executions. The Japanese occupation of China and other Asian countries was marked by frequent and large-scale brutality toward local populations. Japanese forces took thousands of prisoners of war who were used as slave labour, with no medical treatment and inadequate food.

The promotion and protection of human rights became an Allied war objective after U.S. President Roosevelt proclaimed the 'Four Freedoms' - freedom of speech and belief, and freedom from want and fear - in 1941. The war ended in 1945, but only after the destruction of millions of lives, including through the first and only use of atomic weapons at Hiroshima and Nagasaki. Many countries were devastated by the war, and millions of people died or became homeless refugees.

As the war drew to a close, the victorious powers decided to establish a world organisation that would prevent further conflict and help build a better world. This new organisation was the United Nations, usually known as the UN, which came into existence in 1945. The purposes of the UN were essentially fourfold: to ensure peace and security, to promote economic development, to promote the development of international law and to ensure the observance of human rights. In pursuit of these goals, member governments of the UN have set up a vast and complex array of organisations covering virtually every area of human activity.

The UN's strong emphasis on human rights made it different from previous international organisations. UN member countries believed that the protection of human rights would provide for freedom, justice and peace for all in the future.

The beginning of the UN's basic document, the UN Charter, stated that the peoples of the United Nations were determined:

'... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small ... and to promote social progress and better standards of life in larger freedom ...

In its early years, the UN set about establishing and documenting basic human rights standards that would serve all people and all nations. It has continued to expand the range of standards that set out the obligations that governments and people can be expected to live up to. In doing this the UN was aware of the rights of sovereign states to decide whether they would be bound under International law by these standards or whether they would incorporate these standards into domestic legislation.

The process of writing these documents takes place in UN meetings, where representatives of the governments of all the UN's member countries put their views and negotiate agreements about the acceptable wording. At the end of this process the UN takes a decision on whether or not to officially 'adopt' the document in question. This is done through the UN's peak body, the General Assembly.

The first major achievement of the UN in the field of human rights was the adoption by the General Assembly of the Universal Declaration of Human Rights in 1948. The details of the wording of the Universal Declaration were hotly disputed by the members of the UN but its adoption was extremely important in the history of human rights and international law.

Australia played an active role in the writing of the Universal Declaration. The Australian Foreign Minister at the time, Dr H.V. Evatt, was Chairman of the UN General Assembly when the Universal Declaration was adopted.

The United Nations then went on to draft many other treaties and declarations, many of which drew on the wording and ideas contained in the Universal Declaration. These human rights 'instruments', as they are called, have specified how various rights apply to specific groups of people such as women or children. They have also introduced new concepts that had not been part of the thinking of those who originally drafted the Universal Declaration. For those countries that have accepted them, the instruments have created an obligation on governments in international law to observe the rights they set out.

The human rights standards developed by the UN have had a profound influence on the national law of the various UN member states, including Australia. In the legal systems of some countries, international treaties automatically become the law of the land. In Australia's case, it is necessary to pass implementing legislation through the Australian Parliament.

International human rights standards and national human rights laws are seen as essential to the observance of human rights in particular countries. It is important that both states and its people be vigilant about the dangers of human rights abuse, and that individuals should know about their rights and the rights of others and that they should be able to use international and national law as well as the legal system and national human rights institutions to ensure that the promise of human rights protection is realised.

HUMAN RIGHTS IN AUSTRALIA

Human rights are a very important part of our lives. In fact, they are so much a part of every day living that we can often take them for granted.

Human rights are an important part of our lives. In fact, they are so much a part of every day living that we can often take them for granted.

Consider how often you drink clean water; eat food; go to school; say or write what you think; get treated by a doctor; practice a religion (or not); or expect to be treated fairly by others.

All of these everyday activities depend on the adequate protection of your human rights, as well as those of others.

Australia does have a strong and proud record on human rights. However, that record is not perfect. Some people are denied their basic rights, because of their colour, their race, their sex, a disability or some other aspect of who they are.

Check out the following pages to find information on some of the important human rights issues in Australia:

Frequently asked questions on HREOC
An overview of the Human Rights and Equal Opportunity Commission

Page 23

Resource Sheet: Human Rights in Australia
An overview of how human rights are observed in Australia, extracted from HREOC's Youth Challenge website

Page 28

You can also find out more by visiting the HREOC website at: www.humanrights.gov.au



FREQUENTLY ASKED QUESTIONS ABOUT THE HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION

1. When was the Human Right and Equal Opportunity Commission set up?

The Human Rights and Equal Opportunity Commission was established in 1986 by an act of the Commonwealth Parliament.

Our goal is to foster greater understanding and protection of human rights in Australia and to address the human rights concerns of a broad range of individuals and groups.

We are an independent statutory organisation and report to the federal Parliament through the Attorney-General.

2. What does the Human Rights and Equal Opportunity Commission do?

The Commission's responsibilities include:

- education and public awareness
- discrimination and human rights complaints
- human rights compliance
- policy and legislative development.

We do this through:

- resolving complaints of discrimination or breaches of human rights under federal laws
- holding public inquiries into issues of national importance, such as the separation of Indigenous children from their families and the rights of children in immigration detention centres
- developing human rights education programs and resources for schools, workplaces and the community

- providing independent advice to assist courts in cases that involve human rights principles
- providing advice and assistance to parliaments and governments to develop laws, programs and policies
- undertaking and coordinating research into human rights and discrimination issues.

We work closely with other national human rights institutions, particularly through the Asia Pacific Forum of National Human Rights Institutions, to address major human rights issues in the region.

3. What are human rights?

Every person has inherent dignity and value. One of the ways that we recognise this fundamental worth is by acknowledging and respecting a person's human rights.

Human rights are concerned with equality and fairness. They recognise our freedom to make choices about our life and develop our potential as human beings. They are about living a life free from fear, harassment or discrimination.

There are a number of basic rights that people from around the world have agreed on, such as the right to life, freedom from torture and other cruel and inhuman treatment, rights to a fair trial, free speech and freedom of religion, rights to health, education and an adequate standard of living.

These human rights are the same for all people everywhere – male and female, young and old, rich and poor, regardless of our background, where we live, what we think or what we believe. This is what makes human rights 'universal'.

Rights also describe what is lawful: that is, some rights may be laid down in law. If you have a legal right to something, you may be able to defend it in court.

In many situations, though, rights exist but are not covered by law. These rights are often called moral rights and are based on people's sense of what is fair or just.

Respect for human rights helps build strong communities, based on equality and tolerance, in which every person has an opportunity to contribute. Of course, having others respect our human rights comes with the responsibility that we respect the rights of others.

4. What is discrimination?

Discrimination occurs when a person, or a group of people, are treated less favourably than another person or group because of age, race, colour, national or ethnic origin; sex, pregnancy or marital status; disability; religion; sexual preference; or some other central characteristic.

Discrimination happens when a person is denied the opportunity to participate freely and fully in normal day-to-day activities.

This might include harassment or victimisation in the workplace; being unable to gain physical access to a building or facility; being denied goods and services; difficulty in obtaining appropriate accommodation and housing.

5. What is social justice for Aboriginal and Torres Strait Islander people?

Social justice is about making sure that every Australian - Indigenous and non-Indigenous - has choices about how they live and the means to make those choices.

Social justice is grounded in the practical, day-to-day realities of life. It's about waking up in a house with running water and proper sanitation; offering one's children an education that helps them develop their potential and respect their culture. It is the prospect of satisfying employment and good health.

Social justice also means recognising the distinctive rights that Indigenous Australians hold as the original peoples of this land, including:

- the right to a distinct status and culture, which helps maintain and strengthen the identity and spiritual and cultural practices of Indigenous communities
- the right to self-determination, which is a process where Indigenous communities take control of their future and decide how they will address the issues facing them
- the right to land, which provides the spiritual and cultural basis of Indigenous communities.

The Aboriginal and Torres Strait Islander Social Justice Commissioner advocates for the recognition of the rights of Indigenous Australians and seeks to promote respect and understanding of these rights among the broader Australian community.

6. How are human rights protected in Australia ?

As a federation of states with a Westminster system of government, Australia 's system of human rights protection has evolved according to its own unique history, and alongside the international human rights system, during the 100 years since Federation.

Our system of human rights protection can be found in

- the Australian Constitution and the Constitutions of the States
- centuries of common law, inherited from England
- statutory laws, especially federal and state anti-discrimination laws
- an independent judiciary
- democratically elected governments
- a free and questioning media
- a strong, vibrant civil society, and
- bodies created to advance the promotion and protection of human rights, such as the Human Rights and Equal Opportunity Commission.

Australia has helped develop a range of international human rights laws and standards. We have also become signatories to them and have ratified them, which means that we've agreed to uphold these principles. However, this doesn't mean that these human right principles automatically become part of Australian law. They have to first be written into domestic law.

7. What federal laws exist to protect people from discrimination and breaches of human rights?

The Commission is responsible for administering the following federal laws:

- *Age Discrimination Act 2004*
- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Human Rights and Equal Opportunity Commission Act 1986* .

The Age Discrimination Act, Disability Discrimination Act, Racial Discrimination Act and Sex Discrimination Act are all based on international human rights treaties and conventions ratified by Australia .

These laws protect people from discrimination or harassment in the workplace and various parts of public life, based on their age, race, colour, descent or national or ethnic origin, sex, pregnancy, marital status or disability.

The Human Rights and Equal Opportunity Commission Act covers:

- alleged breaches of human rights by the Commonwealth (such as a federal government department) against accepted international standards
- discrimination in employment (public and private organisations) on a range of grounds, such as age, religion, sexual preference, political opinion, trade union activity and criminal record.

The Commission also has specific responsibilities under the:

- *Native Title Act 1993* , to report on the exercise and enjoyment of the human rights of Indigenous people with regards to native title (performed by the Aboriginal and Torres Strait Islander Social Justice Commissioner)
- *Workplace Relations Act 1996* , in relation to federal awards and equal pay (performed by the Sex Discrimination Commissioner).

8. How are complaints made to the Commission resolved?

Individuals can lodge complaints of discrimination with the Commission. A complaint is initially assessed to make sure it can be investigated under the laws for which the Commission has responsibility.

After receiving all the relevant information, the complaint is then reviewed to decide if it should be terminated or if it is suitable for conciliation.

Conciliation is a process where the Commission brings the parties together - the complainant and the respondent - to try and resolve the matter.

Conciliation is a confidential process where both parties are given the opportunity to talk through the issues and reach an agreement. Many complaints are successfully conciliated.

If a complaint can't be conciliated, it will be terminated by the President. A complainant can then take the matter to the Federal Court of Australia or the Federal Magistrates Service for determination within 28 days of the complaint being terminated

The Commission also inquires into complaints of discrimination in employment and human rights breaches under the Human Rights and Equal Opportunity Commission Act.

Complaints received under this Act can also be resolved by conciliation between the parties. However, if the matter can't be conciliated, and is not discontinued for other reasons provided for in the law, then the Commission will present a report to federal Parliament outlining the key issues and recommendations to resolve the complaint. These complaints do not have any enforceable legal rights.

HUMAN RIGHTS IN AUSTRALIA

The Commonwealth Government has the responsibility for ensuring Australia's observance of internationally-recognised human rights.

But State governments have the responsibility to make and administer many of the laws that are relevant to human rights observance. These include laws relating to the administration of justice, land matters, health and education issues, among others. In international law, a federal system does not justify a failure to observe internationally-accepted human rights. But in practical terms, a federal system can make the task of guaranteeing that people are able to access their rights more complicated.

It is the Commonwealth Government that decides whether or not to take on obligations to observe international human rights standards. But the fact that the Commonwealth Government agrees to observe international standards does not make those standards **legally enforceable** within Australia. This requires specific Australian legislation. Without such legislation there is no legal way within the Australian court system to ensure that the rights in any international human rights treaty will take precedence over any state or territory legislation that is inconsistent with the treaty.

The main human rights treaties that have been specifically incorporated into domestic Australian law are:

International treaty	Domestic legislation
International Convention on the Elimination of All Forms of Racial Discrimination	Racial Discrimination Act 1975 (Cth) (usually abbreviated to RDA)
Convention on the Elimination of All Forms of Discrimination Against Women	Sex Discrimination Act 1984 (Cth) (abbreviated to SDA)
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Crimes (Torture) Act 1988 (Cth)

Australia has historically been an active participant in the development of international human rights standards. As new international standards have been developed, Australia has either endorsed non-binding instruments such as the Universal Declaration of Human Rights or the Declaration on the Rights of Disabled Persons, or has ratified binding legal instruments such as: the Covenants on Civil and Political, and on Economic, Social and Cultural Rights; the Conventions on Racial Discrimination, Discrimination against Women, and the Rights of the Child; and the Convention Against Torture. Australia has also ratified three of the mechanisms that give individuals the right to complain to United Nations bodies about violations of their rights.

International human rights standards have had a significant impact on Australia. A former Chief Justice of Australia's High Court said:

'... international law is a legitimate and important influence on the development of the common law, especially when international law declares the existence of universal human rights.'

(Brennan, 7 April 1995)

The legal protection of human rights in Australia depends on a combination of the common law and statute law. Statute law is legislation of the Commonwealth parliament.

In the common law, traditional freedoms are protected by centuries of custom and the precedents set by previous court decisions. The common law is a flexible instrument that is capable of reinterpreting rights in the light of changing circumstances. However, some rights may not be well-established in the common law. Where rights are not included in legislation, they may be more difficult to enforce. Political or economic interests may be given priority over human rights. And it is always open to governments to pass new legislation either to override the common law or to vary existing legislation that provides for human rights. Australian democracy is an important safeguard against these possibilities getting out of hand, but it cannot be assumed that voters will give priority to human rights issues when deciding who should govern.

When people in Australia think about human rights, they seem often to focus on violations that take place in other countries. Human rights are seen in terms of problems such as political dictatorship, torture, arbitrary detention or extra-judicial execution.

Sometimes violations such as these happen on a large scale overseas and there is a tendency to think that, by comparison, any human rights problems in Australia are minor. However, human rights violations of one kind or another occur in all countries, including Australia. Where they occur they undermine the dignity of fellow human beings and thus diminish the recognition of universal humanity.

Ultimately, the extent to which human rights are protected in Australia depends on the values of the Australian people. The depth of these values is often tested, particularly when human rights issues arise. Community values are continually changing. The development and dissemination of international human rights standards help shape these values to protect human rights.

The Universal Declaration of Human Rights makes it clear that human rights violations involve not only so-called civil and political rights, but also economic, social and cultural rights. Thus, if Australian society is analysed in the light of the provisions of the Universal Declaration, we can see that there are many human rights issues that need to be addressed. This is particularly so for certain groups, some of whom are especially vulnerable: Indigenous people, asylum seekers, migrants from non-English speaking backgrounds, those living in poverty, people with a disability, and other groups.

Disagreement about the extent of human rights problems in Australia is in part a question of perspective. Those who have employment and educational opportunities and an adequate standard of living, those in positions of power and responsibility may not be able to see the problems from the point of view of those experiencing disadvantage or discrimination. They may not be able to fully appreciate the impact of such problems on affected individuals, families and communities.

In the following quote, the former Social Justice Commissioner, Mick Dodson, spoke of what human rights means in Australia for Indigenous people. He used the term 'social justice', but he might just as easily have spoken of human rights generally:

'Social Justice is what faces you in the morning. It is awakening in a house with an adequate water supply, cooking facilities and sanitation. It is the ability to nourish your children and send them to school where their education not only equips them for employment but reinforces their knowledge and appreciation of their cultural inheritance. It is the prospect of genuine employment and good health: a life of choices and opportunity. A life free from discrimination.'

**Mick Dodson
Social Justice Commissioner (1993 - 1998)**

While these standards are the entitlement of all Australians there is much evidence that these standards are not being fully met in Australia. Human rights issues can potentially affect anyone. Apart from issues affecting Indigenous people and migrants, women and others may experience subtle or unintentional discrimination in the workplace and elsewhere. Children can be subjected to violence in the playground or the home. No matter what a person's status is in society, they or a family member may at some stage in their lives have to go to court and they will want to ensure that their legal rights are observed. People's involvement in human rights may also involve support for those subject to human rights abuse in other countries.

Failure to meet the human rights standards is not only a moral issue: our material well-being is impaired because this failure prevents many people from reaching their potential and making their full contribution to society.

Human rights are clearly relevant to society as a whole and to many areas of human activity, but what can people do to strengthen the observance of human rights standards?

Independent organisations such as Amnesty International have nominated areas of human rights concern in Australia, particularly the policies and actions relating to Indigenous people and to Australia's treatment of asylum seekers. Australia has also been criticised by United Nations bodies on these two issues. Many complaints are made to HREOC about discrimination, whether it is racial or sex discrimination or related to disability. In the areas of economic, social and cultural rights, many are affected by disadvantage, whether through restricted access to health or education facilities, housing, work opportunities or other basic needs.

Australia has a national **Human Rights and Equal Opportunity Commission (HREOC)** and each state and territory has Equal Opportunity or Anti-Discrimination Commissions. Among its functions, HREOC has a responsibility to investigate and conciliate complaints about discrimination in areas covered by the ***Age Discrimination Act 2004***; the ***Disability Discrimination Act 1992***; the ***Racial Discrimination Act 1975*** and the ***Sex Discrimination Act 1984***. If a complaint is made under this legislation, HREOC will investigate and attempt to conciliate the complaint with the people involved. If the complaint cannot be conciliated, the complainant has the option of going to the **Federal Court** or the **Federal Magistrates Court** for a hearing of the matter. The Court or the Magistrates service can make enforceable orders if unlawful discrimination is found.

Under the ***Human Rights and Equal Opportunity Commission Act 1986***, the same conciliation processes apply, but the complainants in these matters do not have the option of going to the **Federal Court** or **Federal Magistrates Court**. Rather, if the matter cannot be conciliated, HREOC will present a report on the matter to the Attorney-General, who is required to table the report in the Parliament.

HREOC also has responsibilities to promote public awareness through education and to advise governments on the compliance of legislation with international standards and on policy and legislative development relating to human rights in Australia.

In seeking to address the problems of people whose rights are under threat, they and others who wish to promote human rights in Australia can take a variety of actions and access a number of useful institutions. These include participation in public debate and the political process, becoming involved in the work of non-governmental organisations devoted to human rights advocacy, taking issues to court and making complaints to national human rights institutions, such as HREOC, or even to the United Nations. People often feel disempowered when trying to assert their rights, particularly if they are individuals up against a large organisation, such as the government or a big company. It can be equally challenging to face up to abuses if you know the perpetrators personally, such as within the family, or in a small business work environment. Certainly there can be difficulties in pursuing justice and redress for human rights violations. However, if people know what their rights are and how to access organisations that can help them, they can move forward with greater confidence.

HUMAN RIGHTS OVERSEAS

Human rights are often described as universal. In other words, they belong to everyone, regardless of their sex, race, religion, age or where they live.

Despite this, we know that terrible abuses of human rights occur every day around the globe.

Understanding what the issues are is the first step towards being able to make a difference and standing up for the 'universality' of human rights.



Visit the following websites for further information:

- **Country profiles**

Visit the UN CyberSchoolbus Website at:

<http://cyberschoolbus.un.org/infonation/index.asp> to discover statistics on population, health, education and other indicators

- **Amnesty International**

For a quick overview of the major human rights issues in each country in the previous year visit: <http://web.amnesty.org/report2004/index-eng>

- **U.S. Department of State**

Visit: <http://www.state.gov/drl/rls/hrrpt/2003/index.htm> for an in-depth look at the human rights situation in each country in the previous year

CHILDREN'S RIGHTS

Prior to the 20th century, childhood wasn't seen as a special part of life - it was merely a transition state between infancy and adulthood. As soon as children were old and strong enough, they had to work.

However, as countries have become wealthier, 'childhood' has been recognised as a time for education, recreation, growth and discovery. Regardless, childhood remains a period of hardship for many children.

The United Nations has sought to set out the rights of children, either directly or indirectly, in most of its 80 human rights treaties.

However, in 1989, ten years after work began on its drafting, the nations of the world agreed to adopt the **Convention on the Rights of the Child** .

The Convention sets out, amongst other things, children's right to education, health care and economic opportunity; protection from abuse, neglect and sexual and economic exploitation. It also says that decisions that affect kids should be based on their 'best interests'.

Since it was adopted, the Convention has become the world's most widely ratified human rights treaty. This puts an important responsibility on the governments of the world to do all they can to promote and protect the rights of children and young people.



Visit the websites below to find information about children's rights and some of the major human rights issues facing children around the world today:

- **What's up CROc?** at: <http://www.ncylc.org.au/croc/home.html>
A guide to the Convention on the Rights of the Child and what it means for Australia .
- **Children's rights in other countries** at:
<http://www.unicef.org/infobycountry/index.html>
- **Background information from UNICEF on Child Protection** at:
http://www.unicef.org/protection/index_3717.html



HUMAN RIGHTS CALENDAR

Celebrate important human rights dates and anniversaries

Month	Celebration	More Info
February	21 February International Mother Language Day	www.unesco.org
March	8 March International Women's Day	www.un.org/womenwatch
	21 March International Day for the Elimination of Racial Discrimination and Harmony Day (Australia)	www.un.org/rights & www.unhchr.ch
April	7 April World Health Day	www.who.int
May	3 May World Press Freedom Day	www.unesco.org
	15 May International Day of Families	www.un.org/esa/socdev/family
June	4 June International Day of Innocent Children Victims of Aggression	www.unhcr.ch
	20 June World Refugee Day	www.unicef.org
July	26 June International Day in Support of Victims of Torture	www.un.org/rights
August	9 August International Day of the World's Indigenous People	www.unhchr.ch
	12 August International Youth Day	www.unesco.org/youth
September	21 September International Day of Peace	www.un.org/peace

October	1 October International Day of Older Persons	www.un.org/esa/socdev/ageing
	10 October World Mental Health Day	www.who.int
	17 October International Day for the Eradication of Poverty	www.un.org
	4th Wednesday of October Universal Children's Day (Australia)	www.unicef.org.au
November	16 November International Day for Tolerance	www.unesco.org/tolerance
	25 November International Day for Elimination of Violence against Women	www.un.org/womenwatch
December	3 December International Day of Disabled Persons	www.who.int
	10 December Human Rights Day	www.unhchr.ch or www.humanrights.gov.au/hr_awards
	18 December International Migrants Day	www.unhchr.ch

GET INVOLVED

Promoting and protecting human rights is not something that you can leave for others to do - it's everyone's responsibility.

Of course, you don't have to fix all the problems of the world – the best place to start is in your neighbourhood.

Here are some simple ways that you can make a difference.

Learn about human rights

Take the time to understand and learn about human rights. Do some research. Visit some human rights websites. Read the newspapers. Talk with people. Invite a guest speaker to your school or community group. Discover what the human rights issues are in your community, and what role you can play to help make things better.

To get started, visit the Information for Students Links page at: www.humanrights.gov.au/info_for_students for some useful human rights websites.

Bring human rights to school

The Human Rights and Equal Opportunity Commission has produced education modules on a broad range of human rights issues. The modules have been designed for upper primary and secondary school students are linked to the curriculum of each State and Territory.

Join a human rights group

There are lots of organisations in Australia that promote human rights and social justice – many have programs are specially designed to involve young people. Here are a few to check out.

- Amnesty International: http://www.amnesty.org.au/whats_happening/youth_action/youth_action_home
- Oxfam/Community Aid Abroad: <http://www.oxfam.org.au/getactive/index.html>
- Australians for Native Title and Reconciliation: http://www.antar.org.au/_action.html



Become a human rights advocate

There might be a particular issue in your school or community that you think needs to be addressed. What can you do?

In your school

- Run an 'awareness campaign' - use posters, bulletin boards, the school newspaper to spread the message
- Get your Student Representative Council involved
- Make a presentation at your school assembly
- Run a survey to get the views of others on the issue
- Hold a Human Rights Day – check out the Human Rights Calendar for ideas

In your community

- Raise the issue with your local media
- Hold an event and invite guest speakers from the community to discuss and debate the issues
- Organise a meeting with your local Member of Parliament
- Set up a stall in the local shopping centre to share information (get the appropriate permission, of course)

If you're unsure about how to organise and run a community project, you can get some ideas from

- Community Builders (NSW): <http://www.communitybuilders.nsw.gov.au/>
- CommunityWise (WA): <http://www.communitywise.wa.gov.au/tools/tools.htm>

USEFUL LINKS

Human rights around the globe

One World Online

<http://www.oneworld.net/>

Brings together the latest news and views from over 1,600 organizations promoting human rights awareness and fighting poverty worldwide.

Derechos Cafe

<http://www.derechos.net/>

Links to issues, organisations, resources and discussion groups dealing with human rights.

Amnesty International

<http://www.amnesty.org>

Campaigns on serious human rights breaches and to protect the rights of prisoners of conscience.

Human Rights Watch

<http://www.hrw.org>

Major non-government organisation that works to prevent discrimination, uphold political freedom and protect people from inhumane conduct in wartime.

United Nations

<http://www.un.org>

Responsible for promoting human rights, development and international security.

UNICEF

<http://www.unicef.org>

Explore the issues facing children and young people in different corners of the globe.

Human rights in Australia

Aboriginal and Torres Strait Islander Commission

<http://www.atsic.gov.au>

Information on issues facing Indigenous communities in Australia .

Reconciliation Australia

<http://www.reconciliationaustralia.org>

Learn about Australia 's reconciliation movement and what's happening today in different communities.

Racism - No Way !

<http://www.racismnoway.com.au>

Practical ways to counter racism in your school.

Refugee Council of Australia

<http://www.refugeecouncil.org.au>

Provides information on and advocacy for refugees in Australia .

Australian Government: Women's information

<http://www.women.gov.au>

Information for – and about – Australian women from diverse backgrounds.

AusAID

<http://www.ausaid.gov.au>

Information on Australia 's overseas aid programme.

Education and advocacy**Australians for Native Title and Reconciliation**

<http://www.antar.org.au>

Information and advice about how to advance reconciliation in Australia .

Oxfam/Community Aid Abroad

<http://www.oxfam.org.au>

Works in Australia and around the world to build strong communities and promote human rights and social justice.

Universal Rights Network

<http://www.universalrights.net>

Stories of people who have made a difference in the fight for human rights.

Lawstuff

<http://www.lawstuff.org.au>

Answers to all sorts of legal questions for young people, with info tailored to the state or territory you live in.

Worksite for Students

<http://www.worksite.actu.asn.au>

Explains your rights and responsibilities at work ; put together by the ACTU.

Tolerance.org

<http://www.tolerance.org>

Practical ways to build better relationships in your school and community.