

RightsEd: Human rights in the crowded classroom

By Madeline Lynch

On the 11th of March, the Castan Centre in conjunction with the Australian Human Rights Commission convened a panel to discuss launch the Rights-ED education resources and discuss human rights within an educational framework.

Paula Gerber, Deputy Director of the Castan Centre, introduced the Race Discrimination Commissioner for the Australian Human Rights Commission, Tim Soutphommasane. Tim outlined the need for inclusion of human rights into our educational system; highlighting that changes to law merely address symptoms, where education is the “fuel” to change people’s attitudes toward human rights and address the root cause of human rights abuses. Tim followed up this need by highlighting the multi-cultural nature of Australia’s society, which is decisively different from the society Australia was following World War I. 28 per cent of residents of Australia are born overseas and a further 20 per cent have at least one parent born overseas. This high level of cultural diversity demonstrates the need for future citizens to understand the significance of differing cultures as this has become a part of Australia’s culture.

Following Tim’s opening discussion on the significance of multi-culturalism, Paula acting as moderator (in her words she has “always wanted to be Tony Jones”), turned her attention to the other three panellists; Kate Jenkins, commissioner of the Victorian Equal Opportunity and Human Rights Commission, Dr Libby Tudball, Director Undergraduate Programs, Faculty of Education in Monash University, Chris Thompson, Director of Priority Cohorts Branch, Department of Education and Training.

The major theme in all the questions related to the need for an inclusion of human rights into the curriculum. Kate, responding to Paula’s question relating to the impact the Victorian Charter for Human Rights has had on Victorians, emphasised the privilege that Victorians have, even though we are largely unaware of. In education, an experience of one student may be decisively different from another depending on the teacher. Kate drew from her personal experience with her child’s grade four teacher educating the class on human rights issues such as refugees and the death penalty.

Libby anticipated the enormous opportunity that inclusion of human rights into the curriculum can have, one that will potentially go beyond the classroom and into the community. This can give students the opportunity to foster meaningful and respectful relationships. This was furthered by Chris who emphasised the need for an all-inclusive environment within schools to combat prejudices and to deepen intercultural understanding.

In response to a question of inclusion of Aboriginal and Torres Strait Islanders history into the curriculum, Tim also emphasised the need for students to understand the impact of our country’s history, and the increasing recognition that Australian history goes further back than 1778.

RightsED – are designed to help students gain a critical understanding of human rights and responsibilities, and to develop the attitudes, behaviours and skills to apply human rights in everyday life.

A video of this event is available on our [YouTube channel](#).

Let people be who they are: LGBTI rights are human rights

By Madeline Lynch

Michael O’Flaherty has played a critical role in bringing LGBTI rights into the wider international human rights arenas. Michael’s consistent and persistent reiteration that LGBTI and human rights are not separate entities, and that LGBTI rights should be treated as human rights, led to him leading the way in developing the Yogyakarta principles. The Yogyakarta principles were an initiative of the International Service for Human Rights, International Commission of Jurists and Human Rights Watch. Over a two year period 29 specialists worked together to develop principles associated with LGBTI within international legal framework. The completed product consisted of 29 principles within established human rights law and an accepted international definition of the two key terms relating to LGBTI rights: sexual orientation and gender identity.

The Castan Centre had the rare opportunity to have Michael speak about his work developing the Yogyakarta principles and the impact that this has had on the various actors involved, including states, courts, LGBTI advocates and civil society. Michael began his presentations by highlighting the sobering statistics of LGBTI discrimination around the world: 79 countries still criminalise same sex sexual activity, amounting to a population of 2.8 billion people, and in seven of those countries the offence is punishable by death. Even within the EU, a leader amongst the international community in defending and protecting human right, 38 per cent of LGBTI people said they will not be open about their sexuality and 67 per cent said they would not hold hands or display affection to their partner in public.

Michael expressed his surprise in the enormous impact the Yogyakarta principles had on LGBTI rights, not only in moving these rights into the main human rights discourse, but also in the influence on states, courts, and advocacy. Their definition of gender identity and sexual orientation is now an accepted definition that is consistently used throughout the United Nations legal framework. Most importantly, and unexpectedly, Michael discussed the impact that the principles have had on providing a platform for advocacy: a framework for LGBTI people to claim and enforce their rights. The effect that this has had on states cannot be underestimated. There has been a growing acceptance of the principles as a part of the foreign policy of states and we have seen an increase in judicial criticisms of laws criminalising same-sex intercourse.

Michael concluded his presentation by looking to the future emphasising the importance of civil society to continuing applying pressure on governments. Michael went on to discuss the need for national human rights institutions to engage the community and bring attention to LGBTI issues. In this regard, Michael paid particular attention to Australia, New Zealand and areas in the Pacific where such programs have been successful, despite failure in other parts of the world. Finally, Michael demonstrated the need to engage the business sector to bring about a deeper understanding of these rights to better promote and protect the LGBTI community.

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