

## Introduction

The United Nations Decade on Human Rights Education, which commenced in 1995, provides an opportunity for broad exploration of the idea and ideals of human rights, and examination of the means of disseminating information and inculcating the values of human rights. Since the establishment of the *Australian Journal of Human Rights*, our aim has been to facilitate discussion about human rights in the Asia-Pacific region and between those working to promote human rights. It is inevitable, then, that we should be involved in the process of human rights education.

This issue begins with an analysis of the Plan of Action for the UN Decade on Human Rights Education by Clarence Dias. In his article, "Towards Liberation, Distinction or Deconscientisation: Tasks for the UN Decade for Human Rights Education in the Asia-Pacific Region" Dias is critical of the UN Plan of Action and proposes an alternative People's Plan of Action as a strategy which, in contradistinction to the UN version, he believes has the potential to be transformative of human rights education. An earlier version of this paper was presented at a Workshop of Asia-Pacific Human Rights Educators, held in Sydney from the 22-25th August 1996. The Statement that resulted from that Workshop is reproduced at p 121.

In another important step towards cooperation between institutions working for human rights in the region, the First Asia-Pacific Regional Workshop of National Human Rights Institutions was held in Darwin, Australia, from 8-10 July 1996. The outcome of that meeting, the Larrakia Declaration: Conclusions, Recommendations and Decisions can be found at p 117.

The issue of the *Australian Journal of Human Rights* explores matters of concern both in the region and internationally. The question of the relationship between public law and private law, and the possibilities of municipal law remedies for actions which offend international human rights law, may have significance for victims of human rights abuse. This is considered by Roger Clark in his article "Public International Law and Private Enterprise: Damages for a Killing in East Timor". A very different issue arising from the troubles in East Timor is considered in a case note by Delaney and Langford, "Nonsense Upon Stilts: East Timor and the International Court of Justice".

Indigenous Australians have neither been relieved of discrimination nor graced with reconciliation. In the last months the virulent racism expressed by Pauline Hanson, a Member of the Australian Parliament, and reported enthusiastically by the media, has led to an increase in violence directed at indigenous Australians and those of Asian descent. The comments by the Prime Minister that he would prefer sanitised teaching of history to Australian school children has not helped. In this issue we consider one aspect of the problem, that which Peter Grose refers to as the "Indigenous Sovereignty Question".

Discussion about discrimination generally is restricted to questions relating to race, gender and religion. However discrimination on the basis of disability, and

discrimination arising as a result of ageing are also significant. The rights of people with disabilities is often referred to as one of the most neglected areas of human rights. There are no binding treaties specifically dealing with the rights of people with disabilities, and while it is generally implied that people with disabilities are entitled to the protection of the general provisions of the International Bill of Rights, it is only in the United Nations Convention on the Rights of the Child that disability is specifically listed as a ground of discrimination. Darrow, in "International Human Rights Law and Disability: Time for an International Convention on the Human Rights of People with Disabilities?", argues that it is timely and appropriate to begin the process of treaty drafting. We return to the question of disability discrimination in the case note by Hannon, on *Scott v Telstra*, which looks at a recent victory for the Australian disability community. A distinct question of discrimination is considered by Katherine Lindsay who, in "Cradle to Grave: Age Discrimination and Legislative Policy in Australia", looks at human rights issues relating to older members of the community.

As in all general issues of the *Australian Journal of Human Rights*, this issue contains Recent Developments, Case Notes, Book Reviews and a Human Rights Bibliography. Following the first decision of the Tribunal investigating crimes in the former Yugoslavia, it is timely to include in this issue "Commentaries on the Establishment Of An International War Crimes Tribunal" by Milroy and Durham. Given the rise of hate speech in Australia, the question of the scope of freedom of speech is now very much on the agenda. It is important that as the High Court of Australia develops its constitutional implication of freedom of speech, it does so with a firm grasp of the importance and function of freedom of speech in mind. This will allow for a strong protection of free speech at the same time as providing clear limits where the speech is designed to undermine the values of equality and open democratic government. Eastman looks at a recent decision of the High Court, *Langer v The Commonwealth of Australia*, in which the High Court takes a retrograde step in terms of human rights in its retreat from its previous position on the implied guarantee on freedom of communication.

Finally, we review "The United Nations and Human Rights 1945-1995" from the United Nations Blue Book Series, "International Human Rights in Context" by Steiner & Alston, and "Learning From the Past: Aboriginal Perspectives on the Effects and Implications of Welfare Practices on Aboriginal Families in New South Wales" from the Gungil Jindibah Centre, Southern Cross University. Together with material referred to in the Human Rights Bibliography, these books provide raw material which is needed for Human Rights educators to stay abreast of recent developments.

Melinda Jones  
Editor-in-Chief

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