

Universal Periodic Review
(23rd session, October–November 2015)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Australia

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	29/11/1966 Acceptance	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	22/08/1974, Ratification		N/A	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)			N/A	Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	18/09/2009, Accession	<i>Declaration in respect of Article 16 Reservation with regard to</i>	N/A	Right to take part in cultural life

		Article 20 (1) (a) and (b) ¹		
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II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

NORMATIVE FRAMEWORK

Constitutional Framework:

2. “The Commonwealth of Australia is a federation of six States—New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia—and includes two internal territories, the Australian Capital Territory and the Northern Territory. **The Australian Constitution**² vests control of education in the states and territories.”³

Legislative Framework:

3. “State governments have their own Education Acts to make provision for education. These were mostly initiated in the 1870-1880 period, the commencement of compulsory education. The Federal government has some constitutional capacity to influence education policy through specific sections in legislation relating to tied grants and benefits to students, as well as through the external affairs power which enables the federal governments to enter into agreements with other countries.

4. The Federal government, in cooperation with State and Territory governments, has played an increasing role in promoting equity and an education that reflects the government’s social justice

¹ Australia’s instrument of accession contained the following declaration in respect of Article 16 :

“Australia declares that it considers that the obligation in Article 16 on developed countries to ‘facilitate cultural exchanges with developing countries by granting, through the appropriate institutional and legal frameworks, preferential treatment to artists and other cultural professionals and practitioners as well as cultural goods and services from developing countries’ is not intended to affect the content or interpretation of domestic legislation, regulations, rules or criteria relating to eligibility for immigration visas or permits, or the exercise of discretion under legislation or regulations or in respect of rules or criteria.”

Reservation with regard to Article 20 (1) (a) and (b):

“The Convention shall be interpreted and applied in a manner that is consistent with the rights and obligations of Australia under any other treaties to which it is a party, including the Marrakesh Agreement Establishing the World Trade Organization. This Convention shall not prejudice the ability of Australia to freely negotiate rights and obligations in other current or future treaty negotiations.”

² <http://www.unesco.org/education/edurights/media/docs/e3e80583a69d1c6364af2e43d7a29b68e22183ec.pdf>

³ Australia: Education profile, IBE, World Data on Education, 7th Edition, 2010/2011, p. 2, accessible at: http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Australia.pdf (Accessed on 9 December 2013)

commitments. Some value perspectives within schooling, including the curriculum, are supported by legislation:

- a) the **Racial Discrimination Act** (1975)
- b) the **Sex Discrimination Act** (1984)
- c) the **Affirmative Action Act** (1986) and the **Human Rights and Equal Opportunity Act** (1986) protect the rights of all Australians against unfair treatment on the basis of sex, race, marital status, pregnancy and family and career responsibilities. [...]
- d) **Disability Discrimination Act 1992 (DDA) Education Standards**, amended in 2005, is to eliminate disability discrimination in education. In particular, (a) to eliminate, as far as possible, discrimination against persons on the ground of disability in the area of education and training; (b) to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law in the area of education and training as the rest of the community; and (c) to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community. These Standards apply to all education providers.
- e) In December 2003, the Australian Parliament passed the **Higher Education Support Act 2003** (HESA), designed to give effect to a higher education reform package, *Our Universities: Backing Australia's Universities Future*. The reform package is based on an integrated policy framework incorporating four foundation principles of sustainability, quality, equity and diversity.”⁴
- f) “From 20 June 2011, amendments to **the Sex and Age Discrimination Legislation Amendment Act 2011** came into force. [...] These amendments provide greater protection for children from sexual harassment [...]”⁵
- g) “The **Australian Education Act 2013** outlines the framework for Commonwealth funding to be provided to schools. The Act commenced on 1 January 2014.”⁶

Policy Framework:

A) General information

⁴ Australia: Education profile, IBE, World Data on Education, 7th Edition, 2010/2011, p. 4, accessible at: http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Australia.pdf (Accessed on 9 December 2013)

⁵ Australia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 5

⁶ Department of education webpage on Australian education act 2013, <http://education.gov.au/australian-education-act-2013> (accessed on 09/09/14)

4. “[...] The Department of Education, Employment and Workplace Relations is promoting the general themes of the World Program for Human Rights Education through the Civics and Citizenship, and Values educational programs.[...]”⁷

5. “[...] For example, the AHRC [Australian Human Rights Commission] has produced resources such as **Voices of Australia** which encourages greater understanding between people of different racial backgrounds, cultures and religions through the sharing of the stories of their experiences [...]”⁸

6. “Under the [Human Rights] Framework, the Australian Government has committed to undertaking a comprehensive suite of education initiatives to promote a greater understanding of human rights across the community, including a community education grants program.”⁹

B) Inclusive Education

a) Students with disabilities

7. “The Australian Government recognizes that there are some students with particular needs that require additional assistance and resources to reach their full potential. The Australian Government provides **funding for students with disability** who attend schools and non-government centers. All states and territories offer a range of programs to address the special education needs of all students. Programs available include those for students with intellectual and physical disability, behavior disorders, special learning needs, for gifted students, and for migrant students particularly those with low numeracy and literacy skills or without fluency in English.”¹⁰

8. “The **Disability Standards for Education (Education Standards)** were formulated [...] under the DD Act [Disability Discrimination Act] [...] [and] set out a process to ensure students with disabilities have equal access to education and training opportunities.”¹¹

⁷ Fourth periodic report of Australia 2007 submitted for the 2012 session on the Convention of the Rights of the Child, p 12, accessible at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAUS%2f4&Lang=en (accessed on 2014-09-18)

⁸ Fourth periodic report of Australia 2007 submitted for the 2012 session on the Convention of the Rights of the Child, p 13, accessible at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAUS%2f4&Lang=en (accessed on 2014-09-18)

⁹ Australia Reports submitted for the 2013 session on the Convention of Persons with Disabilities, p 13, accessible at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fAUS%2f1&Lang=en (accessed on 2014-09-18)

¹⁰ Australia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 8

¹¹ Fourth periodic report of Australia 2007 submitted for the 2012 session on the Convention of the Rights of the Child, p 25, accessible at:

9. “The Australian Government funds **Media Access Australia** to caption uncaptioned educational and community DVDs and downloadable versions for people who are deaf or hearing impaired and Nican Incorporated to provide an accessible website with information about travel, sport and recreational opportunities for persons with disabilities.”¹²

10. “The **Higher Education Disability Support Program** promotes access to and participation in higher (tertiary) education by students with a disability. [...]”¹³

11. “The **Literacy, Numeracy and Special Learning Needs Programme** provided financial assistance to non-government schools with disadvantaged students. The programme supported the most educationally disadvantaged school students who were at risk of not reaching the National Minimum Standard in literacy or numeracy.”¹⁴

b) Students from remote areas

12. “The Australian Government directly **supports rural and isolated school students through the following programs:**

- **The Assistance for Isolated Children (AIC) Scheme** is an ongoing program which provides financial assistance to families of students who are unable to attend an appropriate government school on a daily basis because of geographical isolation. [...]
- **The Country Areas Program (CAP)** is an ongoing program that provides supplementary funding to non-government schools to cover some of the additional costs associated with schooling that result from geographic isolation. [...]”¹⁵

c) Students from minority groups (including indigenous students)

13. “[...] In June 2011 all Education Ministers released the **Aboriginal and Torres Strait Islander Education Action Plan (2010-2014)**, after it received endorsement by COAG [Council of Australian Governments]. The Action Plan identifies national, systemic and local actions in six priority domains that evidence shows will contribute to improved outcomes in Indigenous

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAUS%2f4&Lang=en (accessed on 2014-09-18)

¹² Australia Reports submitted for the 2013 session on the Convention of Persons with Disabilities, p 29, accessible at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fAUS%2f1&Lang=en (accessed on 2014-09-18)

¹³ Australia Reports submitted for the 2013 session on the Convention of Persons with Disabilities, p 32, accessible at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fAUS%2f1&Lang=en (accessed on 2014-09-18)

¹⁴ Department of education webpage on LNSLNP, <http://education.gov.au/literacy-numeracy-and-special-learning-needs-programme> (accessed on 09/09/14)

¹⁵ Australia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 18-19

education. Priority domains are: Readiness for school; Engagement and connections; Attendance; Literacy and numeracy; Leadership, quality teaching and workforce development; and Pathways to real post-school options. [...].”¹⁶

14. “The **Indigenous Youth Leadership Program (IYLP)** is helping to close the gaps in Indigenous educational disadvantage through supporting a number of Indigenous students to attend over 64 high performing secondary schools (government and non-government, day and boarding) or universities to complete Year 12 or an undergraduate degree. [...] The **Indigenous Youth Careers Pathways Program** was announced in 2011 as a new program to increase the number of Indigenous young people who move effectively from school into further education, training or employment. [...]. It focuses on students in Years 11 and 12, encouraging these students to stay in school and undertake a School Based Traineeship. It also delivers school based aspiration building events and activities, in-school and post-school mentoring, workplace mentoring, work experience placements and support, as well as preparation for work activities for other Indigenous students in those schools to help them to complete school and move into further education, training or employment. The **Indigenous Youth Mobility Program (IYMP)** supports the development of local economic employment opportunities for young Indigenous Australians in remote areas. [...] The **Sporting Chance Program (SCP)** uses sport and recreation as a vehicle to increase the level of engagement of Indigenous students in their schooling to improve their education, training and employment outcomes [...].”¹⁷

15. “In April 2008, all Australian Governments, through COAG, agreed to a set of targets relating to improvements in educational outcomes for Indigenous students. These targets are:

- a) Within five years all Indigenous four year olds in remote communities will be able to access a quality early childhood centre or opportunity.
- b) Within a decade the gap between Indigenous and non-Indigenous students in reading, writing and numeracy benchmark achievement will be halved.
- c) By 2020 the gap between Indigenous and non-Indigenous Australians in the attainment of Year 12, or its vocational equivalent, will be halved.”¹⁸

16. “The Australian Government, through the **English as a Second Language - New Arrivals Programme**, provided funding to Catholic and independent schools to assist migrant students to receive intensive English language tuition.”¹⁹

C) Teachers

¹⁶ Australia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation Against Discrimination in Education (2006-2011), 2012, p. 13

¹⁷ Australia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation Against Discrimination in Education (2006-2011), 2012, p. 15

¹⁸ Australia National Report submitted for the International Conference on Education, IBE, 2008, p. 26, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/australia_NR08.pdf (Accessed 9 December 2013)

¹⁹ Department of education, <http://education.gov.au/english-second-language-new-arrivals-programme> (accessed on 09/09/14)

17. “**The 200 Additional Teachers program** was announced in **2007**. The program provided support to Northern Territory remote schools with an additional 200 teachers, to be recruited by the end of 2012 [...].”²⁰

18. “The **Teach for Australia programme** aims to fast-track high-calibre non-teaching graduates into disadvantaged schools through an intensive training programme that leads to a post-graduate teaching qualification.”²¹

D) Quality education

19. “The **National Schools Interoperability Program (NSIP)** is a joint initiative of State, Territory and Federal Ministers for Education. The program was established in July 2010 to support the development of digital learning infrastructure nationally and improve access to information for stakeholders in the Australian school education sector [...].”²²

20. “The **Safe Schools Coalition Australia (SSCA)** is the first national programme funded by the Australian Government aimed at creating safe and supportive school environments for same sex attracted, intersex and gender diverse people by reducing homophobic and transphobic bullying and discrimination in schools. »²³

21. “The **National Safe Schools Framework** [of 2003, revised in 2010] provides Australian schools with a vision and a set of guiding principles that assist school communities to develop positive and practical student safety and wellbeing policies.”²⁴

22. “A Review of the **National Quality Framework for Early Childhood Education and Care Services** is being undertaken by the Australian Government and all states and territories in 2014 to ensure the goal of improving quality in education and care services is being met in the most efficient and effective way.”²⁵

E) Curriculum

23. “The **Agriculture in Education programme** will help teachers better understand the products and processes associated with food and fibre production and ensure that all students have an opportunity to understand their importance in the Australian economy. It will support

²⁰ Australia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation Against Discrimination in Education (2006-2011), 2012, p. 16

²¹ Department of education webpage on Teach for Australia, <http://education.gov.au/teach-australia-0> (accessed on 09/09/14)

²² NSIP website, <http://www.nsip.edu.au/> (accessed on 12/09/14)

²³ Department of education, SSCA, <http://education.gov.au/safe-schools-coalition-australia> (accessed on 12/09/14)

²⁴ Department of education, National safe schools framework, <http://education.gov.au/national-safe-schools-framework-0> (accessed on 12/09/14)

²⁵ Department of education webpage, <http://education.gov.au/2014-review-national-quality-framework> (accessed on 09/09/14)

effective implementation of the **Australian Curriculum** through online teacher support materials and additional curriculum resources.”²⁶

24. “The **Supporting the Australian Curriculum Online programme** provides support for teachers to develop flexible learning approaches and integrate digital resources into the classroom. It is also significantly enhancing the pool of national, state and territory digital curriculum resources to support all teachers to implement the Australian Curriculum.”²⁷

25. “**Australian Curriculum Connect** is providing teachers more seamless access to Australian Curriculum aligned resources through national and local portals. The project creates a technical framework for linking digital content to the Australian Curriculum, helping teachers to more easily find, use and share relevant resources. These resources are accessible through the portals that teachers use locally as well as the national digital content platform, Scootle.”²⁸

F) Financing of education

26. “To support the efforts of the States and Territories and educational institutions, the Australian Government provides significant financial assistance, including funding for specific programs to assist vulnerable students [...].”²⁹

27. “On 2 July 2014, the Minister for Education [...] announced the successful projects to be funded through the **Australian Maths and Science Partnership Program (AMSPP) Competitive Grants Round**. [...] The purpose of the AMSPP is to improve student engagement in maths and science courses at university and schools, through innovative partnerships between universities, schools and other relevant organisations. In particular, the competitive grants will support: increased mentoring in science subjects for teachers; teacher training and professional development to improve teacher quality; increased women’s and Aboriginal and Torres Strait Islander participation in maths and science.”³⁰

G) Gender equality

²⁶ Department of education webpage, <http://education.gov.au/agriculture-education-programme> (accessed on 09/09/14)

²⁷ Department of education webpage on curriculum, <http://education.gov.au/supporting-australian-curriculum-online> (accessed on 12/09/14)

²⁸ Department of education webpage on Australian curriculum connect, <http://education.gov.au/australian-curriculum-connect> (accessed on 12/09/14)

²⁹ Fourth periodic report of Australia submitted for the 2012 session on the Convention of the Rights of the Child, p 34, accessible at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAUS%2f4&Lang=en (accessed on 2014-09-18)

³⁰ Australian Department of education webpage, <http://education.gov.au/australian-maths-and-science-partnerships-program> (accessed on 09/09/14)

28. “Australia is working with partner countries in the Asia-Pacific on **programs to improve women’s and girls’ access to education**, prevention and treatment services and redressing violence against women.”³¹

Cooperation:

29. Australia is **party** to the 1960 UNESCO Convention against Discrimination in Education since 29/11/1966.

30. Australia reported to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:

- a) **Sixth Consultation** of Member States (covering the period 1994-1999)
- b) **Seventh Consultation** of Member States (covering the period 2000-2005)
- c) **Eighth Consultation** of Member States (covering the period 2006-2011)

31. Australia did not report to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the **Fourth Consultation** of Member States (covering the period 2005-2008). However, Australia reported to UNESCO within the framework of the **Fifth Consultation** of Member States (covering the period 2009-2012).

32. Australia reported to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:

- a) **First Consultation** of Member States (1993)
- b) **Second Consultation** of Member States (2011)

33. Australia is **not party** to the UNESCO 1989 Convention on Technical and Vocational Education.

Freedom of opinion and expression

Constitutional and Legislative Framework:

34. Freedom of expression is not explicitly guaranteed under the Constitution of Australia.³² In 1992 the High Court of Australia ruled that there is an implied Constitutional right to freedom of

³¹ Fourth periodic report of Australia 2007 submitted for the 2012 session on the Convention of the Rights of the Child, p 32, accessible at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAUS%2f4&Lang=en (accessed on 2014-09-18)

³² See Australia’s Constitution at http://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/~/_media/AC79BBA0B87A4906A6D71ACCEEF10535.ashx

communication on political matters as a result of several court cases on the matter, effectively protecting it under common law.³³ Furthermore, Australia has co-signed seven international treaties which safeguard freedom of expression and other human rights.³⁴

35. From 2005 onwards, uniform defamation laws were introduced across Australia when each State and Territory enacted the Defamation Act 2005³⁵ and is considered a criminal offense, with penalties leading up to three years of imprisonment.³⁶

36. The right to information is enshrined in the Freedom of Information Act, which was adopted in 1982 and reformed in May 2010.³⁷

37. The identity of journalists' sources is protected under the Evidence Amendment (Journalists' Privilege) Act 2011, unless it is proven that public interest in the disclosure of their identities outweighs the potential personal and public harm.³⁸

Media Self-Regulation:

38. Media self-regulation bodies exist in Australia including associations FreeTV Australia, Commercial Radio Australia, and the Australian Press Council representing television, radio, and print media respectively.³⁹

Safety of journalists:

³³ Court cases of Nationwide News Pty Ltd v Wills (see: <http://www.austlii.edu.au/au/cases/cth/HCA/1992/46.html>) and Australian Capital Television Pty Ltd. & New South Wales v Commonwealth (see: <http://www.austlii.edu.au/au/cases/cth/HCA/1992/45.html>).

³⁴ These include the International Covenant on Civil and Political Rights (articles 19 and 20, see: <http://www.austlii.edu.au/au/other/dfat/treaties/1980/23.html>), the Convention on the Elimination of All Forms of Racial Discrimination (article 5, see: <http://www.austlii.edu.au/au/other/dfat/treaties/1975/40.html>), the Convention on the Rights of the Child (articles 12 and 13, see: <http://www.austlii.edu.au/au/other/dfat/treaties/1991/4.html>), and the Convention on the Rights of Persons with Disabilities (article 21, see: <http://www.austlii.edu.au/au/other/dfat/treaties/1991/4.html>).

³⁵ Hitherto each State and Territory had different legislation governing defamation. In November 2004 a Bill was drafted to make them uniform. See Chapter 35 of Defamation Act 2005 <https://www.legislation.qld.gov.au/Bills/51PDF/2005/DefamationB05.pdf>

³⁶ See Clause 35 of 'Model Defamation Provisions' at <http://www.pcc.gov.au/uniform/pcc-279-94-d10.pdf>.

³⁷ See the Freedom of Information Act at <http://www.comlaw.gov.au/Details/C2014C00588>.

³⁸ See the Evidence Amendment (Journalists' Privilege) Act 2011 at <http://www.comlaw.gov.au/Details/C2011A00021>

³⁹ See their official websites at <http://www.freetv.com.au/> (FreeTV Australia), <http://www.commercialradio.com.au/> (Commercial Radio Australia), and <http://www.presscouncil.org.au/> (Australian Press Council).

39. UNESCO recorded no killings of journalists in Australia between 2008 and 2013. Journalists work in a safe environment in the country.

III. RECOMMENDATIONS

Right to education

40. Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)

41. *In the Report of the Working Group on the Universal Periodic Review of 27 January 2011, various recommendations were made to Australia.*

42. *The recommendations listed below enjoy the support of Australia:*

- i. *86.57. Further strengthen its efforts to **promote equality, non-discrimination and tolerance** through the monitoring of **racially motivated violence and inclusion of human rights education** in school and university curriculum (Thailand);*
- ii. *A - 86.58. Step up measures, such as **human rights education** in schools, so as to promote a more tolerant and inclusive society (Japan);*
- iii. *A - 86.101. Step up efforts to ensure that people living in **the remote and rural areas**, in particular the **indigenous peoples**, receive adequate support services relating to accommodation and all aspects of health and education (Malaysia);*
- iv. *A - 86.116. Intensify its on-going efforts to close the gap in opportunities and life outcomes between **Indigenous** and non-Indigenous peoples, especially in the areas of housing, land title, health care, education and employment (Thailand);*
- v. *A - 86.119. Take immediate legal measures to remove restrictions against access of **indigenous women and children** to appropriate health and education services and employment opportunities (Islamic Republic of Iran);*

43. Analysis:

Australia did promote human right education through various aspects. Australia also adopted a number of plans and programmes to further promote inclusive education, especially for children with special needs, Indigenous students and students from rural and remote areas. However, no emphasis has been put on the inclusion of Indigenous women and girls within the educational system.

44. Specific Recommendations:

- 44.1 Australia should be encouraged to continue to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.**
- 44.2 Australia may be encouraged to further promote equality, non-discrimination and tolerance, and especially deploying efforts to reduce gender and ethnic gaps.**

Freedom of opinion and expression

45. Australia is recommended to decriminalize defamation, and place it within a civil code that is in accordance with international standards.⁴⁰

Cultural rights

46. Australia is encouraged to ratify the Convention for the Safeguarding of the Intangible Cultural Heritage (2003). UNESCO's cultural conventions promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Australia is encouraged to facilitate the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

47. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), Australia is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Australia is encouraged to give due

⁴⁰ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of scientific research and the right to benefit from scientific progress and its applications

48. **Australia**, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers, is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. The 1974 Recommendation on the Status of Scientific Researchers sets forth the principles and norms of conducting scientific research and experimental development and applying its results and technological innovations in the best interests of pursuing scientific truth and contributing to the enhancement of their fellow citizens' well-being and the benefit of mankind and peace. The Recommendation also provides the guidelines for formulating and executing adequate science and technology policies, based on these principles and designed to avoid the possible dangers and fully realize and exploit the positive prospects inherent in such scientific discoveries, technological developments and applications. Following-up to its 2011-2012 report on the implementation of the 1974 Recommendation, in providing a progress report in 2015-2017 on this matter, **Australia** is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation, such as: i) intellectual freedom to pursue, expound and defend the scientific truth as they see it, and autonomy and freedom of research, and academic freedom to openly communicate on research results, hypotheses and opinions in the best interests of accuracy and objectivity of scientific results; ii) participation of scientific researchers in definition of the aims and objectives of the programmes in which they are engaged and to the determination of the methods to be adopted which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; iii) freedom of expression relating to the human, social or ecological value of certain projects and in the last resort withdraw from those projects if their conscience so dictates ; iv) freedom of movement, in particular for participation in international scientific and technological gatherings for furtherance of international peace, cooperation and understanding; v) guarantees of non-discrimination in application of rights to satisfactory and safe working conditions and avoidance of hardship; to access to educational facilities, occupational mobility, career development, participation in public life, and vi) right of association, etc.