

Sale of children, child prostitution, child pornography, Special Rapporteur on: (E/CN.4/1997/95, paras. 31–32, 60)

The report notes that an airport education campaign is being carried out by customs officers, providing leaflets to every person leaving the country, informing them of Australia' law on child sex tourism which provides for prosecution of nationals engaging in child sex tourism abroad. The report notes that the government has provided funding to non-governmental organizations for development, training and education projects aimed at the forces which drive children into prostitution and that the Police Royal Commission has gathered information on a number of cases of child sexual abuse.

Toxic wastes and products, Special Rapporteur on: (E/CN.4/1997/19, paras. 39, 40, 41, 42)

The report refers to a case in 1994 in which Philippine customs officials impounded two 12-metre-long containers of computer waste from Australia, as well as information that, in the first six months of 1993, waste traders from Australia were among those who shipped over 16,000 tonnes of battery scrap to the Philippines, violating a Philippine national law (Republic Act No. 6969) banning such toxic waste imports. The report states that Australia seems to be one of the top exporters of used lead acid batteries to the Philippines. The report also refers to information indicating that, in 1992, Australia exported more than 11,000 tonnes of battery scrap to Indonesia. It reports further that, in 1963, Australia granted a mining exploration licence to CRA Exploration (later Copper Pty. Ltd.) to prospect for copper at Panguna in Bougainville. On the latter case, the report notes that, although some measures were adopted to grant compensation and prevent environmental damage, landowners eventually formed associations in defence of their rights and, in 1987, a new Paguna Landowners Association emerged and was later formalized as the Bougainville Revolutionary Army (BRA).

The government's response to the information in the report noted that the allegations do not address present-day realities and pre-date legislative measures taken by the Australian Parliament in 1996 governing the export of hazardous waste. (This information was included in a photocopy of some governments' responses to the SR's report, generally available at the 1997 Commission.)

Violence against women, Special Rapporteur on: (E/CN.4/1997/47, para. 27, Sections III, IV)

In the section on rape and sexual violence, the report notes that Australia is among the countries in which special forensic examination kits are provided in order to accelerate and standardize the medical examination of rape victims. Referring to sexual harassment, the report notes that in Australia the display of pornographic material in the workplace is seen as contributing to a hostile work environment and that the Federal Sex Discrimination Act of 1984 makes sexual harassment unlawful in situations of: employment; education; the provision of goods and services; the provision of accommodation; land transactions; admission to clubs; and the administration of the Commonwealth. The report notes that even in the absence of specific legislation relating to sexual harassment, general tort laws may be used. It cites the case of a woman in Tasmania who successfully used tort laws on

assault and battery to sue her employer for sexual harassment since Tasmania had no specific laws governing sexual harassment.

Referring to guidelines and manuals concerning sexual harassment at the workplace or in educational institutions, the report acknowledges the successful campaign carried out by the Australian Human Rights and Equal Opportunities Commission in 1991. Entitled "SHOUT", it involved poster and media campaigns to advertise a toll-free telephone number to assist women victims of sexual harassment.

On the issue of trafficking in women and forced prostitution, the report notes that women from developing countries such as the Philippines, and from Eastern Europe, are also sold to thriving marriage markets in Australia.

Other Reports

Children and juveniles in detention, Report of the S-G to the CHR: (E/CN.4/1997/26, para. 2, Section I)

The report of the Secretary-General refers to information provided by the government, noting two papers prepared jointly by the Human Rights and Equal Opportunity Commission and the Australian Law Reform Commission entitled "Speaking for ourselves: children and the legal process". The government also provided an extract of the national legislation about children in conflict with law and the administration of juvenile justice.

HIV/AIDS, Report of the S-G to the CHR: (E/CN.4/1997/37, Appendix to the Guidelines)

The report of the Secretary-General on the Second International Consultation on HIV/AIDS and Human Rights (Geneva, September 1996) refers to law reform programmes focussing on human rights in Australia, leading to adoption of general anti-discrimination legislation at national and local levels which defines disability broadly and sensitively enough to explicitly include HIV/AIDS.

International Decade of the World's Indigenous People, Report of the HCHR: (E/CN.4/1997/101, para. 9)

The report of the High Commissioner for Human Rights notes that Australia has contributed to the Voluntary Fund for the Decade.

National institutions, Report of the S-G to the CHR: (E/CN.4/1997/41, paras. 20, 38)

The report of the Secretary-General refers to a statement to the Commission on Human Rights by a representative of the Human Rights and Equal Opportunity Commission of Australia, noting that national institutions could participate in their own right in the structures and workings of international human rights forums, and stressing that the CHR should confirm and continue arrangements for the participation of national institutions in the Commission and its subsidiary bodies. The representative stated that national institutions clearly were not governments, as they were independent, and at the same time, they were different from non-governmental organizations. An appropriate status for national institutions was therefore needed. The report notes that Australia is a member of the Coordinating Committee of National Institutions.

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