

AMNESTY INTERNATIONAL

Written Statement on the Draft UN Declaration for Human Rights Education and Training

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Text

Amnesty International supports and engages in human rights education as a fundamental part of a strategy for addressing the underlying causes of human rights violations, preventing human rights abuses, and enhancing people's participation in decision-making processes. We believe that human rights education is essential for building a global culture of human rights.¹

The obligations of States to provide human rights education has been reflected in the Universal Declaration of Human Rights (UDHR) and a range of subsequent international agreements and initiatives promoting human rights education.²

Recalling these international agreements and initiatives and acknowledging the urgent need to take full account of human rights in addressing current global crises,³ Amnesty International welcomes the adoption by the Human Rights Council of a consensus resolution⁴ which entrusts the Council's Advisory Committee with the task of preparing a draft UN Declaration on Human Rights Education and Training. Such a declaration would ensure a higher level of commitment among Member States for a systematic and comprehensive programme on human rights education.

¹ Amnesty International's statement on the draft UN Declaration on Human Rights Education and Training is drawn from our work in human rights education which spans formal and non-formal education sectors across all continents. Our international human rights education projects focus on: enabling diverse individuals, groups and communities to understand and express their personal and collective concerns in human rights terms; challenging and enabling people to act to demand, support and defend human rights and use human rights as a tool for social change; sensitizing duty-bearers to human rights issues and of their obligations to respect, protect and fulfill human rights; and raising awareness of the importance of human rights education for the protection and promotion of human rights. For more information on our human rights education work, please refer to Amnesty International's website: www.amnesty.org.

² Article 26 of the UDHR states that: "*Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.*" The importance of human rights education is also recognized in other international treaties and standards, including the International Covenant on Economic, Social and Cultural Rights (Article 13), the Convention on the Rights of the Child (Article 29), the Convention on the Elimination of All Forms of Discrimination against Women (Article 10), the International Convention on the Elimination of All Forms of Racial Discrimination (Article 7), the Convention against Discrimination in Education (Article 5), the American Convention on Human Rights (Article 12(4)), the African Charter on the Rights and Welfare of the Child (Article 12), and the First Additional Protocol to the European Convention on Human Rights (Article 2). More recently, the Vienna Declaration of the World Conference on Human Rights (1993) has highlighted the need for human rights education. This has been followed by global initiatives such as the UN Decade for Human Rights Education (1995-2004) and the first phase of the World Programme for Human Rights Education (2005-2009).

³ See Amnesty International Report 2009, The State of the World's Human Rights, Forward By Irene Khan, Secretary General.

⁴ Human Rights Council Resolution A/HRC/RES/6/10 (28 September 2007).

We call on the Advisory Council to consider and include the following aspects in the ongoing development of the text of the UN Declaration on Human Rights Education and Training.

1. General Concept and Definition

The declaration will set the global standard for human rights education. As such, it should provide a clear and comprehensive definition of human rights education, which builds on the guidance provided by various expert human rights bodies on the content and purpose of human rights education and incorporates the latest theory and practice drawn from recent human rights education work. The definition should be inclusive, yet remain non-exhaustive to allow for new conceptual developments in the area of human rights to be understood to be part of the definition.

In addition to focussing on the obligation of States under international human rights law to provide human rights education, in line with the UDHR⁵ the declaration should also encourage UN agencies, private actors, communities, families and individuals to provide and support human rights education.

Amnesty International views this declaration as a key framework document which will contain guiding principles on human rights education, as well as specific actions to be taken, while at the same time recognizing diverging contexts and practices amongst different countries, target groups and methodologies.

2. The Obligation to Provide Human Rights Education

States are obliged under various international and regional human rights treaties⁶ to provide human rights education to all persons. This obligation extends to ensuring that the content of education in all sectors - formal, non-formal, informal, and lifelong learning - promotes and is consistent with human rights. Various treaty bodies have also emphasized the need to extend human rights education to the police, legal professionals and others involved in the administration of justice.⁷ The role of human rights education in challenging and changing discriminatory attitudes and practices has also been highlighted.⁸ The declaration provides a significant opportunity to reinforce these standards by providing additional guidelines for effective implementation.

⁵ The preamble to the UDHR states that the Declaration is: "*a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.*"

⁶ See footnote 2 above.

⁷ See e.g. Human Rights Committee, Concluding Observations on the United Kingdom and Northern Ireland, CCPR/C/79/Add.119, 25 April 2000, para 9, Committee on Economic, Social and Cultural Rights, Concluding Observations on the Czech Republic, E/C.12/1/Add.76, 5 June 2002, para 45.

⁸ See e.g. Human Rights Committee, Concluding Observations on the Philippines, CCPR/CO/79/PHL, 1 December 2003, para 18, Committee on the Elimination of Racial Discrimination, Concluding Observations on Ghana, CERD/C/62/CO/4, 2 June 2003, para 9, Committee on the Elimination of Discrimination Against Women.

The declaration should clarify the concept and roles of duty-bearers and rights-holders regarding implementation of human rights education and training. Historically, human rights education programmes have targeted rights-holders, educating them about their rights with the aim of participation and empowerment. People have a right to know their rights, while duty-bearers have obligations to respect, fulfill, promote and protect human rights, and also a responsibility to ensure that people know and understand their rights. Duty-bearers must also be recognized in some cases as beneficiaries of human rights education programmes.

3. An Inclusive and Integrated Approach

Amnesty International supports the Advisory Committee's adoption of an inclusive and integrated approach to the declaration⁹ based on equality and non-discrimination and the promotion and protection of all rights (civil, cultural, economic, political, and social). An integrated approach to the declaration will also ensure that human rights education is included in all learning environments. Human rights education should underpin the work of schools and formal learning institutions. It is also key to engaging and empowering local communities to use a human rights framework to address human rights issues through non-formal education and participatory methodologies.¹⁰ Human rights education should be seen as a continuous and comprehensive lifelong learning process for all toward the full realization of human rights and respect for human dignity.

The declaration should also encourage the adoption of a rights based approach to all human rights education, learning and training. Human rights education must be designed and delivered within a framework of human rights law, participation, empowerment, non-discrimination, inclusion, and accountability. It extends to the content and processes of education: learning about human rights in human rights friendly environments and in a way that respects human rights.

The declaration should pay special attention to the rights and interests of those communities and groups who are most vulnerable.¹¹ Such groups and communities not only experience deprivation, but are often also excluded, denied a voice, threatened with violence and insecurity, and are frequently alienated from formal education systems.

Active participation is about the right of people: to information regarding the decisions being made which affect them, to have a say in those decisions, to be able to participate actively in processes that can determine the realization or violation of their rights, and thus to be able to exercise control over decisions that impact on their lives. A rights-based approach to human rights education should recognize that active participation of the individuals concerned is vital for full realization of their rights, and that human rights education is an essential element of active participation. Human rights education is a process of learning, reflecting and acting – a process where rights-holders learn

⁹ As set out in its progress report A/HRC/AC/2/L.1 (28 January 2009).

¹⁰ Employing participatory methodologies both in formal and non-formal education, ensures that human rights initiatives are interactive, learner-centred and learner driven, and also involve all stakeholders who are part of the education process.

¹¹ Communities and groups most vulnerable include persons living in extreme poverty, disadvantaged or marginalized communities, persons with disabilities, those living in situations of risk, persons in detention, migrants, displaced persons, and indigenous peoples. Women and girls, in particular, often experience greater discrimination in such contexts.

about their rights and are provided with the knowledge, skills and tools to become change agents. While legal frameworks are crucial to ensure real accountability, it is critical that rights-holders are capable of holding duty-bearers to account for human rights violations.

Recognizing that human rights education programmes should be specific to national or local contexts, the declaration should encourage the involvement and active participation of local communities in setting the objectives, as well as in implementation and evaluation of human rights education initiatives to ensure their relevancy, sustainability and long term impact.

4. Accountability

The declaration should recognize the importance of effective monitoring mechanisms in encouraging States and non-state actors to fulfill their obligations under the declaration. It should also acknowledge the importance of support and technical assistance when needed.

Despite expressed government commitments to human rights education and various plans of action for human rights education, evidence from the UN Decade and the World Programme for Human Rights Education shows that reporting and monitoring mechanisms employed thus far have been ineffective to ensure that human rights education is implemented at national levels. States must be held to account for their commitment and obligations in the area of human rights education and training.

Effective monitoring mechanisms will result in better evaluation of the implementation of human rights education. Development of a concrete set of benchmarks and indicators relating to national level achievements will allow for more effective and objective tracking of government progress. In particular, expenditure on human rights education must be measured and reported. Inclusion of human rights education in national education policies and plans, as well as curriculum and teacher training opportunities should also be monitored.

We call upon the Advisory Council to explore both the linkages between the declaration and existing UN human rights mechanisms (treaty bodies, special procedures, universal periodic review), as well as the relationships and roles in implementing the declaration across the UN system (UNESCO, UNICEF, UNDP, OHCHR, etc). The declaration can clarify and promote the role of civil society actors, including schools and universities, professional associations, trade unions, NGOs, as well as national human rights institutions in the monitoring process.

5. Allocation of Resources

Inadequate financial resources have been an ongoing issue and a major obstacle to efforts in promoting and implementing human rights education. The declaration should call on governments, and others, to allocate resources to human rights education and training, particularly within annual national budgets. The declaration should also promote allocation of resources to human rights education and training within the UN system.

6. Support and Protection of Human Rights Educators

The declaration should recognize human rights educators as human rights defenders, and as such call for the support and protection of human rights educators promoting and teaching human rights in circumstances where they have been or can be exposed to risk of threat, death, enforced

disappearance, torture, loss of livelihood, or other harm.¹² States should have the responsibility and duty to ensure that human rights educators, as any other human rights defenders, are able to enjoy all rights and freedoms in practice as they actively promote respect for human rights through education and training.

7. Role of Civil Society Actors and Non-governmental Organizations

It is evident that civil society actors and non-governmental organizations, have played a significant role in the promotion and implementation of human rights education throughout the UN Decade and under the first phase of the World Program for Human Rights Education. These efforts and contributions should be clearly recognized in the declaration. Sustained meaningful participation of civil society actors and NGOs in the implementation of human rights education and training at all levels (international, regional, national and local) and in all sectors (formal, non-formal informal) should be encouraged and supported in the declaration.

8. Support and Follow-up

Continued sharing of good practice through regional and international gatherings of educators and engagement with international educator/teacher organizations is also useful. Coordinated and joint efforts of inter-governmental organizations, such as the OHCHR, UNESCO, UNDP, UNICEF, and regional organizations to support human rights education initiatives under the declaration are welcomed and should be continued.

¹² For example, Amnesty International has taken action in the case of a woman who, as a result of her providing training, education and family planning programmes to women living in Afghanistan, received death threats and there was an attempted kidnapping of her young son. Another case involved an NGO activist in Venezuela who was threatened and shot because he publicly condemned corruption and violations of the right to free education (which is enshrined in the country's constitution).