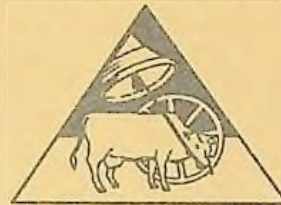


LST REVIEW

Volume 10 Issue 146 December 1999



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LAW & SOCIETY TRUST



Editor's note

This issue of the LST Review is devoted to the UN Decade for Human Rights Education (1995-2004) declared by the UN in December 1994. We publish the General Assembly Resolution declaring the Decade, the UN Guidelines for National Plans of Action for Human Rights Education and the Pune Declaration on Education for Human Rights in Asia and the Pacific. We also publish an article by Dr V. Karad on the situation of human rights education in India.

LST organised a discussion on the UN Decade for Human Rights Education in December and several presentations were made on formal education and non-formal education. Dr Udagama in her presentation points out that the present system of education does not address human rights in a holistic manner. What is needed is a policy on human rights education.

It is hoped that this issue will lead to a discussion on the need to prepare a comprehensive Plan of Action on Human Rights Education for Sri Lanka.

United Nations Decade for Human Rights Education*

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights¹

Reaffirming Article 26 of the Universal Declaration of Human Rights, according to which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms,"

Recalling the provisions of other international human rights instruments, such as those of Article 13 of the International Covenant on Economic, Social and Cultural Rights² and Article 28 of the Convention on the Rights of the child³ that reflect the aims of the aforementioned Article,

Taking into account Commission on Human Rights resolution 1993/56 of 9 March 1993⁴ in which the Commission recommended that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in education policies,

Considering Commission on Human Rights resolution 1994/51 of 4 March 1994⁵ in which the Commission encouraged the United Nations High Commissioner for Human Rights to include among his specific objectives a

* Resolution adopted by the General Assembly [on the report of the Third Committee (A/49/610/Add.2)], 94th plenary meeting, 23 December 1994.

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

³ Resolution 44/25, annex.

⁴ See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* (E1993/23), chap. II, section A.

⁵ *Ibid.*, 1994, *Supplement No. 4* and corrigendum (E/1994/24 and Corr. I), chap. II, section A.

plan of action for the United Nations Decade for Human Rights Education and invited the Secretary-General to submit to the General Assembly at its forty-ninth session, through the Economic and Social Council, a plan of action for a Decade for Human Rights Education,

Convinced that human rights education should involve more than the provision of information and should constitute a comprehensive life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Convinced also that human rights education contributes to a concept of development consistent with the dignity of women and men of all ages that takes into account the diverse segments of society such as children, indigenous peoples, minorities and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organisations in all parts of the world, as well as by intergovernmental organisations, including the United Nations Educational, Scientific and Cultural Organisation, the International Labour Organisation and the United Nations Children's Fund,

Convinced that each woman, man and child, to realise their full human potential, must be made aware of all their human rights - civil, cultural, economic, political and social,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and ensuring equal opportunities through the promotion and protection of the human rights of women,

Considering the World Plan of Action on Education for Human Rights and Democracy⁶ adopted by the International Congress on Education for Human Rights and Democracy convened by the United Nations Educational, Scientific and Cultural Organisation at Montreal from 8 to 11 March 1993, according to which education for human rights and democracy is itself a human right and a prerequisite for the realisation of human rights, democracy and social justice,

⁶ See A/CONF. 157/PC/42/Add.6.

Recalling that it is the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,⁷

Taking note of the report of the United Nations High Commissioner for Human Rights⁸ in paragraph 94 of which he declared that human rights education is essential for the encouragement of harmonious inter-community relations, for mutual tolerance and understanding and finally for peace,

Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observers in El Salvador and the United Nations Transitional Authority in Cambodia,

Bearing in mind the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993⁹ in particular section II, paragraph 78 to 82 thereof,

1. Takes note with appreciation of the report of the Secretary-General¹⁰ on human rights education, submitted in accordance with the request contained in General Assembly resolution 48/127 of 20 December 1993;
2. Proclaims the ten-year period beginning on 1 January 1995 the United Nations Decade for Human Rights Education;
3. Welcomes the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2005, as contained in the report of the Secretary-General¹¹ and invites Governments to submit comments, with a view to supplementing the Plan of Action;

⁷ See resolution 48/141, para. 4(e).

⁸ A/49/36.

⁹ A/CONF.157/24 (Part I), chap. III.

¹⁰ A/49/261-E/1994/110 and Add. 1.

¹¹ A/49/261-E/1994/110/Add. 1, annex.

4. Invites the Secretary-General to submit proposals, taking into account the views expressed by Governments, for the purpose indicated in paragraph 3;
5. Appeals to all Governments to contribute to the implementation of the Plan of Action and to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;
6. Urges governmental and non-governmental educational agencies to intensify their efforts to establish and implement programmes of human rights education, as recommended in the Plan of Action, in particular by preparing and implementing national plans for human rights education;
7. Requests the United Nations High Commissioner for Human Rights to coordinate the implementation of the Plan of Action;
8. Requests the Centre for Human Rights of the Secretariat and the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organisations, to support efforts of the United Nations High Commissioner for Human Rights to coordinate the Plan of Action;
9. Requests the Secretary-General to consider establishing a voluntary fund for human rights education, with special provision for the support of the human rights education activities of non-governmental organisations, to be administered by the Centre for Human Rights;
10. Invites the specialised agencies and United Nations programmes to contribute, within their respective spheres of competence, to the implementation of the Plan of Action;
11. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community and to intergovernmental and non-governmental organisations concerned with human rights and education;
12. Calls upon international, regional and national non-governmental organisations, in particular those concerned with women, labour, development and the environment, as well as all other social justice groups, human rights

advocates, educators, religious organisations and the media, to increase their involvement in formal and non-formal education in human rights and to cooperate with the Centre for Human Rights in implementing the United Nations Decade for Human Rights Education;

13. Requests the existing human rights monitoring bodies to place emphasis on the implementation by Member States of their international obligation to promote human rights education;

14. Decides to consider this matter at its fiftieth session under the item entitled "human rights questions."

**United Nations Decade for Human Rights Education
(1995-2004) and public information activities
in the field of human rights**

Report of the Secretary-General

Addendum

**Guidelines for national plans of action
for human rights education***

PREFACE

1. The present "guidelines for National Plans of Action for Human Rights Education" have been developed by the Office of the High Commissioner for Human Rights (OHCHR) in the framework of the United Nations Decade for Human Rights Education (1995-2004). The Guidelines are intended to assist States in responding to several resolutions of both the General Assembly and the Commission on Human Rights, in which States were called upon to develop national plans of action for human rights education.¹

2. In its resolution 49/184 proclaiming the Decade for Human Rights Education, the General Assembly welcomed a related Plan of Action submitted to the Assembly by the Secretary-General, and requested the United Nations High Commissioner for Human Rights to coordinate its implementation. The final version of the Plan of Action (see A/51/506/Add.1, appendix) seeks to stimulate and support national and local activities and initiatives. It is built upon the idea of a partnership between Governments, intergovernmental organisations, non-governmental organisations (NGOs), professional associations, individuals and large segments of civil society.

* Fifty-second session, Agenda item 112(b), A/52/469/Add.1, 20 October 1997.

¹ See General Assembly resolutions 49/184, 50/177 and 51/104; and Commission on Human Rights resolutions 1995/47 and 1996/44 and decision 1997/111.

3. The Plan of Action has five objectives:

- (a) The assessment of needs and formulation of strategies;
- (b) Building and strengthening human rights education programmes at the international, regional, national and local levels;
- (c) Developing educational materials;
- (d) Strengthening the role of mass media;
- (e) Global dissemination of the Universal Declaration of Human Rights.

4. With regard to the building and strengthening of human rights education programmes at the national and local levels, Member States are urged to establish a national committee for human rights education and to draw up a national plan of action.

5. Since governmental and non-governmental organisations and individuals have important roles to play in ensuring that human rights are respected, national human rights education strategies and plans of action should be developed and implemented by a creative mixture of all of such entities. These Guidelines are not intended as a blueprint for a nationally coordinated effort in human rights education. Rather, they aim at providing concrete suggestions for developing and implementing a comprehensive (in terms of outreach), effective (in terms of educational strategies) and sustainable (over the long term) national plans of action.

6. In those countries with a federal system, plans of action may be developed at both the federal and state/provincial levels. Therefore, "National Plan", as used in this document, may refer to state/provincial plans as well.

7. The guidelines are structured in the following sections:

- (a) Introduction;
- (b) Principles governing a national plan of action for human rights education;

(c) Steps towards a national plan of action for human rights education.

8. The preparation of the Guidelines has benefited from the valuable input of several experts and practitioners in the area of human rights education, including Mr. Carlos Basombrio, Mr. Clarence J. Dias, Mr. Frej Fenniche, Ms. Nancy Flowers, Mr. Chris Madiba, Mr. Abraham Magendzo, Mr. Viti Muntarhorn, Mr. Marek Nowicki, Mr. Ralph Pettman, Ms. Magda Seydegardt, Ms. Cristina Sganga, Ms. Felisa Tibbitts, Mr. David Weissbrodt and Ms. Louisa Zondo. The United Nations Educational, Scientific and Cultural Organisation (UNESCO) and the Council of Europe also participated in the process of discussing and drafting the Guidelines.

9. Three complementary documents to these Guidelines have also been prepared and will be made available by the OHCHR:

- (a) Human Rights Education Programming, a paper which includes ideas and suggestions for the implementation of targeted human rights education programmes regarding (i) public awareness; (ii) the schooling sector; (iii) other priority groups, and a resource guide to assist in programme implementation;
- (b) The Right to Human Rights Education, a compilation of full texts/excerpts of international instruments pertaining to human rights education;
- (c) Human Rights Trainers Guide, a methodological approach to the human rights training of professional groups.

I. INTRODUCTION

A. Definition of human rights education

10. References to the concept of education in and for human rights appear in a number of international human rights instruments, including the Universal Declaration of Human Rights (Article 26), the International Covenant on Economic, Social and Cultural Rights (Article 13), the Convention of the Rights of the Child (Article 28), and, most recently, the Vienna Declaration and Programme of Action (section D, paras. 78-82). Taken together, these instruments provide a clear definition of the concept of human rights education

as agreed by the international community.

11. In accordance with those provisions, and for the purposes of the Decade, human rights education may be defined as training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes, which are directed towards:

- (a) The strengthening of respect for human rights and fundamental freedoms;
- (b) The full development of the human personality and the sense of its dignity;
- (c) The promotion of understanding tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups;
- (d) The enabling of all persons to participate effectively in a free society;
- (e) The furtherance of the activities of the United Nations for the maintenance of peace (see A/51/506/Add.1, appendix, para. 2).

B. Why human rights education?

12. There is growing consensus that education in and for human rights is essential and can contribute to both the reduction of human rights violations and the building of free, just and peaceful societies. Human rights education is also increasingly recognised as an effective strategy to prevent human rights abuses.

13. Human rights are promoted through three dimensions of education campaigns:

- (a) Knowledge: provision of information about human rights and mechanisms for their protection;
- (b) Values, beliefs and attitudes: promotion of a human rights culture through the development of values, beliefs and attitudes which uphold human rights;

- (c) Action: encouragement to take action to defend human rights and prevent human rights abuses.

C. Why national plans of action for human rights education?

14. National plans serve to:

- (a) Establish or strengthen national and local human rights institutions and organisations;
- (b) Initiate steps towards national programmes for the promotion and protection of human rights, as recommended by the World Conference on Human Rights;
- (c) Prevent human rights violations that result in ruinous human, social, cultural, environmental and economic costs;
- (d) Identify those people in society who are presently deprived of their full human rights and ensure that effective steps are taken to redress their situation;
- (e) Enable a comprehensive response to rapid social and economic changes that might otherwise result in chaos and dislocation;
- (f) Promote diversity of sources, approaches, methodologies and institutions in the field of human rights education;
- (g) Enhance opportunities for cooperation in human rights education activities among government agencies, non-governmental organisations, professional groups and other institutions of civil society;
- (h) Emphasise the role of human rights in national development;
- (i) Help Governments meet their prior commitments to human rights education under international instruments and programmes, including the Vienna Declaration and Programme of Action (1993) and the United Nations Decade for Human Rights Education (1995-2004).

D. Why guidelines for national plans of action?

15. The Guidelines intended to:

- (a) Promote a common understanding of the purposes and content of human rights education and the Decade;
- (b) Highlight minimum standards for human rights education;
- (c) Identify processes/steps needed to design, implement, evaluate and redesign a national plan for human rights education;
- (d) Draw attention to the human, financial and technical resources needed to adopt a national approach to human rights education;
- (e) Encourage effective interaction between national and international human rights institutions and organisations and promote the implementation of international human rights standards at the national level;
- (f) Provide mechanisms for setting reasonable human rights education goals and measuring their achievement.

II. PRINCIPLES GOVERNING A NATIONAL PLAN OF ACTION FOR HUMAN RIGHTS EDUCATION

A. General principles

16. Education in and for human rights is a fundamental human right. Governments should develop national plans that:

- (a) Promote respect for and protection of all human rights through educational activities for all members of society;
- (b) Promote the interdependence, indivisibility and universality of human rights, including civil, cultural, economic, political and social rights and the right to development;

- (c) Integrate women's rights as human rights in all aspects of the national plan;
- (d) Recognise the importance of human rights education for democracy, sustainable development, the rule of law, the environment and peace;
- (e) Recognise the role of human rights education as a strategy for the prevention of human rights violations;
- (f) Encourage analysis of chronic and emerging human rights problems, which would lead to solutions consistent with human rights standards;
- (g) Foster knowledge of and skills to use global, regional, national and local human rights instruments and mechanisms for the protection of human rights;
- (h) Empower communities and individuals to identify their human rights needs and to ensure that they are met;
- (i) Develop pedagogies that include knowledge, critical analysis and skills for action furthering human rights;
- (j) Promote research and the development of educational materials to sustain these general principles;
- (k) Foster learning environments free from want and fear that encourage participation, enjoyment of human rights and the full development of the human personality.

B. Organisational and operational principles

17. All procedures and practices for the elaboration, implementation and evaluation of the national plan should guarantee (a) the pluralistic representation of society (including NGOs); (b) transparency of operation; (c) public accountability; and (d) democratic participation.

18. All government authorities should respect the independence and autonomy of the various organisations in the implementation of the national plan.

C. Principles for educational activities

19. All educational activities conducted under the national plan must foster:
- (a) Respect for and appreciation of differences and opposition to discrimination on the basis of race, national or ethnic origin, gender, religion, age, social, physical or mental condition, language, sexual orientation etc.;
 - (b) Non-discriminatory language and conduct;
 - (c) Respect for and appreciation of diversity of opinions;
 - (d) Participatory teaching and learning;
 - (e) "Translation" of human rights norms into the conduct of daily life;
 - (f) Professional training of trainers;
 - (g) Development and strengthening of national capacities and expertise for the effective implementation of the plan.

III. STEPS TOWARDS A NATIONAL PLAN OF ACTION FOR HUMAN RIGHTS EDUCATION

A. Step 1: Establishing a national committee for human rights education

Establishment

20. A national committee should be established in each country, according to national conditions and should include representatives of appropriate government agencies and non-governmental organisations with experience in human rights and human rights education or with the potential to develop such programmes.

POTENTIAL MEMBERSHIP

The members of the national committee should include institutions,

organisations and individuals that intend to work in accordance with the purposes and principles of the United Nations, including the principles on which the Decade is based. A sample list might include, inter alia:

Representatives of national/local bodies, such as:

- * government representatives (which would then liaise with relevant ministries);
- * the national commission for UNESCO and other similar national agencies (in Europe, for instance, the information and Documentation Centres on the Council of Europe);
- * independent human rights national institutions (human rights commissions and/or ombudsmen);
- * national human rights resource and training centres;
- * national/local human rights groups/organisations, including, for example, national committees for UNICEF, and other community-based organisations, including women's and social justice groups;
- * national chapters of international human rights non-governmental organisations, including, for example, national United Nations Associations;
- * representatives from parliament (in particular, from the education, human rights and development committees);
- * key representatives of civil society, including trade and professional unions;
- * representatives from the judiciary;
- * business community;
- * teachers' associations/unions;
- * cultural/social and community leaders;

- * youth organisations;
- * minority groups;
- * educators and university scholars;
- * media representatives.

Observers may, as appropriate, be invited, such as national representatives/offices of international agencies present in the country, including, inter alia:

- * the United Nations resident coordinator (who often is the United Nations Development Programme resident representative);
- * the United Nations information centre or service;
- * the United Nations High Commissioner for Refugees (UNHCR) national delegation;
- * the High Commissioner/Centre for Human Rights field presence;
- * the office of regional intergovernmental organisations (Organisation of African Unity, Organisation of American States, Council of Europe, Commonwealth, Francophonie, etc.).

21. The initiative for forming the national committee should be taken by the appropriate branch or agency of the Government. In this respect, the Government should respond to relevant initiatives from a national human rights commission, similar national institution or non-governmental organisation.

22. The first step in establishing a national committee could be through the selection of a temporary liaison officer or convener for the purpose of establishing the committee. At this stage, it is important that efforts be made to embrace in the committee at least all institutions and organisations already significantly active in the area of human rights education. The Government should notify the OHCHR when the national committee is convened.

Functions

23. The Committee should be directly responsible for the development of the national plan, including (a) the commissioning/conduct of the baseline study (step 2); (b) the formulation of a comprehensive national plan of action, including identifying objectives, strategies, programmes and financing (steps 3 and 4); (c) the facilitation of the implementation of the national plan (step 5); and (d) the periodic evaluation, review and follow-up of programmes and the achievements of national goals (step 6).

24. With regard to the international level, the committee should remain in contact with regional and international bodies involved in implementing the objectives of the Decade and should channel international and regional inputs, information and support to the local and grass-roots levels. The Committee should also report periodically to the OHCHR on needs, proposals and progress made towards the realisation of the goals of the Decade, so that this information can be included in the High Commissioner's reports on the implementation of the United Nations Plan of Action for the Decade and can constitute a basis for further action.

Methods of work

25. A coordinator should be elected by the committee, who may be guided by a small representative advisory board. A secretariat could be established, eventually within one of the member organisations of the committee.

26. The committee should operate with a free exchange of views and information, in an atmosphere of trust and collaborative interest in seeing that a comprehensive, intersectoral and multidisciplinary strategy for human rights education can take place in the country.

27. Procedures for decision-making, as well as for requesting, receiving, reviewing and discussing the contributions of concerned individuals, groups and organisations should be developed at an early stage.

Time-frame

28. Where not already existing, a national committee should preferably be established at the beginning of 1998, the year of the fiftieth anniversary of the

Universal Declaration of Human Rights. It should work at least for the period of the Decade (1995-2004).

B. Step 2: Conducting a baseline study

Purpose

29. If it has already not been undertaken, a baseline study or needs assessment will be a critical aid in determining the more pressing local and national needs.

30. Accordingly, once the committee is constituted, one of its early activities should be to conduct or commission a systematic study the state of human rights education in the country, including the areas where human rights challenges are greatest, the available level of support and the extent to which the basic elements of a national strategy are already in place. This inquiry and any subsequent activities will require that the committee have a clear understanding about what constitutes human rights education.

Content

31. The study might deal with present activities, needs and human and institutional resources for human rights education, including such basic issues as:

- (a) Existing programmes for human rights education (for the general public, formal schooling sectors and specific groups);
- (b) Existing curricula for human rights and democracy issues at all levels of education;
- (c) Current activities of governmental and non-governmental agencies active in human rights education;
- (d) Existence of legal norms concerning the promotion of human rights and their implementation;
- (e) Availability of key human rights documents in national and local languages as well as in simplified language form;

- (f) Availability of other materials, both textual and other, for use in human rights education and their accessibility;
- (g) Overall level of organisational and financial support for human rights education, including institutions and individuals most likely to assist in this area;
- (h) Existence of national development plans and other relevant national plans of action already defined (general human rights plans of action or those for women, children, minorities or indigenous peoples);
- (i) Obstacles to human rights education that should be overcome;
- (j) An overall needs assessment for human rights education, including identification of human rights problems in the country and consequently emerging priority groups in need of human rights education.

32. The study might also include (a) knowledge about human rights among the general population, as well as potential target groups; (b) social, political and economic conditions relevant to human rights education; (c) human rights educational access for marginalised groups; and (d) treatment of human rights issues by the mass media (including television, radio, newspapers and popular magazines).

Methods

33. To be the basis for the development of the national plans of action, this baseline study must be seen as legitimate, credible and objective. This question of legitimacy extends to the organisation(s) commissioned to conduct the study, as well as the data collection methods themselves.

34. The study can be undertaken through the distribution of questionnaires,² through interviews and collection/reviewing of materials. Information can also be obtained through the canvassing of existing groups, many of whom

² A questionnaire developed by the OHCHR to conduct a survey of human rights programmes, materials and organisations at the national level is available and may be requested from the OHCHR.

may already be on the national committee. A bottom-up approach for the assessment of needs should be encouraged, i.e. a participatory approach at the grass-roots level. Local seminars and workshops among basic educators in the rural areas, for example, or the participation of representatives of NGOs working in those areas could be a way of assessing needs as widely as possible.

35. Also, the study should review State reports to the United Nations treaty bodies on the implementation of human rights education provisions of international instruments³ as well as the observations and recommendations made by those bodies in this regard. National reports elaborated in accordance with other international or regional monitoring procedures should also be reviewed.

36. The study should identify and make recommendations on high-priority groups in need of human rights education, proposed programme areas to address gaps in programme coverage and suggestions for improving the human rights education activities of existing groups.

37. The study must be made public and be widely disseminated and could have attached a useful annex of addresses of all national and local institutes and governmental and non-governmental agencies dealing with human rights education that may be contracted and may provide materials for further development of programmes.⁴

C. Step 3: setting priorities and identifying groups in need

38. Priorities in human rights education will need to be established for the short, medium and long term on the basis of the findings of the baseline study. These priorities might be set on the basis of the most pressing needs (for example, among groups that are clearly in need of human rights

³ Relevant United Nations treaty bodies include the Committee on Economic, Social and Cultural Rights, the Human Rights Committee, the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee against Torture.

⁴ Inspiration for the content of methods of the baseline study was taken from the Italian example, as reported in A/51/506, para. 44(e) and the Tunisian example, as reported in E/CN.4/1997/46, para. 23(g).

education) and on the basis of the opportunity (for example, if certain groups or institutions have requested assistance in setting up human rights education programmes).

39. Groups in need of human rights education may include:

- (a) Administration of justice officials: (i) law enforcement personnel, including police; (ii) prison officials; and (iii) judges and prosecutors.
- (b) Other government and legislative officials: (i) members of the legislature; (ii) public officials involved in drafting legislation, developing and implementing policy; (iii) the military and other security forces; and (iv) immigration and border officials;
- (c) Key professional groups: (i) teachers; (ii) social workers; (iii) the medical profession; (iv) the media and journalists; and (v) the legal profession;
- (d) Organisations and groups: (i) women's organisations; (ii) indigenous peoples (iii) minority groups; (iv) trade unions; (v) development agencies (vi) business community; (vii) workers' and employers' organisations; (viii) community leaders; (ix) groups with a special interest in social justice issues; and (x) religious leaders;
- (e) Schooling sectors: (i) children; (ii) youth; and (iii) professional trainees;
- (f) Others: (i) refugees and displaced persons; (ii) rural and urban poor, especially women; (iii) migrant workers; (iv) other vulnerable people, such as people with HIV/AIDS infection, disabled persons, persons in extreme poverty, the aged; (v) prisoners and others under detention; and the (vi) general public.

D. Step 4: Developing the national plan

Components

40. In response to the needs identified in the baseline study and to the national context, a national plan of action should include a comprehensive set

of objectives, strategies and programmes for human rights education and evaluation mechanisms.

41. Accordingly, the plan of action should include the following components:

- (a) An affirmation of the overall goals or objectives for human rights education in the country (on the basis of a clear definition of human rights education, as contained in international instruments);
- (b) Strategies for reaching the general public, formal schooling sectors and special target groups;
- (c) Programmes for the realisation of these strategies, composed of specific activities;
- (d) Short, medium and long-term steps for carrying out the Plan;
- (e) Realistic identified results to be achieved and criteria for monitoring/evaluating;
- (f) Special opportunities for human rights education;
- (g) The role of the National Committee in the implementation of the plan;
- (h) Mechanisms for individuals and groups to contact the Committee and become part of the national human rights education effort;
- (i) Contact information for key local human rights education organisations.⁵

⁵ An example of a comprehensive Plan of Action for Human Rights Education which has already been developed is the Philippine case, as reported in E/CN.4/1997/46. The Philippine Plan of Action, forwarded to the High Commissioner/Centre for Human Rights by the Philippine Commission on Human Rights, "includes clear objectives, target audience (organised and unorganised elements of society), strategies (trainers' training, organisation of networks, integration of human rights in all educational curricula, utilisation of village-level officials to reach out to the community level, promotional campaigns including artistic and cultural activities, development of monitoring and evaluation systems, etc.) and programmes, including the creation of a human rights training, documentation and research centre (the Human Rights Academy). In the elaboration of the Plan, and in view of its implementation, the Commission has entered into a number of formal agreements

Objectives

42. The objectives of the national plan should be consistent with the principles outlined in section II above.

Strategies

43. A comprehensive national strategy for human rights education should include (a) a general public awareness campaign; (b) the infusion of human rights themes into all levels of formal schooling; and (c) an educational effort customised for specific groups in need of human rights education.

44. The national plan of action should constitute an integral part of the national development plan and be complementary to other relevant national plans of action already defined (general human rights plans of action or those relating to women, children, minorities, indigenous peoples, etc.).

Programmes

45. The national plan of action should include a national-specific framework for implementing and monitoring human rights education programmes. With regard to existing programmes for human rights education, the plan could indicate how those programmes should be strengthened or reformulated. Also, the plan should aim at strengthening local programmes and capacities.

46. The following types of activities and approaches could constitute courses of action in support of the attainment of national strategy goals:

- (a) Networking support: building practical relationships/networks among individuals, groups and institutions; promotion of meetings and collaborations; and identification and sharing of useful resources and experiences among those conducting human rights education. A general principle for the involvement of organisations is that their

with other national partners for human rights education, to define in detail specific areas of responsibility. These partners include: the Department of Interior and Local Government, the Liga NG MGA Barangay (an organisation of barangay captains or village chiefs), the Department of Justice, the Department of National Defence, the Department of Education, Culture, Sports, the Commission on Higher Education Education and Amnesty International/Philippine Section" (E/CN.4/1997/46, para. 23.f).

complementarity should be promoted;

- (b) Institutional/organisational support: identification, support and, if necessary, establishment of individual institutions or agencies, as well as coalitions of such organisations, to promote and coordinate human rights education training, materials development and other means of education. This course of action should include the establishment (or strengthening) of a publicly accessible national human rights resource and training centre to support the work of the national committee (see A/51/506/Add.1, appendix, para. 61). The centre should be able to offer technical assistance (for example, in the form of publications, training materials and roster of national trainers, experts and institutions) to those interested in implementing human rights education programmes. Where such a centre is already existing, its work should be evaluated. Where not already established or where an existing centre is not effective for the purposes of the Decade, it could be set up, according to national conditions, for instance in the framework of a university or a national institution (such as a human rights commission or an ombudsman's office). A new organisation might also be established by the committee in cases where there is no obvious vehicle for the delivery of human rights education programming;
- (c) Integration of human rights education into all levels of formal education: after a thorough revision of existing programmes and curricula, key human rights themes and topics should be included in professional and technical training programmes and in professional codes of conduct or operating procedures, as well as at the pre-school and primary, secondary, university and other institutions of higher learning levels of education;
- (d) Education of groups in need: development and maintenance of comprehensive training programmes for the various groups in need of human rights education, including vulnerable groups, groups which are more likely to affect human rights advocacy, and influential persons/groups in society in order to promote awareness of sectoral-based human rights challenges and actions to enhance human rights practices;

- (e) Public awareness campaign: undertaking of activities to increase public and professional access to and awareness of international human rights standards, of local, national and international mechanisms of protection and of mass media, informal education techniques and existing agencies and non-governmental networks;
- (f) production and revision of materials: development of national language/simplified versions of key international human rights documents and human rights training materials, for all levels of literacy and for persons with disabilities; and revisions of educational materials to bring their content in line with international human rights standards;
- (g) Research and evaluation: facilitation of research into and evaluation of human rights education programming in order to foster its improvement and share experience of what is effective;
- (h) Legislative reform: promoting reform in relevant public policy sectors, including reviewing existing and proposed legislation and elaborating new legislation (for instance, the incorporation of human rights in the educational curricula at all levels of the formal educational system could probably entail legislative or policy action, such as changes in licensing requirements for teachers).

Resources

47. A financial strategy for the national plan should be developed. Funding could be raised at the local, regional, national and international level. Consideration could be given to the establishment of a national fund.

48. The development of a national plan of action should be linked to a corresponding policy declaration and the freeing up of resources to help realise the programme goals. In this regard, the committee should make as much use as possible of institutional, human and financial resources already available, according to national conditions, by reorienting available resources for national programmes. Additional resources could be sought from the private sector and donor agencies.

49. Once the plan has been elaborated through a process of broad

consultation, an immediate task of the committee should be to identify organisations and ways that can help in its realisation. Partnerships with and between human rights groups and university faculties, trade unions, government agencies and other non-governmental organisations should be established.

E. Step 5: Implementing the national plan

50. Effective implementation is essential for the credibility of the national plan. The plan should bear in mind the possibility of a variety of inputs in federal systems and the relevance of the regional and local levels.

51. Implementation is linked to a number of measures including responsive policies, law, mechanisms and resources (human, financial, information and technological), and may vary from country to country. However, in each country implementation should be based on the principles covered in section II above.

F. Step 6: Reviewing and revising the national plan

52. The plan should be reviewed periodically and revised as necessary to ensure effective responses to the needs identified by the baseline study. It is recommended that periodic reviews, through the participation of independent evaluators, be organised by the committee, the first to take place one year after the initiation of the plan of action, and first to take place one year after the initiation of the plan of action, and thereafter periodically. These reviews would ideally involve self-evaluation and independent evaluations. They would be a learning tool for understanding the strengths and weaknesses in the design and implementation of existing programming, and for making revisions as necessary with effective follow-up.

53. Conditions vary greatly within countries regarding data, human and financial resources available for evaluation. Moreover, the methods chosen must be appropriate to local cultures. But it is always possible to build an evaluation component into educational activities, especially at the time they are taking place. Evaluating comprehension can be very different from evaluating attitudinal change or skills development. The more participatory the methodology used for human rights education, the more effective is likely to be the evaluation.

54. Clearly, each national programmes will need to devise its own plans for evaluation. What follows is intended to be purely suggestive of some of the issues and questions involved.

55. National evaluations should examine, at a minimum, three areas: (a) the national plan of action; (b) programme implementation, and (c) the functioning of the national committee.

National plan of action

56. Are the objectives contained in the national plan of action being met:

- (a) In terms of programme coverage? Data source: contrast objectives in the National Plan with current human rights education programming;
- (b) In terms of programme effectiveness (within the sectors of public awareness; education in the primary, secondary, university and professional/technical educational levels; education of groups in need)? Possible indicators: see "Programme implementation" below.

57. Have there been any developments in the human rights or human rights education fields, either locally, nationally or internationally, that would affect elements of the national plan of action, including the need to focus more or less on certain groups, or new opportunities for human rights education programming? Data sources: recent human rights reports, new national legislation or court decisions, new relationships with potential human rights education deliverers or collaborators, new communication technologies, local/national/regional/international events that highlighted the need for human rights education.

Programme implementation

58. For the various sectors of programming (e.g. public awareness campaigns, etc.), how are the programmes meeting the criteria of comprehensiveness (including non-discriminatory and affirmative action measures)? Are the programmes having maximum outreach to target audiences and/or having outreach with a core group, which in turn, has leadership, visibility and motivation to influence others in their respective sector?

- (a) First set of indicators: outreach mechanisms and numbers reached:
- (i) Public outreach: print readership, television viewers, radio listeners (including articles, programming and ad campaigns), use of visuals such as posters and artistic programmes;
 - (ii) Outreach to key leadership in relation to the national plan of action, including possibly the media, educational authorities, governmental officials, social justice groups, trainers and so forth;
 - (iii) Sector-specific outreach: (1) written: readership of professional newspapers and magazines, dissemination of special information brochures, educational materials used in awareness and training; (2) oral: participants in awareness and educational/training activities; and (3) other: dissemination of visual materials such as posters, and videos;
- (b) Second set of indicators: contrast numbers reached with total numbers desired;
- (c) Third set of indicators: projection of further outreach based on future programming, relationship with key agencies.

59. For the various sectors of programming, are the programmes effective for educating learners in the knowledge/understanding, attitudes/values and skills/behaviour necessary to support national respect for and protection of human rights? Possible data sources: (a) pre-and post-surveys of programme participants on their knowledge about and attitudes towards human rights and related issues, including relevance to everyday life (if it is not feasible to survey all participants, could do a random sampling of those with exposure to human rights education, including use of control groups); (b) individual and focus group interviews with participants concerning their knowledge about and attitudes towards human rights, evaluation of the rights education programming they participated in, and any plans for application of human rights principles; and (c) longitudinal data collection on impact including follow-up surveys and interviews on above topics.

60. For the various sectors of programming, are the programmes sustainable?

- (a) Can the human rights education programme strategies be sustained either through the direct continuation of programming and/or through the expertise catalysed by the original programme? (An example of the first are training activities conducted directly by staff; an example of the second would be training activities conducted by those originally trained by staff);
- (b) Has human rights education expertise been expanded? Possible indicators: future programme plans (including outreach numbers and techniques, funding sources), cadre of human rights education specialists that can be drawn upon for future programming, local spin-off programming, networking and coalitions with other groups;
- (c) Have the programmes been institutionalised? Possible indicators: insertion of human rights in all teaching institutions' curricula and establishment and functioning of a national human rights resource and training centre.

National committee

61. How timely and effective has the national committee been in developing the national plan of action (including commissioning the baseline study and formulating national objectives, strategies and programme priorities)? Data sources: interviews with key members of the committee. Comparison between time-frame set (if available) and time-frame met.

62. How successful has the committee been in facilitating cooperative behaviour between government agencies, intergovernmental organisations, non-governmental organisations, professional associations, individuals and other civil society groups? Data sources: interviews with members of the national committee, leadership of cooperating agencies and leadership of non-cooperating agencies.

63. How successful has the committee been in generating political and financial support for carrying out the national plan of action? Indicators: organisational representation from governmental and non-governmental organisations on the national committee itself; support and endorsement from key agencies for implementation of human rights education programming; funds or support in kind contributed from government sources, from donor agencies and from cooperating intergovernmental agencies and NGOs.

The Pune Declaration on Education for Human Rights in Asia & the Pacific*

The participants of the Asia and Pacific Regional Conference on Education for Human Rights, organised in Pune, India, by the World Peace Centre of MAEER's MIT (Pune), National Human Rights Commission of India and the Indian National Commission for Cooperation with UNESCO, at the initiative and with the support of UNESCO to commemorate the 50th Anniversary of the Universal Declaration of Human Rights and the UN Decade for Human Rights Education (1995-2004), discussed the status of education for human rights and the obstacles and special needs for its promotion in the region.

The conference notes that the Asia and Pacific Region

- is characterised by significant social, political and cultural diversity and varying levels of economic development;
- suffers in large parts from extreme poverty and illiteracy;
- is experiencing the adverse impact of globalisation processes especially in the economic and cultural fields in many cases detrimental to human rights;
- suffers from the prevalence of different societal maladies such as child labour, sexual exploitation of women and children, gender inequality, contemporary forms of slavery, discrimination of persons belonging to national, ethnic, religious or linguistic minority groups, exclusion based on social status, deprived and disadvantaged communities and other grounds which seriously impede the promotion of human rights;
- is disturbed by the sufferings of innocent people as a result of acts of terrorism, armed conflicts and abuse of power;
- is experiencing serious degradation of the environment affecting the quality of life of the people and threatening the very survival of humanity.

* Adopted by the Asia & Pacific Regional Conference on Education for Human Rights, Pune, India, 3-6 February 1999.

The conference reaffirms that education is a basic right and an essential precondition for the implementation of all human rights for all. Further, the participants of the Asia-Pacific Regional Conference feel that a comprehensive, integrated and holistic approach is called for to popularise education for human rights from school level to graduate and post graduate level. A similar effort is also called for to bring about attitudinal changes to accept the value of human rights education as an important component of self-development. This ultimately results in creating awareness of rights from the childhood. Elementary education shall be free and compulsory. Education shall be directed, in conformity with the Universal Declaration of Human Rights, to the full development of human personality and the strengthening of respect for human rights. It should enable society to address civil, social, political, economic and cultural problems preventing enjoyment of human rights, to improve the quality of life of the people, and to resolve conflicts through peaceful means.

The conference notes the efforts of the inter-governmental and non-governmental organisations, national human rights institutions, educational community and other segments of civil society to promote education for human rights. The conference is concerned that only very few States in the region have adopted National Plans in conformity with the Plan of Action for the UN Decade for Human Rights Education (1995-2004). The conference further noted that though no formal regional mechanism has been set up in the Asia and Pacific to address human rights issues, other regional arrangements exist through the association and joint efforts of national human rights institutions as well as non-governmental organisations for the promotion of human rights education at the regional level.

Further, the conference reaffirms all human rights - civil, social, political, economic, cultural - are universal, interrelated, indivisible and interdependent and should be treated on the same footing and with the same emphasis.

Aims and Objectives:

The principal aims of education for human rights are:

- to strengthen respect for human rights and fundamental freedoms;

- to develop fully the human personality and a sense of its dignity;
- to develop attitudes and behaviour to promote respect for the rights of others;
- to ensure genuine gender equality and equal opportunities for women in all spheres;
- to promote understanding and tolerance among diverse national, ethnic, religious, linguistic and other groups;
- to empower people to participate actively in the life of a free society;
- to promote democracy, development, social justice, communal harmony, solidarity and friendship among nations;
- to further the activities of the UN system, in particular UNESCO, the Office of the UN High Commissioner for Human Rights and UNICEF, aimed at the creation of a culture of peace based upon universal values of human rights, international understanding, tolerance and non-violence.

Contents of Education for Human Rights:

Education for human rights, should be aimed at full enjoyment of human rights and fundamental freedoms and for that purpose have regards to the following:

- All human rights are universal, indivisible, interrelated and interdependent, and all are essential for the full development of human personality;
- While regional and national particularities are to be borne in mind, it is the duty of States, regardless of their political, civil, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;
- Universal respect for, and observance of, human rights and fundamental freedoms contribute to stability, security and well-being,

necessary for socio-economic development;

- Human rights, democracy, peace and development are interdependent and mutually reinforcing;
- Rights of women and girl-child are an inalienable, integral and indivisible part of universal human rights;
- Human rights education should be aimed at the full and equal participation of women in political, economic, social and cultural life. Awareness towards prevention of gender-based violence, sexual harassment and exploitation should be components of education programmes;
- Promotion and protection of the rights of the child is a priority and require dissemination of knowledge of relevant standards. Special efforts are needed to eradicate child labour, child prostitution, and child pornography;
- Special attention should be paid to the rights of persons belonging to various vulnerable groups - national or ethnic, religious and linguistic minorities, indigenous people, refugees and internally displaced persons, migrant workers, persons with HIV/AIDS and other health problems, disabled, and elderly;
- Special attention should be also given to the mobilisation of public opinion against major threats and challenges to human rights: terrorism, organised crime, corruption, trafficking of human beings for exploitative purposes, drug trafficking, violence, etc.

Education for human rights should be multidisciplinary and should include the following:

- knowledge of internationally recognised human rights standards enshrined in the Universal Declaration of Human Rights, International Covenants, international conventions, declarations and protocols, and international procedures and mechanisms for human rights protection as well as norms of international humanitarian law;

- knowledge of national laws and procedures related to human rights;
- skills necessary for the application of these standards and procedures in everyday life;
- behavioural patterns based upon vigilance against violations of human rights wherever they occur;
- knowledge of social realities and the impact of the globalisation process.

Education in and for human rights should also be aimed at the elimination of prejudices and negative stereotypes which in many cases become the source of discrimination, hatred and violence. These concerns should be reflected in manuals, textbooks and other educational materials.

Programmes for education for human rights should be developed in accordance with the Plan of Action for the UN Decade for Human Rights Education (1995-2004), the UNESCO World Plan of Action on Education for Human Rights and Democracy (Montreal, 1993), and the Declaration and Integrated Framework of Action on Education for Peace, Human Rights and Democracy (Paris, 1995).

The conference stresses that education for human rights is, by itself, a human right. It further underlines that it is the duty of the State to take all necessary measures to ensure the realisation of this right.

Educational Methods, Teaching Aids and Training Programmes:

Appropriate methodology and materials for the teaching of human rights should be developed in full conformity with the human rights principles and standards.

Special attention should be given to the elaboration of educational materials suitable for formal and informal settings, and adapted to the needs and demands of various target groups. Such materials should be made available in various national and local languages, in different forms and in sufficient number. Bearing in mind the special characteristics of the region and prevailing high level of illiteracy, innovative audio-visual programmes should

be prepared. An effort should also be made to reach the population especially in the remote and rural areas.

Environmental education is an essential part of education for human rights.

Participatory methodology for the teaching of human rights which takes into account the involvement of the target groups in the learning process should be adopted.

Further, special attention should be given to the training of:

- trainers who will ensure a multiplier effort in the promotion of human rights education;
- educators and other professionals involved in formal and informal education programmes;
- journalists and other media professionals.

Emphasis should be given to the elaboration and dissemination of human rights training programmes designed for professionals having special responsibilities related to the protection and implementation of human rights, in particular, security, army, police, prison, immigration and other government personnel and public functionaries at different levels as well as medical doctors, other health professionals, and scientists engaged in biological research.

Players:

The conference is convinced that the achievement of the goals of education for human rights can be ensured only through active cooperation and participation of all those who have the duty and obligation to promote and protect human rights. Parliamentarians and other elected representatives of the people at different levels, organs of State, educational and research institutes, national human rights institutions, non-governmental organisations, the mass media and in fact every segment of civil society have a very important role to play in promoting education for human rights.

The family is crucial for the education of children in the spirit of human rights.

National human rights institutions, non-governmental organisations and their regional associations have a very important role to play in the implementation of national and regional plans and strategies in the field of education for human rights.

Technical assistance and support of the Office of the United Nations High Commissioner for Human Rights, UNESCO and other organisations and bodies in the UN system have an important role to play in the development and implementation of national plans for education for human rights.

The mass media has a positive and a constructive role to play in the promotion of human rights. It should include dissemination of information on human rights issues including information on violation of human rights and problems that demand urgent intervention. In addition, they should highlight the successful work and positive experiences accumulated by governmental and non-governmental players at national, regional and international levels.

Private foundations, private enterprises, associations of business and industry, should be encouraged to contribute to the promotion of human rights.

Recommendations:

With a view to accelerating the process of promoting education for human rights, the Asia and Pacific Regional Conference on Education for Human Rights adopted the following recommendations:

(I) Appeal to the states in the Asia and Pacific region:

- (1) To provide free and compulsory primary education for all children;
- (2) To strictly observe the provision of human rights instruments, and to become parties to human rights treaties if they have not yet done so;

- (3) To disseminate the Universal Declaration of Human Rights and other human rights standard-setting instruments as widely as possible in national and local languages;
- (4) To establish, if they have not already done so, national human rights institutions in accordance with the Paris Principles (1991) and to ensure adequate procedural safeguards for their functioning in a truly independent manner;
- (5) To adopt, if they have not yet done so, National Plans in accordance with the aims of the UN Decade for Human Rights Education (1995-2004) and take urgent measures for their implementation;
- (6) To allocate sufficient resources to satisfy the needs related to the promotion of education for human rights;
- (7) To draw up and implement sensitisation and educational programmes for public functionaries in order to ensure respect for human rights for all;
- (8) To draw up training programmes designed for professionals having special responsibilities related to the promotion and implementation of human rights in particular army, security forces, police, prison, immigration and other government personnel at different levels, especially in areas of armed conflicts;
- (9) To ensure that judicial processes are so organised to make them easily accessible, simple and sensitive to human rights concerns;
- (10) To ensure that ministries and educational authorities at various levels accelerate their efforts to formulate appropriate syllabi for the teaching of human rights; to develop teaching aids for various target groups for an easy understanding of human rights; and to evolve and implement training programmes for teachers;

- (11) To take measures in order to protect human rights activists and human rights defenders in full conformity with the Declaration on the Rights and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Human Rights and Fundamental Freedoms, adopted on 10 December 1998, the day of the 50th Anniversary of the Universal Declaration of Human Rights.
- (12) To create cells for Education for Human Rights which shall be responsible for promoting and consolidating education for human rights. They shall plan the introduction of Education for Human Rights at all stages of school, college and university curriculum. They shall also elaborate and implement programmes for non-formal education for large segments of society who are outside the ambit of formal education. They shall prepare teaching and training materials in the form of books, audio-visual aids, etc., covering the entire spectrum of education for human rights. They shall also promote short-term courses, seminars, workshops and various other forms of training activities including summer and winter schools. Further, field work and experiential learning in the field of education for human rights shall be encouraged.

(II) Request elected representatives, Parliamentarians and other elected representatives of the people, to actively support the promotion and protection of human rights and human rights education through appropriate actions within and outside the legislature.

(III) Urge non-governmental organisations working in the area of human rights to contribute to the effective implementation of human rights education programmes and the National Plans of Action.

(IV) Invite mass media to increase its contribution to the enhancement of awareness of human rights, sensitisation of the general public on violation of human rights and threats to human rights, and formation of public opinion on human rights issues.

(V) Demand national human rights institutions, individually and jointly through their forum in Asia and the Pacific, to support the efforts of

government, academic institutions, non-governmental organisations and other players for the implementation of the national programmes in line with the aims of the UN Decade for Human Rights Education (1995-2004).

(VI) Request UNESCO Chairs, associated schools, clubs and associations in the region, to contribute actively in implementing activities in the field of education for human rights.

(VII) Invite United Nations High Commissioner for Human Rights, UNESCO, other agencies and bodies within the UN system, as well as other interested inter-governmental organisations to provide technical assistance and support in the development and implementation of national programmes for education for human rights.

The conference also recommends that in order to have an on-going experience exchange in the Asia and Pacific region on "Education for Human Rights," a regional network with a focal point should be created. It should ensure development and exchange of curricula, training methodology, technical support materials, student-faculty exchange programmes, field visits, etc.

PRESENT SCENARIO OF HUMAN RIGHTS EDUCATION IN INDIA & PROPOSED PLAN OF ACTION*

Dr. Vishwanath D. Karad*

1. PREAMBLE:

Human Rights are the basic rights, which one inherits the moment one is born. The very name indicates the humanistic nature of these rights which are universal. But alas! the rights that are being actually availed by a large number of people all over the world are neither human, nor right. For a common man, these rights are non-existent. Human rights which include freedom, equality in dignity, food, shelter, access to medicare, education, work etc., without any discrimination based on, inter alia, race, religion, colour, sex, language, national or social origin or economic strata are more often being breached than followed. The violation of human rights is quite extensive, the form and reasons may be different. The reasons for the violation of these rights is mainly due to human vices like greed, ego, lust, anger, jealousy and absence of concern for others or in short ethical and moral values which are essential for a person of character and feelings.

Human rights have undergone erosion and people have lost sight of the basic rights, especially during the last fifty to hundred years even though we claim that the whole world has progressed and advanced scientifically during this period. Numerous cases of exploitation of various kinds and breach of human rights by individuals, organised groups and even by government agencies at times, are taking place all over the world. A perusal of day's newspapers will indicate the state of affairs. In fact, what appears in the newspapers is just a tip of iceberg, what remains unreported is many times more. Everywhere the situation is far from "*All Human Rights for All!*"

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2. HUMAN RIGHTS SCENARIO IN INDIA:

The human rights as enshrined in the *Universal Declaration of Human Rights of United Nations*, are quite exhaustive and reflect the concern of the United Nations and the signatory member states of the declaration. These rights are concerned with the whole spectrum of society without any kind of discrimination. But when one looks at the actual practice, the life of freedom and dignity that one is supposed to enjoy remains only on paper in some states. In many instances, freedom is being curtailed in the name of secrecy, sovereignty and security. The concepts of equality, the equality before law or equality of opportunity are becoming extinct. The contradiction that all are equal but some are more equal is being practised in a number of states. Favouritism and corruption are becoming more rampant in many states and power is being used to oppress and mislead the innocent poor and downtrodden people for selfish gains violating all human rights.

India is a country characterised by great diversity resulting from differences in caste, creed, race, religion, language and economic conditions, giving rise to a variety of problems including those of violation of human rights. The problems get further aggravated due to a large and continuously increasing population. India is the largest democracy of the world. Implied in this is the respect, adherence and practice of all the human rights as enshrined in the UDHR. But unfortunately, the situation is far from satisfactory. A look at the reports of the National Human Rights Commission and the media will reveal the frequency at which these rights are being violated.

The National Human Rights Commission is taking steps to promote and propagate the philosophy and practice of human Rights through its publications, seminars, workshops, conferences and legal interventions. The Indian National Human Rights Commission (NHRC) through the Ministry of Human Resources Development (HRD) and NCERT has prepared a source book for teachers and is evolving a curriculum relating to Human Rights Education in the schools. As regards higher education, NHRC has also persuaded the HRD Ministry to set up a working group to co-ordinate, oversee and monitor matters relating to Human Rights Education at the University level as well as for international collaboration. The UGC has also constituted a Standing Committee on Human Rights Education to oversee post-graduate courses and help in organising seminars, workshops, symposia etc. As a result, some of the universities have started certificate, diploma and

degree courses in human rights since 1997-98. In the Central Schools, 10th December is being observed as the Human Rights Day in order to create awareness of human rights amongst school children and society at large.

Human Rights Education is also being imparted to police personnel at the Sardar Vallabhbhai Patel National Police Academy at Hyderabad as well as at the state level police training schools. Similarly, Human Rights Education has been made a part of the training programme for para-military and armed forces personnel. The International Red Cross Society is also involved in conducting courses for these personnel. Periodic debating and essay competitions are being organised for the personnel of para-military forces and the police.

Although the NHRC, Government and NGOs are making efforts in relation to Human Rights Education and creating awareness, these are inadequate to make people conscious of and assertive about their rights and eliminate repression due to suppression of human rights. Most of the initiatives in Human Rights Education are in the organised and education sector. What about the others? What about the common man on the street, who may be illiterate, and is trying to survive by carrying out variety of jobs, right from a dustman to a white collar worker? They need to develop Human Rights awareness much more than the others. Even in educational institutions the level of awareness is not high. Efforts need to be directed in the right direction.

World Peace Centre of MAEER's MIT, Pune, India and the UNESCO Chair in Human Rights, Democracy and Peace have conducted National and International Seminars, Debates including the Asia - Pacific Regional Conference on Education for Human Rights held in February 1999, and are trying to create awareness amongst people through lectures, discussions and other human rights related voluntary activities like pollution control and environmental improvement projects at Alandi and Dehu, health care for rural people and economically downtrodden, peace initiatives etc. They have drawn plans for including Human Rights Education in the teaching curricula of the various educational institutions being run by their parent body, MAEER. They intend to extend it to other institutes through the active support from the university and State Education Department. For this purpose it is proposed to carry out networking of educational institutions, NGOs and organisations in promoting Human Rights. Active support of all these organisations is

envisaged in this regard.

World Peace Centre of MAEER's MIT, Pune, India has recently established the Indian Academy of Human Rights, Democracy and Jurisprudence to propagate and promote human rights. The Academy will seek to create awareness of human rights, train and educate people through formal and non-formal education. It will provide legal aid and support in cases involving a violation of human rights.

3. PROPOSED ACTION PLAN

The protection of human rights and ensuring that every person enjoys them and thereby leads a happy and contented life, requires efforts on the part of everyone, including the State, National Human Rights Commissions, the Judiciary, the Police, Army, Media, Educational Institutes, Non-Governmental Organisations (NGOs), and International Agencies like the UN, UNESCO etc.

3.1 Responsibility of the State

The protection of human rights is primarily the responsibility of the state. It is a common experience that there is a lack of political will in performing its role in protecting human rights. States sometimes do not have the means and/or the resources to ensure that people are not deprived of their basic human rights. The situation needs to improve. The government needs to be fully motivated to protect and preserve human rights of its own people irrespective of their caste, creed or religion. It should make effective use of various agencies dealing with human rights, where it can play a decisive role. Empowerment of women is very important. The Police and Army have to be effective in handling any situation, without the protectors of law being its perpetrators. Alleged excesses caused by the police and militia at times are quoted as examples of human rights violations.

The judiciary has to further expedite the disposal of cases, as justice delayed is justice denied. It needs to take a proper perspective of any situation in the light of human rights guidelines, as well as the demands of justice. Similarly, the NHRCs may be required to play a much more effective role and be watchdogs for the enforcement of human rights.

3.2 The Role of the Media:

The media, if effectively used, can be a very powerful tool for not only the protection of human rights but also for creating awareness about them and educating people. The media should more faithfully report all the cases of violations and, wherever possible, pinpoint the causes of such violation. It can really build pressure on the law enforcing agencies to take action against such violations and should pursue the cases to their logical end. Obviously, reporting should be unbiased and within the framework of guidelines of the Press Councils of the respective countries.

3.3 The Role of NGOs

NGOs or voluntary organisations can play an effective role in protecting human rights. They can take up the cases in which human rights are denied and people languish in poverty, in jails or suffer as a result. They need to be more alert and assertive and act as links between people and authorities for the speedy redress of grievances arising out of the non-observance of human rights. They can help in educating and training the masses about the human rights. NGOs can further take up social welfare activities and other programmes which will help in alleviating poverty and the removal of illiteracy.

Even though UNESCO has taken up a number of programmes to protect human rights through their various plans, it needs to be further strengthened with the help of other international agencies, educational institutions and NGOs from all over the world. Pressure can be exerted to ensure that all states adhere to the provisions of the Universal Declaration of Human Rights. A periodic review of the human rights record of each country must be carried out.

3.4 Human Rights Education

The main reason for the violation of human rights is ignorance of rights of people, from the children to senior citizens. At present, the school or college curricula do not have adequate provisions on human rights. It is necessary to ensure a good coverage at all levels. But there is a large segment of people who are outside the formal domain of education. They also need to be educated through non-formal education or training. Thus, promoting human

rights education will have to be taken up at different levels of school, college and university education and as well as through non-formal education.

3.4.1 Formal Education on human rights:

The present education system, despite having produced top level scientists, technologists, philosophers, social scientists, educationists and other thinkers as well as being instrumental for the extensive scientific developments and economic growth all around, has not been able to curb the conflicts, clashes, bloodshed and genocide. This clearly indicates the deficiencies in the present education system which require the attention of those who are interested in human welfare and establishment of world peace.

The main deficiencies in the present system are the lack of ethical and moral values essential for moulding the character of an individual so that one behaves and acts in a more responsible way and is committed to one's own duties.

A value based education system can inculcate a spirit and understanding of one's own rights and responsibilities towards fellow beings and society. Obviously, it will also help better appreciation of human rights. These values need to be incorporated into all the subjects of humanities taught in schools and colleges. Even in subjects of science, examples of scientific discoveries and innovations can be related to human rights, whether it is the holocaust caused by nuclear bombs or the new frontiers opened up by information technology. An exposure to the various Articles as enshrined in the Universal Declaration of the Human Rights at appropriate levels of school and college education is necessary. The World Peace Centre of MAEER's MIT, has already drawn plans to educate and train students in the field of human rights, their sanctity and implementation on a regular basis in the schools and colleges. All these should become part of the curricula. But one thing is certain: unless ethical and moral values are incorporated into the education system, mere knowledge of human rights is superfluous. A value-based universal education system, incorporating all human rights is necessary.

3.4.2 Non-formal Education in Human Rights

A large percentage of people remain outside the ambit of the school and college system. Either they are beyond the school/college going age or have

not followed formal education. Propagating human rights through conventional school and college curricula may be inadequate to promote this noble cause as it cannot reach a large section of society. This needs to be supplemented through a well devised non-formal educational programme. Under the scheme, basic awareness of human rights, their necessity and implementation need to be explained. For this, education and training programmes in human rights should be conducted at regular intervals for select homogeneous groups of people in a manner that can help in its assimilation. The World Peace Centre of MAEER's MIT, has planned various activities in this regard.

Mass media can be effectively utilised in propagating human rights education. The electronic media can play a very important role in this regard.

4. CONCLUDING REMARKS

The protection and implementation of human rights are sacrosanct and essential for the survival of the democratic society. Even in this scientifically advanced and modern world, if we do not promote human rights education, anarchy may ensue and the law of the jungle will prevail which may endanger the very survival of humanity.

Although practically every state has accepted human rights, it is observed that only a few states are really trying to implement them in totality with sincerity. In fact, violation of human rights in some states is not only state supported but is with the connivance of the state. In some of states it is being neglected, either purposely or for want of adequate mechanisms to deal with the issues. In the former case, these states need strong condemnation by the signatory states and international bodies, with some precipitate action including political, social and economic boycott depending upon the severity and frequency of such violations. On the other hand, the states which have the will and determination to deal with the problem, but do not have adequate resources or means need to be provided with the necessary assistance and help, including financial assistance.

A wrong notion about the human rights needs to be corrected. Human rights in their wake cast equally important responsibilities and duties on all the individuals, society and the state towards all the human beings. If someone's human rights are affecting those of the others, then that person is not

exercising his rights with full responsibility. An extremist does not have the right to inflict any harm to a person or society at large. A programme of education for human rights with responsibility should be universally taken up. The basic thrust should be for educating the school and college going students through the formal education system prevalent in each state, by incorporating human rights, their implications, protection and implementation, in the curricula at appropriate levels with full exposure to ethical and moral values.

As regards the laymen, who form a large strata of society, a massive project of human rights education and training through a system of non-formal education on a part-time (evening/morning) basis needs to be formulated.

Further, the personnel from various agencies of the government and others involved in the protection and implementation of human rights, need to be appraised and trained through training programmes and workshops.

Human rights education programmes will have to be reviewed periodically by the UNESCO taking into account the changes and developments as a result of scientific and technological advancements, such as in the field of genetic engineering, cloning, information technology, etc., together with the requirements of a wholesome environment and sustainable development. Scientific developments are likely to affect and encroach upon the liberties of an individual, even in the womb, or those of society leading to various complications affecting the sustainability of Mother Earth. These are likely to involve social, moral, ethical and environmental issues. International bodies like UNESCO and the member states will be required to deliberate on these issues to create awareness and educate and train people accordingly.

A lot has been said about human rights; what is now needed in action. Action for human rights education based on a well devised plan is the need of the hour. Let us get together, prepare a plan of action for the implementation of human rights education and involve all the states and various agencies to implement the same under the banner and supervision of the UNESCO.

It will not be out of place to quote Mahatma Gandhi, a great humanitarian, a champion of human rights, messenger of peace "begin with duties of a man and the rights will follow, as spring follows winter."

In conclusion, we should say and affirm that "All Human Rights for All! All for Human Rights!" with a complete sense of duty and responsibility.

UN DECADE FOR HUMAN RIGHTS EDUCATION

16TH December 1999 – LST*

1. Introduction

A discussion was held at the Trust recently on the UN Decade for Human Rights Education. The discussion was Chaired by Dr. Mario Gomez, consultant to the Trust. The other speakers were Dr. Deepika Udagama, Senior Lecturer of the Faculty of Law, University of Colombo, Ms. Savithri Wijesekara from Women in Need, Mr. Somasiri Devendra of the Centre for the Study of Human Rights, at the University of Colombo, and Mr. Wimal Fernando of Movement for Defence of Democratic Rights (MDDR).

2. Provisions in the School curriculum on human rights under educational reforms, Dr. Deepika Udagama

It is absolutely important that we concentrate on education when we speak of human rights activism or human rights activities, because, more often than not, we are speaking mostly about protection of human rights, the remedies that are available in the event of a human rights violation etc. Promotional activities are pushed to the back burner and I thank the LST for this opportunity.

2.1 UN Decade for Human Rights Education

Before I speak about the school curriculum relating to human rights under the new educational reforms, I would like to give a brief summary of what the UN Decade for Human Rights Education seeks to achieve. When you look at the activities of the UN in the field of human rights, one can see three cycles of activities. The first one is with regard to standard setting. International standard setting in the field of human rights whereby today, 51 years after the adoption of the Universal Declaration of Human Rights (UDHR), we have an extremely sophisticated body of international human rights law.

* The Trust would like to thank Ms Sreemali Herath, intern, LST for organising the discussion and Ms Pubudini Wickremaratne, intern, LST for compiling this report.

The second cycle of activity relates to the protection mechanisms at the international level. The third cycle is with regard to human rights education. Even if you have international standards and very sophisticated protection mechanisms, to the extent that people do not know about their rights, the legal standards and the protection mechanisms will not be effective. There has been for a long period of time, discussion about human rights education, but this really came to the fore during the Vienna Conference on Human Rights in 1993. The starting point of this discussion relating to human rights education is Article 26 of the UDHR.

It is very important to get the spirit of human rights education which is provided by Article 26. It recognises that everybody has the human right to education. It also provides that the objective of education should 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 UN for the maintenance of peace. Thus, the objectives envisaged by the UDHR with regard to the right to education are completely different from, for example, our own objectives with regard to formal education.

More than in many other developing societies, we focus a great degree of attention on education because of free education and for a very long period of time, this has been a way of achieving social mobility. The objectives of education in Sri Lanka are somewhat different to what is envisaged in the Universal Declaration. When I ask my students why they think there should be a human right to education, they always say they will get a good job and that there will be social acceptance. In other words, education is a major means of social mobility. But the human rights content or the rights sensitivity in human rights education really was not emphasised. From the point of view of the Universal Declaration, however, the creation of a rights culture should be one of the main objectives of education.

In 1993 the Vienna Conference on Human Rights received a lot of attention, and the need to engage in human rights educational activities worldwide was emphasised in the Declaration that was adopted by the Vienna Conference. About 130 countries participated in the Vienna Conference. Thereafter, The UN General Assembly adopted a resolution declaring a UN Decade for Human Rights Education beginning in 1995 and ending in 2004. We are now

going through that decade and there has been a great deal of activities around the world relating to the UN Decade of Human Rights Education. Most of the new democracies that were created with the break up of the Soviet Union and some of the newly democratised countries in Africa, Asia etc., when they commenced human rights activities under this new democratic system of governance, they started to concentrate on human rights education straight away.

In Sri Lanka this is not really the case. We first concentrated on legal guarantees in the Constitution mainly or through statutes and then we concentrated on the mechanisms, like, for example, the Supreme Court jurisdiction and now the Human Rights Commission, the Ombudsman's office etc. Only now we are concentrating on human rights education.

2.2 What is human rights education?

What really is meant by human rights education? Is it merely about understanding and knowing what human rights standards are? For example, if you tell students that there is something called the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights, and these are the rights guaranteed therein, is that human rights education? Is that the starting and the ending point of human rights education? Obviously not. What is envisaged by this Decade is a much broader process and I will quote from the Plan of Action for the UN Decade for Human Rights Education. It says that "for the purposes of the Decade, human rights education shall be defined as training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes which are directed to:

- (a) the strengthening of respect for human rights and fundamental freedoms;
- (b) the full development of the human personality and the sense of its dignity (so it is not merely about knowledge);
- (c) the promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous people and racial, national, ethnic, religious and linguistic groups;

- (d) the enabling of all persons to participate effectively in a free society; and
- (e) the furtherance of the activities of the UN for the maintenance of peace."

This provision shows that human rights education is extremely broad. It is not merely about imparting information about human rights. In other words, it is really moulding the human personality so that one really is in a position to respect rights, understand one's own rights, live by that and thereby respect other people's rights; it also includes skills for the promotion and protection of human rights.

2.3 Educational reforms in Sri Lanka

The whole educational system in Sri Lanka is very much geared towards a white collar job orientation. Therefore, areas such as human rights or even indeed social issues (obviously human rights are about social issues), human rights in any other guise in relation to social issues (for example, pluralism in our society with the different ethnic communities, language requirements or learning as many languages to ensure pluralism), the democratic structure and the system of governance, were really not emphasised in our education system.

The devaluation of human rights in Sri Lanka beginning in 1980's could be attributed, to a large part, to the kind of culture that we had created. Education had not contributed to sustaining democracy and, indeed pluralism. Therefore, political rights were taken away. Our ability to fight that and restore political rights was very weak. We now have a sense of confidence, also a very strong civil society. With regard to pluralism, Sri Lankan society is still in the process of learning. The formal education system has not contributed to it. The Human Rights Centre at the Law Faculty organised sometime ago several discussions on gender relations. Every student who attended the discussion said that it was the first time in their lives that they got the the opportunity to discuss gender relations. Never before within the formal education system had they got this opportunity; even in terms of non-formal educational programmes, they did not have such an exposure. If you ask them about some mathematical theory or history, they will parrot it out!! However, these values and the ability to analyse, to be critical and to be

actively engaged in social issues are extremely minimal in our traditional formal education system.

According to the National Institute of Education, a survey was carried out in 1974 throughout the Island about the understanding of school children on human rights. They found that it was extremely low. The Curriculum Development Centre and subsequently the National Institute of Education (NIE), commenced work in this area and in 1978 a small human rights component was added on to the social studies syllabus.

However, in practice, this was hardly given priority by teachers. There were several reasons for this: the teachers were not trained to teach this component; the section on human rights came at the very end of the syllabus and it was given very low emphasis; even where the examination process was concerned, students hardly paid any attention.

It must be stressed that human rights education should not be exam-oriented. Human rights education is about developing personalities. This section was not taught in schools unless, of course, there was a teacher who was extremely sensitive and took it upon himself or herself individually to focus on that section. Thus, in order to avoid the situation of not having the time to cover the entire syllabus, the NIE then defused the human rights component throughout the social sciences syllabus. Thus, human rights components were incorporated into various sections of the social sciences syllabus. This too is being changed on the basis that the presence of human rights components in the syllabus is not very visible because it is defused. Now they want once again to highlight the human rights component and under the recent reforms, they will be mainly concentrating on secondary schools (grade 7 and upwards).

During 1999 schools have experimentally started to teach these human rights components in the social sciences syllabus. These components are, however, not what you would expect from human rights education. But I would not dismiss them completely either: for example, the emphasis on the family unit and the observance of human rights within the family unit. While this is not the formal approach to human rights under which the relationship between the state and the individual is generally emphasised, starting from the family unit is important because it is from small things that you go on to larger things. These components also envisage the students engaging in various practical

activities, not so much in the field but at least in the classroom.

Thus, there is a new beginning which is positive although not perfect. The problem once again is with regard to teacher training. Teachers have not been sensitised as to the human rights values that ought to be there in a teacher. For example, a teacher who is extremely biased from an ethnic point of view, or very caste conscious or from a gender point of view has negative ideas etc. would do more damage than good. Teacher training is, therefore, of the essence and this issue has not received much attention. Primary education has not focused much on human rights education. There is a subject called environmental studies, which is not the traditional environmental studies as one would find in a course on environmental law. But it is about perceiving your immediate environment including the natural environment. There is, thus, an attempt once again to inculcate human rights values through this syllabus.

The question is how is it going to be done. If young children are sensitised to ethnic relations, gender relations etc. that could prove to be a very positive beginning. Beside curriculum development, however, the crux of the matter is in teacher training and that process has not yet started.

2.4 Tertiary education

Touching very briefly on tertiary education, there are no formal plans. It is for the University Grants Commission (UGC) which is the policy making body, to adopt a general policy relating to human rights education. It is up to each and every faculty to initiate curriculum development. The Law Faculty has courses on human rights, humanitarian law and environmental law. In the Political Science Department at the University of Colombo, there are efforts to integrate human rights components, improve various sectors and also, for example, courses such as journalism, have human rights components. But there is no overall push in the tertiary education system to introduce human rights education into the university curriculum.

The Indian UGC has, for example, formulated a central human rights education policy for India. It has set out circulars to all universities, whether private or governmental, that any university which wants to embark on a comprehensive human rights education programme, would be provided with technical and financial assistance by the UGC. This is extremely positive.

3. Educational activities of Women in Need, Mrs. Savithri Wijesekara

Women in Need is a non governmental organisation working on women's issues and mainly on women who are subject to violence. A part of its programme is human rights education and there are two categories: the schools programme and the community programmes.

3.1 The schools programme

This programme is carried out in schools which includes human rights as one of the topics. We had a few problems with the Education Ministry initially in getting permission. An officer from the Education Ministry always sits through the entire programme.

We have been successful and we indirectly speak to the children about their rights. We talk to them about violence and rights so the rights are in relation to violence because violence within the family is our main focus. Children are told that if they are subject to any violence, they should make a police entry or they must tell their parents and that they have the legal right to do. Gender issues are also included in the programme. Talking about gender and rights together has opened a hornet's nest. They ask a lot of questions. These workshops have at least 150 students. But the teachers are not sensitive enough because they do not think that this is a priority. They sit through the programme only because they are compelled to do so.

Eight programmes were conducted in the Matara district in 1998. They have requested follow up programmes. In 1999, we are conducting programmes in the Galle district and we have had three up to now. Sometimes the principal says that about 300 students must be included in the programme. But handling 300 students aged between 15 and 18 is not easy. If we can break up the students into smaller groups, the programmes will be more successful. We have an evaluation at the end of the programme and also request the suggestions of the participants to improve the programme.

3.2 The Community programme

The other component of human rights education is the community programme which has been conducted for the past 10 years. These are conducted in

different areas of the country in collaboration with NGOs, community based organisations, the police and the Gramasevakas. These have been very successful. We talk mainly to women in the area. They are told of their legal rights and that women's rights are human rights. They are very receptive and interested and we always see a positive change in them in our follow up programmes.

Nobody has spoken to them about their rights and many are subject to domestic violence. For example, they did not know that they could go to the police station and make an entry. We tell them that they have the right to go and make a police entry, call for an inquiry and see that the police pursue it. Some of them say that the police do not treat it like a marital problem. We told them they can insist on an inquiry if their battering continues.

The community based programmes are very successful because, up to now, the women in these communities have been neglected, and there is a crying need for organisations to carry out women's rights and awareness programmes in these communities. We generally invite the police or we do it in collaboration with the police so they are very supportive. We have had requests from even prison officers to have programmes on women's rights.

4. Educational activities of the Centre for the Study of Human Rights, Mr. S. Devendra

As its mandate states, the Centre for the Study of Human Rights (CSHR) is a non profit educational institution attached to the Faculty of Law of the University of Colombo. Its mandate is to conduct and facilitate human rights education and research programmes of the university community and the community at large. Its activities are multi-disciplinary in nature. The CSHR also maintains contacts and works with other national and international organisations. It is largely self sustaining financially as it raises its funds from non governmental sources. It works, therefore, in a manner that of an NGO. The fact that the Centre works in this fashion enables it to perform functions that the university itself is unable to perform.

According to our annual report for 1998, the educational terms of reference of the CSHR are wide encompassing university students, school children, the personnel at the grassroots level, the legal profession and the general public. Education connotes familiarising these target groups with rights,

accompanying duties, obligations and violation of rights. It is a fairly large agenda and something that causes some difficulty. The CSHR is not empowered to engage in purely investigative and lobbying activities pertaining to human rights issues. It is, however, not possible to draw a clear line between education and lobbying or investigative activity.

The CSHR was set up in November 1991 as a response to an alarming abuse of human rights at all levels in the country at that time. It, therefore, predated the UN Decade for Human Rights Education. I quote from an old annual report of the CHSR, "Given the unbelievably brutal cycles of violence, and the institutionalisation of violence experienced by the Sri Lankan society especially in the past decade, the promotion and protection of human rights are undoubtedly the most critical needs of our times."

Why a literate and seemingly peaceful society apparently committed to political democracy at least through periodic elections, degenerate to one in which political violence and fear are constant factors of life, is a complex question. The correct answer holds the key to formulating successful reforms in all relevant spheres. This is one of the reasons why the CSHR was established.

4.1 Its activities today

It is not possible to deal with all the activities of CSHR from 1991. At the beginning research was given emphasis, but the dynamics of the prevailing political situation soon made an outreach educational programme a greater necessity. Later it became possible to strike a balance between the two and to give both almost equal emphasis. CSHR's greatest and most ambitious projects are those that target school children, community leaders and peacekeeping officers. It is in the minds of the children that the seeds must be planted. If children grow up without an appreciation of the dignity of man, without having in them what Shakespeare called "the milk of human kindness," one cannot expect these children to respect each other's rights and their own obligations. Children are fortunately receptive to new ideas. We all have seen how receptive they are to environmental issues, like smoking, and children do have a very great part to play in our society.

CSHR has 52 school centres today. Community leaders have been given training and they themselves carry the word to others in their community by

conducting seminars and workshops with funds raised by themselves. Forty three community centres are being currently assisted by the Centre. We maintain constant contact with them and assist them in various ways.

The attempt to influence the way armed personnel think has always been considered the most difficult aspect of our work. The opposition to human rights education appears to be institutionally inbuilt. But individual officers have shown a great appreciation of our efforts. At a recent week long executive seminar, conducted by the US Defence Institute of International Legal Affairs at which both CSHR and Law Faculty members were present, officers of the armed forces were impressed enough with our delegation to agree to discuss as professionals, the legal implications of the current conflict. Within the university community itself, we have conducted several training courses and an internship programme from which the Law Faculty has benefited. Additionally, we have assisted and encouraged the establishment of centres in other universities and have conducted courses for the Law College. All in all, the CHSR has carried out its mandate fairly successfully.

4.2 Human rights education among the armed forces and the police

When we started the programme in 1993, it was not surprising that we were not received with enthusiasm. It was during the last regime that our country and our forces had earned for themselves a fairly low opinion in the world. At this time, the ICRC itself was carrying out humanitarian law courses. They were accepted as it was more or less imposed upon them. We offered our services as something home grown, indigenous and not merely with the laws of war but human rights in general. Nevertheless, we were considered outsiders. We managed to make the idea acceptable in 1993-94. We tried a different tactic in 1998-99. This was a different experience because, for reasons unknown, there seems to be even more antipathy towards our efforts than in 1993.

Although we had the door closed to us from one side of the military, we see other doors opening to us on other sides. The police are very anxious to work with us and we have also started working with prison officers.

5. Educational activities of the MDDR, Mr. Wimal Fernando

The Movement for the Defence of Democratic Rights (MDDR) started off as a response to one of the most widespread denials of rights that we were experiencing in our country - the expulsion of nearly 100,000 workers from their work place because they dared to exercise one of their fundamental rights, the right to take trade union action. In 1980 the Government adopted a law which is still in operation called the Essential Services Act under which all trade union activities can be banned in any service that the Executive declares as essential. In 1980 the President declared more or less all services essential, effectively banning any trade union action in any sector of the public or private spheres of employment. We were trade union activists at that time and we went ahead and struck work and were shut out of work for various periods of time from about 1 year to 8 years. I could go to work only after 7 years. We sought to get our jobs back and if possible to strengthen the trade union movement in the country which had been dealt a very serious blow.

If I am to take the definition of human rights as Dr. Udagama explained, the government of the time not only dealt a grievous blow to the trade union movement, it also suppressed the biggest human rights education mechanism that we had. It was the trade unions that imparted human rights education, of course not under that name, but they were doing so from the 1930's. They were successful to a great extent. The members are very aware of their rights also of the need to safeguard their rights and the need to respect the rights of others if they are to safeguard their own rights. Hence the trade union federations come into being.

There was a time in our country when the trade union movement was so vibrant that there were responses to violations of rights not only in our country but in other countries as well. The trade unions were able to get solidarity from labour activists and labour unions in other countries for whatever struggles they were having in this country. The situation now is not at all that rosy. Many of our human rights NGOs including the MDDR, actually came into being in order to fill that gap to some extent. Originally the MDDR was not very interested in human rights activities as such. But we were engaged in activism, whether it was the rights of the peasants of Moneragala who sought to protect their lands from encroachment by multinationals or whether it was the peasants of the rural districts who

refused to pay money for the water they got which they considered as an unheard concept. It was technically called the "maintenance tax" but among the peasants it was called the "water tax". A number of people refused to pay this tax and were even willing to go to prison. Our activities were issue-oriented and were in the nature of people struggling to safeguard their rights. Although we did not look at it as human rights education, MDDR's best period of work in regard to human rights education was during that period.

Later on, a more formal human rights programme was commenced both in schools and among social activists and at the village level. These programmes were very informal, informative and useful. We had to respond to the needs of those who came. During this time it was natural that the majority of those questions had to do with their dealings with the police and they were practical down to earth things like "do the policemen have the right to beat you up, to beat the suspects so that they can get information to proceed with cases, if the police refuse to take down your statement, what can you do about it? etc." For example, if the police refused to take down your statement, which was a very common thing at that time, you write down your statement and send it by registered post and keep a copy with you. The police are obliged to note that down in their complaints book and then make an inquiry. But we had to make people aware of the basic things that must be included in their complaint, like their name, address and whether you need an inquiry on it or whether it was merely to be placed on record etc.

These programmes were called "Neethiya Gamata" (Law to the Village) and, "Neethiyai Obai" (Law and You) and dealt with the interaction with the police, the government, etc.

Originally, we went to the schools not to teach human rights. From around 1987-89, with the insurgency and unrest in schools, even teachers were at the receiving end of a lot of threats, sometimes from their own students who had joined the JVP because the slogan at that time was "motherland first, school second." There were a lot of students who felt that they could close the school at any time they wanted, have processions at any time they wanted, and the teachers had to take it quietly. With its suppression in the early 1990's, it was the turn of the teachers. They became very repressive. All forms of extra curricular activities were banned. Suddenly, the newspapers began to report a lot of cases of punishment by the teachers. Some went to court, others did not. So we thought that by using this small window of opportunity

in the social science syllabus, we could talk about rights. Our main objective was to make the school a more democratic institution. It was gradually turning to be a prison and the teachers were beginning to act like prison guards. The students were also acting as if they were going to prison. They were waiting for a chance to get out of the school. The learning part was done by tuition classes. So our original objective in trying to have human rights programmes in schools was to make the schools a more democratic institution. Whether we achieved it or not, I do not know. But we distinctly felt a lot of antipathy from the teachers. In that sense we felt that we were going somewhere. There was some progress. The teachers also seemed to feel that these discussions were leading to a questioning of their authoritarian rather repressive activities and attitudes.

Today, we seek to combine all these activities in one large package. We see the human rights programmes whether in school or outside, as foundation courses which we think would be useful for us to mobilise the younger generation into the rather dwindling numbers of activists who are ready to take on a challenge and fight for their rights in other fields.

6. Educational activities of the Human Rights Commission, Mr. S. Wijegunawardene¹

We have ten regional centres and some training activities are going on in the provinces. Very little has been done in Colombo. In the provinces, many of our co-ordinating officers get together with the volunteers, human rights lawyers, institutions to implement these programmes. On the 10th of December they had six programmes and in some places they covered a large number of schools and had quiz contests, art competitions, seminars etc. Our experience is that during the last two years or so, the work done with the assistance of various other agencies has helped in a big way to share this knowledge among various parties including the executive, the police, the armed forces, school children and many others who are interested. As a result, the violations are gradually coming down. Our co-ordinators feel that it has an effect. Therefore, an extensive programme is being formulated now.

Recently we had discussions with the UNDP and Asia Foundation with regard to an extensive programme of education and training. The UNDP has stressed

¹ Secretary, Human Rights Commission of Sri Lanka.

that, as was discussed and agreed at the Kandy NGO Conference, that this be a joint exercise and we ourselves are looking forward to that opportunity to work in Colombo and also in the regions. There is tremendous enthusiasm in the area of education and training in the provinces, and we need resources. Funding from an outside source, and the assistance of academics, the University Centre and other institutions like the Law & Society Trust would go a long way in implementing a successful programme.

7. Discussion

Dr. Gomez

In terms of methodology, do any of the speakers have any comments especially about reaching out to the schools and also the Human Rights Commission?

Dr. Udagama

I speak not only from the experience as a lecturer but also from the experience that I gained in formulating programmes of the Human Rights Centre. When we were designing programmes for schools we were wondering whether we should have a formal approach to human rights education or whether we should use some other method, because by and large, formal education methods have failed in many areas. There is an exam orientation and tuition orientation and the students are stuck within the classroom and our classrooms are generally not democratic spaces. They are absolutely undemocratic authoritarian spaces most of the time. After much discussion (NIE also helped us with it), we settled on a form of non formal education. Within a formal institution, we adopted non formal methods whereby as an extra curricular activity we started our programmes on schools selected by regional Education Ministries. We have been running the programme since 1993 and we found the non formal approach to be extremely successful. Students enjoy it, and are very involved in it.

We first provide a training to the teachers. We have to "uneducate" them on the formal process because they are so involved in the formal methods of teaching. The students are given an overview of the human rights protection and mechanisms etc. Thereafter they are in the field, going to various institutions, looking at their own community, and trying to identify human

rights issues in their own areas. This way we find that students become very sensitive to social issues. I remember one child from Eppawala saying that their mothers were paid much less than their fathers for the same type of work. In a formal institution, we would say "equal pay for equal work," but here the child has had at first hand observed this and has developed the skill to analyse it from a human rights point of view.

Teachers have informed us that in schools where this programme was introduced, ragging has gone down considerably, because these students who were involved in the human rights programmes have taken the leadership. Through these non formal methods, they have developed leadership qualities etc. and in most of these children end up being school prefects and office bearers in school societies etc. Obviously there can be improvements to it and from our experience, we feel that the non formal method is the way forward. If a formal approach to human rights education is emphasised in the syllabus, you will find a large number of tutorials coming up on human rights education and I am not sure what kind of a education they will impart!! Obviously, the students will be able to parrot out the provisions of the UDHR, judgments given by the Supreme Court etc. One must not forget that it was in Germany that had produced a large number of intellectuals, scholars and philosophers that Nazism arose. So one can be in a very literate and educated society but it is about the sort of values that one takes in and I believe it is the non formal approach that is best for human rights education.

Mr. Devendra

I have always felt that it is the non-formal approach getting people involved, putting their hand onto the job that makes you learn something.

In the armed forces lectures take second place. First of all you are drilled. Lectures also take the form of a drill. What is a drill? It is something that you make a man do over and over again till he responds in an automatic manner. You do not have to tell him what he should do next. If he is drilled properly, he knows what he should do next. In other words, the thought process, as far as the work goes, is channelled into a particular direction. But still servicemen are human beings like us, and understand what things are about and when they come to thinking outside their work, they are more than capable of thinking. But what I am really worried about here is whether the schools and the teaching schools are being turned in the wrong direction.

Mr. Wimal Fernando

All the government officers are negative on human rights education. They think this is an education for minorities and also mostly NGOs are involved in human rights education. I can remember that we had a programme with the University of Colombo and the media gave very negative publicity. Still we have to educate officials and teachers on attitudes. Attitudinal change will bring good results. Teachers still prefer traditional methods. We have to train more trainers in human rights education and it has to be simplified. Some people think it is only confined to lawyers. It is a mass education. It should go to the grassroot level.

