

**The UN framework for human rights education and civil society participation:
Draft UN declaration on human rights education and training, the World
Programme for Human Rights Education, and Special Procedures**

Text:

This statement reflects discussions among non-governmental organizations (NGOs) facilitated by the NGO Working Group on Human Rights Education and Learning of the Conference of NGOs in Consultative Relationship with the United Nations (CONGO), Geneva, and Human Rights Education Associates (HREA). The 363 signatories, 55 organisations in consultative status with the United Nations Economic and Social Council and 308 organisations without consultative status including 5 national human rights institutions, are from 88 countries representing every continent sharing the views expressed in this statement.

We, the co-signed organisations, support human rights education as a vital strategy for addressing the root causes of human rights violations and conflict. Human rights education contributes to the prevention of human rights abuses, the promotion of equality and sustainable development and the enhancement of people's participation in decision-making processes within a democratic system, as stated in Commission on Human Rights resolution 2004/71. Human rights education is a lifelong process for all and a common agenda for all nations. It contributes also to the promotion of gender equality, the rights of the child, religious tolerance, elimination of racial discrimination and xenophobia, minority rights, and the rights of other vulnerable groups.

Particularly since the UN Decade for Human Rights Education (1994-2005), awareness of the importance of human rights education has been raised. The United Nations launched the World Programme for Human Rights Education (WPHRE) on 1 January 2005. Promotion of "*human rights education and learning as well as advisory services, technical assistance and capacity building (...)*" is defined as one of the central concerns of the Human Rights Council (General Assembly resolution 60/251, o.p.5 (a)). Further the Council adopted by consensus resolution A/HRC/RES/6/10 (28 September 2007) on the United Nations declaration on human rights education and training. With this resolution, the Council's Advisory Committee was entrusted with the task of preparing a draft UN declaration on human rights education and training, including submission of a progress report to the Council's main session of March 2009.

It is also noteworthy that during the seventh session of the Council in March 2008, Costa Rica, Italy, Switzerland and Morocco, jointly formed the Informal Platform for Human Rights Education and Training in the Council in order "to keep human rights education and training on the Agenda of the Council."

Focusing on both the United Nations framework for human rights education and civil society participation, we would like to draw the attention of the Member States to the following necessary actions and considerations in order to maintain and develop international strategies and policies for effective implementation of human rights education.

1. Draft UN Declaration on Human Rights Education and Training

We call upon the Human Rights Council to ensure that when the draft UN declaration is prepared, the following views be fully reflected in the text.

(1) Concept and definition

The declaration, as a new international human rights standard, should provide a clear definition of human rights education. As human rights education encompasses all human rights, such definition should remain broad so that as specific human rights develop conceptually and new human rights are recognised, they also are comprehended within the definition of human rights education set forth in the declaration. The definition can build upon the provisions of many human rights instruments that are compiled in the OHCHR publication “The Right to Human Rights Education”¹ and in the section “Context and definition of human rights education” of the Plan of Action² for the first phase of the WPHRE (paras.1-6).

(2) Accountability / Duty-bearers and rights-holders

Over the course of the UN Decade for Human Rights Education and the WPHRE, the question of accountability has often been raised. The declaration should clarify the concept of duty-bearers and rights-holders regarding implementation of human rights education and training. In this context, it is also important to consider that the duty-bearer in a certain area of human rights may become the rights-holder in another area of human rights education or training. For example, members of the judiciary can be the duty-bearer in implementing the right to human rights education, but they themselves can also be the beneficiary of human rights education.

To date much emphasis has been placed on human rights education in formal education, especially primary and secondary education, in both practice and theory. This tendency is derived from States' obligations to provide for the right to education. Fewer efforts have been undertaken in the training of professional groups such as members of the judiciary, the continuing education of health professionals, and non-formal/informal education in communities and for the general public. At the same time human rights education has historically addressed rights-holders with the aim to educate them about their rights in order to empower them. However, duty-bearers with responsibilities to guarantee or protect human rights, for example law enforcement officials and public servants, often are not beneficiaries of human rights education programmes. The declaration therefore should also include references to international obligations that States have to train government personnel adequately in human rights, including the most recent human rights treaties and the protection of the most vulnerable groups. A human rights-based framework should be part of all human rights education, schooling, learning and training.

(3) Monitoring system

¹ See, The UN Decade for Human Rights Education (1995-2004) No.3 - The Right to Human Rights Education, OHCHR, 1999.

² A/59/525 Rev.1 (2 March 2005) *Revised draft Plan of action for the first phase of the world programme for human rights education* and A/59/113B (5 August 2005) on the World Programme for Human Rights Education.

To the maximum degree feasible, the declaration should provide for monitoring to ensure implementation by duty-bearers. Although there have been a number of commitments expressed by governments to human rights education as well as plans of action, the lack of an effective monitoring system has created difficulties for evaluating the implementation of human rights education. In this respect, it is vitally important to explore linkages between the declaration and existing UN mechanisms for monitoring human rights (treaty bodies, special procedures and the UPR). This would also be an opportunity to set and develop benchmarks and indicators.

(4) Financial resources

The perennial inadequacy of financial resources has been a major obstacle for civil society in its efforts to promote and implement human rights education. The declaration should contain a provision for financial resources. It could, for example, stipulate the responsibility of governments to include human rights education and training in annual national budgetary planning. The declaration could also stipulate such a requisite responsibility within the UN system as a condition of international cooperation and assistance for implementation of the right to human rights education at the global level.

(5) The role of civil society and NGOs

Through all experiences and surveys of the UN Decade and the first phase of the WPHRE, it is evident that civil society actors and NGOs, irrespective of their consultative status with the UN, are the main contributors to the promotion and implementation of human rights education. This significant role must be clearly recognised in the declaration, and for drafting a truly meaningful United Nations declaration, their views and suggestions are indispensable in the drafting process. In this context, it is imperative that the importance of supporting their involvement and efforts toward the implementation of human rights education and training be clearly stated in the declaration.

2. World Programme for Human Rights Education

The currently ongoing first phase of the WPHRE will conclude at the end of 2009. There are two actions urgently necessary to consider. One is the evaluation process of the first phase. The other is the second phase.

(1) Evaluation process of the first phase

According to the Plan of Action, paras.49-51³ on the evaluation process of the first phase, *the Member States will be called upon to provide their final national evaluation*

³ *Supra*, n.3, A/59/525 Rev.1, para.49 “At the conclusion of the first phase (2005-2009) of the World Programme, each country will undertake an evaluation of actions implemented under this plan of action. The evaluation will take into consideration progress made in a number of areas, such as legal frameworks and policies, curricula, teaching and learning processes and tools, revision of textbooks, teacher training, improvement of the school environment, etc. The Member States will be called upon to provide their final national evaluation report to the United Nations inter-agency coordinating

report that will be eventually submitted to the General Assembly in 2010 through the UN Inter-Agency Coordinating Committee (UNIACC) of the WPHRE.

In order to comply with the steps in preparing for *the final national evaluation report*, we would like to call upon the Human Rights Council to ensure that all Member States commit to the following actions:

- (i) To further assist and collaborate with all stakeholders, particularly NGOs and other civil society actors, for gathering information relevant to the first phase, making transparently accessible for NGOs and other civil society actors the evaluation process at the national level, and provide feedback at the international level.
- (ii) To maintain efforts for implementation of human rights education in primary and secondary school systems even after the conclusion of the first phase. While each phase of the WPHRE focuses on a specific sector/area, the end of the phase means a shift of focus to the next sector/area. It does not mean the end of the implementation of human rights education in the previous sector/ area.

(2) Second phase

The WPHRE is structured in consecutive phases. Although conclusion of the first phase is approaching in less than 9 months, the process of determining the parameters of the second phase has not yet begun. By Human Rights Council resolution 6/24 (28 September 2007) on the World Programme for Human Rights Education (WPHRE), sponsored by Costa Rica, the first phase was extended until the end of 2009. The same resolution states in para.10 that the Council “Decides to consider this issue at its last 2008 session under the same agenda item.” However, the resolution doesn’t mention the process for initiating the second phase and since then no resolution has been adopted yet on this matter.

We urge the Human Rights Council to take action as soon as possible to determine a sector/area to be focused upon as well as drafting a plan of action for the second phase. We also expect an initiative of the above-mentioned Informal Platform of the four Members States for this action by the Council. Necessary technical assistance by OHCHR should be sought.

Regarding the focus of the second phase, views and suggestions of NGOs and other civil society actors in a wide range must be taken into consideration.

3. Special Procedures of Human Rights Council

Taking into account the role of human rights education in dealing with the root causes of violations and the prevention of further human rights violations, increasing monitoring and advocacy in the area of human rights education by the Special Procedures of the Human Rights Council must be considered. At the workshop on this subject organised by the NGO Working Group in September 2006 in close collaboration with the Special Rapporteur on the Right to Education, this approach was

committee” and para.51 “*The report will be submitted to the General Assembly(...)*” in 2010.

unanimously reckoned to create positive effects on the work of mandate holders. Several mandate holders expressed their support and willingness to explore this approach.

We call upon the Member States to consider expanding the mandate of the Special Rapporteur on the Right to Education to formally include human rights education as well as to establish a Special Rapporteur on (the Right to) Human Rights Education.

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