

Human Rights Education: Importance and Present Context in Nepal

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HUMAN RIGHTS EDUCATION is an effort to empower people with the knowledge of human rights in order to ensure their protection and promote awareness about them in accordance with the international human rights instruments. It is understood as a process of acquiring specific knowledge, skills and values in order to grasp, understand, assert and support one's rights, grounded on norms outlined in different international instruments and sustained by domestic laws.¹ It is one of the most important means for the realization of human rights, as provided for in several human rights international instruments.² These international instruments oblige the states to promote human rights education in their education system.

Human rights education started as an international movement to promote awareness about human rights. The World Conference on Human Rights in 1993 launched the United Nations Decade for Human Rights Education to strengthen human rights education, training and public information for the promotion and achievement of stable and harmonious relations among communities and foster mutual understanding, tolerance and peace.³ Following the achievements of the Decade for Human Rights Education, the United Nations General Assembly adopted the World Program for Human Rights Education in 2005. The program seeks to promote a common understanding of fundamental principles and methodologies of human rights education.⁴ The program was structured in different phases to address the human rights education efforts on specific issues. The first phase (2005–2009) focused on human rights in the primary and secondary school systems⁵, the second phase (2010–2014) focused on human rights education for higher education and on human rights training programs for teachers and educators, civil servants, law enforcement officials and military personnel.⁶ The third phase (2015–2019) focused on strengthening the implementation of the first two phases and promoting human rights

training for media personnel and journalists.⁷ The fourth phase (2020–2024) focuses on the youth population with emphasis on the education and training in human rights and non-discrimination, equality, inclusion and respect for diversity to build inclusive and peaceful societies.⁸

According to the United Nations Declaration on Human Rights Education and Training (UNDHRET), human rights education comprises all educational, training, information, awareness-raising and learning activities aimed at promoting universal respect for and observance of all human rights and fundamental freedoms.⁹ The main aim of human rights education is to raise awareness and understanding of the human rights standards and principles to develop a universal culture of human rights where every individual is well aware of his/her rights and responsibilities. The effective realization of human rights contributes to the prevention of human rights violation and abuse, along with the promotion of non-discrimination and equality. Human rights education encompasses:¹⁰

- a. Knowledge and skills – learning about human rights and mechanisms for their protection, as well as acquiring skills to apply them in daily life;
- b. Values, attitudes and behavior – developing values and reinforcing attitudes and behavior which uphold human rights;
- c. Action - taking action to defend and promote human rights.

Human rights education contributes to strengthening the respect for human rights and fundamental freedoms by imparting knowledge and skills, and building a universal culture of human rights. It should be incorporated at all levels of education, including preschool, primary, secondary, and higher education through informal,¹¹ formal,¹² or non-formal¹³ setting. It also includes, inter-alia, the vocational training and the training of trainers, teachers and state officials.¹⁴ It is important that the inter-relationship in the three settings exist coherently providing knowledge and skills in a holistic approach. All three are complementary to each other and provide for the foundations of a good human rights education.¹⁵ The subject of Human Rights is now established in the curriculums of various universities around the globe to ensure the enabling environment for human rights education and training.

Understanding the Context: Human Rights in Nepal

Human rights are defined as fundamental, inalienable, and absolute claims, powers, privileges and immunities that inhere in persons for being born as human beings. Human rights are recognized in international laws and fundamental laws (Constitution) of the countries and are considered as the basic, inherent, and inalienable rights that all persons are entitled to. Nepal is a democratic republic country and has expressed full commitment towards the protection and promotion of human rights. The concept of human rights¹⁶ was especially given focus after Nepal promulgated the Constitution of the Kingdom of Nepal in 1990.¹⁷ Nepal has ratified several international human rights treaties/conventions. Among them, twenty-two are related to human rights, seven are related to humanitarian laws, fourteen are related to the environment, twelve are related to labor along with children, human trafficking, food and environment, and four are regional level (South Asian Association for Regional Cooperation or SAARC) treaties.¹⁸ There has been an effort to reciprocate the provisions of the treaties and conventions in the domestic laws and formulate the policies and action plans accordingly¹⁹ either by enacting new laws or by amending the existing laws. Part 3 of the 1990 Constitution of Nepal has guaranteed the fundamental rights of the citizens and has provided the legal and structural basis for human rights. The fundamental rights in the Constitution are consistent with the human rights provisions enshrined in the international human rights instruments that Nepal is a party to. Furthermore, various laws have been enacted to ensure the protection and promotion of human rights in Nepal. However, there are problems in the implementation of laws, and the government does not seem serious towards submitting periodic reports to the human rights treaty bodies.²⁰

The government of Nepal is committed to promoting human rights culture and mainstreaming human rights agenda to fulfil its obligations and commitments under national and international laws. The government implemented periodic National Human Rights Action Plans in collaboration with the human rights institutions and other civil society organizations to protect and promote human rights. However, reports of frequent human rights violations have been recorded.²¹ The National Strategy to End Child Marriage by 2030 was launched in 2016; however, 37 percent of girls in Nepal marry before the age of eighteen and 10 percent by the age of fifteen making

Nepal a country with the third-highest rate of child marriage in Asia.²² On the other hand, poverty in Nepal is widespread and persistent. People are still deprived of essential health and educational services. The living standard of people is poor due to the vicious circle of poverty. Despite commitments to various international human rights standards and initiation of several human rights programs, human rights violations are still prevalent. The recent amendment bill for the Human Rights Commission Act tabled in the parliament limits the power of NHRC, which is a direct threat to human rights in Nepal.²³

Role and Responsibilities of Human Rights Commission

National Human Rights Institutions (NHRIs) have a significant role in promoting human rights through human rights education.²⁴ The Paris Principles, the milestone set of international standards for NHRIs, provide that one of their responsibilities is²⁵

(g) To publicize human rights and efforts to combat all forms of discrimination, in particular racial discrimination, by increasing public awareness, especially through information and education and by making use of all press organs.

The National Human Rights Commission of Nepal (NHRC) was established as a statutory body²⁶ following the Paris Principles in 2000. The NHRC is now an independent, autonomous and constitutional body²⁷ as mandated by the Constitution of Nepal. The primary responsibility of the NHRC is to ensure the respect, protection and promotion of human rights.²⁸ It is also competent to launch inquiries and investigations into alleged human rights violations.²⁹ It can also recommend legal or departmental action against human rights violators.³⁰ The NHRC has the authority to monitor the implementation of human rights laws³¹ and make the government accountable for the non-fulfilment of its duty to protect and promote human rights. The functions of the NHRC are accomplished through monitoring, investigation of human rights situation, promotion, advocacy, human rights education and review of the laws.³² NHRC's Strategic Plan 2015-2020 has set the strengthening of human rights promotion through education, as one of its strategic objectives.³³ NHRC is continuously involved through different

mediums to include and change the syllabus of human rights course in the school system.³⁴

Besides, the Constitution has also mandated the establishment of other commissions, such as National Women Commission, National Dalit Commission, National Inclusion Commission, Indigenous Nationalities Commission, Madhesi Commission, Tharu Commission, and Muslim Commission. These commissions promote and strengthen the rights of the concerned stakeholders and develop policies for advocating their rights. Likewise, to address the human rights issues, the government of Nepal has prepared the National Human Rights Action Plan. The national action plan has succeeded in increasing the awareness of human rights issues, along with making the government units more responsive to their duties and rights of the citizens. The national action plan has also contributed to making human rights education widespread.³⁵

Human Rights Education in Nepal

Education in Nepal is a fundamental right guaranteed by the Constitution.³⁶ The Constitution has recognized the right to free education from basic to secondary levels. The Act Relating to Compulsory and Free Education, 2018 has been passed by the parliament to implement the right to education guaranteed by the Constitution.³⁷ The Constitution has also considered the special requirements of children with disabilities and the economically indigent citizens. In the last decade, Nepal has made significant progress in the educational sector. According to the most recent survey, Nepal has an adult literacy rate of 65.9 percent.³⁸ The government of Nepal spends an average of Rs. 26.52 billion per annum in the education sector.³⁹ However, around 35 percent of Nepalese are still illiterate.⁴⁰ The government of Nepal has developed the School Sector Development Plan, which includes the development of vocational courses. The National Framework for Capacity Development, School Sector Reform Plan, School Sector Development Plan, Inclusive Education Policy for Persons with Disabilities, Basic and Primary Education Project and National Education Policy are some of the major steps taken by the government of Nepal to promote education.

Despite the efforts of the government to improve, the education sector of Nepal still has shortcomings due to the traditional basis of the educational plan. The effort to spread human rights literacy in Nepal should begin with

the reformation of the education system itself. Human rights education has been incorporated in the school and university curriculums in Nepal.⁴¹ The national goals of education in Nepal include preparing citizens with ethical conduct and morals for healthy social and collective lifestyle by promoting supreme human values.⁴² The value of human rights and sensitivity towards human rights issues is taught from the primary level in Nepal through the compulsory courses on Social Studies, Civic Education, Health, Population and Environmental Education.⁴³ Human rights education can also be traced in the curriculum of the universities in Nepal. Previously, human rights as a subject were taught only in Law degrees. However, the human rights themes and content can now be found in other strands such as Sociology, Political Science, Humanities and Arts. However, the content and delivery differ among the universities teaching human rights. While some universities are limited to general or introductory courses scoping the field of human rights, others offer various specialized courses on particular aspects of human rights.⁴⁴ Human rights education has been incorporated in the school and university curriculums in Nepal to ensure that proper understanding and appreciation for human rights developed in children from the very beginning. The Nepalese government had started a general law course as an optional subject in the higher secondary level from 2008.⁴⁵ This course introduces the students to human rights, human rights instruments, and fundamental rights. Currently, there is a separate course on law in higher secondary level where students can choose law as their field, and they can study all the law subjects. In their second year of higher secondary level, they have to study human rights as a separate subject.

In addition to the schools and universities, human rights education in Nepal has also been organized by professionals and institutions such as Nepal Police Academy, Nepal Police Human Rights Cell, National Forensic Science Laboratory, Office of Attorney General, National Judicial Academy, Nepal Armed Police Force, National Human Rights Commission, Nepal Bar Association and the United Nations Office of the High Commissioner for Human Rights, Nepal. These institutions provide human rights education and training to the frontline government agencies in Nepal. Furthermore, the Ministry of Law Justice and Parliamentary Affairs has also been conducting programs in various areas to increase awareness about human rights in pursuance of the Action Plan on the Implementation of the Recommendations of Universal Periodic Review of the United Nations. The government has

also conducted specific programs in rural areas to increase awareness about human rights.⁴⁶

Sec 4(e) of the National Human Rights Commission Act, 2012 requires the NHRC to recommend human rights education-oriented subject matter in the syllabuses of schools and universities. The NHRC is required to coordinate and collaborate with civil societies to enhance awareness of human rights.⁴⁷ The Strategic Plan, 2015-2020 of the NHRC has emphasized the promotion of human rights education along with awareness and information campaign about human rights. Additionally, the strategic plan has emphasized the role of NHRC in providing the officials of government bodies and security agencies, human rights activists, journalists, social mobilizers and the right-holders with human rights education and basic awareness-raising training.⁴⁸ The NHRC has conceived "Human rights for all, at every household" as its motto⁴⁹ for a long time and aims to develop human rights culture and create a human-rights friendly environment to enjoy the rights. The NHRC has supported major seminars on human rights education and worked in coordination with the government to include human rights education in the school curriculum in Nepal.

The progress in the education sector in Nepal shows that human rights education is recognized as an integral part of teaching methodology, and it has been incorporated in the curriculums of schools and universities in Nepal. However, a large section of the population is still unaware of the fundamental human rights and their principles. The lack of physical facilities and infrastructure in the schools and universities to make learning productive and joyful and the increasing rate of school dropouts are partly responsible for the lack of basic human rights education among the Nepalese people. The Constitution has guaranteed the right to equal opportunity and primary education to persons with disabilities. However, children with physical or mental disability are taught in separate schools or classrooms in various parts of Nepal. They do not receive quality and inclusive education due to the lack of physical accessibility, accessible educational materials and the lack of teachers who are trained in imparting inclusive education. The teachers have little or no exposure to human rights education contents and methodology, but over the years, there has been a change. In the Act relating to Children 2018, Nepal prohibits corporal punishment of children in all settings.⁵⁰ The beating of students in schools has stopped as a result of this, and

schools have internal monitoring structures, suggesting disciplinary actions against a teacher who do anything to the contrary.

The curriculum adopted for human rights education in the school system includes human rights-related contents ranging from respect to elderly, to child rights and international cooperation.⁵¹ However, the other important matters relating to peace and human rights, right to privacy, war, discrimination and confronting discrimination are still missing in the course. Furthermore, the contents are not arranged logically and sequentially.⁵²

Kathmandu School of Law (KSL) and Human Rights Education

Kathmandu School of Law (KSL) is one of the leading law schools in Nepal, established in the year 2000 in affiliation with the Purbanchal University. KSL is a community-based academic institution, which has been engaged in various practical and innovative methods of learning, including exchange programs, residential schools, conferences, and workshops to impart pragmatic and community-responsive legal education in the country. It has helped in making the students well acquainted with the national and international laws in an applied sense. It has marked a paradigm shift in modern methodological teaching to generate leadership in the field of law and justice with a particular focus on working for the interest of the community.

KSL offers five-year B.A. LL.B. course, LL.M programs, one-year interdisciplinary M.A. program in Human Rights and Conflict and International Humanitarian Law and Master's degree under the Asia-Pacific Human Rights and Democratization (APMA) program. KSL offers several courses that provide human rights education through its centers and departments, namely, Human Rights and Humanitarian Law Department (HRHLD), Clinical Law Department (CLD) and Human Rights and Criminal Justice Clinic (HRCJC) with an interdisciplinary approach.

International Human Rights Law is a compulsory and credited subject in KSL. The course covers the basic concept of human rights law enforcement mechanisms; relevant international instruments and institutions; cultural relativism; rights in conflict situation; and domestic implementation of international human rights law. There is a substantial topic devoted to the right to a fair trial in the criminal justice process, including the presumption of innocence, right to legal counsel, right to a fair public hearing, freedom from unlawful detention, and freedom from torture.

Primarily, students of the third-year undergraduates are taught International Human Rights Law as a compulsory subject in KSL. Additionally, the syllabus from the outset of the five-year B.A. LL.B. program incorporates the basics of International Humanitarian Law (IHL).

Other compulsory courses include human rights, such as the General Concepts of Law that deals with rights and duties, theories of punishment, juvenile justice and the administration of criminal justice. Procedural law covers procedural fairness under Article 14 of the International Covenant on Civil and Political Rights and the principles of natural justice. Legislative Principles addresses fundamental rights in the law-making process. Principle of Interpretation includes presumptions against retrospectivity and the violation of international obligations. The Law of Evidence includes the examination of pieces of evidence concerning witness statements and the rights to examination and cross-examination of witnesses. Public International Law addresses personality, nationality, refugees, international criminal law, diplomatic immunity, use of force and armed conflict and also deals intersectionally with IHL.

Constitutional Law and Constitutionalism covers fundamental rights of citizens, emergency provisions, elections and judiciary, and focuses on the comparative learning of the constitutions around the world. Advanced Jurisprudence includes the study of gender, ethnicity, human rights, equal and impartial justice and procedural fairness. Administrative Law covers the principles of natural justice and procedural fairness. International Humanitarian Law and Conflict Resolution Law includes coverage of freedom from torture and other rights. Labor Law includes close observation of employment-related rights.

In addition to these courses, subjects like Legal Research and Professional Ethics help the teaching pedagogy. It helps in marrying the principles of Human Rights Law, its development and progress throughout the years by helping assess the interface and intersectionality of Human Rights with other subjects and practical and value-based examples in real life and around the world.

KSL offers two-year LL.M programs in Human Rights and Gender Justice and Criminal Law and Justice. The LL.M in Human Rights and Gender Justice includes the comprehensive rights-based courses: Nepalese Laws on Gender and Access to Justice; Civil, Political, Economic, Social and Cultural Rights and Thematic Mechanisms for the Enforcement of Human

Rights. The LL.M in Criminal Law and Justice, on the other hand, addresses specific human rights issues through courses such as Juvenile Justice and Fair Trial.

KSL offers one-year interdisciplinary M.A. Programs in Human Rights and Conflict and International Humanitarian Law. The MA in Human Rights provides the non-law graduates with a basic introduction to the concepts, history and theories of rights in Eastern and Western values and the major international treaties and jurisprudence, with an applied focus. The MA in Conflict and International Humanitarian Law enhances the understanding of the scholars on the contemporary issues and relevance of international humanitarian law; practical implementation of human rights norms; humanitarian assistance to conflict victims; monitoring of human rights violations; and prosecution of heinous war criminals through the International Criminal Court with an orientation to different modules of peacebuilding in the context of the increasing threat of terrorism and internal conflicts.

KSL is part of the Master's Program under APMA that is hosted by Mahidol University's Institute of Human Rights and Peace Studies (IHRP) along with four partner universities⁵³ under the Global Campus of Human Rights.⁵⁴ The program aims to develop the capacity of people working in the Asia-Pacific region to effectively promote awareness of and encourage respect for human rights and democratic principles, both across the region and within their local communities. It is an interdisciplinary intensive one-year postgraduate degree that reflects the inseparable links between human rights, democracy, peace and development in the region.

KSL also partners with the University of Sydney in Australia in hosting "Himalayan Field School"⁵⁵ which is a Sydney Law School offshore unit of study. This offshore unit of study exposes students to the role and limits of law in addressing problems of socio-economic development and human rights facing a developing country like Nepal through an interactive "field school" conducted over two weeks in Nepal, utilizing innovative teaching methods. KSL and Sydney University professors teach jointly to illustrate the complexity of developmental and human rights problems confronting developing countries.

It hosts the Winter Residential School on Economic, Social and Development Rights (ESDR).⁵⁶ It is the longest-running flagship program of KSL for over fourteen years that provides in-depth and extensive curriculum developed by experts in various aspects of socio-economic and devel-

opment rights, good governance, business and human rights. Besides, the Human Rights and Criminal Justice Clinic, initiated by KSL, is determined to strengthen respect for human rights, promote democracy, development, social justice and communal harmony through distributive justice and preferential approach. It serves the needy people in society and provides legal aid to ensure their right to legal representation guaranteed by the Constitution. The clinic provides legal aid service to the indigent prisoners, victims of crimes, especially women, children and other marginalized groups, and victims of human rights violations. It also provides a platform for academic discussion on legal issues to students, teaching faculties and professional lawyers.

Educational Approach of KSL

KSL's vision is to transform Nepalese society into a "functional democracy" by promoting the values of human rights, rule of law and good governance. KSL is trying to achieve this through its approach to legal education.

Human rights concerns are well integrated in the courses at KSL in ways that enable the students to become aware of and contribute to the protection of rights during their career as legal practitioners. The mainstreaming of human rights in the curriculums reflects a conscious policy decision by KSL to commit itself to human rights-based legal training and to position itself as a progressive, outward-looking, social justice-focused law school in the country.⁵⁷

KSL's students are uniquely advantaged as the teaching methodology includes interactions at the ground and the education provided is not for becoming lawyers alone but to become better human beings who understand and relate with the country's real polity. The philosophy that lawyers are social engineers with the advantage to create a positive impact in their respective societies is unique to KSL. This philosophy is adopted in imparting education, creating an atmosphere where the theories do not remain within the confines of the campus but applicable practically starting from the enrollment into programs in KSL. Students are empowered to think as individuals of change who then work, research, and teach in villages; realizing the need for giving back to society at a very young age.

KSL provides a student-centered learning environment and encourages the students to participate in the learning process actively. It also provides

frequent group-based and individual exercises, along with the usual written assessments. The students are provided with the opportunity for extended research dissertations which allows them to specialize in particular issues. KSL adopts the clinical approach of pedagogy that focuses on engaged and experimental knowledge. Under the Clinical Legal Education, the students are involved in Street Law Program, Traffic Volunteering Program, Court Visits, Prison Visits, Sentencing System Appraisals and Prison Reforms Program, Advocacy Service and Community Outreach and Rural Advocacy Service Program, Professional Development Courses and Seminar, Community Outreach Program and Trial Advocacy Program. It assists in bridging the gap between theoretical and practical knowledge and enhancing the advocacy skill of the students.

KSL over the years has also enhanced its engagement in moot court competitions around the world as a co-curricular activity for students under the aegis of its Moot Court Department (MCD). KSL's achievements in international spheres provide a glimpse into its commitment to providing a holistic educational experience for students. It has set a record of winning Henry Dunant International Humanitarian Law Moot Court Competition, National Rounds for fifteen straight times and Regional Rounds in 2016 and 2018. The KSL team in the 2017 Philip C. Jessup International Law Moot Court Competition was ranked 20th in the International Rounds. Moot courts help in understanding the realization of human rights through stimulus-based student learning providing an intrinsic understanding of international human rights law and the level of scrutiny needed when looking at its violations. The experience KSL students receive through interactions in moot court competitions provides them with new perspectives and understanding of how human rights work in other jurisdictions giving them a stimulus to compare and find pragmatic and practical solutions to human rights issues.

KSL is also involved in research and resource development activities on the impact on human rights of national and regional policies as well as legal issues associated with them. It brings in policymakers, practitioners, researchers and academia, both nationally and internationally, in undertaking the activities. Since its inception, KSL has undertaken over twenty-five action research projects with various international and national institutions under its KSL Policy and Legal Research Center (KPLRC); the most notable

partners are the European Union, EIUC, AUSAID, USAID, Danish Institute of Human Rights, The Asia Foundation, UNDP, Nepal, OHCHR, among others.⁵⁸

Challenges

Over the last twenty years, KSL has established itself as one of the leading institutions nationally and internationally on human rights education. The institutional overview above lays the foundations of a strong human rights education in the formal and non-formal framework at KSL. Now, this does not mean that there have been no challenges, or there are no challenges in the future. However, it is essential to recognize that it has survived through the height of political instability in the country and has maintained its position as a community institution committed to a socially responsive legal education. In my nine years of association with the institution as a student and faculty after that, what has impressed me is KSL's philosophy of social and value-based education.

KSL faces numerous challenges in providing human rights education. In a post-conflict society, human rights education has to deal with diversity and inclusivity in a practical sense. Over time, KSL has seen the increase of students from different backgrounds as a result of continuous and rigorous effort in imparting human rights education. However, inclusivity, in terms of providing access to reading materials and working materials that are friendly to differently-abled people, is still in progress. Inclusivity regarding differently-abled people is one of the challenges in providing human rights education. This lack of inclusivity is a result of the slow progress in making appropriate policy for the differently-abled people, and also by the societal structure of Nepal that excludes them.

The tremendous development in the technology sector has propelled the education sector to shape itself accordingly. While the new technology has brought a positive aspect in education where educational materials become easily accessible, it has also exposed the digital divide in society. KSL students, who come from all over Nepal, benefit from the use of new technology during working days. They avail of the technology in the college campus and its library; which is also the means for imparting human rights education to the students. However, when the campus is closed, some students cannot access the technology. KSL acknowledges that the digital

divide plays a considerable challenge in the overall dissemination of human rights education.

The other aspect of the challenge is the growing change in the teaching pedagogy itself. Sometimes, these new ways of teaching are not received well not just by the students but also by the teachers themselves. Different methods such as moot court and essay writing/research are not always accepted as co-curricular activity. They are still considered as extra-curricular activities that hinders KSL's objective of disseminating human rights education.

Another important challenge has been the limited indigenous human rights literature and over reliance on euro-centric version of human rights that deprive the students of much needed local jurisprudential understanding. The idea that culture is hindrance to the universality of human rights is flawed and it is important that through indigenous writings of which there is dearth an appropriate balance between cultural relativism and universality is elaborated.

The challenges faced by KSL in reaching where it stands today were enormous and the challenges it would face tomorrow in terms of sustaining the model of education it has been promoting are going to be numerous too. Apart from the challenge of surviving competition in the ever-growing field of education, KSL is living through a vital transition within the country. After promulgating the Constitution in 2015 that restructured the state system and provided political stability, Nepal opened the door to the evolution of its education system as well. It is imperative, now more than ever, that the upcoming generation realizes this history. The next generation has to have a perspective on how the law-making processes function and how everything within and out of our interlinked societies is intrinsically connected to human rights and international human rights law.

Conclusion

There has been significant development in the human rights education initiatives in Nepal over the last decade. The human rights violations in Nepal has drawn public attention on the institutionalization of human rights in the country. The integration of human rights in the education system can support the effort to create awareness of human rights. It is essential to promote respect and responsiveness towards the protection and promotion of human rights.

The Government of Nepal has developed formal plans of action for human rights education. It has been cooperating with the human rights institutions, national and international networks of educators to develop content, standards and methodology of human rights education and learning in Nepal. Human rights education has been incorporated in the curriculums of schools and universities focusing on teaching and learning of human rights values. Despite that, the dissemination of human rights education has unfolded many issues and problems. The number of professional and qualified teachers is insufficient because of which the introduction of human rights courses at the school level has slowed down. Moreover, the risk of misinterpretation of the international human rights standards has increased due to insufficient human resources. There is a need to introduce practical and innovative approaches in teaching human rights to make the teaching and learning processes effective and efficient.

Nepal is a multicultural, multiethnic, and multilingual country. Human rights education in Nepal must be able to adapt to the dynamics of the Nepalese society. The Constitution of Nepal has guaranteed the right of citizens to get a basic education in their mother tongue. Thus, human rights education must embrace intercultural and multilingual education and must be culturally sensitive. The importance of human rights education from an early age is recognized, and therefore, human rights education is incorporated in the curriculum of all levels of education. However, human rights education is incorporated in the school curriculum only to a limited extent. The curriculum needs to be revised to make the students understand the importance of human rights, and to protect and promote human rights in all sectors.

Human rights education has also been implemented in university-level education in Nepal. KSL has integrated many compulsory and elective courses at its different programs to address human rights education. The teaching practices and methodologies are effective and contemporary. KSL envisions the transformation of the society into a functional democracy through placing value on good governance, human rights and rule of law and is dedicated to providing enlightenment to the legal profession and to fostering an accessible, fair, and reliable system of justice in the country. This has materialized with the help of research-based and community-centered teaching activities, and learning environment designed with the involvement of national and international experts. However, a lot needs to be done

in order to achieve the intended goal. KSL also needs to adapt to the new generation of students coming through an education system which, in my opinion, needs an overhaul. KSL must make students understand their social responsibility as law and human rights students. Over the years, the major challenge has been to change the unhealthy competition between students for academic excellence. This aspect of the competition is visible in almost every sector of society. KSL places bona fide interest in academic excellence; it does not subscribe to the notion of unhealthy competition.

Living within a transition, KSL takes into account the holistic and overall ability of its students. Students do not have one-dimensional identities. Thus, to acquaint them with the approach of imparting value-based education, in turn, instilling within them the value of giving back to society is essential. If the need for human rights-based education and values can be instilled in the students during the five years that they are with us, it would lead to a positive change. Human rights education is not achievable through classroom teachings. It needs to adopt a model where students are faced with practical problems and asked how they would solve those problems keeping in mind the core values of human rights.

We are also living with moments of triumph when we see our students giving back to the society as lawyers, policymakers, law enforcement officers, teachers, public services officers and more. Seeing that the recent graduates have taken up responsibilities as social engineers taking into account not just their but the society's multidimensional identities helps us realize the importance of human rights education and aspire to better it in the coming years.

Endnotes

¹ *Circle of Rights: A Tool for Activism Training in the Defense of Economic, Social and Cultural Rights*, International Human Rights Internship Program/Forum-Asia 2000, page 444.

² Universal Declaration of Human Rights (UDHR), Article 26 (2); International Covenant on Economic Social and Cultural Rights (ICESCR), Article 2(1) and Article 13; International Covenant on Civil and Political Rights (ICCPR), Article 2(1); General Comment 3, adopted by Human Rights Committee, 1981, para 2.

³ United Nations Decade for Human Rights (1995-2004), Note by Secretary General, 2000.

4 Office of High Commissioner for Human Rights (OHCHR), World Program for Human Rights Education (2005-ongoing) available at www.ohchr.org/EN/Issues/Education/Training/Pages/Programme.aspx, accessed on 12 June 2020.

5 OHCHR, The First Phase (2005-2009) of the World Program for Human Rights Education, available at www.ohchr.org/EN/Issues/Education/Training/WPHRE/FirstPhase/Pages/Firstphaseindex.aspx, accessed on 12 June 2020.

6 OHCHR, The Second Phase (2010-2014) of the World Program for Human Rights Education, available at www.ohchr.org/EN/Issues/Education/Training/WPHRE/SecondPhase/Pages/Secondphaseindex.aspx, accessed on 12 June 2020.

7 OHCHR, The Third Phase (2015-2019) of the World Program for Human Rights Education, available at www.ohchr.org/EN/Issues/Education/Training/WPHRE/ThirdPhase/Pages/ThirdPhaseIndex.aspx, accessed on 12 June 2020.

8 OHCHR, The Fourth Phase (2020-2024) of the World Program for Human Rights Education, available at www.ohchr.org/EN/Issues/Education/Training/WPHRE/FourthPhase/Pages/FourthPhaseIndex.aspx, accessed on 12 June 2020.

9 United Nations Declaration on Human Rights Education and Training, 2011, Article 2(1)

10 Adne Valen-Sendstad, *Theories of Human Rights in Relation to Understandings of Human Rights Education: The Relevance to Diversity*, University of Birmingham, 2010, 17.

11 Informal education is a learning process where an individual is influenced by his surrounding environment. In this process, learning is continuous in a non-structured approach as this is a lifelong process. In the current context, social media, movies, documentaries, etc. are some of the examples of informal education. The individual acquires skills, values, and education based on the experiences from his/her surroundings.

12 Formal education is a structured education model from primary to tertiary levels of education. Formal education leads to competition among students in a structured curriculum along with a certificate recognizing the completion of the said education.

13 Non-formal education refers to an educational structure where personal and social education models are adopted to develop skills. This is outside the formal setting of education and the individual has to participate voluntarily to increase interpersonal skills. Such education should be available to all based on both individual and collaborative learning processes. Example of this would be youth clubs and societies in schools and colleges, sports clubs, etc.

14 United Nations Declaration on Human Rights Education and Training, 2011, Article 3(2).

15 Council of Europe, *Approaches to Human Rights Education in Compass*, www.coe.int/en/web/compass/approaches-to-human-rights-education-in-compass, accessed on 13 June 2020.

16 The foundation was initially set by Civil Rights Act of 1955 A.D (2012 B.S) incorporating rights such as right to freedom of religion, freedom of speech, non-discrimination, etc. But the issue was leveraged through the constitution and henceforth. But even the entirety of all of this was set forth by the 2007 Interim Government

Act. See www.lawcommission.gov.np/en/wp-content/uploads/2018/09/the-interim-government-of-nepal-act-2007-b-s.pdf, accessed on 13 June 2020.

17 Prof. Dr. Rajit Bhakta Pradhananga and Dr. Shreeprakash Upreti, 'Human Rights System in Nepal: Moving Forward', Sambhak, May 2016, National Human Rights Commission of Nepal, page 2.

18 Annual Report Synopsis, National Human Rights Commission Nepal, 2019, page 7.

19 Annual Report Synopsis, *ibid.*, page 8.

20 *Ibid.*

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51 Pande, op. cit.

52 Ibid.

53 The Programme is taught across two campuses, with students spending the first semester in Mahidol University at the Institute of Human Rights and Peace Studies (IHRP), and the second semester at one of the partner universities in the Ateneo de Manila University (the Philippines), Universitas Gadjah Mada (Indonesia), Kathmandu School of Law (Nepal) or University of Colombo Sri Lanka. The University of Sydney (Australia) used to host the program until 2015 and currently an associated partner of the program.

54 The Global Campus of Human Rights is an inter-disciplinary center of excellence supported by the European Union. It strives to promote human rights and democratization through higher education, specialized training programs, research

and outreach. It is implemented worldwide through a broad network of member universities. See here for details at <https://gchumanrights.org/>.

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56 In the span of fourteen years, the school has seen over four hundred national and international delegates with faculties from around the world. See www.ksl.edu.np/esdr for details.

57 Saul, Kinley and Sangroula, op. cit.

58 Some of the projects are – (1) Development of Juvenile Justice System in Nepal (2002), Resource and Capacity Strengthening of Juvenile Justice System (2003), Strengthening Child Justice System Including Diversion (2004) with Danish Institute for Human Rights; (2) Developing a rights-based approach for anti-trafficking actions in South Asia (2006-2009) with European Union/Tdh Consortium; (3) Development and Operation of a Child Rights Study and Documentation Center (2007-2008) with Save the Children, Norway; (4) Safeguarding Human Rights in the Criminal Justice System in Nepal (2008-2009) with AUSAID; (5) Preventing Sexual Violence in Nepal through Harmonizing Relevant Laws with International Human Rights Standards (2014-2015) and Justice to rape victims through amended rape laws and measures to increase the rate of prosecution (2015-2016) with Political and Public Affairs Office to the British Embassy in Kathmandu; (6) Enhancing Good Governance, Human Rights Protection and the Law Enforcement Situation in Security Agencies and Criminal Justice Actors in Nepal (2015-2018) with Embassy of Denmark in Nepal; (7) Supporting enforcement of the new Criminal Laws to ensure uniformity in implementation of procedures for investigation of criminal cases (2018) with Freedom Fund.