

Integrating Human Rights Education in Myanmar's Higher Education Institutions

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THE COVID-19 CRISIS has provided an opportunity to reflect on our work to support three Myanmar universities' (Dagon University, East Yangon University and Mandalay University) law departments with their integration of human rights education. The output of these initiatives became this article describing how the Denmark – Myanmar Programme on Rule of Law and Human Rights 2016–2020 sought to support academic institutions through various interventions with the aim of strengthening human rights education integration.

The Danish Government has, since establishing an Embassy in Myanmar in 2014, had a clear objective to support the country's democratization process. This support is set in a landscape of the Myanmar government's strategic priorities to implement reforms to achieve *peace, national reconciliation, security and good governance* – with institutions adhering to the rule of law and respecting human rights.¹ These were included in the Myanmar Sustainable Development Plan 2018–2030. The objectives of Denmark's first Country Programme were hence designed to contribute to a peaceful and more democratic society with improved prosperity through sustainable economic growth. Under this framework the Denmark – Myanmar Programme on Rule of Law and Human Rights 2016 – 2020 (hereinafter Programme) was agreed with a budget of DKK 70 million.

The Programme supports rule of law institutions, lawyers, civil society and universities to strengthen the rule of law framework and implementation as well as increase application and respect for international human rights law and standards. One of the objectives has been pursued through strengthening the human rights education of justice sector actors and at higher legal education institutions. The Programme is being implemented by the Danish Institute for Human Rights (DIHR) and the International Commission of Jurists (ICJ) through a Joint Venture. In the Joint Venture, the DIHR² leads on providing technical assistance to the universities which

focuses on introducing and strengthening human rights education in the law departments.

The design of the human rights education component is inspired by a similar human rights education program under the Danish Ministry of Foreign Affairs, Danish International Development Agency (DANIDA) *Good Governance and Public Administration Programme II 2012 – 2015* that supported the Ho Chi Minh City University of Law to expand and deepen its human rights research environment, teach and integrate human rights education as well as support Vietnamese Human Rights Centers in achieving academic networks for research, education and training among universities in Vietnam. This program was also successfully implemented by the DIHR.

The design of the human rights education component of the Programme in Myanmar was hence highly informed by lessons learned from Vietnam while at the same time being based on in-depth consultation with the universities' law departments and adaptation to the national context. Sections below describe the programmatic foundations of the Programme; how it learned and, based on previous interventions, how it differentiated the Programme by insisting on nationally driven interventions.

Human Rights Education in Myanmar

While human rights education remains in a nascent state in Myanmar, various interventions have been made to implement and strengthen initiatives of the Myanmar law departments. This section provides a brief introduction to other development partners, including academic institutions that are working or have worked closely in support of the law departments in Myanmar and with which the Programme has also synergized interventions and support.

Columbia University – Institute for the Study of Human Rights (ISHR)

Since 2014, the Institute for the Study of Human Rights (ISHR), Columbia University with the support of Open Society Foundation (OSF) and OSF-Myanmar has worked under the “University Human Rights Education in Myanmar Project” that focuses on enhancing capacities to teach and promote human rights. The overall goal of the project is to strengthen the capacities of professors and lecturers to promote and engage in human rights education.

The first two phases of the ISHR project focused on providing introduction to international human rights law, curriculum development and teaching skills. Activities included workshops, online training, launch of and hosting of Myanmar lecturers as visiting scholars to the ISHR in the United States. This support involved twenty-five core faculty staff from Yangon and Mandalay Universities' law departments but had further outreach to two hundred twenty-five lecturers and students.³ In December 2017, the ISHR collaborated with the Denmark – Myanmar Programme on Rule of Law and Human Rights to organize a Human Rights Education Seminar which included peer training on specific human rights issues, pedagogical skills including curriculum development and facilitation. This seminar also provided a platform for the academic institutions to discuss common challenges in, and best practices for, teaching human rights. A key outcome of this seminar was the establishment of the Myanmar University Human Rights Education Network which is still active through Facebook to some extent.⁴ In March 2018, the ISHR also launched a compilation of "Human Rights Learning Activities" that was aimed at supporting human rights law lecturers teaching of international human rights law to 3rd year LLB students. Some of these were designed specifically for Myanmar's country context and assessing implementation of human rights law.⁵

In 2019, ISHR evolved to the third phase of the project which specifically focuses on minority rights and explores issues such as sexual orientation and gender identity rights, racial discrimination, hate speech, statelessness and citizenship, genocide and ethnic cleansing. A key aim is to enhance knowledge, values and skills that will promote increased respect for minority rights in Myanmar. Thirty professors and lecturers participate in this project, and students take part in selected aspects of the workshops and seminars. The project was projected to conclude in April 2020 but it is not known to the authors if final activities were postponed due to the COVID-19 crisis.⁶

Raoul Wallenberg Institute (RWI)

Raoul Wallenberg Institute (RWI) started cooperation with Myanmar universities' Law Departments in 2014 focusing on human rights research and education.⁷ The aim of the cooperation was to develop substantive human rights knowledge, research skills and regional peer networks through: a series of workshops for lecturers from all university law faculties; research

support through year-long mentorships; provision of human rights literature materials to law libraries; as well as engagement with human rights centers in the Southeast Asian region.⁸ RWI has been using three approaches for the development of research capacity of law lecturers. The first approach is providing highly qualified and skilled law lecturers with three-month fellowships at Lund University where RWI headquarters is located.⁹ The second approach is through support to individual applied research projects where a limited number of law lecturers together with other ASEAN regional scholars receive research methodology training and receive mentoring by RWI senior researchers for their research projects. The third approach focuses on “learning by doing” with a focus on applied research. These research projects have focused on “Civil Documentation” and been led by senior researchers from RWI with Myanmar law lecturers and students participating in data collection and analysis.¹⁰

To enhance human rights knowledge, the RWI focused thematically on business and human rights issues. Trainings were conducted as regional trainings which meant that less than five participants were invited to attend the training. Altogether forty-eight law professors and lecturers across the country attended Human Rights and Economic Globalisations carried out in Mandalay University law department.

Strengthening Human Rights and Peace Research and Education in Asean/Southeast Asia (SHAPE-SEA) Programme

The SHAPE-SEA Program¹¹ organized the first workshop on Teaching Human Rights Law at the University in Yangon on 25 – 27 July 2016 jointly with Myanmar National Human Rights Commission (MNHRC). The three-day workshop accepted thirty participants, including professors and lecturers of law from eighteen universities¹² in Myanmar. It was the largest number of Myanmar participants accepted by the SHAPE-SEA Program. The contents of the workshop covered a number of introductory human rights topics as many law lecturers attending were not specialized in human rights law.¹³ Apart from this, every year SHAPE-SEA accepts a few law lecturers demonstrating interest in teaching human rights to attend the annual “Five-day Lecturer Workshop on Teaching Human Rights.” SHAPE-SEA has completed altogether three workshops and accepted around twenty potential human rights lecturers from Myanmar. The contents of the trainings are almost identical. The IHRP-SHAPE-SEA is a regional academic institution

which based on its vast experience recognizes the importance of learning about human rights by having access to human rights literature in mother tongue or a language that learners have good proficiency in. Hence, the Programme has translated “An Introduction to Human Rights in Southeast Asia: A Textbook for Undergraduates” to Myanmar language.¹⁴

The Denmark – Myanmar Programme on Rule of Law and Human Rights

The human rights education component of the Programme is founded on human rights-based approach to development principles and is guided by the development outcome agreed for the whole program cycle. Each year, the Programme consults and engages the head of the law departments and professors on their key priorities which supports the identification of key outputs to be achieved and at the same time ensures and reinforces ownership.

The human rights education component consists of:

- Human rights education – focusing on enhancing knowledge of human rights and human rights education teaching methodologies capacity focusing on values, skills and attitudes;
- Joint research initiatives that seeks to expand and deepen knowledge of human rights as well as cultivate a vibrant research environment;
- Enhancing access to human rights knowledge through the establishment of Human Rights Resource Centers;
- Enhancing access to justice through establishment of university Legal Information Centers (LIC).

The Programme has since inception partnered with Dagon University, East Yangon University and since 2019, also Mandalay University.

Human Rights Education Knowledge and Capacity Development

The lecturers from the partner universities have been furnished with the needed knowledge on human rights since early 2017 by using different approaches through year-round support activities. This has included introduction to key human rights principles and standards trainings in Myanmar language and different thematic workshops in English introducing the core human rights conventions and optional protocols to enhance understanding

of these specialized instruments and enabling lecturers to integrate these into teaching and curriculum of students. Selection of thematic priorities is agreed through in-depth consultation with the professors of the partner universities. However, only three to four thematic trainings can be completed together with the yearly introductory human rights trainings. All trainings target strengthening of human rights education teaching methodologies focusing on introduction of activities that are participant-centered, build knowledge of the human rights system, instruments and standards and promote values and attitudes to protect the rule of law and human rights of people.

As human rights are a cross-cutting issue related to other law subjects such as constitutional law, land and labor law, the Programme continuously supports and opens spaces for law faculty members to participate in thematic trainings so that other faculty members other than human rights lecturers can integrate human rights knowledge into their teaching of other law subjects. Acquiring in-depth knowledge of human rights law and its implementation in practice is also encouraged through participating in the research activities which are discussed in the next section.

Since 2019, the Programme has actively supported the Board of Legal Studies and law departments in the setting-up of a Technical Working Group (TWG) to strengthen the human rights law curriculum and syllabuses¹⁵ and develop related teaching materials. Most TWG members have benefited from prior human rights education and lecturer trainings provided by the aforementioned programs.¹⁶ These trainings have proven indispensable for the TWG members and enhanced their abilities to develop their own human rights law curriculum and syllabuses, as well as teaching materials.

Human Rights Research

Research culture has not been cultivated, developed or supported among legal scholars in Myanmar for many decades. Not having multi-disciplinary approach or integrating social science approach in their legal research in earlier decades, some research approaches and techniques are alien to them. A lack of systematic peer-reviewed process on subjects for journal publications cannot ensure the quality of critical analysis skills of the legal research papers. There are strong criticisms on the quality of legal research and education. Moreover, research on human rights was very limited in universities

in Myanmar except for a few focusing on child and women protection which were allowed by the government because these did not apply the “rights” language. Doing research on human rights issues in Myanmar is important for researchers not only to improve research skills but also for the better understanding of the human rights issues in practice so that they could practice human rights through their heart in the future.

Against this backdrop, research activities were strategically chosen to strengthen the research skills of legal researchers of partner universities. Initially, the Programme envisaged undertaking joint research projects by international and national researchers but recognizing the need to first support further strengthening of research skills, the activity was slightly adapted. Law lecturers interested in human rights research received training on socio-legal research methodology, year-round mentoring on the human rights research projects done by legal researchers, technical and financial support to the collection of required data in the fields and support for the dissemination of their research results in and outside of Myanmar. The training mainly emphasized the qualitative approaches, research ethics, sampling designs, interview techniques, interpretation and analysis of documents and field data. From 2017-2019, the Programme completed five-day trainings each year.

From 2017-2019, there are altogether thirty-four researchers working on thirty projects under supervision by different international senior researchers. Seven projects are already finalized and published in local academic journals. As working papers, twelve researchers presented their research either at international or national conferences in 2018 and 2019. The scheduled mentoring, reviewing and providing feedbacks were mostly done by the international researchers together with the Programme’s research team. In early 2020, the Programme returned to its initial objective of facilitating joint research allowing for direct interaction and collaboration between international and national researchers that ensures further opportunities to strengthen human rights research in Myanmar and fosters a strong and vibrant research culture (or environment). The applied human rights research projects will be completed by December 2020.

As mentioned earlier, a key aim was to foster a peer review culture among the legal scholars to enhance the quality of their research and skills. Therefore, the human rights research working papers reading forum was organized by the Programme in 2019 with four objectives: to improve pre-



sentation skills through presentation of working papers; to improve self-editing skills; to develop the culture of peer-review process; and to increase networking with other human rights academic researchers, including those working for non-governmental organizations in Myanmar.



Human Rights Resource Centers (HRRC)

Capacity-building through training and research will not be efficient unless there are enough accessible resources. Being a new subject in Myanmar, the



availability of either original or translated human rights books in the local market is still limited. Moreover, paid online resources receive limited support from the Ministry of Education. To bridge the gap, human rights resource centers were established at the central libraries of two partner universities. By setting up the human rights resource center (HRRC) at the central libraries, the Programme ensured that the resources would not only be available to law lecturers and students but also to students, lecturers and researchers from other disciplines also interested in acquiring human rights knowledge.

The Programme has facilitated translation of selected human rights textbooks: *International Human Rights Law* by Rhona K.M. Smith in 2019, *Human Rights-Politics and Practice* edited by Michael Goodhart in 2020 and the *Human Rights Education Toolbox* by DIHR in 2020, and nine core human rights conventions and its optional protocols to minimize the lan-

guage barrier which many people encounter due to the English proficiency level among students and lecturers. Further, the translation project ensures that more resources are available as there is a real scarcity of human rights textbooks in Myanmar language. The Programme makes sure the wider accessibility of the translated books and conventions by publishing hard copies and delivering these to all the law departments across the country as well as ensuring that the HRRCs can launch e-book versions as well.¹⁷ Further, in 2019, the Programme launched the mobile application titled “A Khwint A Yay” (Your Rights) ensuring that the translated human rights conventions and optional protocols would be available to the wider public. Finally, with the permission of the IHRP-SHAPE-SEA, the Programme printed copies of the Myanmar translated textbook which was made available to all law departments.¹⁸

Both English and Myanmar translated books are provided to the HRRCs. Librarians serving within the university central libraries has at the same time received introductory courses on human rights to equally obtain better knowledge and understanding of the new resources, and specialized training in managing and searching law, human rights law and human rights e-resources, as well as general library management training enabling them to provide strengthened services to students and lecturers at the universities.

Legal Information Centers (LICs)

The Programme design equally included establishment of Legal Information Centers (LICs) at the partner universities. Previously, there had been very few opportunities for law students to apply their legal theory knowledge obtained from classes in practice. The composition of the current law curriculum does not effectively incorporate clinical legal education; however initiatives are facilitated in a more *ad hoc* manner by law departments, including through arrangement of moot court competitions and community legal awareness, and through support from non-governmental organizations such as BABSEACLE.¹⁹ Further, not many law students in Myanmar have opportunities to have relevant student jobs or serve as interns during their studies as is common in other countries. This has many reasons, but during military rule the universities and especially legal education were isolated. Since 2015, the context seems to be changing and some law students

now have opportunities to serve as interns with law firms and organizations working to enhance the rule of law and human rights in Myanmar.

The Programme hence targeted to bridge the gap in legal education between theory and practice while at the same time supporting disadvantaged communities facing disputes, e.g., debt, land, labor, domestic violence and trafficking cases, in accessing justice through provision of legal information, support to negotiation and mediation of smaller disputes and referral to legal aid providers of more serious legal disputes and serious human rights violations that fall outside the scope of the LIC.

Through active participation in the LIC, graduates have enhanced skills to become legal professionals, and a better understanding of justice needs and gaps in the implementation of human rights law in present day Myanmar. Further, a key aim is to ensure that the law departments including law lecturers were adequately equipped with knowledge and skills to manage and run the LICs themselves.

Through training, coaching and mentoring of lecturers and students, LIC members are now working on negotiation, mediation, advocacy and how to effectively communicate legal information as well as address human rights issues arising in communities. Seventeen lecturers and ninety-seven students at Dagon and East Yangon Universities are effectively managing the two respective LICs. Effective case handling and referral are ensured through consultation with clients at the LIC but also through Facebook and Messenger which have become increasingly relevant during the COVID-19 crisis as legal information and assistance in cases have been provided online. Both LICs have set-up Facebook pages to effectively share and communicate services available as well as provide updates on activities.²⁰ The LICs have well-established contacts with community decision-making structures such as General Administration Departments (GAD), Ward Administrators and 10/100 household heads,²¹ pro-bono legal aid providers as well as social welfare and organizations providing psycho-social services.

In August 2019, the Programme expanded to include Mandalay University Law Department, and at the time of writing the establishment of an LIC is ongoing. Seven law lecturers and twenty-eight students have received initial training and coaching, and the new LIC, the first in upper Myanmar is expected to open in August 2020 ensuring the provision of legal information services to disadvantaged communities in Mandalay and providing opportunities for students and lecturers to further gain necessary

skills that will support them in becoming legal professionals that promote access to justice, rule of law and human rights in Myanmar. In the case of Mandalay, law students had heard about and followed the activities of the LICs at East Yangon and Dagon Universities and effectively lobbied their professors to support the opening of an LIC at Mandalay University.

Progress, Issues and Challenges

Throughout the implementation of the Denmark-Myanmar Programme on Rule of Law and Human Rights, the DIHR ensured that the partner Universities were central to the planning process, co-designed interventions and defined how the activities should be implemented. This has been a recipe for ensuring strong ownership, achievement of results and sustainability. While the Programme found this approach had numerous advantages, it also entailed programmatic challenges.

Such dynamic programming requires increased flexibility by all stakeholders as the fluidity demands all actors to adjust to moving parts in other components to ensure strategic alignment and maintaining/strengthening synergies. Such flexibility - by beneficiaries, partners, program staff and not least donors - requires close coordination and a high degree of trust, which needs to be built through close coordination, transparency and experience. It also adds additional work to program staff, as they need to manage these processes of communication, coordination and adjustment of agreements.

Due to the active engagement of the partner universities, the 2019 mid-term evaluation of the Denmark-Myanmar Programme on Rule of Law and Human Rights found that the university partners had almost already achieved the agreed outputs. Hence, an upscaling of the human rights education component was approved allowing the expansion to include Mandalay University Law Department as a new partner, as well as work closely in support of the Board of Legal Studies in undertaking a country-wide human rights education needs study that further led to setting-up of the TWG to review the compulsory 3rd year LL.B Human Rights Law curriculum, enhance existing lesson plans and teaching material. These program activities are presently ongoing.

Structural issues beyond the control of the Programme such as heavy teaching schedules with manual checking and marking of thousands of examination papers, lecturers led students' activities and disproportionate

students-lecturers ratio with limited classrooms directly challenge the implementation of the program activities particularly with respect to strengthening human rights research and teaching capacities. Furthermore, since 2019 almost all universities must accept distance education students. This leaves members of the faculty with double workload in teaching, preparing examination questions and marking the answer sheets manually. Due to workloads, faculty members are struggling with time for professional development, including specialized research. Universities still do not have autonomy as these still fall within the authorities of the Ministry of Education, and hence those barriers are challenges both for partners but also for the Programme to ensure sustainability of interventions.

Myanmar is not yet offering specialized human rights courses beyond the 3rd year Human Rights Law LL.B course based on the lack of availability of expertise to teach specialized areas of human rights law. However, this is gradually changing as law lecturers are acquiring specialized knowledge through applied human rights research as supported by the Programme and other organizations as described earlier.

Further, the available resources for professors to strategically plan the academic year and semesters are also challenged by the yearly transfers of professors and lecturers just before the 1st semester starts in January each year. The law departments can be faced with not having expertise in certain law subjects, but currently, the system does not allow the omission of human rights or other law subjects if there are no well-trained lecturers in the law department to teach the subject. At the same time, the system does not provide many chances for lecturers to become experts in a specific field as they are tasked with teaching three to four different subjects each semester. There is a high risk of lecturers being assigned to teach unfamiliar subjects when they move between the twenty-one law departments.

Conclusion

The Denmark-Myanmar Programme on Rule of Law and Human Rights builds on the achievements and synergies with other programs, and complements these with strong partnerships using the human rights-based approach. The partner-led development approach has sometimes resulted in delivery of less state of the art products, but these products are designed and developed by and for university professors and lecturers. Thus, while it may

reduce the “technical” level of delivery and increase the programmatic complexity, it also significantly increases long-term sustainability and impact through outputs that the universities can claim as their own and strengthen further in the future.

Endnotes

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1. Myanmar Sustainable Development Plan 2018 – 2030, Goal 1, p. 8 – 16. Available at https://themimu.info/sites/themimu.info/files/documents/Core_Doc_Myanmar_Sustainable_Development_Plan_2018_-_2030_Aug2018.pdf, accessed on 15 May 2020.

2. In Myanmar, the DIHR Technical Team (consisting of six international and national advisers) receives advisory support from DIHR Headquarters Experts.

3. For further information see Institute for the Study of Human Rights (ISHR), Columbia University, <http://humanrightscolumbia.org/education/myanmar/introduction-international-law-and-human-rights>.

4. Visit Myanmar University Human Rights Education Network (MUHREN), <https://web.facebook.com/groups/930031163832040/>, accessed on 23 June 2020.

5. An example is an exercise on *International Bill of Rights (UDHR/ICCPR/ICESCR) and Your Constitution*, page 10 of the material.

6. For further information, see ISHR, <http://humanrightscolumbia.org/education/myanmar/minority-rights>, accessed on 23 June 2020.

7. For further information, see Raoul Wallenberg Institute (RWI), <https://rwi.lu.se/where-we-work/regions/asia/myanmar/>, accessed on 4 April 2020.

8. For further information see RWI, <https://rwi.lu.se/where-we-work/regions/asia/myanmar/>, accessed on 4 April 2020.

9. For further information, see RWI, <https://rwi.lu.se/2015/09/the-research-is-the-soul-of-the-university/>, accessed on 4 April 2020.

10. For further information, see RWI, <https://rwi.lu.se/2018/08/statelessness-workshop-held-myanmar/>, accessed: 4 April 2020.

11. The name of the program is Strengthening Human Rights and Peace Research and Education in ASEAN/ Southeast Asia launched in February 2015. It is a collaboration between two academic networks based in Southeast Asia: Asian University Network on Human Rights Education (AUN-HRE) and SEAHRN.

12. The Ministry of Education opened three more law departments in 2019. Thus, currently there are twenty-one law departments across Myanmar.

13. The topics provided in the workshop were (1) Status of Human Rights in Myanmar Focused on Human Rights in the Domestic System, Constitution and Courts, (2) Key Concepts of Human Rights, (3) ICCPR, (4) ICESCR, (5) Teaching of

ESCR, (6) People with Disability, (7) CEDAW, (8) CRC, and (9) Protection of Human Rights.

14. Visit SHAPESEA, <http://shapesea.com/publication/introduction-human-rights-southeast-asia-textbook-undergraduates-volume-1-2-burmese-translation/>

15. Law 3107, Human Rights Law.

16. DIHR, IHRP, ISHR and RWI respectively.

17. Further information available at Library News, East Yangon University, https://eyu.edu.mm/library/library_news, accessed 15 June 2020.

18. SHAPE-SEA published *An Introduction to Human Rights in Southeast Asia: A Textbook for Undergraduates*, Volumes 1 and 2- Burmese Translation” in 2018.

19. BABSEACLE is working to establish university and community-based legal education programs in Myanmar, including through the introduction of Clinical Legal Education (CLE). For further information, see BABSEACLE, www.babseacle.org/justice-initiatives/myanmar/, accessed on 15 May 2020.

20. For further information: visit the Legal Information Centers of Dagon University and East Yangon University, <https://web.facebook.com/DULegalInformationsCenter/> and <https://web.facebook.com/EYULIC/>.

21. The 10/100 household heads are integral to the local governance system in Myanmar. It falls under the General Administration Department (GAD). The 10 household heads are elected by 100 households, hence the name 10/100. The 10/100 household heads elect the ward and village-tract administrator whose elections receive final approval by GAD. Please refer to The Ward and Village Tract Administration Law, 2012, section IV.