

# Human Rights Principles and Rights



HUMAN RIGHTS have been promoted since 1946 by the United Nations as part of its mandate. But since the human rights standard setting has been continuously developing, new concepts have also been adopted by the international community and made part of human rights obligations of the states.

Following are texts from the materials being used by the United Nations' agencies, offices and programs in explaining human rights to the people the world over.

## **UNDERSTANDING HUMAN RIGHTS<sup>1</sup>**

Every individual has dignity. The principles of human rights were drawn up by human beings as a way of ensuring that the dignity of everyone is properly and equally respected, that is, to ensure that a human being will be able to fully develop and use human qualities such as intelligence, talent and conscience and satisfy his or her spiritual and other needs.

Dignity gives an individual a sense of value and worth. The existence of human rights demonstrates that human beings are aware of each other's worth. Human dignity is not an individual, exclusive and isolated sense. It is a part of our common humanity.

Human rights enable us to respect each other and live with each other. In other words, they are not only rights to be requested or demanded but rights to be respected and be responsible for. The rights that apply to you also apply to others.

The denial of human rights and fundamental freedoms not only is an individual and personal tragedy, but also creates conditions of social and political unrest, sowing the seeds of violence and conflict within and between societies and nations.

## **HUMAN RIGHTS PRINCIPLES<sup>2</sup>**

Human rights are universal and inalienable; indivisible; interdependent and interrelated. They are universal because everyone is born with and possesses the same rights, regardless of where they live, their gender or race, or their religious, cultural or ethnic background. Inalienable because people's rights can never be

taken away. Indivisible and interdependent because all rights—political, civil, social, cultural and economic—are equal in importance and none can be fully enjoyed without the others. They apply to all equally, and all have the right to participate in decisions that affect their lives. They are upheld by the rule of law and strengthened through legitimate claims for duty-bearers to be accountable to international standards.

*Universality and Inalienability:* Human rights are *universal* and *inalienable*. All people everywhere in the world are entitled to them. The universality of human rights is encompassed in the words of Article 1 of the *Universal Declaration of Human Rights*: “All human beings are born free and equal in dignity and rights.”

*Indivisibility:* Human rights are *indivisible*. Whether they relate to civil, cultural, economic, political or social issues, human rights are inherent to the dignity of every human person. Consequently, all human rights have equal status, and cannot be positioned in a hierarchical order. Denial of one right invariably impedes enjoyment of other rights. Thus, the right of everyone to an adequate standard of living cannot be compromised at the expense of other rights, such as the right to health or the right to education.

*Interdependence and Interrelatedness:* Human rights are *interdependent* and *interrelated*. Each one contributes to the realization of a person’s human dignity through the satisfaction of his or her developmental, physical, psychological and spiritual needs. The fulfilment of one right often depends, wholly or in part, upon the fulfilment of others. For instance, fulfilment of the right to health may depend, in certain circumstances, on fulfilment of the right to development, to education or to information.

*Equality and Non-discrimination:* All individuals are equal as human beings and by virtue of the inherent dignity of each human person. No one, therefore, should suffer discrimination on the basis of race, colour, ethnicity, gender, age, language, sexual orientation, religion, political or other opinion, national, social or geographical origin, disability, property, birth or other status as established by human rights standards.

*Participation and Inclusion:* All people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being. Rights-based approaches require a high degree of participation by communities, civil society, minorities, women, young people, indigenous peoples and other identified groups.

*Accountability and Rule of Law:* States and other duty-bearers are answerable for the observance of human rights. In this regard, they have to comply with the legal norms and standards enshrined in international human rights instruments. Where they fail to do so, aggrieved rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law. Individuals, the

media, civil society and the international community play important roles in holding governments accountable for their obligation to uphold human rights.

## LIST OF RIGHTS

Since 1948, the United Nations has been engaged in defining the international human rights standards particularly in relation to specific issues. Examples of these human rights, freedoms, rights and prohibitions related to human rights, are the following:<sup>3</sup>

In the area of civil and political rights

- Right to life
- Freedom from torture and cruel, inhuman or degrading treatment or punishment
- Freedom from slavery, servitude and forced labour
- Right to liberty and security of person
- Right of detained persons to be treated with humanity
- Freedom of movement
- Right to a fair trial
- Prohibition of retroactive criminal laws
- Right to recognition as a person before the law
- Right to privacy
- Freedom of thought, conscience and religion
- Freedom of opinion and expression
- Prohibition of propaganda for war and of incitement to national, racial or religious hatred
- Freedom of assembly
- Freedom of association
- Right to marry and found a family
- Right to take part in the conduct of public affairs, vote, be elected and have access to public office
- Right to equality before the law and non-discrimination.

In the area of economic, social and cultural rights

- Right to work
- Right to just and favourable conditions of work
- Right to form and join trade unions
- Right to social security
- Protection of the family
- Right to an adequate standard of living, including adequate food, clothing and housing

- Right to health
- Right to education.

In the area of collective rights

Right of peoples to:

- Self-determination
- Development
- Free use of their wealth and natural resources
- Peace
- A healthy environment

Other collective rights:

- Rights of national, ethnic, religious and linguistic minorities
- Rights of indigenous peoples.

### STATE OBLIGATION ON HUMAN RIGHTS

All human rights—economic, civil, social, political and cultural—impose negative as well as positive obligations on States, as is captured in the distinction between the duties to respect, protect and fulfil.<sup>4</sup>

*They are considered to be the three levels of obligation:*<sup>5</sup>

To *respect* a right means refraining from interfering with the enjoyment of the right.

To *protect* the right means enacting laws that create mechanisms to prevent violation of the right by state authorities or by non-state actors. This protection is to be granted equally to all.

To *fulfil* the right means to take active steps to put in place institutions and procedures, including the allocation of resources to enable people to enjoy the right. A rights-based approach develops the capacity of duty-bearers to meet their obligations and encourages rights holders to claim their rights.

Resource implications of the obligations to *respect* and *protect* are generally less significant than those of implementing the obligations to *fulfil*, for which more proactive and resource-intensive measures may be required. Consequently, resource constraints may not affect a State's ability to respect and protect human rights to the same extent as its ability to fulfil human rights.<sup>6</sup>

### HUMAN RIGHTS AND STATE SOVEREIGNTY

In the past, when human rights were still regarded as a country's internal affair, other States and the international community were prevented from interfering,

even in the most serious cases of human rights violations, such as genocide. That approach, based on national sovereignty, was challenged in the twentieth century, especially by the actions of Nazi Germany and the atrocities committed during the Second World War. Today, human rights promotion and protection are considered a legitimate concern and responsibility of the international community. However, discrepancies between *universal legal obligations* and *State sovereignty* can be resolved only on a case-by-case basis, in accordance with the *principle of proportionality*, a principle according to which any action taken by an authority pursuant to the concept of universality must not go beyond what is necessary to achieve compliance with human rights.<sup>7</sup>

Paragraph 4 of the Vienna Declaration and Programme of Action of the World Conference on Human Rights (Vienna, 1993), states that:

The promotion and protection of all human rights and fundamental freedoms must be considered as a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation. In the framework of these purposes and principles, the promotion and protection of all human rights is a legitimate concern of the international community.

## HUMAN RIGHTS INSTRUMENTS

In the early twentieth century, the protection of human rights became an issue of concern to the international community. Under the League of Nations, established at the end of the First World War, attempts were made to develop an international legal framework, along with international monitoring mechanisms, to protect minorities. The horrors perpetrated during the Second World War motivated the international community to ensure that such atrocities would never be repeated and provided the impetus for the modern movement to establish an international system of binding human rights protection.

The Charter of the United Nations of 1945 proclaims that one of the purposes of the United Nations is to promote and encourage respect for human rights and fundamental freedoms for all.

The Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, was the first step towards achieving this objective. It is seen as the authoritative interpretation of the term "human rights" in the Charter of the United Nations. The Universal Declaration together with the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both adopted in 1966, constitute what has become known as the International Bill of Human Rights. Since 1948, human rights and fundamental freedoms have indeed been codified in hundreds

of universal and regional, binding and non-binding instruments, touching almost every aspect of human life and covering a broad range of civil, political, economic, social and cultural rights. Thus, the codification of human rights has largely been completed.<sup>8</sup>

Conceived as “a common standard of achievement for all peoples and all nations”, the Universal Declaration of Human Rights has become just that: a yardstick by which to measure the degree of respect for, and compliance with, international human rights standards.<sup>9</sup>

Since 1948 it has been and rightly continues to be the most important and far-reaching of all United Nations declarations, and a fundamental source of inspiration for national and international efforts to promote and protect human rights and fundamental freedoms. It has set the direction for all subsequent work in the field of human rights and has provided the basic philosophy for many legally binding international instruments designed to protect the rights and freedoms which it proclaims.<sup>10</sup>

Human rights are set out as principles in the Universal Declaration of Human Rights. A declaration is not legally binding. It lays out principles and objectives and carries moral weight.

However, a large number of laws and legal documents are based on the principles set forth by the Universal Declaration. Many countries have cited the Declaration or included its provisions in their basic laws or constitutions. And many human rights covenants, conventions and treaties concluded since 1948 have been built on its principles.

A covenant, convention or treaty, unlike a declaration, has the force of law. Those who sign the document, called the signatories, have not only a moral obligation but a legal obligation to respect its terms. A covenant, convention or treaty is signed between states. Once it is signed, it must be ratified by the signatories. This means, that the treaty must be accepted by the country’s own parliament or equivalent legislative body. Then it becomes law.

One of the greatest achievements of the United Nations is the creation of a comprehensive body of human rights legislation. For the first time in history, there exists a universal code of human rights one to which all nations can subscribe and to which all people can aspire.

The broadest legally binding human rights agreements negotiated under United Nations auspices are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

## **THE INTERNATIONAL BILL OF RIGHTS**

The international human rights standards are defined by a number of human rights documents that have been adopted by member-states of the United

Nations. The main human rights documents have been known as the international bill of rights and composed of the following:<sup>11</sup>

- Universal Declaration of Human Rights (1948)
- International Covenant on Economic, Social and Cultural Rights (1966)
- International Covenant on Civil and Political Rights (1966)
- Optional Protocol to the International Covenant on Civil and Political Rights (1966)
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (1989).

There are nine core international human rights treaties. Each of these treaties has established a committee of experts to monitor implementation of the treaty provisions by its States parties. Some of the treaties are supplemented by optional protocols dealing with specific concerns.

- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention on the Rights of the Child (CRC)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)
- International Convention for the Protection of All Persons from Enforced Disappearance (CPED)
- Convention on the Rights of Persons with Disabilities (CRPD).

In addition to the International Bill of Rights and the core human rights treaties, there are many other universal instruments relating to human rights. The legal status of these instruments varies: declarations, principles, guidelines, standard rules and recommendations have no binding legal effect, but such instruments have an undeniable moral force and provide practical guidance to States in their conduct; covenants, statutes, protocols and conventions are legally-binding for those States that ratify or accede to them.

## **UNITED NATIONS HUMAN RIGHTS TREATY SYSTEM**

Through ratification of international human rights treaties, Governments undertake to put into place domestic measures and legislation compatible with their

treaty obligations and duties. The domestic legal system, therefore, provides the principal legal protection of human rights guaranteed under international law. Where domestic legal proceedings fail to address human rights abuses, mechanisms and procedures for individual and group complaints are available at the regional and international levels to help ensure that international human rights standards are indeed respected, implemented, and enforced at the local level.<sup>12</sup>

There are committees within the United Nations system that try and check to see whether countries comply with the human rights treaties they have signed. The committees may call upon Governments to respond to allegations and may adopt decisions and publish them along with criticisms or recommendations.<sup>13</sup>

They are generally known as the “human rights treaty bodies.”

The human rights treaty bodies are committees of independent experts that monitor implementation of the core international human rights treaties. They are created in accordance with the provisions of the treaty that they monitor.<sup>14</sup>

There are nine human rights treaty bodies and the Subcommittee on Prevention of Torture (SPT):

- The Human Rights Committee (CCPR) monitors implementation of the International Covenant on Civil and Political Rights (1966) and its optional protocols;
- The Committee on Economic, Social and Cultural Rights (CESCR) monitors implementation of the International Covenant on Economic, Social and Cultural Rights (1966);
- The Committee on the Elimination of Racial Discrimination (CERD) monitors implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (1965);
- The Committee on the Elimination of Discrimination Against Women (CEDAW) monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women (1979) and its optional protocol (1999);
- The Committee Against Torture (CAT) monitors implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (1984);
- The Committee on the Rights of the Child (CRC) monitors implementation of the Convention on the Rights of the Child (1989) and its optional protocols (2000);
- The Committee on Migrant Workers (CMW) monitors implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990);
- The Committee on the Rights of Persons with Disabilities (CRPD) monitors implementation of the International Convention on the Rights of Persons with Disabilities (2006); and



- The Committee on Enforced Disappearance (CED) monitors implementation of the International Convention for the Protection of All Persons from Enforced Disappearance (2006).

Each treaty body receives secretariat support from the Human Rights Treaties Branch of OHCHR in Geneva. CEDAW, which was supported until 31 December 2007 by the Division for the Advancement of Women (DAW), meets once a year in New York at United Nations Headquarters. Similarly, the Human Rights Committee usually holds its session in March/April in New York. The other treaty bodies meet in Geneva, either at Palais Wilson or Palais des Nations.

## **HUMAN RIGHTS COUNCIL<sup>15</sup>**

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the United Nations Office at Geneva.

The Council is made up of forty-seven United Nations Member States which are elected by the United Nations General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights.

The Council was created by the United Nations General Assembly on 15 March 2006 by resolution 60/251. Its first session took place from 19 to 30 June 2006. One year later, the Council adopted its “Institution-building package” to guide its work and set up its procedures and mechanisms.

Among them were the Universal Periodic Review mechanism which serves to assess the human rights situations in all United Nations Member States, the Advisory Committee which serves as the Council’s “think tank” providing it with expertise and advice on thematic human rights issues and the Complaint Procedure which allows individuals and organizations to bring human rights violations to the attention of the Council.

The Human Rights Council also works with the United Nations Special Procedures established by the former Commission on Human Rights and now assumed by the Council. These are made up of special rapporteurs, special representatives, independent experts and working groups that monitor, examine, advise and publicly report on thematic issues or human rights situations in specific countries.

**CONDITIONS ON RIGHTS<sup>16</sup>**

The Universal Declaration of Human Rights affirms that the exercise of a person's rights and freedoms may be subject to certain limitations, which must be determined by law, solely for the purpose of securing due recognition of the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. Rights may not be exercised contrary to the purposes and principles of the United Nations, or if they are aimed at destroying any of the rights set forth in the Declaration (arts. 29 and 30).

The International Covenant on Economic, Social and Cultural Rights states that the rights provided for therein may be limited by law, but only in so far as it is compatible with the nature of the rights and solely to promote the general welfare in a democratic society (art. 4).

Unlike the Universal Declaration [ of Human Rights] and the [International] Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights contains no general provision applicable to all the rights provided for in the Covenant authorizing restrictions on their exercise. However, several articles in the Covenant provide that the rights being dealt with shall not be subject to any restrictions except those which are prescribed by law and are necessary to protect national security, public order, or the rights and freedoms of others.

Certain rights, therefore, may never be suspended or limited, even in emergency situations. These are the rights to life, to freedom from torture, to freedom from enslavement or servitude, to protection from imprisonment for debt, to freedom from retroactive penal laws, to recognition as a person before the law, and to freedom of thought, conscience and religion.

The International Covenant on Civil and Political Rights allows a State to limit or suspend the enjoyment of certain rights in cases of officially proclaimed public emergencies which threaten the life of the nation. Such limitations or suspensions are permitted only "to the extent strictly required by the exigencies of the situation" and may never involve discrimination solely on the ground of race, colour, sex, language, religion or social origin (art. 4). The limitations or suspensions must also be reported to the United Nations.

**ENDNOTES**

1 "Understanding Human Rights," at [www.un.org/cyberschoolbus/humanrights/about/understanding.asp](http://www.un.org/cyberschoolbus/humanrights/about/understanding.asp).

2 "Human Rights," United Nations Population Fund, [www.unfpa.org/rights/principles.htm](http://www.unfpa.org/rights/principles.htm).

3 *Ibid.*, page 2.

4 *Para 48, Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies* (2006, Office of the United Nations High Commissioner for Human Rights), pages 10-11.

5 "The Human Rights-Based Approach," [www.unfpa.org/rights/approaches.htm](http://www.unfpa.org/rights/approaches.htm).

6 *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies, op. cit.*

7 *Human Rights: Handbook for Parliamentarians*, Inter-Parliamentary Union and the United Nations Office of the High Commissioner for Human Rights, 2005, page 8.

8 This paragraph and the two preceding paragraphs are taken from The United Nations Human Rights Treaty System, Fact Sheet No. 30/Rev.1, Office of the United Nations High Commissioner for Human Rights), page 3.

9 *The International Bill of Human Rights*, Fact Sheet No. 2 (Rev.1), Centre for Human Rights (Geneva, 1988), page 8, available at [www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf](http://www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf).

10 Ibid.

11 See *The International Bill of Human Rights*, Fact Sheet No. 2 (Rev.1), *ibid.* And RefWorld ([www.unhcr.org/refworld/docid/3ae6b3bf0.html](http://www.unhcr.org/refworld/docid/3ae6b3bf0.html)) regarding the year of adoption of the first Optional Protocol to the International Covenant on Civil and Political Rights.

12 "The Foundation of International Human Rights Law," The Universal Declaration of Human Rights, at [www.un.org/en/documents/udhr/hr\\_law.shtml](http://www.un.org/en/documents/udhr/hr_law.shtml).

13 "Understanding Human Rights," *op. cit.*

14 "Human Rights Treaty Bodies," at [www2.ohchr.org/english/bodies/treaty/index.htm](http://www2.ohchr.org/english/bodies/treaty/index.htm).

15 "Background information on the Human Rights Council," United Nations High Commissioner for Human Rights, at [www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx](http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx).

16 *The International Bill of Human Rights*, *op. cit.*, pages 11-12.



# Human Rights Education Duty and Definition



THE 1945 UNITED NATIONS CHARTER provides the initial statement on human rights education. Article 55 of the Charter states:

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

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c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

This United Nations duty was transformed into a duty of peoples and governments in the 1948 Universal Declaration of Human Rights (UDHR):

The General Assembly,

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

Human rights education became part of right to education as found in paragraph 2 of Article 26 of the UDHR:

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

During the same 1948 session of the General Assembly of the United Nations that adopted the UDHR, the member-states adopted a resolution that provides:<sup>1</sup>

Considering that the text of the [Universal Declaration of Human Rights] should be disseminated among all peoples throughout the world,

1. *Recommends* Governments of Member States to show their adherence to Article 56 of the Charter by using every means within their power solemnly to publicize the text of the Declaration and to cause it to be disseminated, displayed, read and expounded principally in schools and other institutions, without distinction based on the political status of the countries or territories;

2. Invites the specialized agencies and non-governmental organizations of the world to do their utmost to bring this Declaration to the attention of their members.

This resolution clarified even more the duty of governments to undertake human rights education. This duty was reaffirmed several times since 1948.

In the 1968 International Conference on Human Rights in Tehran, Iran, aimed at reviewing progress over twenty years after the adoption of the UDHR and at formulating a program for the future, the member-states declared:<sup>2</sup>

1 . It is imperative that the members of the international community fulfil their solemn obligations to promote and encourage respect for human rights and fundamental freedoms for all without distinctions of any kind such as race, colour, sex, language, religion, political or other opinions.

After almost fifty years since the establishment of the United Nations, member-states reaffirmed in the 1993 World Conference on Human Rights their duty to promote human rights. The conference entitled Vienna Declaration and Programme of Action (VDPA) states the following:<sup>3</sup>

33. The World Conference on Human Rights reaffirms that States are duty-bound, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights and in other international human rights instruments, to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms. The World Conference on Human Rights emphasizes the importance of incorporating the subject of human rights education programmes and calls upon States to do so. Education should promote understanding, tolerance, peace and friendly relations between the nations and all racial or religious groups and encourage the development of United Nations activities in pursuance of these objectives. Therefore, education on human rights and the dissemination of proper information, both theoretical and practical, play an important role in the promotion and respect of human rights with regard to all individuals without distinction of any kind such as race, sex, language or religion, and this should be integrated in the education policies at the national as well as international levels.

The latest reaffirmation of duty of governments regarding human rights education appeared in this preambular paragraph of the 2011 United Nations Declaration on Human Rights Education and Training:<sup>4</sup>

*Reaffirming* that States are duty-bound, as stipulated in the Universal Declaration of Human Rights,<sup>5</sup> the International Covenant on Economic, Social and Cultural Rights and in other human rights instruments, to ensure that education is aimed at strengthening respect for human rights and fundamental freedoms.

## HUMAN RIGHTS EDUCATION DEFINED

To implement the provisions of VDPA on human rights education, the United Nations launched the United Nations Decade for Human Rights Education (1995-2004) in 1995 whose Plan of Action provides for the first time the definition of “human rights education” based on the previous United Nations documents:<sup>6</sup>

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 and 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;
- (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.

The 2005 World Programme for Human Rights Education refined a little more this definition as shown in the added underlined texts:<sup>7</sup>

(d) The enabling of all persons to participate effectively in a free and demo-  
cratic society governed by the rule of law;

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(f) The promotion of people-centred sustainable development and social  
justice.

It can be assumed that the additions in the aims of human rights education reflect the current concerns of the United Nations member-states.

The 2011 United Nations Declaration on Human Rights Education and Training<sup>8</sup> provides a different way of defining the aims of human rights education:

- (a) Raising awareness, understanding and acceptance of universal human rights standards and principles, as well as guarantees at the international, regional and national levels for the protection of human rights and fundamental freedoms;
- (b) Developing a universal culture of human rights, in which everyone is aware of her/his own rights and responsibilities in respect of the rights of others, and promoting the development of the individual as a responsible member of a free, peaceful, pluralist and inclusive society;
- (c) Pursuing the effective realization of all human rights and promoting tolerance, non-discrimination and equality;
- (d) Ensuring equal opportunities for all through access to quality human rights education and training, without any discrimination;
- (e) Contributing to the prevention of human rights violations and abuses and to the combating and eradication of all forms of discrimination, racism, stereotyping and incitement to hatred, and the harmful attitudes and prejudices that underlie them.

It would be fair to assume that the different statements of aims of human rights education, adopted at different times, complement each other. The 1995 and 2005 statements stress the “results – what should be achieved” character of the aims of human rights education. The 2011 statement, on the other hand, emphasizes the “action – what should be done” component of the aims of human rights education. Taken as a whole, they compose a comprehensive definition of human rights education.

## **HUMAN RIGHTS EDUCATION AS A RIGHT**

Based on the various United Nations human rights instruments, human rights education is a component of right to information and right to education.<sup>9</sup> The United Nations Declaration on Human Rights Education and Training explains,

### **Article 1**

1. Everyone has the right to know, seek and receive information about all human rights and fundamental freedoms and should have access to human rights education and training.
2. Human rights education and training is essential for the promotion of universal respect for and observance of all human rights and fundamental freedoms for all, in accordance with the principles of the universality, indivisibility and interdependence of human rights.



3. The effective enjoyment of all human rights, in particular the right to education and access to information, enables access to human rights education and training.

In relation to children,<sup>10</sup> the Committee on the Rights of the Child comments that “the education to which each child has a right is one designed to provide the child with life skills, to strengthen the child’s capacity to enjoy the full range of human rights and to promote a culture which is infused by appropriate human rights values.”<sup>11</sup> The Committee further explains that such education “is for every child an indispensable tool for her or his efforts to achieve in the course of her or his life a balanced, human rights-friendly response to the challenges that accompany a period of fundamental change driven by globalization, new technologies and related phenomena.”<sup>12</sup>

## **HUMAN RIGHTS EDUCATION IN THE SCHOOL SYSTEM**

The Plan of Action for the first phase (2005-2007) of the World Programme for Human Rights Education provides that human rights education in the primary and secondary school systems includes:<sup>13</sup>

(a) Policies - developing in a participatory way and adopting coherent educational policies, legislation and strategies that are human rights-based, including curriculum improvement and training policies for teachers and other educational personnel;

(b) Policy implementation - planning the implementation of the abovementioned educational policies by taking appropriate organizational measures and by facilitating the involvement of all stakeholders;

(c) Learning environment - the school environment itself respects and promotes human rights and fundamental freedoms. It provides the opportunity for all school actors (students, teachers, staff and administrators and parents) to practise human rights through real-life activities. It enables children to express their views freely and to participate in school life;<sup>14</sup>

(d) Teaching and learning - all teaching and learning processes and tools are rights-based (for instance, the content and objectives of the curriculum, participatory and democratic practices and methodologies, appropriate materials including the review and revision of existing textbooks, etc.);

(e) Education and professional development of teachers and other personnel - providing the teaching profession and school leadership, through pre- and in-service training, with the necessary knowledge, understanding, skills and competencies to facilitate the learning and practice of human rights in schools, as well as with appropriate working conditions and status.

The Plan of Action for the first phase (2005-2007) of the World Programme for Human Rights Education states that the “responsibility for the education

system cannot or should not lie with the Ministry of Education only, given the multiplicity of stakeholders such as the local government and the school district; head teachers, teachers and other educational staff, their organizations and unions; students and parents; research bodies and training institutions; non-governmental organizations, other sectors of civil society and communities.” This is in addition to the role given to “national authorities and the local/school level are responsible for education governance, improvement and innovation.”<sup>15</sup> The Appendix of the Plan of Action has several lists of “actors” in human rights education in the school system from teachers to government agencies to institutions in society including the business community.<sup>16</sup>

## ENDNOTES

1 “Publicity to be given to the Universal Declaration of Human Rights,” General Assembly resolution 217 D (III), 10 December 1948, in footnote number 7, *The Right to Human Rights Education* (New York and Geneva: United Nations, 1999), page 7.

2 *The International Bill of Human Rights*, Fact Sheet No. 2 (Rev.1), Centre for Human Rights (Geneva, 1988), at [www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf](http://www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf).

3 Vienna Declaration and Programme of Action, A/CONF.157/23, 12 July 1993, available at [www.unhchr.ch/huridocda/huridoca.nsf/\(symbol\)/a.conf.157.23.en](http://www.unhchr.ch/huridocda/huridoca.nsf/(symbol)/a.conf.157.23.en).

4 General Assembly Resolution 66/137, United Nations Declaration on Human Rights Education and Training, A/RES/66/137, 16 February 2012.

5 Resolution 217 A (III), see note 1.

6 The Plan of Action of the United Nations Decade for Human Rights Education identifies in Article 1 the specific provisions in these instruments as the following: article 26 of the Universal Declaration of Human Rights, article 13 of the International Covenant on Economic, Social and Cultural Rights, article 29 of the Convention on the Rights of the Child, article 10 of the Convention on the Elimination of All Forms of Discrimination against Women, article 7 of the Convention on the Elimination of All Forms of Racial Discrimination, paragraphs 33 and 34 of the Vienna Declaration and paragraphs 78 to 82 of its Programme of Action.”

7 Revised draft plan of action for the first phase (2005-2007) of the World Programme for Human Rights Education, A/59/525/Rev.1, 2 March 2005, in

[www2.ohchr.org/english/issues/education/training/planaction.htm](http://www2.ohchr.org/english/issues/education/training/planaction.htm)

8 General Assembly Resolution 66/137, United Nations Declaration on Human Rights Education and Training, A/RES/66/137, 16 February 2012.

9 For more information on the various provisions in the different United Nations instruments on human rights education, see *The Right to Human Rights Education* (New York and Geneva: United Nations, 1999).

10 Based on Revised draft plan of action for the first phase (2005-2007) of the World Programme for Human Rights Education, *op cit*, paragraph 15.

11 Paragraph 2, General Comment No. 1,

12 Paragraph 3, *ibid*.

13 Paragraph 18, World Programme for Human Rights Education, *op cit*.

14 This is a note from the World Programme for Human Rights Education document: “General comment No. 1 also states that “The participation of children in school life, the creation of school communities and student councils, peer education and peer counselling, and the involvement of children in school disciplinary proceedings should be promoted as part of the process of learning and experiencing the realization of rights” (*Ibid.*, para. 8).”

15 Appendix, Components of human rights education in the primary and secondary school systems, paragraph 8, *ibid*.

16 The Plan of Action lists the following Actors:

28. Main responsibility for the implementation of this plan of action rests with the ministries of education through their relevant agencies dealing with such concerns as:

- (a) Educational policy;
- (b) Programme planning;
- (c) Curriculum development;
- (d) Teaching and learning material development;
- (e) Pre- and in-service training of teachers and other educational personnel;
- (f) Teaching and learning methodologies;
- (g) Inclusive education;
- (h) Regional/provincial/local administration;
- (i) Research;
- (j) Dissemination of information.

29. The implementation of this plan of action needs the close collaboration of other institutions, namely:

- (a) Teachers' colleges and faculties of education of universities;
- (b) Teachers' unions, professional organizations and accrediting institutions;
- (c) National, federal, local and state legislative bodies, including education, development and human rights parliamentary committees;
- (d) National human rights institutions such as ombudsmen and human rights commissions;
- (e) National commissions for UNESCO;
- (f) National/local groups/organizations, including, for example, national committees for the United Nations Children's Fund (UNICEF) and other community-based organizations;
- (g) National branches of international non-governmental organizations;
- (h) Parents' associations;
- (i) Students' associations;
- (j) Education research institutes;
- (k) National and local human rights resource and training centres.

30. It also needs the support of other stakeholders such as:

- (a) Other relevant ministries (welfare, labour, justice, women, youth);
- (b) Youth organizations;
- (c) Media representatives;
- (d) Religious institutions;
- (e) Cultural, social and community leaders;
- (f) Indigenous peoples and minority groups;
- (g) The business community.



# Human Rights Education Pedagogy



HUMAN RIGHTS EDUCATION strives towards an environment where human rights are practised and lived in the daily life of the whole school community. As well as cognitive learning, human rights education includes the social and emotional development of all those involved in the learning and teaching process. A rights-based environment respects and promotes the human rights of all school actors and is characterized by mutual understanding, respect and responsibility. It enables children to express their views freely and to participate in school life, and offers them appropriate opportunities for interacting with the wider community.<sup>1</sup>

Introducing or improving human rights education requires a holistic approach to teaching and learning that reflects human rights values. Starting as early as possible, human rights concepts and practices are integrated into all aspects of education. For example, curriculum content and objectives are rights-based, methodologies are democratic and participatory, and all materials and textbooks are consistent with human rights values.<sup>2</sup>

Human rights education therefore should:<sup>3</sup>

- (i) Adopt a teaching style that is coherent in terms of human rights, respect the dignity of each student and provide equal opportunities for them;
- (ii) Create a child-friendly, trustful, secure and democratic atmosphere in the classroom and school community;
- (iii) Adopt learner-centred methods and approaches that empower students and encourage their active participation, cooperative learning, and a sense of solidarity, creativity and self-esteem;
- (iv) Adopt methods appropriate to the students' development level, abilities and learning styles;
- (v) Adopt experience-based learning methods whereby students can learn by doing and put human rights into practice;

- (vi) Adopt experiential teaching methods with the teacher acting as a facilitator, learning guide and adviser;
- (vii) Access good practices of relevant non-formal and informal learning activities, resources and methods available with [non-governmental organizations] NGOs and in the community.

#### **PEDAGOGICAL TECHNIQUES FOR HUMAN RIGHTS EDUCATION<sup>4</sup>**

The techniques suggested below illustrate how teachers can engage students' empathy and moral imagination, challenge their assumptions and integrate concepts like human dignity and equality into their everyday experience of people, power and responsibility. These techniques have proved especially appropriate for human rights education because they encourage critical thinking, both cognitive and affective learning, respect for differences of experience and opinion, and active engagement of all participants in ongoing learning.

##### **a. Brainstorming**

This technique can be used to seek solutions to problems that are both theoretical and practical. It requires a problem to be analysed and then solutions to be developed. Brainstorming encourages a high degree of participation, and it stimulates those involved to maximum creativity. Following presentation of a problem, all ideas in response to it are recorded on a board or chart paper. All responses are recorded; no explanations are required and no suggestions are judged or rejected at this stage. The teacher then categorizes and analyses the responses, at which stage some are combined, adapted or rejected. Finally the group makes recommendations and takes decisions on the problem.

##### **b. Case studies**

Students in small groups work with real or fictional cases that require them to apply human rights standards. Case studies should be based on credible and realistic scenarios that focus on two or three main issues. The scenario for a study can be presented to students for consideration in its entirety or "fed" to them sequentially as a developing situation (the "evolving hypothetical") to which they must respond. This method encourages analysis, problem-solving and planning skills, as well as cooperation and team building. Case studies can be used to set up debates, discussion or further research.

### **c. Creative expression**

The arts can help to make concepts more concrete, personalize abstractions and affect attitudes by involving emotional as well as intellectual responses to human rights. Techniques may include stories and poetry, graphic arts, sculpture, drama, song and dance. Teachers do not need to be artists themselves but to set engaging tasks and provide a way for students to share their creations.

### **d. Discussion**

Many techniques exist for stimulating meaningful discussion in pairs, small groups or the whole class. To create an environment of trust and respect, students might develop their own “rules for discussion”. Discussions can be structured in a variety of effective ways. Some topics are appropriate to a formal debate, panel or “Fish Bowl” format (i.e. a small group discusses while the rest of the class listens and later makes comments and ask questions). Other topics are better suited to a “Talking Circle” (i.e. students sit in two circles, one facing outward and the other inward. They discuss with the person sitting opposite; after a period the teachers asks everyone in the inside circle to move one place to the right and discuss the same topic with a new person). Personal or emotional topics are best discussed in pairs or small groups. To engage the whole class in a topic, the teacher might use techniques like a “Talk Around” (i.e. the teacher asks an open-ended question like “What does dignity mean to you?” or “I feel happy when ...” and each student responds in turn). A lively method of representing discussion graphically is the “Discussion Web”. Students sit in a discussion circle and speak one at a time. As they do, they pass a ball of yarn along, letting it unwind in the process. Each person keeps hold of the string whenever it passes through her or his hands. Eventually the group is linked by a web of string, clearly showing the pattern of communication that has gone on within it.

### **e. Field trips/Community visits**

Students benefit from the extension of school into the community, learning from places where human rights issues develop (e.g. courts, prisons, international borders) or where people work to defend rights or relieve victims (e.g. nonprofit organizations, food or clothing banks, free clinics). The purpose of the visit should be explained in advance, and students should be instructed to pay critical attention and to record their observations for a subsequent discussion or written reflection following the visit.

**f. Interviews**

Interviews provide direct learning and personalize issues and history. Those interviewed might be family and community members, activists, leaders or eye-witnesses to human rights events. Such oral histories can contribute to documenting and understanding human rights issues in the home community.

**g. Research projects**

Human rights topics provide many opportunities for independent investigation. This may be formal research using library or Internet facilities or informational research drawing on interviews, opinion surveys, media observations and other techniques of data gathering. Whether individual or group projects, research develops skills for independent thinking and data analysis and deepens understanding of the complexity of human rights issues.

**h. Role-plays/Simulations**

A role-play is like a little drama played out before the class. It is largely improvised and may be done as a story (with a narrator and key characters) or as a situation (where the key characters interact, making up dialogue on the spot – perhaps with the help of the teacher and the rest of the class). Role-plays have particular value for sensitizing students to the feelings and perspectives of other groups and to the importance of certain issues. Role-plays work best when kept short. Allow enough time for discussion afterwards: it is crucial for children to be able to express themselves about feelings, fears or understandings after such activities, to maximize possible benefits and dissipate negative feelings, if any. Teachers may need to discourage students from becoming their role. Participants should be able to step back from what they are doing, to comment perhaps, or to ask questions. Other members of the class should be able to comment and question too, perhaps even joining in the role-play. Variations on role-plays include mock trials, imaginary interviews, simulation games, hearings and tribunals. These usually have more structure, last longer and require more preparation of both teachers and students.

**i. Visual aids**

Learning can be enhanced by the use of blackboards, overhead transparencies, posters, displayed objects, flip charts, photographs, slides, videos and films. As a general rule, information produced on transparencies and charts should be brief and concise, and in outline or list form. If more text is required, use



hand-outs. However, visual aids can be overused and should never substitute for engaged discussion and direct student participation.

## EVALUATION

Information content and levels of understanding of the students can be tested in standard ways. However, assessing attitudes and attitude change is much harder because of the subjective nature of the judgements involved. Open-ended questionnaires given at repeated intervals are the simplest, but the impressions they provide are fleeting at best. It is equally difficult to evaluate whether the human rights climate of the school community has improved. However, if indicators for success are carefully defined and evaluation is done on a regular basis, changes in the school environment can be monitored and responded to. Engaging students in drawing up checklists to assess individual, classroom and school community practices in human rights terms can be an important learning activity.

## DEALING WITH DIFFICULT ISSUES<sup>5</sup>

Sometimes controversial and sensitive subjects come up when students begin to examine human rights. Teachers need to remain constantly alert to student discomfort and potential disagreement. Teachers should acknowledge that human rights necessarily involve conflicts of values and that students will benefit from understanding these conflicts and seeking to resolve them. Sometimes teachers meet resistance to human rights education on the ground that it imposes non-native principles that contradict and threaten local values and customs. Teachers concerned about resistance from administrators should meet with them in advance, share goals and plans for the class, and explain about the United Nations human rights framework and related educational initiatives (such as the United Nations Decade for Human Rights Education). Encourage administrators to visit a class - they may themselves benefit from human rights education!

## ENDNOTES

1 Plan of action for the first phase (2005-2007) of the World Programme for Human Rights Education, (New York/Geneva: UNESCO and the Office of the United Nations High Commissioner for Human Rights, 2006), pages 3-4.

2 Ibid.

3 Appendix, Components of human rights education in the primary and secondary school systems, Plan of action for the first phase (2005-2007) of the World Programme for Human Rights Education, page 46.

4 *ABC: Teaching Human Rights - Practical activities for primary and secondary schools* (Geneva: Office of the United Nations High Commissioner for Human Rights, 2003), pages 24-28. The texts taken from the book have been slightly edited with the deletion of references to examples.

5 Ibid., page 24.