

Human Rights Education in Afghan School System

AHMAD NADER NADERY

The three decades of war and rule by governments guided by ideology (communism and socialism) or religion (radical Islam) seriously affected the education system in Afghanistan. Those who went through the formal education system within one academic cycle (twelve years from primary till secondary levels) starting in the 1980s would have gone through at least three ideological changes in the syllabuses and subject contents that were taught in the schools. Conflicting values were incorporated into the school educational materials—driven by the communist ideology, or radical Islam, or the need for new recruits for the war.

The tolerant and culturally pro-nonviolence syllabus and content of school textbooks were replaced by messages of violence and hatred. In addition, the absence of gender-sensitive textbooks—influenced by tradition—has further exacerbated the situation in the education system of Afghanistan. As an example, in the 1980s the pro-communist regime modified the history and language textbooks and equipped them with the revolutionary messages of violence and pro-totalitarianism. At the same time, to keep the cause of Jihad and freedom fighting alive, the Afghan mojahiddin groups in refugee camps developed textbooks that would help their cause of producing more fighters. As an example, in the primary schools textbook one could read: “A person had 25 bullets and by using one at a time he killed 9 communists. How many bullets are left with him?”

The worst ill effect was the closure of schools for girls (50 per cent of the population) in 1996 during the Taliban Period. Females were banned from employment; girls were not allowed to go to schools and universities. The curriculum provisions did not meet the people’s

needs and did not prepare them to successfully cope with today’s challenges and could not help build a culture of tolerance and peace.

Establishment of the Human Rights Commission

The civil war ended through an agreement entered into by the representatives of various ethnic groups of Afghanistan in early 2000s. In a conference mediated by the United Nations in Bonn, Germany, the Afghan representatives signed the “Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions” (more popularly known as the Bonn Agreement)¹ on 4 December 2001. The Bonn Agreement laid the foundation for a mechanism to protect and promote human rights in Afghanistan.

Section C subsection 6 of the Bonn agreement states:

The Interim Administration shall, with the assistance of the United Nations, establish

an independent Human Rights Commission, whose responsibilities will include human rights monitoring, investigation of violations of human rights, and development of domestic human rights institutions.

Based on this provision, the first-ever national human rights commission was established by a presidential decree of Hamid Karzai, the then Chairperson of the interim administration, issued on 16 June 2002.

The terms of reference of the presidential decree provides the following:

The Commission shall be charged with developing a national plan of action for human rights in Afghanistan, and with human rights monitoring, investigation of violations of human rights, development and implementation of a national programme of human rights education, undertaking of national human rights consultations, and development of domestic human rights institutions, in accordance with the terms of the Bonn Agreement, applicable international human rights norms, standards, and conventions, and the provisions of this decree and annex. It shall carry out these functions in all of Afghanistan. (Article Two, Terms of Reference)²

However the mandate of the Commission was co-terminus with the effectivity of the Bonn Agreement, and thus was meant to last only during the two-year transition period. The Commission's work was recognized as valuable and led the drafters of Afghanistan's new Constitution to provide for the establishment of a permanent National Human Rights Commission.

The Constitution of the Islamic Republic of Afghanistan³ was adopted by the Constitutional Loya Jirga (National Assembly on the Constitution) during its 13 December 2003 – 4 January 2004 session and was formally ratified by President Hamid Karzai on 26 January 2004.

The new Constitution, in its Preamble, states one of the reasons for its adoption. The new Constitution aims to

Form a civil society void of oppression, atrocity, discrimination as well as violence, based on rule of law, social justice, protecting integrity and human rights, and attaining peoples' freedoms and fundamental rights.

This provides the appropriate basis for Article 59 of the new Constitution that provides:

The State, for the purpose of monitoring the observation of human rights in Afghanistan, to promote their advancement and protection, shall establish the Independent Human Rights Commission of Afghanistan. Any person, whose fundamental rights have been violated, can file complaint to the Commission. The Commission can refer cases of violation of human rights to the legal authorities, and assist in defending the rights of the complainant. The structure, and functions of this Commission shall be regulated by law.

The "Law on Structure, Duties and Mandate of the Afghanistan Independent Human Rights Commission," issued by President Hamid Karzai on 14 May 2005, provides for the objectives of the institution:

1. Monitor the situation of human rights in the country
2. Promote and protect human rights
3. Monitor the situation of and people's access to their fundamental rights and freedoms
4. Investigate and verify cases of human rights violations, and
5. Take measures for the improvement and promotion of the human rights situation in the country. (Article 5)

Human rights education is part of the objectives of the Afghanistan Independent Human Rights Commission (AIHRC) under

the promotion of human rights objective. Thus, one of the duties and powers of AIHRC is “[D]issemination and promotion of human rights for public awareness.”

The government’s Five-Year Strategic Benchmarks (2006 - 2011)⁴ complemented the establishment of a permanent AIHRC. The benchmarks focus on five programs, namely:

- Program 1: Empowering the National Assembly
- Program 2: Justice & the Rule of Law
- Program 3: Religious Affairs
- Program 4: Public Administration Reform
- Program 5: Human Rights

Under Program 5: Human Rights, the following is the benchmark:

1. By end-2010: the Government’s capacity to comply with and report on its human rights treaty obligations will be strengthened; Government security and law enforcement agencies will adopt corrective measures including codes of conduct and procedures aimed at preventing arbitrary arrest and detention, torture, extortion, and illegal expropriation of property with a view to the elimination of these practices; the exercise of freedom of expression, including freedom of the media will be strengthened; human rights awareness will be included in education curricula, and promoted among legislators, judicial personnel, and other Government agencies, communities, and the public; human rights monitoring will be carried out by the Government and independently by the Afghan Independent Human Rights Commission (AIHRC), and the UN [United Nations] will track the effectiveness of measures aimed at the protection of human rights; and the AIHRC will be supported in the fulfillment of its objectives with regard to monitoring, investigation, protection, and promotion of human rights.

Human rights education in general (including human rights education in the formal education system) constitutes one of the benchmarks of the government human rights program.

AIHRC Program

The AIHRC adopted a Strategic Plan covering the 2005-2006 period, including provisions for human rights education. The Strategic Plan is based on six main programmatic functions to fulfill its mandates, namely:

1. Human rights education
2. Promotion and protection of women’s rights
3. Promotion and protection of child rights
4. Monitoring and investigation of human rights violations
5. Transitional justice
6. Protection and promotion of the rights of persons with disabilities.

The 2006 Strategic Plan provides for the two major activities on human rights education in the school system:

1. Integration of human rights issues into the curriculums of educational and academic centers in the country and the removal of references to violence and discrimination; and
2. Filtering of intermediate school textbooks for violence and discrimination and integration of human rights principles.

The AIHRC has to undertake these activities in partnership with the Ministry of Education, Ministry of Higher Education, universities and teacher training higher education institutions.

These activities are supported by provisions in the Strategic Plan on staff training (including those in the education ministries) and the establishment of a network (among

Ministries, national organizations, influential people, private sector and clergy) to gain broad participation in human rights education activities nationwide.

The Strategic Plan provision on children consists of the raising of awareness on child rights through child-to-child education programs using visual materials (one session each year in eleven AIHRC offices for 300 children per year); and the organizing of contests to celebrate children day once each year (half day activity for two thousand children in the regional offices).

The AIHRC is operating out of eleven regional offices and four provincial offices throughout the country and conducts regular Human Rights Monitoring through deployment of Human Rights Field Monitors to mostly rural and remote areas of the country.

Human Rights Education

Article 21 sub article 10 of the “Law on Structure, Duties and Mandate of the Afghanistan Independent Human Rights Commission” states that the AIHRC shall be “[F]ormulating and implementing a national human rights education plan and public awareness programs.”⁵

As part of its mandate on human rights education, the AIHRC entered into an agreement with the Ministry of Education (MoE) in 2004 to address the insensitivity of the school textbooks towards human rights values. The agreement dealt with the content of subjects and textbooks. The AIHRC noted the existence of messages that promote violence. The MoE agreed to revise the content of the subjects and the textbooks and take out all inappropriate messages.

Since then, the AIHRC has been assisting the MoE in preparing the new school curriculum and textbooks that respect accepted international human rights standards and basic principles of human rights. The detailed five-

year strategic plan developed by the MoE in 2006 made human rights a core component of Afghanistan’s formal education. The AIHRC provided substantial technical support in the development of this five-year strategic plan.

Under Article 16 of the Constitution of Afghanistan, in addition to the two national state languages (Dari and Pashto), the six ethnic languages are recognized as the respective third official languages in the areas where the majority of the inhabitants speak them. The MoE, required to prepare textbooks for the children who speak in these languages, decided to make the textbooks for the six minority languages human-rights-sensitive and provide sufficient contents in the promotion of human rights.

The AIHRC actively lobbied the MoE to establish new Departments for the following languages within its structure:

1. Uzbaki,
2. Turkmani,
3. Pasha-e,
4. Balochi,
5. Nooristani,
6. Pamiri (Shaghni and Wakhi).

The required textbooks for these languages are in different stages; e.g., Uzbaki textbooks are prepared, printed and distributed in schools from grades 1-4 in the northern part of the country. All six Departments would like to prepare the textbooks for grades 1-12 only in one language (their mother-tongue language).

In March 2007, the MoE and the AIHRC signed a second agreement on human rights education. The 2007 Memorandum of Understanding (MoU) provides for the representation of the AIHRC in the work of the curriculum development department of the MoE and for AIHRC staff to work closely with textbook authors in order to ensure that the textbooks are human-rights-oriented and gender sensitive. The specific relevant MoU provisions are the following:

A. Duties and responsibilities of the MoE

- Inclusion of human rights concepts into the general education curriculum at different school levels with the special focus on literacy program and the teacher training institutions of the MoE
- Development of syllabuses on human rights education as short-term courses in the teacher training institutions
- Provision of facilities for the human rights education unit staff of the AIHRC to hold human rights education workshops and training for school teachers and students, including students and teachers of teacher training institutions all over the country.
- Establishment of Human Rights and Gender Departments within the new MoE structure in 2008 to facilitate and follow up on the mutual programs of MoE and AIHRC and their effective cooperation.

B. Duties and responsibilities of the AIHRC

- Provision of human rights education materials and sufficient technical assistance in developing human rights syllabuses, and provision of advise on how to make the new school curriculum for grades 1-12 human-rights-oriented and gender sensitive.
- Seconding of two fulltime qualified staff to help the research and syllabus development department of the MoE ensure the incorporation of human rights values into the new syllabuses.
- Helping the capacity-building requirements of MoE Department staff.

The AIHRC has been providing technical assistance in the development of the following human rights curriculum contents:

Primary classes - Grades 1-6:

- 1- Individual rights,
 - Family rights
 - Environment/school
 - Society
 - Government,
 - Basic concept of human rights, to be incorporated into the literature textbooks
 - Human rights course

Secondary classes - Grades 7-9:

1. Individual and family rights
 - Individual and self-recognition
 - Individual rights/human rights
 - Self-esteem and human dignity
 - Family
 - ❖ Skill: Communication, motivation for thinking and expression
2. Individual and society
 - Respect for others
 - Protection of vulnerable groups and the persons with disabilities
 - City and citizenship
 - Individual rights
 - ❖ Skill: Recognizing your own and others' rights and training to establish healthy relations with others
3. Government and political system
 - Government
 - Security
 - Justice
 - Freedom
 - Law
 - ❖ Skill: Discipline and dispensation of justice and commitment
4. Some essential concepts of human rights
 - Environment (and human rights)
 - Freedom of expression
 - Women's rights
 - Child rights

- Cultural heritage and historical monuments
- International community and globalization
- Conflict and violence
- ❖ Skill: Accountability towards culture and community

Secondary classes - Grades 10-12

1. Individual and family
 - ❖ Skill: Establishing relationship with family members and community
2. Individual and society
 - Human needs (demands and rights)
 - Humanitarianism
 - Conflict and violence
 - Peace
 - ❖ Skill: Understanding and fostering healthy relationship with other people
3. Government
 - Law
 - Democracy
 - Civil society
 - Mass media
 - Pluralism (culture of dialogue)
 - National participation
 - ❖ Skill: Familiarity with government and democratic values
4. Some universal concepts of human rights
 - International Human Rights standards
 - World peace (familiarity with international courts)
 - Cultural legacy
 - Pluralism and acquaintance with diversity of human cultures
 - ❖ Skill: Understanding of universal concept of human rights and human being

Other Ad-hoc Programs

The AIHRC conducts a wide range of human rights education activities through the regular training of journalists, teachers, civil society organizations, religious figures, civil service employees, police and national army personnel. It also convenes human rights workshops, seminars, and conferences on thematic issues, and engages the local communities and civil society as trainers on human rights.

AIHRC funded the printing of at least six human rights messages on the cover of the textbooks of two subjects (Dari and Pashto) in two national languages (Dari and Pashto) for Grades 7-12. These textbooks were distributed to Afghan schools in the middle of the school year 2008. This was undertaken under the 2007 MOU between AIHRC and the MoE.

The messages were taken from the chapter on rights and responsibilities of citizens in the new Afghan Constitution, the Universal Declaration of Human Rights and the Islamic Human Rights Declaration. The messages were prepared by the AIHRC. This is the first time that the Afghan education system has the human rights messages and real stories reflecting human rights issues in the textbooks of the public schools in the country.

Since the human rights syllabuses and modified school textbooks have not yet been fully introduced into the Afghanistan school system, it is too early to assess the level of success of the program and know the challenges involved. But there are likely challenges including the following:

- Some level of resistance throughout the school system is likely to occur due to the introduction of a new concept
- Insufficient number of professional and qualified teachers will slow down the introduction of the human rights courses at the school level
- Since the MoE is underfunded, it will be hard to secure enough budget for

the development of the human rights education program and build specialized capacity on human rights education at the Afghan educational institutions

- The implementation of the human rights education program will face the problem of wrong interpretation of the international human rights standards by the politically-motivated religious leaders who consider human rights as contradicting Islamic principles.

However, the experience of three decades of continued gross human rights violations in Afghanistan has brought a good level of public attention for the institutionalization of human rights in the country. This provides an opportunity for a successful implementation of human rights education program in Afghanistan.

Endnotes

¹ The full text of the agreement is available at www.afghangovernment.com/AfghanAgreementBonn.htm

² Decree of the Presidency of the Interim Administration of Afghanistan on the Establishment of an Afghan Independent Human Rights Commission. Accessed from: <http://www.aihrc.org.af/decrecofp.htm>

³ Full text of document available at Islamic Republic of Afghanistan, Office of the President, www.president.gov.af/english/constitution.msp

⁴ Full text of document available at Islamic Republic of Afghanistan, Office of the President, www.president.gov.af/english/np/governance.msp#HR

⁵ Law on Structure, Duties and Mandate of Afghanistan Independent Human Rights Commission. Accessed from http://www.aihrc.org.af/law_of_aihrc.pdf