

HUMAN RIGHTS EDUCATION AND AWARENESS PROJECTS

Paper by the Commonwealth Secretariat

SUMMARY

1. This paper by the Human Rights Unit (HRU) of the Secretariat seeks the further support of Law Ministers of member countries for certain educational, promotional and awareness-building activities of the Unit, in pursuit of attainment of the Commonwealth's strategic goal of strengthening respect for and fulfilment of basic human rights in member countries.

2. The human rights awareness projects and initiatives of the Secretariat are premised on an understanding that "...recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world." (*Universal Declaration of Human Rights* 1948, Preamble). Considerations of principle, as well as this recognition of a link between widespread respect for human rights and the existence of a peaceful, just and prosperous society informs the commitment of member countries to Commonwealth values and principles, including respect for fundamental rights.

3. Effective promotion and protection of human rights requires that there be knowledge and awareness of the source, nature and scope of human rights (and their proper and reasonable limitations) among public decision-makers at all levels, law enforcement officials and the judiciary, members of civil society, the media and the professions, students and young people, and women and vulnerable persons. The 1996 Law Ministers Meeting held in Malaysia noted the Oxford Declaration on Human Rights Education and its framework of activities on human rights and urged the Secretariat to continue providing assistance and training on such matters.

4. This paper is intended to be read with the Activities Report of the Human Rights Unit (LMM(05)36), to which it refers. Rather than dealing with a particular issue, as some policy papers do, it puts before Ministers for their consideration the thematic issue of human rights education in the Commonwealth.

COMMONWEALTH BEST PRACTICE

5. As well as having certain international and domestic legal consequences, ratification of major human rights conventions and conventions on international humanitarian law (and promulgation of accompanying implementing legislation) has a demonstrative effect that itself helps to promote awareness of and respect for the human rights standards described in such conventions. Similarly, the production and public promulgation of model legislation, implementation kits and best practice guidelines has the effect of increasing awareness of specific human rights issues that Commonwealth countries have decided to deal with (such as Trafficking in Women and Children).

6. The HRU invites Law Ministers to note the activities of the Secretariat in promoting and assisting in the ratification of human rights instruments, and the promulgation of best practice guidelines, to support the HRU's efforts to assist those member countries which may be seeking support in the process of adoption or implementation of instruments setting out international human rights standards and to liaise with other international human rights organisations including in the UN to facilitate the obtaining of expertise and materials for such activities.

HUMAN RIGHTS EDUCATION – MODEL HUMAN RIGHTS COURSES AND CURRICULA

7. In its Activities Report, the HRU has described its work with the Commonwealth Legal Education Association (CLEA) to develop (initially in India) model Commonwealth human rights curricula and arrangements for joint certification of university courses on this basis. This project is not limited to undergraduate level, to law schools or to legal education, although it includes a full model curriculum (and teacher's guide) for an undergraduate law course in human rights in the Commonwealth. As described in the Activities Report the model courses were launched in India. Following consolidation in this initial jurisdiction their extension is planned to encompass the South Asian region, the Caribbean (the University of the West Indies) and the South Pacific (University of the South Pacific). Regionally relevant content will be inserted in consultation with educators.

8. The HRU invites Law Ministers to note the achievements and activities of the Secretariat on the piloting of this initiative in India, and to support the consolidation of this model curricula project in the South Asia region and its extension to other parts of the Commonwealth in due course.

HUMAN RIGHTS EDUCATION – RIGHTS EDUCATION FOR YOUTH

9. In its Activities Report, the HRU has described its work in building the human rights component of the Commonwealth Youth Programme (CYP), the Youth In Development programme, and training CYP tutors in human rights.

10. The HRU invites Law Ministers to note the activities of the Secretariat in working with CYP towards increasing awareness of human rights in Commonwealth youth and encouraging the informed participation of youth in civil society, and to support the continuation of such activities.

HUMAN RIGHTS EDUCATION – POLICE AND LAW ENFORCEMENT OFFICERS

11. In its Activities Report, the HRU has described its efforts (so far in West Africa) to contribute to more peaceful, stable communities by helping to build a human rights and community-based approach to policing into police training. This also responds to the request in the 2002 Law Ministers Meeting Communiqué. Such work is relatively easily adapted to other Commonwealth countries, and much interest has been expressed in it, including by the UN and regional organisations. It is projected to extend this programme to other parts of the Commonwealth in due course.

HUMAN RIGHTS EDUCATION – CURRICULUM DEVELOPMENT IN SCHOOLS

12. The HRU has produced educational material on law and human rights, and on citizenship, in the Commonwealth. It has been working on the development of human rights curricula (described above) and on building human rights elements into existing curricula (for example, of police training academies). The Unit seeks to work with the Secretariat's Education section and regional teacher training and education institutions to build the capacity of teachers in Commonwealth countries to impart knowledge of human rights and constitutionalism to students of all ages.

HUMAN RIGHTS EDUCATION – THE MEDIA AND LEGAL ISSUES OF FREEDOM OF THE PRESS

13. Law Ministers have previously requested the Secretariat to examine legal issues concerning freedom of the press in Commonwealth countries. The HRU has convened an expert group on issues of freedom of expression, association and assembly. The Unit considers knowledge and awareness of the importance of press freedom as central to achievement of the Commonwealth's strategic goals in

relation to democracy and human rights. It also considers awareness of human rights and discrimination issues among journalists and editors an important part of building a culture of tolerance and respect for human rights. The HRU is considering working with experienced journalists to increase the degree of sensitivity, accuracy and proportion to media coverage of human rights issues.

14. The HRU invites Law Ministers to reaffirm the central importance of an independent media in attaining open, accountable, informed and responsive government, and to support activities of the Secretariat designed to increase awareness of the importance of press freedom and awareness of human rights issues among members of the public and private media in Commonwealth countries.

HUMAN RIGHTS EDUCATION – HUMAN RIGHTS IN COUNTER-TERRORISM

15. The difficult balance in an age of terrorism, between securing public safety and preserving fundamental liberties of the individual, is well versed. Measures to counter-terrorism should not have the consequence of undermining the societal values that they purport to defend. The HRU is working with the LCAD of the Secretariat in its work on supporting member states to fulfil their obligations to take counter-terrorist measures. The aim is to ensure that all model legislative provisions and training materials are designed to be compatible with international standards on preserving human rights while countering terrorism. The HRU has participated in an UN Working Group on this issue (June 2005).

16. The HRU invites Law Ministers to note the importance of ensuring that measures to combat terrorism are consistent with international human rights standards in dealing with such matters, and to support the work of HRU in this regard.

CONCLUSION – HUMAN RIGHTS EDUCATION – GENERAL MATTERS

17. People not only have certain fundamental rights, they also have a right to be informed about what these rights are, and how they enable and empower individuals and groups to participate meaningfully in shaping and developing their societies. Exclusion and perceived exclusion breeds discontent. This knowledge and awareness of the existence, importance, nature, operation and limits of human rights protections is important both for those who wield public power (law-makers, judges, prosecutors, police and law enforcement officers, and decision-makers generally), for those able to influence the shape of their present or future societies (media, students and youth, schoolchildren), and for those most excluded or most vulnerable to neglect or abuse of rights, for whom awareness of rights is a means of enabling participation in society (women, especially rural women or those subject to domestic abuse, and children).

18. The subject of this paper is well captured by Statement 35 (Human Rights Education) of the Pan African Forum on the Latimer House Principles (Kenya, April 2005), which the HRU invites Law Ministers to consider:

”35. Delegates endorsed the need for mainstreaming human rights education in law schools within a holistic approach. However, it is essential that such education should begin in schools. Delegates appreciated that human rights provisions are entrenched in our constitutions. However, there was still the need for effective implementation of international human rights norms to which judges and all the three branches of governments should be sensitised. Participants recommended that the Commonwealth Secretariat should expand a regional programme of human rights training for judges, state attorneys, advocates and civil society organisations.”

19. In the light of the above two paragraphs, and taking into account the mandate of paragraph 7 of the most recent CHOGM outcome statement (Aso Rock Declaration, Abuja, December 2003), the HRU invites Law Ministers to:

- reaffirm the importance of human rights education to the achievement of the Commonwealth's expressed strategic goal of strengthening respect for and fulfilment of basic human rights in member countries;
- note and to support generally the ongoing and planned human rights education and awareness activities of the HRU (as described in this document and the 2005 Activities Report), to enable these initiatives to be consolidated and extended to other parts of the Commonwealth;
- consider other areas (or audiences) of significance to which (or whom) human rights education projects might be directed in the future, for example, continuing legal education for judges, education on the nature and proper interpretation of social and economic rights, education on the importance of an independent civil society and media, etc.