

Human Rights Education

SUMMARY OF KEY ISSUES IN PREVIOUS UPR CYCLES

In the 1st Universal Periodical Review in 2008 India accepted one recommendation no: 13 made by Italy to strengthen human rights education, specifically in order to address effectively the phenomenon of gender-based and caste-based discrimination. During the 2nd Universal Periodical Review in 2012 India accepted recommendation no: 55 expressed by Sri Lanka to “continue with action to include human rights education in the school curricula”. Almost 70 years after the adoption of the Universal Declaration of Human Rights and 12 years after observance of UN Decade of Human Rights Education (1995 – 2005), the prevailing situation of human rights education in India is far from satisfactory. Human Rights is not treated as a separate subject in the school curriculum. India has also not implemented a National Action Plan on Human Rights Education.

NATIONAL LEGAL FRAMEWORK

In 2011, the UN General Assembly adopted the UN Declaration on Human Rights Education and Training with special emphasis on the importance of HRE at the levels of international policy and state action. The Declaration states powerfully the content of HRE as a right in itself: “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”. The UN Declaration clearly reaffirmed state duties to assure the implementation of HRE.

Article 51A (I) of Indian Constitution 1950, imposes a duty on all citizens to develop scientific temper, humanism and the spirit of inquiry & reform. The Indian state has an obligation to foster respect for international law and treaty obligations. India is a signatory to the UDHR and has ratified both the Civil and Political Rights and the Convention, Economic, Social and Cultural Rights Covenants. India has also ratified CEDAW, CERD and CRC. All these obligations reaffirm HRE as a legal obligation.

The University Grants Commission of India appointed Sikri Committee in 1980 to consider and report on the different ways and means for promoting HRE in India. The committee suggested inculcating values without marks weightage in schools. At college levels it was felt that all disciplines should be including human rights topics at least which are

directly relevant to their disciplines. However, the University Grants Commission (UGC), NCERT, and the Universities took no effective follow-up action on the report. In the year 1997 UGC framed guidelines 'UGC IX Plan Approach for Promotion of HRE in University and Colleges with the objective to promote HRE among teachers and students. The measure came after the UN General Assembly resolution of December 1994 declaring the period 1995-2005 as the UN decade for HRE and finalization of programme of action in October 1995 which was approved by Indian Government.

The National Human Rights Commission in India (NHRC) recommended on July 6, 2007 that a comprehensive human rights education plan should be enacted “as a main subject at all levels from primary to post-graduate”. This recommendation was the outcome of a study by a task force on human rights education created by the NHRC India in 2006. A module for teacher training programme has also been prepared by the taskforce of the NHRC for this purpose. NHRC India has developed other programs such as month-long internship programmes for University students and programmes focused on public servants especially police in collaboration with the Administrative Training Institutes and Police Training Institutions.

CHALLENGES

The Indian education system follows a 'Value and Awareness Model' of human rights which has failed to give HRE a rightful place in school curriculum, teacher training courses, textbooks, supplementary reading materials and education policies.

Children stand face to face with the greatest challenges. All forms of discrimination based on caste, sex, religion, disability and related intolerance are the main barriers to achieve a child's right to development despite India has incorporated right to education.

Government efforts are insufficient to promote human rights education.

ISSUES AND IMPACTS

The Indian education system has followed a 'Value and Awareness Model' of human rights education, wherein, human rights are not taught as a separate subject, instead, various values related to human rights have been integrated in all subjects and in all stages of the school curriculum. Even the National Curriculum Framework (NCF) published in 2005 by the NCERT in India failed in identifying the content of the HRE in schools. NCERT opined that all contemporary concerns and issues cannot be included in the curriculum as separate subjects of study. Although some initiative has been taken by educational organisations like UGC and NHRC for promoting human rights education in India. As a result HRE is part of many university programmes which provide certificate, diploma, postgraduate diploma and even master's programme in human rights.

Although, the Right to Education Act (RTE) 2009 grants compulsory and free elementary education to children, however, as the Committee on the Elimination of Discrimination against Women stated “only 4 per cent of the GDP is spent on education, that girls with disability and minorities still register low enrolment rates, and that the dropout rate among adolescent girls is as high as 64 percent”. Recently amended Child Labour Act 2015 explains this high dropout rates as it has amplified the scope in which children can work in non-hazardous family enterprises and in the audiovisual entertainment industry or sports activities”. Amended Juvenile Justice Act included provisions which say that adolescents from 16 to 18 years can be tried like adults if they committed heinous crimes. In relation to corporal punishments by teachers, a 2009 UNICEF report found that in India 78% of 8-year-olds and 34% of 15-year-olds said they had been physically punished, while 93% of 8-year-olds and 68% of 15-year-olds said they had seen other children being physically punished.

The National Curriculum Framework (NCF) drafted by the National Council of Educational Research and Training (NCERT) in 2005 contains several declarations on the importance of education “as a long-term process of building up peace, tolerance, justice, intercultural understanding and civic responsibility”. This approach of inculcating human rights culture might not be enough given the alarming rate of human rights violations in India. The first document of the New Education Policy drafted by the Ministry of Human Resource Development, states that “curriculum will cover the issues of social justice and legal measures in order to avoid social discrimination.

CHALLENGES

Civil society's efforts in transforming the social realities through grassroots work for human rights education.

Repressive measures used by Indian government to subvert the efforts of civil society to realize human rights education.

ISSUES AND IMPACTS

It will be ensured that text books promote harmony and do not contain any discriminating issues, events, examples in the context of gender, disability, caste, religion, etc. The participatory approach can ensure active role for civil society in fulfilling the first message.

Civil society groups have made efforts at the grassroots level to build a culture of human rights. At the grassroots level, HRE has often taken the form of popular education or community education to mobilize and expand social movements. Amnesty International Human Rights for Education Programme has conducted several workshops and training sessions during the last years in more than 30 schools in Bangalore as part of its wider program called Human Rights Friendly Schools.

The Institute of Human Rights Education (IHRE) has a National Plan in 15 States in collaboration with different NGOs. At this moment, the program has trained more than 4476 teachers in 3909 schools involving 316832 children.

People's Action For Rural Awakening program has set up 1000 human rights clubs in 525 government schools in the two states of Andhra Pradesh and Telangana with the collaboration of the government educational department. It has also succeeded in getting the AP Government to train 167,000 teachers.

Recent controversial actions taken by the government against NGOs by suspending or cancelling their licenses has hampered the implementation of human rights education programs. NGOs have assiduously tried to implement HRE as a response to the call from the UN. The Indian Government has frozen the bank accounts of several NGOs availing foreign donations and that decision has affected programs such as the one carried out by IHRE.

RECOMMENDATIONS

The government of India should immediately take steps to implement human rights education as called for in related articles of treaties that India has signed and ratified.

Assess needs and formulate strategies to further human rights education at all school levels, in vocational training and formal as well as non-formal learning.

The government of India in cooperation with civil society and other stakeholders should develop and implement a National Plan of Action for HRE, as called for in the UN World Programme for Human Rights Education (WPHRE)

India should provide support CSOs providing human rights education resources related to curriculum frameworks, with evidence of such actions before the mid-term review.

Ensure to develop module or course on Human Rights for students in primary and secondary schools, adapted to different ages and with progressive contents so as to promote skills, awareness and human dignity.

Ensure efforts to include HRE mandatory course in teachers' training syllabus.

The Indian government should equip state and local governments to review and improve their educational policies, practices, and outcomes in order to ensure human rights education for every child.

Formulate time bound refresher courses in Human Rights Education to build and strength capability of teachers and continue with the task of adapting text books with human rights contents.

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