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Human Rights Education:  
Methods, Institutions, Culture  
and Evaluation

by

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## Acknowledgement

The main thesis of this booklet is that Human Rights Education (HRE) leads to a culture of human rights and hence a stable civil society. HRE bridges the gap between the proclamation, the declaration and the establishment of international human rights norms and behaviour and action according to human rights values. HRE links the standard-setting work of international organizations and the grassroots work of many human rights non-governmental organizations (NGOs). It therefore serves a linkage and transmission function between active civil society and international normative and standard setting bodies, such as the UNO or the Council of Europe. Nevertheless, the main implementing bodies are governmental institutions, whose overall responsibility is to implement HRE in school and adult education curricula. State actors, not international organizations or NGOs, are responsible for the content of the formal education system within a country. However, international political decision making bodies can promote and create a legal and political framework in which NGOs and governments can develop their activities. But as long as HRE is not an overall part of the formal schooling in the shadow curricula within a state, there will be no sustainable civil society or culture of human rights. This is due to the fact that a culture of human rights is not only based on knowledge about human rights but rather a deep understanding, awareness and empowerment of and through human rights.

This article intends to outline what HRE is and how international organizations, governmental bodies and NGOs are involved in implementing HRE. Examples of HRE policy in Europe exemplify to what extent HRE is an integral part of the formal, non-formal and informal educational systems in these countries, as well as what impact it has.

The main content of this booklet is part of a larger interdisciplinary project “Teaching Human Rights in Europe”, which is currently conducted at the University of Magdeburg, Humboldt University of Berlin and the University of Potsdam and which is funded by VolkswagenStiftung from 2003-2006; Project page: [www.humanrightsresearch.de](http://www.humanrightsresearch.de).

The arguments presented are the outcome of different presentations on HRE which I gave during panel discussions at international conferences over the past two years: the *MenschenRechtsZentrum*, University Potsdam (Germany), the International Political Science Association (IPSA) in Durban (South Africa), the *Deutsche Vereinigung der Politikwissenschaften* (DVPW) in Mainz (Germany), the Graduate Centre at the City University of New York, CUNY, (USA), the International Studies Association (ISA) in

Montreal (Canada) and during the conference on “Transformation in Society as a Form of Social Change” at the University of Magdeburg (Germany).

I refer to many discussions, seminars and the preliminary workshop of the research project “Teaching Human Rights in Europe” held at Humboldt University in Berlin in March 2004. I also refer to the classes which I have been teaching since 2002 at the Institute for Political Science (IPW) at the University of Magdeburg, which kindly supported me in publishing this booklet.

A full copy of this booklet is available as a download pdf-file at [www.humanrightsresearch.de](http://www.humanrightsresearch.de).

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## **Human Rights Education**

Human Rights Education (HRE) is currently discussed as one of the primary means of establishing sustainable and long-term stable democratic societies. HRE contributes to the dissemination of the Universal Declaration of Human Rights (UDHR) from 1948 and to helping create a culture of human rights (for UDHR see appendix). There are dozens of international legal and political binding human rights frameworks, such as conventions and treaties of the United Nations (UNO), the Organization of American States (OAS), the African Union (AU), the Council of Europe (CoE) and the Organization for Security and Cooperation in Europe (OSCE) (see Chapter 3 in this book). They are all founded on the 30 articles of the UDHR, which outline and promote human rights standards and norms, covering both civil and political as well as social, economic and cultural rights. In 1993 the UNESCO promoted a World Plan on Education for Human Rights and Democracy in Montreal, Canada and the UN-World Conference on Human Rights, held the same year in Vienna, Austria, promoted the view that HRE “is essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace”.<sup>1</sup> In 1994 this declaration led to the UN-Resolution for the UN-Decade for Human Rights Education from 1995-2004, which again emphasised the importance of promoting human rights through HRE. The United Nations were convinced that HRE “should involve more than the provision of information and should constitute a comprehensive life long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies”.<sup>2</sup> Ten years later, as a consequence of the unsatisfying results of the UN-Decade, the UN-Human Rights Commission passed during its 60<sup>th</sup> session in March / April 2004 held in Geneva, Switzerland, a resolution to continue the decade, calling for a World Programme for Human Rights Education starting in 2005. However, these international legal and political frameworks and declarations neither define the details of HRE nor its potential and societal

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<sup>1</sup> UN-Vienna Declaration and Programme of Action UN-Doc. A/CONF.157/23 from 12 July 1993, paras. 78-82.

<sup>2</sup> UN-Resolution for the UN-Decade for Human Rights Education passed by the General Assembly 23. December 1994, UN-Doc A/RES/49/184.

long term impact. In order to assess the political impact and the contribution of HRE to a culture of human rights, we have to take a closer look at the content of HRE.

What is Human Rights Education? Human Rights Education is much more complex than mere awareness-raising. It consists of legal standards, knowledge, awareness and skills and it aims to influence political and social behaviour. HRE is constituted by seminars, teaching programmes and training material in the formal, informal and non-formal educational sector for teachers, university professors, students, social workers, security forces, lawyers, company managers and others.

The overall goal of HRE is to educate people to respect each other. This is the ground for any anti-bias, peace, tolerance and anti-discrimination education, and it sets the grounds for a culture of human rights as it is outlined in the UDHR. Hence one of the core elements of HRE is to specifically refer to human rights standards and their broader meaning. If people are not able to precisely state their rights and those of others, they will not be able to claim nor will they be able to fight for them.

To define the complexity of Human Rights Education we can divide it into three levels:

- (1) **The cognitive level:** This is the mere knowledge and information about human rights standards. Teaching on a cognitive level includes also the development and the history, genesis and roots of human rights based on natural law, the Universal Declaration of Human Rights (UDHR), the seven treaty bodies and committees of the UN-System, the Council of Europe's treaty bodies and monitoring system, the International Criminal Court, the Organization of American states (OAS), the African Union (AU) and other international human rights organizations and non-governmental organizations (NGOs) and their monitoring systems. The cognitive level is in most terms the simplest level, because it informs about human rights but does not lead necessarily to any actions.
- (2) **The emotional and awareness level:** This means being conscious of and feeling a sense of responsibility towards human rights violations, for example the direct and indirect experience of injustice, madness or the experience of human rights abuses and atrocities. This experience usually causes sadness or anger about injustice and pain and motivates people to react and become active. It is this crucial moment of a personal feelings, emotions and awareness towards the importance that violations of one's human rights are unjust and lead to ongoing threat, anger and pain. This moment will change peoples' attitude and behaviour.<sup>3</sup> It is the most difficult level of all three because it can easily be manipulated through one-sided information or propaganda.

Still people react differently to the same set of circumstances. Some people get upset about injustice others while do not care. But in any case, it can be stated today that without this emotional touch and these feelings of sadness, there will be no activities in favour of human rights. Surveys have shown that people have a natural understanding of injustice and become active participants if they (a) have a sense of self esteem and (b) have had experiences of great injustice either personally or through stories being told to them.<sup>4</sup>

- (3) **The active level:** Finally become active! This is to empower people and promote their skills to detect human rights violations and injustice, for example knowing national and international legal and court systems; claiming rights via ombudsmen; becoming an active member of a NGO, demanding lawyers to use international law to claim someone's human rights. It is not only to stop human rights abuses through lobbying of decision-making bodies asking for the abolition of the death penalty or torture, or to overcome injustice and violations during a peace building process - it is also to promote human rights as part of preventive work to avoid human rights violations in daily life.

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<sup>3</sup> Stellmacher / Sommer / Imbeck (2003): 162.

<sup>4</sup> Müller (2002): 17-18; Krajulec (1999):367-369.

To make HRE more visible I draw following picture:

***HEAD (receive knowledge)***

***BELLY (get emotional)***

***FEET (become active!)***



Hence the content of Human Rights Education is based on the universal concept of justice and injustice, which we know from the discourse about natural law. It contains information (head... get informed), emotions (belly... get angry and become aware) and skills (feet... get started, go and do something about it) which can be taught and understood face to face by everyone. Betty Reardon, who taught human rights for many years at Teachers College at Columbia University in New York, defines HRE as value education for peoples' dignity.<sup>5</sup> The social scientist Weinbrenner defines Human Rights Education as a set of different aims and objectives which are (1) knowledge, through data and a concept of human rights; (2) attitudes and values, through self respect and fair treatment and (3) skills, both intellectual and action-based, informed by critical thinking and capacity building.<sup>6</sup> All attempts to define HRE are similar and focus on a concept of cognitive, emotional and active learning. This can also be found in the educational model of Paulo Freire's "educaca problematizadora", which focuses on individual consciousness and awareness-raising. An

<sup>5</sup> Reardon (1995): 3-4.

<sup>6</sup> Weinbrenner / Fritzsche (1993): 8.

“education to problematise” should enable people to analyze a problem individually through a reflection on one’s own situation. Awareness can not be achieved by studying mechanism, systems and human rights norms alone. This can not be taught through the mere gathering of knowledge, but there needs to be an awareness building process, day to day examples, experience and reflection.<sup>7</sup> It is a mixture of all three levels that makes HRE successful. Similar stages are described in Lawrence Kohlberg’s analysis of different levels of moral development, in which he defines six steps towards moral learning. To reach high moral awareness and act according to it, each individual has to go through a stage of interpersonal learning orientated toward social standards in order to reach a post-conventional stage of thinking and acting in accordance with universal ethical principles.<sup>8</sup>

Moral universal values are defined by global standards and best practices of moral norms all over the world. We find them in the so called Golden Rule: “Do not do unto others that which is disagreeable to you” as the basis for ethical behaviour.<sup>9</sup> To define this more than 2.500 year old Golden Rule, one can argue philosophically with Immanuel Kant that these norms and values have developed over centuries through critical self-reflecting awareness building which have led to the basis for ethical behaviour as outlined in Kant’s maxim of the categorical imperative: “If the maxim of your action is not such as to stand the test of the form of an universal law, then it is morally impossible”. According to Kant’s interpretation, this leads to the respect of oneself and others. At the same time this is the foundation of human dignity.<sup>10</sup> Kant revised his idealistic theory in his *Kritik der praktischen Vernunft* from 1788, adding the condition that all men are created equal. Hence mutual respect can only be acknowledged if we fully accept and believe that all people are created equal. This is the ground of human rights norms and standards established in the 20<sup>th</sup> century and stated in the UDHR from 1948. Rationalists, however, argue against Kant and highlight the fact that men only act according to moral norms or universal human rights standards if they see some practical benefit for themselves.

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<sup>7</sup> Freire (1995).

<sup>8</sup> Graz (1996): 55 and 87.

<sup>9</sup> The first written evidence of the Golden Rule can be found in the religious writings and moral value collection of Zoroastrianism 800 B.C (Dadistan-i-Dinik 94,5). It can also be found in Judaism, Christianity, Confucianism, Hinduism, Buddhism, Taoism, Humanism and the writings of the Bahá’i community.

<sup>10</sup> Kant (1900): 421.

After the Cold War and due to a certain degree of human rights euphoria in the 1990s, academics, experts and NGOs refer more and more to the impact of HRE. It is assumed that HRE is more sustainable than all preceding peace, tolerance and anti-bias teaching concepts and that we should learn from the misinterpretation and short term impact of re-education, civic-education and peace-education in the past, giving HRE its own notion. HRE is more than peace, re-education or civic education. It is inclusive, not exclusive. This means that it aims to teach all people, regardless of their citizenship, ethnic background, legal status or if they have been former enemies and combatants. Civic and citizenship education, for example, target only those people within a society or nation who are citizens of particular states. This excludes all non-state-citizens, foreigners, immigrants and members of minority groups. Peace-education is for people who have been former enemies, members of at least two parties in conflict or former combatants. Re-education is made only for those who have been suffering under dictatorship propaganda, promoted by a manipulative education system. Peace and re-education programs can be used in post crisis periods and as crisis response mechanisms during peace-building and reconciliation processes. After 1945 in Germany this type of education, with the goal of transforming society, was called re-education and later political education. During the democratisation process in South and Central-America in the 1980s it was called education for peace and justice. Some authors argue that HRE is the core of any political and social studies education because human rights cross all international, development and peace education issues.<sup>11</sup>

These exclusive education programmes – however important they may be for specific target groups – are made exclusively for specific “closed” target groups and not for all people within a community or nation. Such education programmes carry human rights elements in them but do not entail a holistic approach to human rights, including social and economic rights as well as individual and political rights. This holistic concept of human rights refers to the whole document of the UDHR and empowers people to behave and act according to the universal human rights norms and values already stated in the Golden Rule some 2,500 years ago. HRE can be part of the teaching curricula in the formal, non-formal and informal education sector. It can cross-cut all the subjects and can be implemented in extra curricular activities, such as theatre plays, sport and fine arts.

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<sup>11</sup> Weinbrenner / Fritzsche (1993): 25.

The *formal education* sector refers to school, vocational school and university education. This sector's curricula are drafted by federal and state education standards, guidelines and other quality standards which are usually set by the respective Ministries of Education. If HRE is part of the formal education sector curricula, it can reach a broad community with a strong and long term impact. Children and young adults are the primary target groups of this sector.

The *non-formal education* sector refers to complementary or supplementary education forms. HRE in this sector can be part of "after school activities", governmentally supported HRE courses, further training in evening classes, local or community orientated courses. Young adults and adults are the primary target groups of this educational sector. HRE can reach a vast community within the non-formal education sector.<sup>12</sup>

The *in-formal education* sector is the most independent but also smallest education sector. HRE courses in this sector vary between events and classes organised by private initiatives of teachers, youth groups, Clubs, NGOs such as Amnesty International (AI), the Human Rights Education Associates (HREA), and the Peoples Decade for Human Rights Education (PDHRE) and International Organizations such as the UNO, UNESCO, UNICEF, OSCE and the Council of Europe. NGOs take the biggest share in teaching human rights. They publish HRE material and offer courses which are sometimes very costly. However, they have far fewer resources than governmental institutions and although they do most of the dissemination work in promoting human rights they can do this most of the time only on a voluntary and insufficient basis. Hence, they can only reach a small group of youth and adults.

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<sup>12</sup> Lenhart (1993): 2.

## **Methods**

Human rights can be taught to all target groups in a given society: police, politicians, NGOs leaders, security forces, social workers, physicians, children, students and scholars of all different social backgrounds and ages. A core concept of HRE can be taught to adults and children – there is no limit of age or a required social status. Betty Reardon and Nancy Flowers define core concepts of HRE with regards to the people's age and stage of development: early childhood, later childhood, adolescence, youth and adulthood. For each of the developing stages the content of HRE programmes can be different depending on social background, social and political circumstances and culture.<sup>13</sup> Nonetheless, each programme's content must always refer to the holistic concept of human rights, including social and individual human rights at the same time.

Methods or better ways of teaching human rights are manifold. They consist of lectures, role plays, paintings, observations, research of history and biographies, field research of current events, statistical analysis, panel and group discussions, essays, excursions, movies, interviews, talks, oral history or interactive exchange of experience. Each method depends on the degree of information a teacher wants to give to the students (Table 1). Even though it is important to take the cultural backgrounds, social circumstances and developing phases in consideration it is also vital to teach a holistic approach to human rights. HRE is meant to achieve a complete concept of human rights rather than a mere concept of anti-bias and peaceful behaviour. Hence, the UDHR should be the foundation for any methodological concept of teaching human rights.

### *Concept*

History and the genesis of human rights, combined with knowledge about human rights standards and skills, are important methodological elements of HRE. To include these elements in HRE programmes for different target groups can bring groups to reflect upon their own social contexts, to raise awareness, to overcome prejudice and stop discriminations and other human rights abuses.

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<sup>13</sup> See: Flowers (2000): 14; Reardon (1995): 14.

Bearing in mind that HRE programmes always have to match the needs of the target groups, the following indicators must be taken in consideration:

- ▶ To clearly outline whether a HRE programme is aimed at the general public or specific groups.
- ▶ To identify target groups, indicating their special needs to prioritise what has to be taught.
- ▶ To differentiate between a goal-orientated and a process-orientated focus of HRE.
- ▶ To create teaching methods for short- and long term duality.

If we take the cognitive, emotional and activity level into account (Chapter 1), the concept of HRE can lead to several outcomes depending on the age and stage of development of people as shown in Table 1. Depending on the time and resources available, HRE activities and courses can either be long or short term and sometimes lead to a specific goal.

Thus HRE is methodologically successful if in-school and adult curricula human rights issues become a routine through shadow curricula. HRE has then reached a stage in which it goes beyond enthusiasm, emotions and short term activities.

The overall goal is to enable and empower individuals to act according to their own abilities and responsibilities. Thus, HRE has successfully achieved its aims if human rights become an inclusive part of the overall behaviour of people.

**Table 1:** Concept of Human Rights Education during different stages in life.<sup>14</sup>

	<b>Knowledge through information</b>	<b>Awareness through emotions</b>	<b>Activities through skills</b>
<b>Early Childhood</b>	<ul style="list-style-type: none"> <li>- convention on the rights of the child</li> <li>- family values</li> <li>- community values</li> </ul>	<ul style="list-style-type: none"> <li>- cases of racism and sexism</li> <li>- child labour</li> </ul>	<ul style="list-style-type: none"> <li>- practice fairness and respect</li> <li>- help children in other parts of the community of the world through letter writing / drawing activities</li> </ul>
<b>Childhood</b>	<ul style="list-style-type: none"> <li>- Universal Declaration for HR</li> <li>- History of HR</li> <li>- UNICEF</li> <li>- laws</li> </ul>	<ul style="list-style-type: none"> <li>- cases of discrimination, sexism, racism</li> <li>- prejudice</li> <li>- poverty and hunger</li> </ul>	<ul style="list-style-type: none"> <li>- activities in schools and community</li> <li>- NGO participation</li> <li>- letter writing campaign</li> </ul>
<b>Youth</b>	<ul style="list-style-type: none"> <li>- International law (UNO etc)</li> <li>- Moral values</li> <li>- World economy</li> </ul>	<ul style="list-style-type: none"> <li>- cases of injustice through political and social oppression</li> <li>- globalization</li> <li>- environmental issues</li> <li>- torture and death penalty</li> </ul>	<ul style="list-style-type: none"> <li>- research activities and oral history</li> <li>- community activities</li> <li>- research work / essays on HR cases</li> <li>- talks with politicians and lawyers</li> <li>- NGOs activities</li> <li>- visiting prisons</li> <li>- role playing</li> </ul>
<b>Adults</b>	<ul style="list-style-type: none"> <li>- history and genesis of HR</li> <li>- International HR-regime (UNO, CoE, OAS etc)</li> <li>- International laws, treaties and declarations and development of HR norms</li> </ul>	<ul style="list-style-type: none"> <li>- face to face talks to victims and perpetrators of HR violations</li> <li>- torture and death penalty</li> <li>- genocide</li> <li>- excursions to prisons, refugee camps</li> </ul>	<ul style="list-style-type: none"> <li>- activities in local or international NGOs</li> <li>- helping asylum seekers and refugees</li> <li>- demonstrations and letter writing campaign</li> <li>- newspaper articles</li> <li>- contact with politicians</li> <li>- becoming an ambassador of HR</li> </ul>

<sup>14</sup> Table 1 shows examples of teaching contents and activities. It is not a complete list of all possible topics, methods or types of activities that can be part of a HRE program. For sources and related concepts see Betty Readon and Nancy Flowers, footnote 5 and 13.

### *Application and Goals*

The application of HRE faces major challenges in creating a consciousness of equality by overcoming inequality, prejudice and racism. Inequalities and prejudice have been manifested in peoples mind throughout history over decades and centuries. We have seen it as grounds for ethnical, religious and ideological conflicts, genocide, persecution and wars in the 20<sup>th</sup> and already 21<sup>st</sup> centuries for example in persecution, apartheid and genocide. The genocide of Christian Armenians in Turkey, Jews and Roma in Germany, Khosa and other ethnic groups in South Africa, Tutsi in Rwanda, Muslims in India or Bosnia and minority groups in Darfur, Sudan are some of the examples of the last and present century. This has usually led to the separation of states and the building of walls and borders, witnessed in the second half of the 20<sup>th</sup> century between India and Pakistan, East and West Germany, former Yugoslavia and we currently see the same phenomena between Palestine and Israel. Intolerance, feelings of superiority and the decrease of people of different ethnic and religious backgrounds have always led to internalised notions of inferiority and injustice. In short: disrespect remains the major reason for conflicts such as persecution and genocide. One thing all these conflicts have in common is the sensitive moment of being treated unjustly and, hence, a feeling of disrespect (this rather unpredictable moment has led people to rise up against oppressors, start revolutions, prepare for wars, kill, rape, torture, violate or suppress people throughout history). In the same context, we have seen victims of such atrocities and injustice become perpetrators and vice versa. To stop this vicious cycle is the main purpose and challenge of HRE. It is therefore the main goal of HRE to create a culture of respect and justice which is at the same time the basis for a culture of human rights. HRE aims to overcome divergences in society through a self reflexive education process focusing on human rights values. It can also serve as a preventive measure to avoid future human rights abuses and atrocities.

However, we are still far from that stage. One reason for it is that human rights and moral values change and go through different phases of interpretation and implementation. Hence, the German philosopher Jürgen Habermas argues for the need for a discourse on human rights. Habermas aims to demonstrate that rationality potentialities are set within the communicative everyday praxis: a discourse or speech. Habermas' answer is based in his theory of communication, which culminates in a conception of reason. This concept of reason claims the capability of joining universal foundations and concrete contexts of every day life such as experience of injustice and a universal understanding of human

rights.<sup>15</sup> In other words, human reason is able to combine the Golden Rule and moral values with every day life experience. It is reflecting upon to own day-to-day environment and to enabling oneself to start an ideal dialogue in favour for ethical behaviour.

All attempts at changing people's behaviour through ethical discourse, speech and HRE have one thing in common: establishing a stable and sustainable society, which is grounded in mutual respect and a culture of human rights. Thus, it can be assumed that the positive effect of HRE could lead to a long term and sustainable commitment to and compliance with human rights.

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<sup>15</sup> See Habermas (1995).

## **Human Rights phases and challenges**

To understand the current interest in HRE, one must go back through the last fifty years of the 20<sup>th</sup> century. Since the UDHR in 1948, the implementation of human rights went through three phases or “waves” of euphoria and resignation. The joining member states of the United Nations and NGOs wanted to draw a line under the atrocities and severe human rights violations that took part in the first half of the 20<sup>th</sup> century in Europe. The UDHR was meant to prevent all human beings from such cruelty and injustice in the future.

### *First phase*

In 1950, Western Europe established a more complex human rights regime with the Council of Europe and set a basis, together with Eastern Europe, for a problem-solving and peace keeping process in the 1970s between the two enemy blocks, East and West. The Western European human rights regime focused on liberal and individual freedoms. Eastern Europe focused mainly on social rights and tried to promote them throughout the world. Because these efforts were mostly rhetorical, they did not prevent the world from falling into a Cold War between communist regimes in the East and liberal capitalist regimes in the West. The decline of the first euphoric “human rights wave” began when - as a consequence of the two enemy blocs -, in the 1950s and 1960s, a nuclear war was threatening world peace. It was an undesirable consequence of World War II and again it had its strongest impact on Europe. Dictatorships and authoritarian regimes became solid and peace was at a stake. It started with the building of the Berlin wall (1961), the Crisis with Cuba (1963) and culminated in the Cold War for more than two decades. During this period, human rights became purely chimera on papers and protocols. However, human rights were on the political agenda during the 1960s/70s, when the civil peace and human rights movement became a worldwide phenomenon, particularly in Europe and North America. NGOs were founded to stop the threat of nuclear war and fight for liberal freedoms. Several NGOs were founded during this period, such as the UK-Campaign for Nuclear Disarmament founded in 1958, Amnesty International in 1961 and the Helsinki Foundation in 1978.

### *Second phase*

Due to the intense pressure of civil society in the West wanting peace and peaceful relationships with the East, new hopes were born starting in 1974 with the Helsinki process and the final act on Security and Cooperation in Europe (CSCE) in 1975. This area ended with the (almost) peaceful end of the communist regimes in 1989/90 and the fall of the Berlin Wall. With the final act of Helsinki in 1975 and the CSCE process, the world peace movement and human rights activists gained new strength upon seeing that the soft and steady pressure on governments in the name of human rights actually stood a chance.<sup>16</sup> A number of peace and human rights NGOs were founded such as the Helsinki Foundation (1978), later becoming Human Rights Watch. Soon the peace movement in the East could no longer be stopped by the state police forces. This was closely linked to the development that NGOs had steadily become part of the UNO human rights regime and within this system they cooperated to draft and differentiate between certain international human rights standards. All of the first six human rights covenants of the UNO were drafted, signed and put into force during this period of the 1970s/80s.<sup>17</sup> The seventh human rights treaty on migrant workers' rights was drafted in 1990 and came into force in 2004.<sup>18</sup>

### *Third phase*

The third euphoric wave began after the downfall of the communist regime in 1989/90, the end of political blockades in the name of human rights. It has influenced intellectuals on all levels to draw conclusions that human kind had overcome a history of suppression and dictatorship. Freedom, democracy and civil liberties seemed to have succeeded. According to the political scientist Francis Fukuyama the end of history was near, and he argued that “(...) liberal democracy remains the only coherent political aspiration that spans different regions and cultures around the globe”.<sup>19</sup> But soon it was clear that world peace through

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<sup>16</sup> Keck/ Sikkink (1997).

<sup>17</sup> UN-International Convention on the Elimination of Racial Discrimination, ICERD from 7. March 1966; UN-International Covenant on Economic, Social and Cultural Rights, ICESCR from 19. December 1966; UN-International Covenant on Civil and Political Rights, ICCPR from 19. December 1966; UN-Convention on the Elimination of all Discrimination against Women, CEDAW from 18. December 1979; UN-Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, CAT from 10. December 1984; UN-Convention on the Rights of the Child, CRC from 20. November 1989.

<sup>18</sup> UN-International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, CMW from 18. December 1990.

<sup>19</sup> Fukuyama (1992): xiii.

liberal democracy was still a long way from being a reality. Wars and genocide in Europe, Central America and Africa continued in the 1990s and beginning of the 21<sup>st</sup> century. Some of the worst genocide and human rights atrocities in the 20<sup>th</sup> century were conducted in the 1990s’.

Fifty years after the atrocities of the Holocaust in Europe, social injustice and inequality still remain the main reasons for uprisings and wars all over the world in the time of globalization. By the mid 1990s, this brought the civil movement back on the streets. The anti-globalization movement was founded, calling for more social and economic justice and accusing the neo-liberal economists of causing major inequalities in certain countries and regions, leading to major injustice and human rights abuses. The new social movement, represented by NGOs such as ATTAC (an international movement created at a meeting in Paris in 1998 on issues of world economy, globalisation and its global impact on social welfare and justice), is grounding its work primarily on social and economic rights. It assumes that stable democracies in the West will decline if they do not also support and promote justice and equality in other parts of the world. The interdependence of the world, not only in economic terms but also through communication and mobility, will lead to the fact that people in less developed societies will compare their – frequently desperate – situations with those of more privileged societies.

So far, globalization in economic terms has led to more injustice between developed and developing countries. The result for many people has been poverty and for many countries social and political chaos. Political actors and leading NGOs in developing countries point out injustice and inequality and will call for changes: most of the time through the use of force. This call for change can have many different catalysts and will also affect strongly democracies in the West, which generally depend on less stable and poor countries, exploiting their natural resources and cheap labour. Two leading economists and winners of the Nobel Prize for Economics in the 1990s, Armatya Sen (1998) and Joseph Stiglitz (2001), have reflected upon these issues. Both call for more responsibilities and an overall importance given to the role of governments. Governments remain the leading actors both in domestic and international politics. They establish rules and regulations for economic markets, guarantee education and health services and human rights.<sup>20</sup> Sen argues that governments have to guarantee political freedom as the basis for economic success and that respecting human rights is therefore inevitable in a peaceful

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<sup>20</sup> Stiglitz (2002): 87ff.

society.<sup>21</sup> It is important to create and support stable democratic governments which will guarantee economic prosperity and justice. One way to do this is to implement HRE in the education system.

### *Challenges*

The human rights movement faces new challenges, as does the international human rights regime. These challenges are grounded in the increasing number of failing states and amount of injustice and inequality among states and regions, the negative outcome of some aspects of globalization, the threat of terrorism and the growing numbers of civil wars and warlord conflicts in many countries all over the world. Hence human rights violations – as seen by Amnesty International in 2003<sup>22</sup> – are to increase in following areas:

*Discrimination.* It is manifested in religious, ethnic and racial intolerance in Asia, Africa and Europe. Discrimination leads to internal conflicts stemming from religious, ethnic, economic and political disputes.

*Impunity.* Perpetrators of human rights violations are still systematically not brought to justice. There are growing threats to the international human rights framework, especially in the context of national security concerns. Although the International Criminal Court entered into force in 2002 in The Hague, providing new opportunities to bring perpetrators of human rights violations to justice, it is not yet accepted by all member states of the international community.

*Armed conflicts.* Millions of peoples lives are affected by armed conflict either in civil or state wars. The numbers of civil victims of such conflicts is increasing. It is estimated that 80% of all war victims are civilians while 20% are combatants.<sup>23</sup> Neither the humanitarian law nor human rights are respected during these conflicts. All too often, the institutions that should protect them are too weak to address the requirements of international or national law. Civil society, weather it is fully established or not, is by no means strong enough to demand its own protections.

*Migration and Refugees.* Migration will increase because of economic and political instability, which leads to increasingly diverse societies in which the rights of migrants and refugees continue to be disregarded. Population movements are sure to intensify in years to

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<sup>21</sup> Sen (1999): 175ff.

<sup>22</sup> For further information about Amnesty International's current campaigns see: <http://www.amnesty.org/campaign/>, July 2004.

<sup>23</sup> Münckler (2002): 28.

come, shaping social and demographic dynamics. Millions of refugees, internally displaced persons, migrants, smuggled or trafficked people will find their rights disregarded.

*Poverty.* The disparity between the developed world and developing world is wider than ever before. An estimated 85% of the world's populations have access to only 25% of the world's resources. Wealth, income, resources and consumption are concentrated in just a few countries while the world's poor people are denied basic civil human rights, which would enable them to claim their needs and protest against injustice; this injustice includes struggling with widespread poverty, malnutrition, inadequate educational and health-care systems.

*Women's and girl's rights.* Women and girls are targeted in armed conflicts in which abuses such as rape and sexual slavery are used as weapons of war. Violence in the home and community, primarily in the hands of non-state actors, challenges states to provide access to justice and support through non-discriminatory legal, judicial and health systems. Girls are still, in most parts of the world, denied their right to education and are therefore excluded from economic, social and even judicial independence.

*Physical and mental integrity* continues to be threatened by states, armed political groups and non-state actors. Some states seek to justify their actions and human rights violations, such as torture, on the grounds of increased security concerns. The death penalty, torture and ill-treatment, holding prisoners of conscience, attacks on freedom of expression and other abuses will continue and will even take up new forms.

*Media and Political Culture.* The media is shaping public awareness about current political and human rights issues. This media policy is creating a political culture, which varies between responsibility and human rights awareness and ignorance towards social injustice. The increasing number of movies and increasing media coverage often promotes the use of force as the only remedy to solve problems. At the same time, global media stations are more and more controlled by only a few owners. Independence of press and media coverage is guaranteed neither in developed nor in non-developed countries.

The international human rights regime is facing these challenges and threats with different solutions, trying to prevent people from more injustice and human rights abuses. On the one side, they try to bring governments to sign and ratify international human rights treaties. On the other side, they call for military intervention to prevent civil society from committing genocide and human rights violations. Both courses of action have positive and negative outcomes. It can be noted that (1) the increasing number of ratifications and proclamations of human rights treaties through states is confronted with

the erosion of the human rights regime through terrorism threats and – sometimes unjustified – security measures to protect the public; and (2) an increasing mobilization of civil society confronts the limitation of civil, political and individual rights on the grounds of increased security expressed by political actors and the use of force after 2001.

In sum, it can be said that there is no lack of human rights standards, norms, information, activism or even interest in international law and frameworks. However, problems and conflicts arise because of the lack of consciousness and skills to perform and act according to these human rights norms. This again leads to the major task of international organizations, NGOs and overall state actors to foster knowledge, understanding and an ethical dialogue about human rights. Thus, HRE becomes an important tool for long term strategies to prevent the international human rights regime from vanishing. It ultimately strengthens a culture of human rights.

## **International Human Rights Regime**

The international human rights regime exists of a number of international organizations, such as the United Nations (UNO), the Organization of American States (OAS), the Council of Europe (CoE), the Organization for Cooperation and Security in Europe (OSCE), the European Union (EU) and African Union (AU); it also includes various international human rights treaties, such as the Asian Charta for human rights or the Cairo declaration for human rights. This regime is based on active contribution by governments, which represent the international organizations, and large numbers of human rights NGOs, such as Human Rights Watch and Amnesty International. The regime works on the basis of values, principles, norms, standards, rules, regulations and decision making procedures. In the field of human rights it also consists of reporting and monitoring systems. They are manifested in human rights committees and commissions, courts and rapporteurs and represent more than 190 states worldwide.

This international human rights regime's foremost international organizations, such as the UNO, the Council of Europe, OSCE and even the European Union were never considered by their member states to actually enforce human rights through specific enforcement tools, like sanctions, imprisonment or personal responsibility of political actors. The international organizations were considered as a regime that proclaims human rights standards, fosters and monitors their implementation, but does not enforce them. This is until today the overall responsibility of state governments and leaders. Governments are still the main actors in this international human rights regime, but they use the regime to distribute their power and influence in human rights affairs.<sup>24</sup>

This has changed slightly over the years since the establishment of the UN-International Criminal Court (ICC) in 2002 in The Hague, Netherlands. In this court, individuals can be sued for crimes against humanity and human rights violations according to the UDHR. They are subject to being imprisoned by the authorities of the UNO and ICC. Governments submit to the regime in order to have influence in international politics, but at the same time, they have to respect international rules and implement decisions and recommendations given by the human rights committees and commissions. Governments have to guarantee legal norms, education for their citizens and security on the national

level. Nonetheless, they can also declare wars, neglect their educational responsibility and use military force to intervene in internal state affairs, ultimately not complying with human rights standards.

State actors confirm legal standards because of rational rather than idealistic state policy. Such an interest is, for example, to strive for international recognition, distribute power and receive financial credits from the World Bank. However, as recent studies show, international human rights treaties operate on more than one level simultaneously. They create binding law that is intended to have practical effects, and they express the position of those state actors that join them.<sup>25</sup> In this context, states empower the UNO or the Council of Europe and other international organizations to establish monitoring bodies, such as the UNO or the CoE-human rights committees. Due to their reporting system, which obliges governments to report on their compliance with international human rights treaties and standards, they are empowered to criticise and comment on countries' human rights records and, in case of non-compliance with international norms, they remind them of their duties to guarantee human rights.

However, rationally argued, governments and member states empower the human rights monitoring system only to such an extent that they either benefit from it so that their political interests are not harmed or to the extent that they feel little obligation to implement these universal human rights norms unless they see great benefits from them and there is pressure by other member states or NGOs. Thus, international organizations have only limited impact. Sanctions enforced by the UN-Security Council and verdicts by the International Court for Justice (ICJ) and the European Court for Human Rights (ECHR) – rather recommendations or threats than legal binding verdicts – are grounded in the universal human rights standards. However, they are far from being enforced through military force or police. The implementation of norms and standards into national law and regulations are left entirely to the political decision makers of their member states. Nonetheless, the International Criminal Court can at least put suspects and culprits into prison near the seashores of Scheweningen close to The Hague in the Netherlands.

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<sup>24</sup> Krasner (1995): 15.

<sup>25</sup> Hathaway (2002).

### *United Nations*

If we look at the last fifty years of the development of the international human rights regime, we realise that it has failed to avoid a deep erosion of human rights values. It has never even succeeded in building effective constituency support or in maintaining human rights standards in democratic societies, nor was it able to create a human rights culture.<sup>26</sup> Neither did the international human rights movement nor did NGOs succeed in doing this. However, there have been efforts since the 1990s' to define HRE as one of the core tools with which to implement human rights standards and ethical behaviour by the UNO, the Council of Europe, the OAS or the OSCE. A survey done by the UNO in 1992 among its member states, asking what they had been conducting in the field of HRE to promote the idea of the UDHR, has produced disappointing results. Almost no efforts had been conducted in this field. This again was one of the arguments that led to the proclamation of the UN-Decade for HRE in 1994, after it had been intently debated during the UNESCO-World Conference for Human Rights Education in Montreal and the UN-International World Conference for Human Rights in Vienna in 1993 (see Chapter 1). A number of manuals and "professional training series"<sup>27</sup>, including the translation of the UDHR in more than 300 languages worldwide, are some of the positive outcomes in this respect.<sup>28</sup> But in its evaluation report, the UN-Office of the High Commissioner for Human Rights (OHCHR) in Geneva highlights the fact that each member state of the UNO has to have a National Action Plan for HRE. This plan has to focus on "(...) stimulating and supporting national and local activities and initiatives in partnership with governments, intergovernmental organizations, non-governmental organizations, professional associations, individuals and broad sectors of civil society".<sup>29</sup> In her statement, the High Commissioner for Human Rights Mary Robinson (1994-2002) made it quite clear that the implementation of HRE can only be achieved through close cooperation with national and, particularly, with international bodies via governments. However, after two interim evaluation surveys in 2000 and 2004, the UN-Commission on Human Rights testifies that only 29 out of 191 member states of the UNO have replied to the UN-Decade and have implemented Action Plans or any kinds of activities in terms of HRE.<sup>30</sup> Only 10% of all

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<sup>26</sup> For this argument see also: Andreopoulos (2004): 29-39.

<sup>27</sup> For example: United Nations (1999b).

<sup>28</sup> United Nations (2000b).

<sup>29</sup> United Nations(1999a): 2.

<sup>30</sup> United Nations-Commission on Human Rights: Promotion and Protection of Human Rights Information and Education, UN-Doc. E/CN.4/2004/93 from 25. February 2004.

UN-member states have established a National Action Plan for HRE or undertaken serious long term efforts to implement HRE in the formal and in-formal education system and shadow curricula. Towards the end of the UN-Decade we can state that the sustainable effect of HRE and its purpose has not been fully understood by state actors. To ease the negative outcome of the UN-Decade, in August 2003, the UN-Sub-Commission on the Promotion and Protection of Human Rights called upon the UN-High Commissioner for Human Rights for a study and a follow up to the UN-Decade. After strong interventions by state representatives of Costa Rica and several NGOs during the 60<sup>th</sup> session of the UNO Human Rights Commission in Geneva in March / April of 2004, some UNO member states have agreed to endorse a World Programme for HRE beginning in 2005 and ending in 2015.<sup>31</sup> There was no agreement, however, to have a second UN-Decade; the World Programme for HRE is a sort of hidden second UN-Decade, monitored by the UN-High Commissioner's office and – again - by NGOs.

However this does not mean that states have undertaken no efforts at all in the field of HRE. It is also evident that most governments and NGOs that promote HRE do not relate their efforts to the UN-Decade and its goals and hence did not report back to the UNO in this respect. In many countries, these efforts have been undertaken because of state membership in the Council of Europe and in other international organizations or because of pressure by the World Bank and NGOs, asking for HRE as a ground for financial aid.

### *Non-governmental organizations (NGOs)*

NGOs are considered the gatekeepers that try to fulfil the claims of the international organizations. The international human rights treaties are often their base for diffusion. NGOs have become more strategic in their work to spread the idea of human rights. One of their measures to spread it is through HRE. NGOs such as Amnesty International or the Peoples Decade for HRE (PDHRE) who is the founder of the idea and main pressure group of the UN-Decade, remind state governments to fulfil their duties and comply with human rights standards and the implementation of HRE. They lobby organizations of the international human rights regime, such as the UNO, in order to put pressure on governments and at the same time consult with human rights commissions and disseminate shadow-reports on human rights issues in particular countries to the UN-human rights committees and other decision making bodies.

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<sup>31</sup> UN-Doc. E/CN.4/2004/L.19 from 15. April 2004.

Even in failing states, where governments have little influence or have lost their control over the country due to warlord wars and terrorist acts, NGOs continue their work as best they can by referring to universal human rights norms. They address whoever is in power and appeal for the respect of human rights with sometimes limited success. Human rights NGOs, such as Amnesty International and Human Rights Watch have become undeniable actors in international and domestic politics. Since the 1980s, it can be noted that NGOs have become some of the most important actors in the establishment of civil society and promoting and protecting democracies. Creating democracy no longer depends only on political actors and their parties.<sup>32</sup> If we talk about defining and building up democracies, NGOs are an overall integral part of this process.

In the 1990s, the human rights movement realised that the long term stability of a human rights regime, civil society and a culture of human rights can only be achieved through a sustainable human rights policy in which HRE is a crucial factor. Although NGO's major work is to interpret and diffuse international norms and laws and not necessarily to enforce them, they use HRE to underline their work of making human rights violations public, shaming of governments and asking for long term sustainable measures.

NGOs legitimise their impact on both national and international levels through: (1) public support, for example: through letter writing campaigns, membership dues and public participations and (2) through their expert knowledge and contribution to different international governmental organizations, such as UN-bodies, the Council of Europe and others. They were first admitted with observer status to the UNO in the 1960s and later became consultants to different UN-treaty bodies and to the Human Rights Commission. Due to their consultative statuses, they are considered to have a positive impact on the global human rights regime. Therefore, NGOs see their major contribution in respect of human rights to advise the UNO and other international organizations' treaty bodies, shaming governments as well as non-state actors responsible for human rights abuses. This lobbying work, in return, puts pressure on governments, but it also supports the establishment of frameworks and codes of conduct for non-state actors, such as trans-national corporations like Shell-Oil and Daimler-Chrysler, which are already part of the UN-Global Compact.<sup>33</sup>

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<sup>32</sup> Schmitter / Brouwer (1999): 6f.

<sup>33</sup> Global Compact is an UNO supported network to advance responsible corporate citizenship and private sector so that business can be part of the solution to the challenges of globalisation: <http://www.unglobalcompact.org>.

Thus, the role of NGOs has been crucial in defining international human rights norms and developing institutional mechanisms to ensure adherence to international norms and monitoring of national and local human rights practices. They can start discussions, lobby and develop long term sustainable strategies and promoting them publicly as conflict solving procedures and models. In the past decades, a lot has been achieved in this respect and this change can undoubtedly be credited to the work of NGOs.<sup>34</sup>

But the influence of NGOs is limited because they can only concentrate on a few areas of activity. Sometimes they can not become active due to the lack of resources and sometimes because they are threatened by governmental police forces. In many cases, NGOs are only allowed to tackle general human rights themes or issues that do not bring them into danger because of current state human rights policy. NGOs – for example the Peoples Decade for Human Rights Education (PDHRE) – consider HRE as one possible tactic of bringing human rights issues through the “back door” to draw attention to human rights abuses that would not otherwise be possible. These human rights include women rights, free elections, health issues, environment and schooling.

According to various studies, human rights NGOs have four major areas of activity: (1) standard setting; (2) monitoring compliance with international standards; (3) enforcement of human rights, and; (4) education. The latter is even ranked and mentioned highest among the four areas by more than 60 % of human rights NGOs. Eighty percent of the same NGOs even claim to organise programmes to inform the general public about human rights.<sup>35</sup> However, if we take a closer look at these surveys, it is interesting to see that the general understanding of HRE is to raise public awareness about human rights abuses. Generally it is understood as the following: “to organise public actions, events and activities” and “to educate general public about human rights”, which means to raise public awareness via media reports and campaigns. To get the public involved in NGO activities constitutes the main source of legitimisation and credibility of NGOs when putting pressure on governments. In this context, HRE as awareness-building is useful only to respond to human rights violations and react on a short term level.

However, awareness-building is *one* part of the more complex HRE concept (see Chapter 2). NGOs partially provide some of the measures necessary in a non-strategic and non-systematic way. But so far, HRE is only a side effect of their human rights work and, therefore, it neither reaches its goals nor is it sustainable. Even strong and well established

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<sup>34</sup> Keck / Sikkink (1997); Risse / Ropp / Sikkink (1999).

<sup>35</sup> Smith / Panucco / Lopez (1998): 379-412.

NGOs, such as Human Rights Watch, have no resources or as in the case of Amnesty International, the Human Rights Education Associates (HREA) or the People Decade for Human Rights Education (PDHRE) only very limited resources to implement and promote Human Rights Education. They depend completely on voluntary donors, private sponsors or fundraising. Although it has to be mentioned that southern NGOs put more efforts into Human Rights Education than “Northerners” – but again, southern NGOs do depend more on sponsors and partners in the North and are less independent in their programmes and in their work.<sup>36</sup> But to inform about human rights – as explained earlier – is not itself HRE because it does not refer to the holistic approach to human rights nor does it go beyond the awareness-building level.

So far NGOs have neither a common strategic plan nor a method on how to actually implement Human Rights Education. Questions remain “where” and “how” to initiate HRE programmes. No scientific long term evaluation has been conducted to actually investigate to what extent awareness-building activities have prevented further human rights violations.<sup>37</sup> Therefore, NGOs do not know what has actually been successful in terms of HRE and where and how to successfully start to call for implementation. Most NGOs see their primary work in bringing human rights violations to people’s awareness and stopping violations; not mentioning such NGOs that focus on publishing material and publications on general human rights themes only.<sup>38</sup> Some exceptions in the field of NGOs are the Human Rights Education Associate (HREA) and the Peoples Decade for Human Rights Education (PDHRE), both of which played a very important role in complying with the UN-Decade for HRE. HREA (<http://www.hrea.org>) has a virtual library and a thorough database on HRE. However, due to a lack of resources, they have to charge high fees for their HRE internet courses which they offer only in certain languages, for example, English, Spanish and Russian. Thus, only people with internet access and sophisticated language skills in one of the “world languages” can participate in HRE courses, and they are not necessarily those who actually need HRE. Human Rights Watch (<http://www.hrw.org>), for instance, organises Human Rights Film Festivals and considers it as part of the awareness-raising element of HRE. Amnesty International (<http://www.amnesty.org>) organises public events, publishes teaching materials and offers training courses on a voluntary level. In some countries, Amnesty cooperates with

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<sup>36</sup> Id: 395.

<sup>37</sup> See: Claude (1997): 395ff.

<sup>38</sup> For current developments in the HRE NGO-Sector see also the dissertation of Lohrenscheit (2004).

governmental institutions and provides teaching materials. AI has also recently accepted money from the European Union to start a seven year Human Rights Education project in Western Africa, based in Dakar, Senegal. The PDHRE (<http://www.pdhre.org>) played a major role in calling for a UN-Decade for HRE since 1988. Additionally, in the 1990s, the PDHRE started to initiate worldwide cities for human rights, whose obligation it has been to host broad activities of HRE on all community levels in a particular city, for example in Argentina, India, Senegal or Austria.<sup>39</sup>

Due to the lack of human and financial resources, NGOs can not offer training courses to all target groups in society that need to be trained in human rights. Most of the materials and private seminars are expensive or exclusively for an educated elite and can sometimes not be attended by those who most need Human Rights Education: the underprivileged, poor and marginalised people.

NGOs are in a dilemma because they need to cooperate with governments but also want to be independent of them. Meanwhile the popularity, public presence and support of NGOs through public and governmental grants give the impression that governments leave the issue of human rights to NGOs. This type of “outsourcing” includes the trend that governments neglect their responsibility to implement human rights in daily life. This is particularly true for transformation states in which NGOs take the biggest share in supporting human rights activities and offering HRE courses. Currently it can be stated that NGOs take up the highest share to promote HRE in the formal and non-formal sector worldwide. These organizations have realised within HRE a strategic approach by which to diffuse the idea of the UDHR. The promotion of HRE will increase their credibility and legitimacy in the area of human rights.

Today, however, it is widely recognised in the scientific community that NGOs’ awareness-building and human capital development as well as their expertise “go hand in hand with” the interests of most national governments and international governmental organizations. But if NGOs accuse state actors, such as security forces, of human rights violations or if they accuse state attorneys of supporting impunity to perpetrators, then NGOs’ work will very quickly be doubted and considered as illegitimate. State actors then strategically defame NGOs by calling them undemocratic and illegitimate actors. Although most NGOs base their work on international norms and standards, their internal structures are regarded as non-democratic with the claim that they only represent the interest of a small group of people, unlike political parties that encompass a cross-section of society’s

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<sup>39</sup> For the concept of PDHRE see: Peoples Decade for Human Rights Education (2002).

interests.<sup>40</sup> This is, of course partly true; however, because NGOs and interest groups participate in public policy building, they are part of a democratic process.

At the same time, because of the increasing numbers of human rights NGOs and the quality of their work, their independence and credibility is worth doubting. NGOs depend fully on donations, funding by foundations, for example by the Ford-Foundation and the Soros-Foundation, and moreover, they are ideally supported by international governmental organizations such as the UNO, the OAS or the Council of Europe. In some cases they get funded by semi-governmental institutions, for example political party foundations or even governmental bodies like the Ministries of Education. Therefore, one of the main obstacles that NGOs have to face is the dependency on demands by their sponsors and supporters. But when NGOs tackle internal and even local human rights issues and deficits with clear reference to specific human rights violations, such as discriminations, torture and corruption, they may be interrupted in their main work and they may face limits. Hence, I argue that if NGOs get more and more intimidated by these policies, they will lose their credibility as well as legitimacy and impact.

As a consequence, some NGOs do not tackle certain human rights issues at all, nor do they invest additional resources in preventive and long term strategies. They only respond in form of a “crisis response” to unquestionable grave human rights abuses because such responses are seen as a fruitful and effective result of their work, which they can show to their donors and supporters, as do Amnesty International and Human Rights Watch. In order to do so, they have to leave the long term promotion and prevention of human rights. This is not only because of time and budget constraints, but it is also due to the fact that HRE is less visible to public eyes due to its long term commitment and preventive approach. Hence NGOs currently face the following main obstacles in their work:

1. Responding to human rights violations by shaming governments does not necessarily mean that state actors and responsible groups understand and respect human rights.
2. In most countries, human rights norms and institutions do not work because there is no common understanding of human rights, nor is there any attempt to implement human rights standards in politics, the legal system or daily life through HRE.

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<sup>40</sup> Weizsäcker (2001): 23-26.

3. NGOs collaborate mostly on a horizontal level within states and on an international level. This includes ties to state representatives on international and national levels, to opposition leaders and representatives of other NGOs. But these ties do not necessarily reflect actual needs of people or human rights issues. Therefore NGOs have to concentrate on a vertical and internal level if they want to change attitudes towards human rights and implementations of Human Rights Education. This is one goal of Human Rights Education which NGOs can focus upon.

To overcome the limits and obstacles NGOs face in their work, they have to increase their strategic efforts and focus on sustainable and long term implementation of HRE. If NGOs use international legal standards for HRE as a basis for diffusion to increase their impact and credibility, they need:

1. To cooperate with national governmental institutions in order to gain access to local decision making bodies and local target groups; although this sometimes creates a dilemma for them.
2. To continue and strengthen their focus on long term strategies and public and mass HRE (publicly funded schools, universities, security forces and police academies, journalism academies etc).
3. To encourage opinion makers, educators and political actors to ask for the implementation of mass HRE. NGOs have to lobby stronger decision-makers to implement these HRE methods in teaching curricula.
4. To collaborate with regional international governmental organizations (Council of Europe, Organization of American States, Organization for Security and Cooperation in Europe, African Union etc.) and with the UNO in advocating and promoting good HRE practices and in monitoring human rights improvements.
5. To build HRE networks, such as the European Association for Education of Adults, the Asian Human Rights Commission, the HREA, and the PDHRE, on international and regional levels with focus on the promotion of HRE.<sup>41</sup>

### *Human Rights Education in Europe*

Europe is the region with most international organizations and human rights NGOs and has therefore established an extensive human rights regime over the years. The peace, human rights and anti-globalization movement started in Europe and it is grounded in a strong civil society. Governmental human rights institutions are generally strong and even in

transition countries in Eastern Europe, their impact and progress is widely recognised. HRE, however, has only started to become part of the policy strategy in this regime since the mid 1990s.

The *Council of Europe* is one of the key actors in promoting HRE in Europe. It consists of 45 member states in Eastern and Western Europe and has established one of the most sophisticated and successful human rights regimes in the world since 1950. This regime has helped to create dozens of human rights treaty bodies. It also helps to create human rights monitoring bodies, for instance, the anti-racism commission (Commission against Racism and Intolerance, ECRI) and the European Court for Human Rights (ECHR) in Strasbourg, France. Although all monitoring bodies, committees and commissions dealing with human rights issues within the Council of Europe underline the importance of HRE, they can only *ask* governments to implement HRE in the educational curricula but not enforce it, for example with economic sanctions or penalties. Since the mid-1990s, mechanisms have been established to promote HRE as part of the overall human rights work of the Council of Europe. The “European Youth Centre” in Budapest, Hungary, is one of the main branches of the Council of Europe to promote HRE. Although called “Youth Centre”, the staff conducts numerous seminars and HRE activities in the field of adult as well as youth education and therefore is also a part of the non-formal education sector. But the Centre can only *foster* HRE, publish material and offer one to two week seminars for a limited number of trainers and target groups. Therefore, the Council of Europe also depends on cooperation with other organisations. It works together with the OSCE, the UNO and the European Union as well as external experts in HRE, mostly from NGOs like Amnesty International and HREA. In the 1990s, they started various programmes and published training manuals, such as the manual “Teacher Education and Human Rights”, and since 1997, they have started an extensive programme on “Education for Democratic Citizenship” (EDC), which is an exclusive programme because it only refers to citizens of the member states of the Council of Europe and not to all people living in a particular country.<sup>42</sup> The 400 page “Compass” is the latest and most ambitious project in the field of HRE. It is a guideline and manual to HRE. Translated into various languages, it is one of the most widely distributed and successful manuals in Europe published since 2002.<sup>43</sup> However, all these materials and programmes depend on

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<sup>41</sup> See references to: Claude (1997): 395-415; Mihr (2003); Schnabel/ Horowitz (2002).

<sup>42</sup> For a complete list of all HRE-materials see <http://www.coe.int> and the article by Claudia Mahler, in: Mahler/ Mihr (2004): 105-116.

<sup>43</sup> Council of Europe (2003).

voluntary contributions and participation of teachers and trainers either in schools or NGOs.

Since the foundation of the *Organization for Security and Cooperation in Europe (OSCE)* in 1994 – the successor organization of the former Conference for Security and Cooperation in Europe starting in 1975 – the OSCE started to become active in the field of democratic and Human Rights Education. Although the OSCE is not a legally binding organization and can therefore not enact its own international human rights treaties, it fosters the UDHR and other international human rights treaties throughout its 55 member states in North-America, Europe and Central Asia. There was a great demand for democratic and Human Rights Education in the transitioning states in Eastern Europe after 1990. The Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw has conducted several education programmes during the years, mainly in the field of the training of trainers. They call it “Human Dimensions Mechanism”, a preventive mechanism for peace and human rights. The office usually works together with other international organizations like the Council of Europe, the UNO and various local and international NGOs. The office publishes manuals, offers training courses and sends experts into villages and cities to train teachers and local leaders in human rights.<sup>44</sup> Towards the end of the UN-Decade for HRE, they organised a supplementary human dimension meeting on “Human Rights Education and Training” in March 2004 in Vienna, once more calling member states and delegates to implement HRE in the formal, informal and non-formal education system.<sup>45</sup> However, the ODIHR / OSCE is depending on the good will and support of its member states. They can not enforce their member states to participate in their programmes or implement HRE-programmes. Hence, their influence in promoting HRE is very limited.

In the 1990s, the *European Union (EU)* also became part of the overall human rights regime in Europe. With the Eastern enlargement and the Criteria of Copenhagen from 1993 – which included human rights as political condition for accession – quite suddenly the issue of human rights became a crucial element on the stage of European integration. On the other hand, the EU-Treaty of Amsterdam 1992, which underlined the political union of the EU, showed that the focus on human rights was not purely internal to the EU member states but also an integral part of the EU’s foreign policy. Hence, human

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<sup>44</sup> For a better overview of what ODIHR is doing in the field of HRE see: <http://www.osce.org> and the article of: Toivanen (2004): 93-103.

<sup>45</sup> Final Report ODIHR GAL/33/04 from May 2004 under OSCE/ ODIHR: <http://www.osce.org/odihhr/>

rights became an important issue in the political statements as well as internal and external politics. The EU-Commission developed its own human rights policy in 1998, calling it “European Initiative for Democracy and Human Rights” (EIDHR), which also aims to promote and support human rights and democracy in third countries. The EU’s human rights policy can be found in the annual human rights reports published by the Council of the European Union since 1998.<sup>46</sup> Particularly since 2001 with the new challenges in the field of human rights, the EU has developed from the deepening of the EU to the protection of the EU from outside threats. However, the European Union is not active in the field of HRE itself; nor does it call for HRE programmes as a particular strategy or policy issue. As do many other international organizations, it also cooperates with other organizations, such as the OSCE, the Council of Europe and the NGOs.<sup>47</sup> Although, it does not have its own HRE policy, the EU-Commission has largely supported the UN-Decade for HRE politically and has given grants to different HRE projects and publications, mainly conducted by NGOs such as tandem-projects between Eastern and Western European NGOs. Some of the western NGOs, like Amnesty International and the European Association for Education of Adults (EAEA), had been working on a Project of Democracy and Human Rights Education in Adult Learning (DARE), established in 2002.<sup>48</sup> They had also been working together with smaller NGOs in new accession states both in Eastern Europe and outside the EU in Southeast Europe and as far as Africa. These programmes offered training courses and publishing HRE training material which, however, always have a strong focus on democratic issues. The EU-Commission has also given grants to students of the EU-Master Programme in Human Rights at the European Inter-University in Venice since 1997. Aside from these programmes, a number of university and school programmes have been financially supported by the EU. To receive grants, they usually have to cooperate with educational institutions and NGOs in one or more EU-countries or EU-candidate countries; for example, the “The Human Rights Project”, which developed teaching curricula for teaching human rights in vocational schools in Germany, Italy, Great Britain and Spain starting in 2002 and finishing in 2004.<sup>49</sup> The project is a compound of human rights NGOs and different vocational schools throughout different European countries.

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<sup>46</sup> Annual Reports since 1998/99 edited by Council of Europe, General Secretariat: European Union Annual Report on Human Rights, Brussels.

<sup>47</sup> For more information see: <http://europa.eu.int> and the article of: Benedek (2004): 118-132.

<sup>48</sup> For more information see EAEA/ DARE-project: <http://www.eaea.org/index.php?k=3047>

<sup>49</sup> The Human Rights Project: <http://www.humanrights.net.ms/>

Although single efforts for HRE in Europe are remarkable and human rights norms have widely been incorporated into constitutions and national laws in European states, the method of teaching human rights has not progressed relatively. So far most HRE policies have been project orientated only and not, as demanded by the UN, led to an overall implementation of human rights in the formal education system. In the formal school curricula in Europe, human rights are not mentioned explicitly. “Peace Education”, “Education for Democracy”, “Civic Education”, “Law and Constitution” and “Anti-Racism” are still some of the major subjects taught during history and social sciences classes. We also find these subjects at the university level. The area of human rights is not offered as a crosscutting subject over a long period of time with the aim to create a culture of human rights. The goal of HRE is not fostered by state institutions in the overall curricula because:

1. Topics related to human rights are partly implemented in the curricula, such as anti-racism, war and peace and constitutional issues, but they are not named as such and are not taught as a holistic concept; therefore, these subjects can not be claimed as human rights courses;
2. The increasing lack of resources to draft and publish new textbooks that deal explicitly with human rights issues;
3. HRE is widely left to private educational institutions and initiatives, such as foundations, EU-sponsored programmes and NGOs. Because of this “outsourcing” and short term project orientated activities, political actors see no need to implement it in the educational school curricula. This is particularly true for Western European countries.

The lack of knowledge about human rights and how to act in accordance with them leads to the assumption that the mere fact that “constitutional”, “democratic” and “anti-racism” issues are not sufficient to create a culture of human rights. Surveys have shown that the normative understanding of human rights, such as that of the UDHR, is very limited among citizens in European countries and the awareness even lower. To exemplify this, I will give two brief examples of Armenia and Germany, both members of the UNO, the OSCE and the Council of Europe.

#### *The case of Armenia*

Armenia is a country of three million inhabitants at the borders of South-East Europe and a former member state of the Soviet Union. The country has enjoyed governmental

independence since 1991. The Armenian government has ratified all six human rights treaties of the UNO as well as numerous documents of the Council of Europe, of which it has been a member since 2001.

A recent survey regarding the human rights situation and awareness in the country has shown that the majority of Armenians, 79%, have faced violations of their rights and freedoms either frequently or from time to time. Contrastingly, only 17% openly protest or struggle to fight to claim their rights. The trust in public institutions, the courts and legal system is very low; there is also distrust with respect to human rights NGOs, trusted by only 8% of Armenians to solve any of the human rights problems.<sup>50</sup> Under the category of human rights, Armenians generally understand “social and economic rights”. Poverty issues and social injustice are dominant in Armenian society. However, the vast majority of the people have little or no confidence in state institutions, elections or the judiciary system.

Because the Armenian governments is pressured by the Council of Europe and the UNO, it has implemented international human rights norms in its constitutions and laws, and the Armenian Ministry of Education launched a new school curricula for 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> grades (compulsory school education includes 8<sup>th</sup> grade) in 2000. Together with a US based NGO called “Junior Achievement” and with the financial support of the World Bank, the Armenian Ministry of Education was able to publish thousands of new school books. They include “Human Rights Education” in 8<sup>th</sup> grade, “Civic Education” in 9<sup>th</sup> grade, and “Law and Constitution” in 10<sup>th</sup> grade education. The textbooks are updated to include the latest human rights standards. Pupils have one hour of HRE classes per week, according to their curricula. These efforts in HRE were conducted thanks to a window of opportunity namely the “adaptation to European standards” and the “reform of the schooling system” in the 1990s. The Armenian government was highly motivated to comply with international human rights standards as part meeting the criteria to become member of the Council of Europe – at least on the paper – and did remarkably well in implementing HRE in schoolbooks. For many political and historical reasons, the Armenian government implemented HRE in this way. First evaluations have shown that teachers work well with the books and that many students’ initiatives have been founded since HRE has started. These initiatives ask mainly for increased political participation of citizens and non-citizens and a stronger leadership.<sup>51</sup> The results show that HRE can lead

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<sup>50</sup> Armenian Sociological Institute (2003): 14, 22-24.

<sup>51</sup> UNO (2000a).

to an improvement of human rights awareness and activities and might include reforming the corrupt governmental institutions and legal system in the future. Although this might not be what some of Armenia's political leaders may have intended.

### *The case of Germany*

Germany is a country of 80 million people. It was one of the first members of the Council of Europe in 1950, and its government has undertaken a number of activities to “re-educate” its people and implement human rights standards after the defeat of the Nazi-Regime in 1945. During the last decades, Germany has been one of the key actors in the international human rights regime to promote human rights standards and institutions like the UN-International Criminal Court (ICC). Today, Germany is one of the most stable democracies in Europe. The German government has also undertaken remarkable efforts in the reconciliation process with the “former enemies of state” to overcome its cruel past and human rights atrocities during the two dictatorships in the 20<sup>th</sup> century, both the Nazi-Regime from 1933-1945 and the Communist-Regime in East Germany from 1949-1989.

However, surveys about human rights awareness in Germany in recent years have shown that knowledge, awareness and activities in respect to human rights among Germans are very low. A survey from 2002 has shown that the average citizen can only name three out of the 30 articles of the UDHR by its meaning (for UDHR see appendix). In West Germany, people are more aware of civil and political rights and in East Germany more of social and economic rights. However, this lack of knowledge about human rights norms was underlined by a second survey undertaken in 2003. Only 4% of all Germans were able to mention the UDHR or the UN-Charta as one of the core documents for human rights. This means that 96% of all Germans do not even know that these documents exist, let alone that the UN-human rights treaties or the European Convention for Human Rights exist.<sup>52</sup> What seems also remarkable is the fact that the knowledge about human rights standards is almost independent from the level of education someone has received. People with higher education, for example with a college or university degree, have roughly 5% more knowledge of human rights. On average, only 20-30% of Germans participate in human rights activities, such as donating money and signing petitions, and only an average of 10% participate in demonstrations.<sup>53</sup> This very low yield of human rights knowledge and activities is the consequence of lacking HRE as such in the overall school curricula in

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<sup>52</sup> Brähler / Sommer (2002).

Germany. The level of human rights awareness is independent from higher or lower education because all HRE initiatives are undertaken by the private and informal educational sector, such as NGOs, foundations or the media. NGOs offer their courses to people of all social and educational backgrounds and media coverage has a wide distribution. Hence, this leads to the result that people of higher education have no more or less knowledge than people of lower education. Furthermore, since NGOs and political foundations are the main actors in the field of HRE, they can only reach a limited amount of people to educate. As a consequence, only 4% of Germans know about the UDHR at all.

The German government and Germany's educational institutions claim that education for tolerance and in particular the "education after Auschwitz", that is, to teach history of genocide and human rights violations of the German past, is enough HRE.<sup>54</sup> The long term impact of this, however, is doubtful for a holistic understanding of human rights which should teach history always with strong reference to the present in order to avoid any atrocities in the future (see Chapter 1 and 2). There is no international pressure so far to have HRE implemented in school curricula. Governmental institutions respond little or not at all to the UN-Decade. They have not passed any Plan of Action for HRE and only in the last year or two has the issue been taken up by a number of private initiatives. A good example is that the German parliament has established the German Institute for Human Rights in Berlin in 2001, which also offers HRE courses as one of its core working areas. However, neither the Institute nor the private project orientated initiatives of NGOs, school teachers or university professors can cover the vast need for implementing HRE in the overall curricula for 80 million people.

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<sup>53</sup> Brähler / Sommer / Stellmacher (2003): 10.

<sup>54</sup> See also: Weinbrenner / Fritzsche (1998).

## Towards a culture of Human Rights

Following the arguments of the chapters prior to this, a human rights culture is established if the majority of people in a country or region identify themselves with the universal norms and rules of the UDHR. A human rights culture is different from other cultures because it is based on active participation and engagement in respect to human rights. At the same time, this society will have to establish national institutions and legal frameworks in which people's rights are protected and can be readily claimed. This culture is closely linked to a broad knowledge of human rights, a consciousness and awareness about human rights and the responsibility of each individual towards human rights. A culture of human rights is based on the universal values, such as the Golden Rule and self-reflecting education systems, discourse and dialogue.<sup>55</sup>

Culture is understood as a set of personal internalised values and meanings, which are brought up by peoples and societies to institutionalise a certain way of life. This culture is manifested in a set of values and norms which help to build up institutions and transform a society to behave according to it. In the context of human rights and HRE, this means that the universal human rights norms as stated in the UDHR are the foundation of international and national legally and politically binding institutions. To have a "living" culture of human rights, these institutions have to be respected and promoted. Such institutions are, for instance, constitutions, independent courts, political participation and an electoral or education system that implements human rights issues, cross cutting all school and shadow curricula. One can speak of a culture of human rights if the goals of HRE are achieved (see Chapter 1 and 2).

But the question again is what comes first, the hen or the egg – this is to say: HRE or the institutions? To explain this, I want to outline two models:

1. *HRE comes first*: In most western countries, HRE is not part of the educational system, neither in the formal, nor the non-formal or informal sectors (see the example of Germany). Here HRE is promoted and conducted through NGOs,

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<sup>55</sup> See first chapter, the Golden Rule is more than just mere philosophical preaching. If filled with life it matches well with teaching methods by Freire or Kohlberg who both aim to change peoples' behaviour towards ethical and moral behaviour. Not because they ought to but because they believe this is the best way to deal with day to day life, its challenges and environment. This ethical behaviour is based on rational reflection of the outside world and transmitted through a communicative action via dialogue and speech or various kinds. If HRE is understood correctly then it can be part of creating such a culture of human rights.

international organizations or the private education sector. But private and international organizations can only do limited – project orientated - work in that area, for example, organise seminars and publish material etc. They can do, however, intensive lobbying to ask governments to implement HRE in the educational system and hence reach society as a whole. This means that NGOs and international organizations have to develop long and short term strategies to review, evaluate and monitor the implementation of HRE. If they are successful, HRE becomes an overall part of social transformation. Then a culture of human rights can be developed and political and social institutions related to human rights are built. In this case HRE initiated by the private sector comes first, and then institutions are created to protect and promote human rights further along.

2. *Institutions come first:* Governments that have drafted a National Action Plan for HRE (during the UN-Decade for HRE) and are slowly transforming to implement HRE in all educational sectors, such as Argentina, the Philippines, Togo or Finland, create institutions first. NGOs and international organizations have less impact in these countries, and there might not even be a need for increasing activities of NGOs in this field. In this model, governments are the main important actors contributing to the transformation of society.

In both cases, however, NGO activities and institutional activities can not be separated clearly. This is due to the fact that in some countries HRE is completely “outsourced” to NGOs and private initiatives and in other countries HRE is mainly implemented through state institutions.

One thing that went wrong in the past decades was that HRE has been seen in a wider sense of an awareness-building process only, basically dominated by human rights NGOs, which very often focus only on a selection of human rights and not the full spectrum of the UDHR. Today, public media, academic institutions and even governmental bodies are sensitive to human rights issues. Pictures of human rights violations are broadcasted almost instantaneously as they occur. This has led to a general awareness and common understanding of justice and injustice in respect to human rights throughout the world. The goal of HRE in this context should be understood as the following: to use public awareness and transform it into respect for others and non-discriminatory behaviour in general. People have to know about the available opportunities and tools to fight for human rights. Hence the overall aim should be that national decision-making bodies take the responsibility of implementing Human Rights Education in the form of creating a

politically and legally binding framework for the formal and non-formal educational sectors, which can lead to the prevention of human rights abuses in the future. This might be an idealistic approach, but it is serious enough in the context of effective measures to fully respect human rights.

Studies in the USA and Europe have shown that Human Rights Education is mostly done by private NGOs, such as HREA, Amnesty International, Churches, Women and Children NGOs and others. There is no systematic implementation of human rights in the formal and non-formal sectors on a national level in most countries. Nor are there many efforts to establish a culture of human rights in society by promoting the implementation of HRE in the private business sector. However, Norway has produced a number of efforts. The Norwegian state owned oil-company *Statoil* has offered a HRE course to its staff since 2002. The course was created in cooperation with Amnesty International in Norway. Likewise many HRE courses and seminars are offered by NGOs in private, sometimes costly seminars and weekend courses, depending on the interest of teachers and trainers. Very seldom are these courses offered to the target groups in society that need them most: foreigners, minorities, children, women and disabled people, not to mention one of the most relevant target groups in that field, the security forces and lawyers.<sup>56</sup> Neither in the US and Great Britain nor in Germany – countries with a strong human rights NGO community – is HRE part of National Action Plans to implement and to establish HRE institutions, such as networks, clearing bodies and human rights institutions, as demanded by the UN-Decade for HRE as of 1995. Although NGOs do produce by far the biggest share of all Human Rights Education programmes offered anywhere in the world, because of their limited resources, they do not reach a wide and public level. Surveys in European countries – as shown in Germany - have shown that the knowledge of human rights standards is very low and that there is a need for HRE – let alone the increasing figures of human rights abuses in these countries.<sup>57</sup>

Thus, to establish a culture of human rights, all state and non-state institutions have to work hand in hand. It is up to the experts, the scientific community, the international organizations and the NGOs to convince governmental institutions to implement HRE.

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<sup>56</sup> See: Mara (1997): 194-208; Stone (2002): 537-557.

<sup>57</sup> Amnestía Internacional (2003); Mihr, (2003).

## Evaluating Human Rights Education

We have seen that major challenges to the human rights regime coupled with the lack of a culture of human rights demand greater efforts to implement HRE in the education sector. In order to do this, there needs to be a systematic analysis and evaluation process before and after each HRE programme. Thus, there is a general demand to evaluate the impact of human rights standards, regimes and programmes in times of decreasing respect of human rights norms, standards and institutions. This is particularly interesting towards the end of the UN-Decade for HRE in 2004 and as we near the upcoming UN-supported World Programme for HRE in 2005. First reviews have shown that HRE has not achieved its goals as the sponsors and initiators, such as the UNO, the Council of Europe and NGOs had anticipated in the early 1990s. Therefore, an increasing number of actors and groups involved in the HRE field ask for monitoring procedures and evaluation by international organizations and the scientific community. Part of this process is to monitor governments to make sure they comply with their international duties to implement HRE and to evaluate the impact of the existing HRE programmes. Hence, evaluating research is currently a key method in the international organisations, NGO and science community to analyze and value Human Rights Education programmes.

Evaluation research on HRE puts its emphasis on the back end. This is the analysis of policy process and its impact after a programme has finished. Final evaluation is summative, which means it ascertains whether the intended goals have been reached. This type of evaluation includes an assessment of the entire project or programme from the beginning until the end. It also assesses why something happens.<sup>58</sup> Methodologically, the evaluator can use case studies (variety of data sources), ethnography (study of a culture through observation) or survey and questionnaires (i.e. random sample of participants).<sup>59</sup> Hence to evaluate HRE programmes we have to focus on a mixed set of data conducted through case studies, observation and interviews of political and civil actors, institutions, materials, textbooks and media reports. This evaluation process is basically concerned with implementation, performance and effects of HRE.<sup>60</sup> It is important to take into

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<sup>58</sup> Caspari (2004); <http://www.humanrightsresearch.de>

<sup>59</sup> Caracelli (2003).

<sup>60</sup> Vedung (2003): 111ff.

consideration all actors and groups that are involved in an HRE programme; for example sponsors, teachers, students and their families and friends.<sup>61</sup>

*First step* to evaluate HRE is to collect data. Evaluators may use documentary, interrogatory, tests and observations methods. They can collect data through:

- *Textbooks* on human rights;
- *Statistics* i.e. about school and university degrees or the awareness level of the average population about human rights;
- *Interviews* and questionnaires to ask all relevant target and focus groups, such as lawyers, students, politicians and children;
- *Field trips* and participation in HRE courses organised by the formal, non-formal and informal education sector;
- *Testing* participants if their knowledge and attitudes of human rights have increased and changed: essays, test, research papers and oral history projects;
- *Observation* of the development of participants' skills, including general skills i.e., in role playing and simulations regarding conflict management; critical thinking and the ability to analyze cause-effect relationships; ability to debate, dialogue, negotiate; participation, mobilization, motivation and networking. Additionally it is to observe if specific human rights skills have developed such as advocacy, lobbying, educating and training others in HRE and detecting and addressing discrimination.<sup>62</sup>

*Second step* is to understand the output of the collected data. This is to analyze what the impact of the evaluation assesses:

- Does the effect of a HRE programme differ from the effect that would have been produced in the absence of such a programme?
- Is there any link between the HRE programmes and the participants' behaviour and knowledge in respect to human rights?
- Has the respect for human rights improved after HRE programmes have taken place?

*Third step* is to use the data and pass judgment on the merit, worth and value of HRE programmes, their implementation, results and effects. Hence, the evaluator has to identify certain criteria and ask questions how to evaluate the data:

- What do the sponsors and initiators of HRE programmes want to know?

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<sup>61</sup> Martín (2003): 55ff.

<sup>62</sup> Martín / Kissane (2004): 55-68.

- Have the goals of HRE (i.e. the concept of HRE in Chapter 1) been achieved?
- Have the participants, both students and teachers, met their own expectations?
- Did the HRE programmes match with professional concepts of HRE?
- Were the participants able to develop specific human rights skills?

*Finally* evaluation of HRE programmes is important to control and legitimise programme managers, decision makers, the money and resources that have been put into the development, implementation and teaching of HRE programmes. If evaluation is successful, it should lead to either confirmation that the programme has fulfilled all expectations or, in case of a deficit that the programmes, their teaching methods and the implementation need to be improved in order to have a greater and more sustainable impact.

Measuring teaching programmes or methods and evaluating them also affect the relationship between teachers and learners. The evaluator should be able to outline from the data the following information: what is most or less stimulating in a HRE programme; whether or not it is well organised; whether it provides clear and understandable explanations and opportunities for students to consult tutors so the goals of the programme can be achieved. Questionnaires will most likely help to find the answers to these questions. In any case, the students and learners views used for diagnostic purposes such as feedback are essential. The evaluation has to show the teacher and sponsors if through the HRE programme any added value in terms of human rights is achieved and, hence, whether HRE has been successful.<sup>63</sup> Thus, we can say that the evaluation of HRE programmes serves two purposes:

1. to improve teaching methods;
2. to advise decision-making bodies like governments to foster and decide on the implementation of HRE in the education system.

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<sup>63</sup> Hyland (1996): 128ff.

## Conclusion

For a sustainable stable society based on a culture for human rights, HRE requires a long term commitment by the ruling powers and governmental institutions, bearing in mind however that it can take one or two generations until human rights are fully understood and respected. The important point is that it is neither the responsibility of international organizations nor that of the civic community to be the main actors to foster and implement HRE.

The international scientific community and the human rights movement have realised only after the Cold War in 1989/90 the importance and sustainable impact of HRE. At the same time, new challenges and threats to the human rights regime rose. Hence today, one of the challenges to the international human rights movement is the establishment of a culture of human rights. One can argue that the long term impact of HRE will lead to a culture of human rights within a determined society independent of its current cultural, ethnical or religious background. It will lead to integration of people and marginalised groups. The major effect of HRE will be to overcome social injustice and inequality. Although this might sound very idealistic and somehow unrealistic, it is the overall goal to achieve by teaching human rights.

However, HRE is only successful if the needs of the people are taken seriously and HRE programmes reflect those needs and particulars which can be outlined and validated through HRE evaluation. These needs usually reflect deficits – weaknesses in state policies and governmental failures. Nonetheless, it is meant to carefully monitor the ways in which activities conducted by governmental bodies implement HRE in the educational system, if at all, and to identify the focus of these training courses. For instance, it makes quite a difference if HRE is considered as peace building education or as education for tolerance but does not refer to the holistic concept of human rights and the UDHR. If HRE programmes take this into consideration, they could have a long term impact. Teaching human rights would lead to the consequence that people actually change their minds, improve their skills and change their behaviour according to human rights standards – sometimes, however, *alongside* governmental interests. This sounds like a threat to governments, especially to those who use the education system to manipulate people within their countries and those who represent authoritarian regimes. HRE could lead to results contradictory to governmental interest. On the other hand, it can also be argued that

some of the authoritarian powers implement vague forms of HRE only because of international pressure or because they are purely ignorant to the impact and results it can have. We can also note that though the implementation of HRE in the curricula of school and adult education is the overall responsibility of states. However, NGOs still supply the greatest share of HRE all over the world and hence HRE programmes are mostly short term project orientated and not part of the education curricula. Although, through the promotion of HRE, NGOs increase their credibility and impact in the field of human rights, but nevertheless NGOs need to have a strategic approach to Human Rights Education. On the one hand, Human Rights Education has to be a strategic part of NGOs' daily work. A strategic approach would be to provide training materials and cooperate with national and international governmental institutions as well as with other NGOs. On the other hand, NGOs have to do intensive lobbying work to governments and international organizations like the UNO, OSCE, the Council of Europe or the European Union, because it is only the national governments that can guarantee the implementation of HRE. Non-state human rights activists, however, should go only so far as to raise public awareness, serve as experts, to put pressure on decision-makers to implement human rights standards and HRE and to monitor human rights policy. This is an important step for the future survival of NGOs to be accepted as legitimate social actors both by governments and by the public.<sup>64</sup> Otherwise, the traditional tools of human rights NGOs become less effective and have a limited impact.

Only the cooperation of all civil and political actors in respect of their resources, power and possibilities in the human rights arena can implement HRE in the society as a whole.

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<sup>64</sup> Mendelson / Glenn (2002): 19.

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## Appendix

## Abbreviations

AI	Amnesty International
AU	African Union
CoE	Council of Europe
EAEA	European Association for Education of Adults
ECHR	European Court for Human Rights
EU	European Union
HR	Human Rights
HRE	Human Rights Education
HREA	Human Rights Education Associates
ICC	International Criminal Court
ICJ	International Court for Justice
NGO	Non-Governmental Organization
OAS	Organization of American States
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Cooperation in Europe
PDHRE	Peoples Decade for Human Rights Education
UDHR	Universal Declaration for Human Rights
UNESCO	United Nations Education Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNO	United Nations Organization

## **Universal Declaration for Human Rights**

*Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948*

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all Member countries to publicise the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

### **PREAMBLE**

Whereas 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,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore 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.

*Article 1.*

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

*Article 2.*

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

*Article 3.*

Everyone has the right to life, liberty and security of person.

*Article 4.*

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

*Article 5.*

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

*Article 6.*

Everyone has the right to recognition everywhere as a person before the law

*Article 7.*

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

*Article 8.*

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

*Article 9.*

No one shall be subjected to arbitrary arrest, detention or exile.

*Article 10.*

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

*Article 11.*

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

*Article 12.*

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

*Article 13.*

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

*Article 14.*

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations

*Article 15.*

(1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

*Article 16.*

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

*Article 17.*

(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

*Article 18.*

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

*Article 19.*

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

*Article 20.*

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

*Article 21.*

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

*Article 22.*

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

*Article 23.*

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

*Article 24.*

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

*Article 25.*

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

*Article 26.*

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) 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.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

*Article 27.*

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

*Article 28.*

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised.

*Article 29.*

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

*Article 30.*

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



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