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Methodology, Education and Training Section
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To whom it may concern

PHASE 3 OF THE WORLD PROGRAMME FOR HUMAN RIGHTS EDUCATION

Introduction

Thank you for the opportunity to provide suggestions about the possible focus for Phase 3 of the World Programme for Human Rights Education (WPHRE). In particular, this request asked for views about:

- the target sector (e.g. specific duty bearers or groups of rights holders, the general public etc) and
- the focus area or thematic HR issues (e.g. a specific right, a group of rights, or a global issue of particular importance)

Background – Phases 1 and 2

Phase 1 of the WPHRE focused on the compulsory education sector. Phase 2 extended that to higher education and government agencies including law enforcement and military personnel.

In May 2012 the New Zealand Human Rights Commission (NZHRC) provided input into the progress report on implementation of the WPHRE that was undertaken by the Office of the United Nations High Commissioner for Human Rights (OHCHR). The Commission noted the disappointing progress generally in Phase 1 including the conclusion in the UN evaluation that a systematic approach is rarely in place. Similarly in New Zealand, while human rights are an obligatory part of the National Curriculum covering compulsory education, there appears to be no nationwide, systematic strategy around human rights education.

The NZHRC raised concerns that these gaps could be exacerbated in Phase 2 which requires coordination across a wider range of agencies. It then tried to identify potential opportunities in the current New Zealand policy environment, particularly its focus on cross-agency collaboration. The Commission recommended that the OHCHR urge treaty bodies and UPR troika to use every opportunity to remind States parties of their obligations to provide human rights education.

Possible focus for Stage 3

Given New Zealand's very limited implementation of Phases 1 and 2 of the WPHRE, the Commission would not like to give the impression that sufficient progress has been in the sectors targeted to date. At the same time, simply maintaining the status quo is unlikely to be sufficient either.

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The Commission has reflected again on potential opportunities here, particularly New Zealand's second Universal Periodic Review in January 2014. The UPR recommendations will form the basis for a second National Plan of Action (NPA) for the promotion and protection of human rights in New Zealand. Establishing effective dialogue between the Commission, duty-bearers and rights-holders will be essential to realise the potential of both the UPR and NPA processes.

This has informed the Commission's suggestion below, about the target sector/s that could be focused on in Phase 3 of the WPHRE, namely:

- *target sector/s* – opportunities for dialogue between civil society and the duty-bearers identified in Phases 1 and 2 in order to embed and extend progress made to date – including through funding of civil society / state partnerships to realise the WPHRE

In terms of focus areas or thematic human rights issues, the NZHRC is mindful that some of the most pressing challenges in New Zealand, including persistent inequalities, are around economic, social and cultural rights such as health and education. Yet duty-bearers often narrow their assessment of human rights issues to the civil and political rights and anti-discrimination provisions contained in the New Zealand Bill of Rights Act (BORA) 1990 and the Human Rights Act (HRA) 1993. A focus on economic, social and cultural rights generally might help to expand duty-bearers' understanding about the responsibility to progressively realise these rights.

Alternatively, the WPHRE could focus on specific vulnerable groups in ways that support emerging international human rights standards and debates. Examples could include:

- disabled people in light of the Convention on the Rights of Persons with Disabilities
- indigenous peoples given the UN Declaration on the Rights of Indigenous Peoples and/or
- sexual orientation, gender identity and intersex human rights issues given the Yogyakarta Principles and recent work within the United Nations in this area.

WPHRE in schools could also focus on violence, abuse and bullying in schools to educate teachers and students in the human rights approach.

Building capability in the practice of human rights education

The NZHRC would like to suggest that, in its deliberations about focus areas and thematic human rights issues, the OHCHR considers how best it can build greater capability around the way human rights education is carried out. The Commission offers the following input to such discussions.

The purpose of human rights education is to achieve individual and societal transformation through developing human rights knowledge, skills, attitudes, behaviours and informed action. To ensure that human rights education is achieving this outcome, it is essential that the processes and practices used to deliver human rights education are geared toward building human rights capability amongst rights holders, duty bearers and influencers.

Effective human rights education involves using methodologies that encourage participant involvement and decision-making in, and ownership of, the education process. The human rights approach, method and set of tools that is used at any one time should vary as appropriate to the context. The human rights education intervention for those responsible for perpetuating human rights inequalities, for example, will be different than that used for those experiencing these inequalities. Likewise a human rights education

activity developed for, and with, an indigenous group will be different from that developed for a group of judges.

To this end research and development could be committed to:

- comprehensively articulating the full range of human rights education approaches and methodologies and developing practice around these.
- identifying internationally agreed human rights educator 'competency' sets
- strengthening the capability of human rights educators, perhaps even through developing high level human rights education qualifications.

To note: The New Zealand Human Rights Commission is currently working with the Asia Pacific Forum of NHRIs to write a human rights education and training manual with the aim of supporting national human rights institutions in the region to strengthen human rights education and training capability.

The specific role of NHRIs

Human rights education is a central mandate of national human rights institutions. The 1993 Paris Principles outline the set of key responsibilities relating to the status and functioning of national human rights institutions. Compliance with the Paris Principles is the central accreditation requirement for NHRIs. According to the Principles, a function of NHRIs is to raise awareness and provide human rights education for all parts of the community. The 'United Nations Declaration on Human Rights Education and Training' also identifies the pivotal role of NHRIs in advancing human rights education outcomes.

NHRIs therefore should have a planned, strategic and resourced HRE programme; skilled human rights educators; and effective human rights resources. As you are probably aware, the Asia Pacific Forum is producing a human rights education and training Manual to strengthen the HRE activity of NHRIs in this region. The NZHRC has been contracted to write the content of the Manual, which should be available by August 2013.

Thank you again for the opportunity to make a contribution to discussions around the third phase of the World programme. If you have any questions about this response, in the first instance please contact the Commission's Senior Policy Analyst.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Rutherford'.

David Rutherford
Chief Commissioner