

## Human Rights Education

The Universal Declaration of Human Rights (UDHR)<sup>1</sup> provides in its art. 26 that everyone has the right to education, that it shall be free, at least in the elementary and fundamental stages, while also stipulating that elementary education has to be compulsory. At the same time, the Declaration stipulates that technical and professional education should be generally available, while higher education should be equally accessible to all on the basis of merit. The same article provides that education should ensure the full development of the human personality and strengthen respect for human rights and fundamental freedoms; that it should 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.

The Constitution of Romania of 1991, amended and supplemented in 2003, provides in its art. 32<sup>2</sup> that the right to education is provided by the compulsory general education, by education in high schools and vocational schools, by higher education, as well as other forms of instruction and postgraduate improvement. It is also stipulated that state education shall be free, according to the law, while the State shall grant social scholarships in cases expressly provided by the law. The Constitution also provides that education at all levels can take place not only in state, but also in private, or confessional institutions, according to the law, while the right of persons belonging to national minorities to learn their mother tongue, and their right to be educated in this language are guaranteed. The same article provides that the State shall ensure the freedom of religious education, in accordance with the specific requirements of each religious cult and that in public schools, religious education is organized and guaranteed by law. The new social realities made the Romanian law maker adopt a new regulation in the field of education in 2011. We refer here to Law No. 1/2011<sup>3</sup> on the structure and functioning of the national educational system. The law is meant for pupils and students but also for teachers attempting to adapt the

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<sup>1</sup> See "Principalele instrumente internaționale privind drepturile omului la care România este parte", Vol. I "Instrumente universale", 9<sup>th</sup> edition, revised, Bucharest, 2007, p. 5 *et seq.*

<sup>2</sup> The text of art. 32 in the Constitution of 1991 was not amended in 2003.

<sup>3</sup> Law No. 1/2011 was published in the Official Gazette of Romania, I, Issue No. 18 of 10 January 2011.

school environment to their individual needs.<sup>4</sup> This law introduced a large number of amendments to the educational system. The Education Act is considered a necessary solution for the exercise of the fundamental right to education as it introduces the school-family-community partnership, while ensuring compatibility of the Romanian legislation with that of the European Union in the field, particularly in relation to acknowledgement of the diplomas and professional qualifications for the professions legislated in our country.

A significant role is played by Law No. 9/2011, which amends Law No. 200/2004 on acknowledging diplomas and professional qualifications for the professions legislated in our country regarding application of the principle of equality of treatment for the citizens of the Swiss Confederation and those in the European Union Member States, positively influencing professional mobility between Romania and Switzerland.

Starting in 2005, the activities in the field have been organized in the framework of the World Programme for Human Rights Education<sup>5</sup> for the second United Nations Decade for Human Rights Education, which has been ongoing since 2005. The United Nations General Assembly adopted a Plan of Action<sup>6</sup>, which has several phases. The first (2005-2007) was devoted to the integration of human rights education in the primary and secondary school systems. This phase was extended until the end of the year 2009.<sup>7</sup>

At present, the second phase (2010-2014) of the World Programme for Human Rights Education is under way.<sup>8</sup> It is implemented in accordance with the Plan of Action for the second phase of the World Programme for Human Rights Education<sup>9</sup> and is primarily devoted to human rights education for higher education and on human rights training programmes for teachers and educators, civil servants, law enforcement officials and military personnel at all levels. At the same time, States that haven't taken measures to introduce human rights education in primary and secondary

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<sup>4</sup> For more details about Law No. 1/2011, also see "Report by the Romanian Institute for Human Rights on the evolution of the human rights legislation in Romanian and the European Union, 2011.

<sup>5</sup> The Programme was proclaimed under Resolution 59/113A by the United Nations General Assembly as an ongoing world initiative, organized in several phases, that was envisaged to start on 1 January 2005.

<sup>6</sup> The Plan of Action was adopted under Resolution 59/113B by the United Nations General Assembly.

<sup>7</sup> Extension of this phase was decided under Resolution 6/24 by the Human Rights Council.

<sup>8</sup> The target group of this phase of the Programme was established under Resolution 12/4 by the Human Rights Council.

<sup>9</sup> The Plan of Action for the second phase of the World Programme for Human Rights Education was adopted by the Human Rights Council under its Resolution 15/11.

schools are encouraged to do their best so that human rights education be achieved at this level.

The Plan of Action for the second phase of the World Programme for Human Rights Education, which had been drafted by the Office of the High Commissioner for Human Rights in collaboration with UNESCO and other partners, was presented to the governments of the United Nations Member States and revised on the basis of the latter's observations. Adopted by the Human Rights Council, it offers<sup>10</sup> the general framework of action and gives the main practical guidelines for implementation at national level, while defining human rights education<sup>11</sup> as "any learning, education, training and information efforts aimed at building a universal culture of human rights".<sup>12</sup>

Also, the Plan of Action points out that "all the components and processes of learning, including curricula, materials, methods and training are conducive to the learning of human rights."<sup>13</sup>

An important role with both the dissemination of the Plan of Action and its implementation lies with governments, national structures in the field of human rights, non-governmental organizations, higher education units as well as intergovernmental organizations.

The Romanian Institute for Human Rights, a national institution with such powers as researching, training, informing and documenting in the field of human rights, has been organizing, from the very beginning of its existence, initiation courses, particularly for persons having special responsibilities for the promotion and the protection of human rights. These courses were organized in its early years in partnership with the United Nations Human Rights Center and enjoyed the contribution of the institutions that were directly involved with the educational process in our country, those whose employees might have been involved in violations of human rights; they were also attended by representatives of those NGOs taking interest in the field. This way, specialists in the field of human rights were trained and gradually became trainers for the subsequent courses the RIHR organized in the field. Such courses were for instance: the training-for-trainers course on human rights and the administration of justice, devoted to judges, lawyers and prosecutors;

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<sup>10</sup> See footnote 9 above.

<sup>11</sup> Doc. A/66/225 by the United Nations General Assembly.

<sup>12</sup> A/HRC/15/28 paragraph 3.

<sup>13</sup> A/HRC/15/28 paragraph 22.

the course on the resolution of conflicts between citizens and the State authorities; the course on human rights and the administration of justice devoted to students of the Police Academy and the personnel of the Ministry of Administration and Interior; the course on the protection of the rights of the child; the course on the protection of minorities in Romania; the course on education and learning of human rights in secondary schools; the course on education and learning of human rights in primary schools, etc. These courses continued to be organized by the Romanian Institute for Human Rights, with the contribution of the UNESCO Chair for Human Rights, Democracy, Peace and Tolerance coordinated by the RIHR and the North University of Baia Mare, a Chair which, as a matter of fact, has been organizing the only Master Degree courses of this kind in Romania. At the same time, 'human rights' was introduced in higher education units as a discipline taught in the form of 'regular courses' in humanities oriented universities and 'pilot courses' in various technical universities.

The training-for-trainers activities as well as those devoted to human rights education were based on the feedback coming from representatives of the Teachers' Training Centers and teachers in various schools and high schools.

An important role with the development of the science of human rights and of the methodology for researching and teaching human rights in university and post-university educational units in the framework doctoral and postdoctoral studies lies with the International University of Human Rights, organized by the RIHR, this year at its 17<sup>th</sup> edition.

The preoccupation for the teaching of human rights in pre-university educational units resulted in: training-for-trainers courses for the teaching staff in the pre-university educational system, organized in partnership with the Ministry of Education, Research, Youth and Sports and the Teachers' Training Centers; the National contest on didactic creativeness in the field of auxiliary materials devoted to education for human rights, democracy and a culture of peace in the pre-university education system, which is at its 6<sup>th</sup> edition and, as a matter of fact, still under way; and other contests for students such as the "Civic Education Olympics" and the Contest on "Democracy and Tolerance".

These contests, organized by the Romanian Institute for Human Rights in partnership with the Ministry of Education, Research, Youth and Sports, known as 'Olympics', meet the need of education in consonance with the role and the status of

citizens of a democratic society, meant to shape and develop the competence to participate in the public life, to have a critical social spirit and to cultivate an attitude of tolerance.

Of course, a permanent concern for the Romanian Institute for Human Rights is training-for-trainers in the administration of justice, a field in which it collaborates with the representatives of the specialized institutions. An important role in the achievement of these educational activities, to which representatives of human rights NGOs professional associations, etc., are in fact also associated, lies with the publication and free of charge dissemination by the RIHR of dedicated works, international instruments translated by the Institute, etc. The above mentioned activities are part of the Institute's Plan of Action devoted to the United Nations Decade for Human Rights Education, which is in consonance with the World Programme for Human Rights Education, whose fulfillment is closely monitored by the United Nations Human Rights Council. As a matter of fact, the High Commissioner for Human Rights will have to submit to the UN Human Rights Council, in its last session of 2012, an intermediate report devoted to the implementation of the second phase of the World Programme for Human Rights Education.

In order to permanently adapt the Institute's activities to the requirements, it was decided that the Plan of Actions for the year 2012 should also include, in addition to other objectives, the objective of monitoring and supporting the existing educational programmes in the field of human rights, such as to bring into relief the good practices while stimulating those measures meant to continue, to improve and to further develop them.

The increased effectiveness of our activities, a better use of the material means, the objective selection of the beneficiaries as well as the involvement of an increased number of experts led to the increased interest in our activities of a larger and larger number of beneficiaries. This was achieved in close collaboration with such partners as non-governmental organizations mainly concerned with human rights education, State institutions and also higher education institutions, religious cults, professional associations, etc.

Human rights education should be an integrated constitutive element of any educational undertaking. The more every person and institution engaged in its achievement fulfils this task with competence and responsibility, the bigger its

effectiveness. Systematic encouragement of positive attitudes and behaviours, expressing respect for the human being and dignity, tolerance and solidarity is not the 'prerogative' of a specialized institution, but a constantly cultivated quality of the entire social environment, continuously optimized in terms of structures, institutions, social categories, and individuals. It is obvious that the educative mission should be undertaken by all the institutions of a society and that there is need for partnerships, particularly with the schools, for the implementation of proactive educational policies.