**Submission to the Office of the United Nations High Commissioner for Human Rights on the Fifth Phase of World Programme for Human Rights Education**

National Human Rights Commission of the Republic of Korea

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The National Human Rights Commission of the Republic of Korea (“the Commission” or “NHRC” hereinafter) acknowledges and emphasizes that, in order for the Fifth Phase of the OHCHR’s World Programme for Human Rights Education (“the World Programme” hereinafter) to be effective, it must serve as a common guideline capable of inducing and coordinating international efforts for human rights education worldwide.

There is a growing global consensus on the need for active responses to a series of threats to human rights, such as the climate crisis, corporate practices, agism, and artificial intelligence (AI), from the perspective of human rights education. It has thus become all the more essential for states to establish and implement their respective Plans of Action for the first through fourth phases of the World Programme. As these global issues increasingly affect and threaten human rights, it is critical that states systematize human rights education.

In discussions with human rights education specialists that it consulted in preparing this Opinion, the Commission reached a conclusion that human rights education ought to have as broad a reach as possible to all sectors of society at large. Extending the reach of such a program, however, will necessarily require us to think through the practical issues of implementation and execution. Repetitive and sustained training is crucial to implementation of the first through fourth phases of the World Programme. The Plan of Action for the third phase, in particular, stressed the need to implement the Plans of Action for the previous two phases, especially regarding human rights education for teachers and educators, government employees, and agents of law enforcement.

Representing Korea, which is the chair of the Working Group on Aging under the Global Alliance of National Human Rights Institutions (GANHRI), and also in the capacity of chairing the Asia-Pacific Forum of National Human Rights Institutions (APF), the Commission hereby shares its opinion on what should be highlighted and emphasized in the Plan of Action for the fifth phase of the World Programme, as discussed with human rights education specialists in the country.

**1. Targets of Education**

**1-1. Legislators (members of national and local legislatures)**

Legislators play an essential role in the enactment and amendment of laws and regulations. They should therefore be targets of human rights education. Members of the National Assembly and local legislatures, in particular, ought to learn and strive to respect, protect and realise the human rights of the people because they hold the power, bestowed upon them by constituents through election, to make and revise laws that shape people’s everyday lives.

**1-2. Businesses**

Businesses and their personnel ought also to be prioritized as recipients of human rights education especially in light of relatively novel threats to human rights, such as the climate crisis, corporate practices, and artificial intelligence and technology. It is particularly important for businesses and their personnel to understand the adverse impacts of rapid scientific and technological advancements on human rights and the human rights implications of their practices through human rights education so as to adopt human rights perspective that ensure accountability and respect for human rights in their corporate management.

Furthermore, human rights education is important to establish global standards, such as the institutionalization of corporate human rights and mandatory evaluation systems, in order to solidify the corporate responsibility to respect human rights, which is required not only for public institutions but also for private companies.

**2. Human Rights Issues by Topic**

**2-1. Climate crisis**

The climate crisis represents a grave threat to the very survival of the human species. For decades, we have understood the climate crisis as a problem of nature requiring industrial and economic policymaking solutions, usually in relation to energy transition. There have been voices, however, highlighting the implications of the crisis on human rights.

Since adopting a resolution in 2008 on the need to understand the climate crisis as a major violation of human rights, the United Nations Human Rights Council (UNHRC) has adopted at least a dozen more resolutions on the climate crisis to date.

The OHCHR has likewise been publishing a variety of research reports and guidelines emphasizing the connection between the climate crisis and human rights. In public speeches and statements, the High Commissioners for Human Rights have repeatedly reminded us of that connection. Former High Commissioner Michelle Bachelet even identified the climate crisis, the loss of biodiversity, and pollution and toxic substances as “the triple threats” to human rights in 2021.

The UN Special Rapporteurs on human rights have also been voicing their concerns over the severe impacts of the climate crisis on the rights of women, children, and the poor. Having appointed the first Special Rapporteur on human rights and the environment in 2015, the UN appointed another Special Rapporteur, this time on human rights and the climate crisis, in 2021. Other UN treaty organizations have responded in kind by increasing their efforts to deal with the climate crisis from the perspective of human rights.

The NHRC released its official opinion earlier in 2023 on the significant threats that the climate crisis poses to human rights. In a recent amicus brief to a lawsuit pending before the Constitutional Court of Korea, the Commission also pointed out that some of the provisions of the Carbon Neutrality Act are unconstitutional because the Korean government’s current goals for reducing carbon emissions carry the risk of violating the constitutional rights of future generations.

**Approach to education:** Now that the effort to understand and solve issues of the climate crisis from the human rights perspective is on the rise worldwide, we need to emphasize the following in designing human rights education for the public:

1. That the climate crisis is not just an environmental problem, but is actually a problem of human rights that threaten our rights to life and survival, health, housing, and so forth;
2. That understanding the climate crisis from the human rights perspective involves applying the key principles of human rights, such as the inalienability of human dignity, the indivisibility of rights, and interdependency;
3. That the state bears the legal and political responsibility to educate citizenry on the climate crisis and human rights, and to enlist citizens’ participation in making decisions on matters of the environment;
4. That climate policy ought to prioritize the safety and protection of groups that are most vulnerable to the impacts of the climate crisis, such as pregnant women, children, persons with disabilities, seniors, and persons with chronic illnesses;
5. That the tendency to treat the climate crisis as a trade-off against economic gains goes against the principles of human rights;
6. That the principles of just transition be borne in mind in ending fossil fuel industries so as to mitigate adverse impacts on workers facing layoffs and reduced prospects on the labor market;
7. That local governments ought especially to inform communities of the climate crisis, its impacts, and the required changes in lifestyle as matters of human rights;
8. That human rights require us to remind one another of the historical responsibility that advanced economies bear for having generated so much carbon and brought about the current crisis, and that these advanced economies bear the responsibility to compensate for the losses and damage suffered worldwide due to the climate crisis; and
9. That the climate crisis should also be understood as a problem of intergenerational justice, as exacerbation of the crisis carries significant risk of violating the liberties and basic rights of future generations.

**2-2. Business practices**

**Background:** The United Nations released its Guiding Principles on Business and Human Rights in 2011. The Korean government and business community have been making effort to translate these principles into action over the years and have managed to improve awareness to some extent so far. Public-sector entities in Korea, for example, have endorsed human rights, at least outwardly, as a key principle of management. Yet the improvement that rightsholders and other stakeholders feel in actual business practices remains very limited, suggesting that the turn to human rights management has been either based on a misunderstanding or is superficial at best. It is therefore critical to reduce the gap between businesses’ declared commitment to human rights and the actual state of human rights. The causes of the glaring gap are multiple, and the absence of human rights education is one of them. Given the current limits on human rights management practices and the Korean public sector’s experience, a human rights curriculum on business practices ought to address the following.

**Proposal:** (1) Korean companies have adopted human rights education and training programs thus far, but almost exclusively delivering such education to executives and managers only. What is truly needed, however, is an education that caters to, and focuses on, the actual issues experienced by rightsholders and stakeholders. The growing awareness of human rights management has led a significant number of corporations, especially in the public sector, to declare their commitment to it and adopt an outward system in its support.

Such systems, however, have failed to produce meaningful changes in real life so far, mainly because rightsholders and stakeholders whom such systems are supposed to benefit are not informed adequately on the meaning and substance of human rights management. Some may have an idea of what human rights management is about, but they have not been informed sufficiently enough to overcome their long-held mistrust of businesses.

It is therefore important to educate these intended beneficiaries of human rights management of the utility of such management policy and how best to make use of it so that they will actively communicate with businesses about human rights issues. Communication with stakeholders is key to the success of human rights management. Union members and other such stakeholders must therefore be educated on human rights management.

(2) Despite the growing number of Korean businesses openly adopting human rights management policy, not many of them actually understand that such management ought to extend to their supply chains as well. Large corporations and public institutions react rather sensitively to human rights claims that arise within their organizations, but tend to turn a blind eye to human rights issues affecting their suppliers and subsidiaries as well as communities. Human rights management education ought to be reformed to enable trainees to learn to predict and prevent human rights risks in their supply chains and also to devise and provide much more effective remedies to the risks that have materialized.

It is also important to provide such education to the general public because public opinion profoundly affects how businesses behave.

(3) The climate crisis is one of the most critical issues our planet faces as a whole today. Governments worldwide have been organizing efforts to reduce greenhouse gas emissions under international agreements thus far. The glaring failure of this emissions-centered approach, in turn, raises the need to tackle the problem with a human rights-based approach instead, not the least because the climate crisis is one of the deadliest threats to the actual state of rights worldwide.

There is growing pressure on businesses worldwide to do more in light of the climate crisis. Businesses ought to acknowledge that adopting human rights management entails a greater responsibility to protect human lives and livelihoods against climate change. One example is climate due diligence, in which businesses meticulously quantify the greenhouse gas emissions of their activities, establish reduction plans accordingly, and thoroughly commit themselves to carrying those plans out. Programs are needed to remind businesses of their climate responsibility and to train them on how to ensure effective climate-aware practices. Developing and implementing such programs go beyond merely disclosing environmental, social, and governance (ESG) performance of businesses. As with climate due diligence, companies need to devise emissions-reducing plans that encompass the entire scale of their operations, including their supply chains, by ensuring stakeholders’ participation throughout and transparently disclosing the processes and outcomes of such efforts.

Businesses are responsible for many human rights issues afflicting humankind today. As business practices have far-reaching consequences in terms of climate change, information security and privacy, and artificial intelligence, it is undoubtedly upon businesses to bear the leading responsibility for finding solutions.

The mandatory human rights management system in Korea is still largely seen as the domain of the public sector, even as the public sector practices it only on a superficial level while the dearth of incentives to encourage the private sector to adopt the same persists. State-owned enterprises do provide human rights education as part of their human rights management policy, but they have yet to undertake comprehensive and thoroughgoing due diligence. The private sector, in the meantime, still struggles to find effective strategies for implementing human rights education. Business practices must therefore be included in Korea’s Plan of Action for the fifth phase of the World Programme.

**2-3. Human Rights of Older Persons**

“The Society for All Ages” is a key principle of human rights as declared by the UN and the international community on numerous occasions. Yet agism persists in the form of various stereotypes about people of different ages.[[1]](#footnote-1) While racism, sexism, and ableism are guilt- and shame-inducing subjects, non-elderly people have comparatively little qualm disclosing their contempt of or indifference towards older persons. Agism, particularly discrimination against the elderly, has consequences that go beyond the discomfort experienced by individual seniors. Agism can perpetuate structural discrimination and violations of human rights in politics, society and culture, and economic activities against seniors as both individuals and groups. It is therefore a pressing topic of human rights education.

**Education on the dignity of older persons:** People need to be reminded that each older person they encounter is a unique person and not a representative of the entire older persons. Regardless of age, every individual has unique personality traits, values, beliefs, and aspirations. Old age is a diverse phenomenon that eludes standardization.

**Education on the cross-sectoral vulnerabilities of older persons:** Aging exposes people who are already prone to discriminatory practices and structures, such as women, sexual minorities, and immigrants, to even more injustice. A human rights education curriculum that addresses agism ought to awaken the public to the diversity of older person’s life experiences and experiences with discrimination.

**Comprehensive approach to the human rights of older persons:** Most discussions of rights of older persons are limited to abuse or neglect. It is time that we embraced a more comprehensive approach to rights of older persons, particularly in favor of balancing acts between safety and protection, on the one hand, and autonomy and independence, on the other.

**Fighting hatred against older persons:** Not just the media, but even official communications from governmental sources tend to portray old age in a negative light, most often labeling older persons as a growing burden on the younger generation’s future happiness. This kind of portrayal helps no one. The hatred against older persons feeds the intergenerational divide, deprives all generations of opportunities to benefit from the wisdom and experience of the elderly, and, most importantly, undermines interdependency and reciprocity between people of different ages. Fear and hatred against older persons stands directly at odds with human rights and care. Active human rights education is needed to fight this very malicious form of prejudice.

**Articulating new rights instead of making additions to existing ones:** Humankind did not know what it means to continue to live in old age until very recently in history. The form and structure of rights that were articulated in the times in which old age effectively did not exist cannot serve today’s aging population. We need to foster creativity and discourses on rights that are unique to modern times, such as the right to die with dignity and rights entailed in long-term care facilities serving older persons.

**2-4. Artificial intelligence (AI)**

AI has begun to exert profound effects on every aspect of society and human life, including employment, finance, public administration, and welfare. Korean primary and secondary schools are actively adopting “smart” education as part of their curricula. Technological innovations promise more convenience and wealth, but they also carry grave risk of human rights violations that are hard to predict. As the controversies surrounding chatbots and ChatGPT illustrate, these data-learning algorithms are capable of producing shocking results due to the biases and errors inherent in the data they use to train. Fears are thus increasing over the possibility that these AI algorithms can further spread hatred and bias against human beings.

A human rights education curriculum must therefore include chapters or courses on the implications of big data on human rights, and how best we can ensure that these new technologies are used to serve, rather than violate, human rights.

AI algorithms trained in discriminatory cultures are neither value-neutral nor egalitarian. The unstoppable advancement of AI also affects humans’ work, as robots increasingly replace human workers or even eliminate certain sets of jobs entirely. The International Labor Organization highlights the responsibility of the state to ensure “just transition” for workers as they struggle to adapt to new technologies. Human rights education is critical to enabling citizens to detect the adverse impacts of AI on equality and work with sensitivity, and to devise effective solutions.

1. Agism refers to all prejudicial, stereotypical, or discriminatory thoughts, expressions, and processes based on age. More narrowly defined, however, it can be understood as conscious and subconscious acts against seniors. [↑](#footnote-ref-1)