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Comment

by Line Lawesson & Mara Beteagu

Draft plan of action for the Fifth Phase (2025-2029) of the World Programme for Human Rights Education



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Although the Plan outlines an ambitious and necessary framework for advancing human rights education, it assumes that all States already possess a basic set of conditions required to implement it, such as robust legal frameworks and a genuine commitment to upholding and protecting human rights, including digital rights – and while these conditions are ideal, they do not reflect the reality in non-democratic regimes where violations of women’s rights, restrictive cyber laws and state-controlled digital practices prevail. Moreover, it fails to acknowledge that these regimes can constitute significant barriers to accessing justice and effective remedies, as they often impede efforts to hold authorities accountable and effectively enforce human rights protections.

Many countries in the Southwest Asia and North Africa (SWANA) region have adopted severely restrictive cyber laws that affect the right to information and the ability of citizens to freely express themselves online. This is indeed the case in Jordan, where the government in September 2023 ratified amendments on the country’s cyber legislation. The newly added articles carry a punishment of up to three years imprisonment or a fine of up to 50,000 JOD for content deemed to “expose public morals”, “stir up strife”, “insult religions”, calls for or justification of violence”, “false news” or hate speech. In Tunisia, the government adopted a cyber law decree in 2022, which prohibits the dissemination of false news online in a manner that is not in line with international freedom of expression standards.

Both sets of legislation have been highly criticized by human rights groups and they both possess vaguely formulated provisions in order for the authorities to be able to arbitrarily interpret and enforce them, allowing for broad censorship and suppression of free expression, including on matters that could be classified under human rights education. This has led to widespread fear and self-censorship among citizens, further exacerbating freedom of expression and access to information online. Arbitrary enforcement of these laws means that citizens live under the constant threat of surveillance and censorship. This not only limits their ability to participate in open and democratic discussions, but also severely restricts their access to diverse perspectives and information, and consequently, the digital environment in which children and youth need to learn how to navigate is currently marked by an absence of fundamental rights.

In our view, the implementation of the Plan of Action is contingent upon the adoption of basic rights that safeguard freedom of expression and access to information. Without such fundamental rights in place, efforts to promote digital technologies among children and youth will continue to face significant obstacles, and the realization of inter alia Section D, Paragraph 2,31(a, i) remains hard to achieve. Therefore, addressing the implications of existing legal frameworks in non-democratic regimes and ensuring the protection of digital rights should be prioritized as a prerequisite for advancing the objectives outlined in the Plan.

The implications of non-democratic regimes extend beyond digital security to encompass fundamental rights for women, which serve as a prerequisite to advancing women's rights and educating children and youth about gender equality. In many non-democratic states, women face systemic discrimination and lack essential rights such as access to education, healthcare, and economic opportunities. This marginalization not only perpetuates gender inequality but also undermines efforts to promote gender equality and empower women. In Jordan, for instance, the Personal Status Law stipulates that guardianship over women is determined by the guardian, typically the father, followed by other male relatives, and ultimately, the court. The guardian possesses the authority to make and enforce decisions regarding the female's residency, marriage, education, and employment, regardless of her preferences. In cases of disobedience, the guardian's decisions will be enforced by law. In addition, numerous other laws, including Nationality Law, the Residency and Foreigners Act, and the Penal Code contain gender discriminatory provisions that contribute to sustaining gender inequality.

As long as practices and legislative provisions such as these prevail in many non-democratic countries, educating children and young people on gender equality will remain a considerable challenge. Hence, as was the case regarding digital freedom, prioritizing the revision of existing legal frameworks and ensuring the protection of women's basic rights should be considered a fundamental step and prerequisite in order to achieve the objectives of gender equality initiatives in the Plan.

When it comes to education about the environment and climate change, the Plan of Action assumes, albeit implicitly, that there is widespread public awareness on the subject. For example, it outlines the importance of children and young people being knowledgeable about and understanding the adverse effects of the triple planetary crisis.¹ While we principally agree with this, it is a prerequisite that children and young people have a fundamental understanding of the environment and climate change and know how to act accordingly. In Jordan, despite the country's implementation of educational reforms, updated curricula, and the incorporation of environmental education in both formal and informal settings², there still remain challenges in raising public awareness on the topic and translating this knowledge into practical life skills. Part of this challenge comes from Jordanian textbooks placing great emphasis on providing information and knowledge, with less attention dedicated to the practical application of this information.³ Thus, concepts related to climate and the environment remain only superficially addressed. Another contributing factor is the lack of relevance to youth and their personal ethics, traditions, and culture. It is crucial, therefore, to establish connections between the traditions and cultural norms of Middle Eastern youth and environmentally friendly practices to ensure that young people become active agents.

1. Section D, Paragraph 2,31 (b, i).

2. CS9 Environmental education in the Middle East – the New Horizons initiative. “Lifelong Learning. <https://lifelonglearning-toolkit.uil.unesco.org/en/node/173>.

63. Jabar, Mayyada Abou. “Environmental Education in the National Jordanian Curriculum.” In *Environmental Education for Sustainable Development in Arab Countries*. Annual Report of Arab Forum for Environment and Development, edited by Najib Saab et al., 145-147. Beirut: AFED, 2019.

Furthermore, significant disparities exist in the quality of education on climate and the environment between public and private educational institutions. Consequently, a large number of children and young people do not receive the necessary information on the topic—an issue that reflects the government's limitations in addressing the educational gaps.

Given the evident restrictions posed by non-democratic regimes to ideas proposed in the Plan, greater emphasis should be placed on the role of international actors, including United Nations human rights mechanisms, which should not only provide support as illustrated in Section F, Sub-section 2, but also act as watchdogs for countries struggling to fulfill their international obligations concerning human rights education. For instance, the Special Rapporteur on the right to education could enhance accountability by conducting more frequent country reports, as the most recent report was issued on 27 June 2023.

The Plan refers numerous times to non-governmental organizations (NGOs), civil society organizations and children- and youth-led movements and organizations. As an independent, regional, scientific, advocacy center for studies, research and training on issues of human rights and democracy, we take on the responsibility to contribute to human rights education and to support other organizations in pursuing similar objectives. Yet, it is important to point out some of the challenges that numerous organizations in the region are facing with the hopes that the Plan will facilitate and ease their work. NGOs in the SWANA region are faced with a phenomenon known as “shrinking civic space”.⁴ This implies restrictions on their work and more broadly their political voice through various direct and indirect tactics of the governments. In Jordan, the state has relied rather on disciplinary technologies concerning organizational management, than pure coercion.⁵ Sander has identified four such practices in Jordan: administrative restrictions, mainly through restrictive legislation such as the Associations Law or bureaucratic hurdles; othering, consisting of stigmatization and judgment between in-groups and out-groups; co-optation, through which State institutions alter organizations’ voices by incorporating them into their apparatus; and divide and rule, which deliberately generates conflict and distrust among members of the civil society.⁶ Since the plan relies, among other things, on the activities of civil society organizations and emphasizes collaboration between States and these stakeholders, it should address those cases where some States do the exact opposite.

Another assumption of the Plan worth addressing is the situation of ongoing armed conflict and humanitarian crises. The Plan briefly mentions the role of human rights education in conflict prevention and the barriers conflicts create for promoting a culture of human rights, but only within the limited context of access to digital environments. We consider it necessary to expand this point because it tackles the core of human rights and education, including environmental and gender equality concerns.

4. Sander, Alena. 2022. “Rethinking Shrinking Civic Space in the Global Souths – How Development Donors Contribute to the Restriction of Civil Society in Jordan.” *Democratization* 30 (1): 22–39. doi:10.1080/13510347.2022.2096595.

5. Borgh, Chris van der, and Carolijn Terwindt. “Shrinking Operational Space of NGOs - a Framework of Analysis.” *Development in Practice* 22, no. 8 (2012): 1065–81. <http://www.jstor.org/stable/41723169>.

6. Sander, Alena. 2022. “Rethinking Shrinking Civic Space in the Global Souths – How Development Donors Contribute to the Restriction of Civil Society in Jordan.” *Democratization* 30 (1): 22–39. doi:10.1080/13510347.2022.2096595.

By taking the most recent example of Palestine, we wish to emphasize the need for special measures targeting conflict-affected areas. Israel's genocide represented a disruption of Palestinians' livelihoods, which includes access to education. In Gaza, hundreds of schools, including UN-managed ones have been under Israeli attack⁷ and more than 5,479 students and 261 teachers have been killed.⁸ Since 6 November 2023 when the Ministry of Education suspended the 2023-2024 school year, no students in Gaza have been attending school.⁹ Thus, no formal channel remained to implement human rights education. Due to displacement and lack of shelters, other alternative methods failed to function. Moreover, power cuts and Internet outages hinder individuals' access to information. Given the uncertainty surrounding a potential resumption of education, the World Programme for Human Rights Education's Plan should be adjusted accordingly, otherwise, it would be giving up on the most vulnerable. Given the human rights violations committed by Israel in Palestine, it is essential to enhance education to achieve objectives A and B (Section C, Paragraph 9). Education contributes considerably to shaping the Palestinian narrative that rejects occupation and exposes Israel's crimes globally.¹⁰ Thus, the Plan should present new methods that equip young Palestinians with the necessary information and skills to advocate for their rights. Nonetheless, this is not only the case in Palestine as armed conflicts remain widespread especially in the Middle East and North Africa, with more than 45 armed conflicts with territories such as Egypt, Iraq, Syria and Yemen.¹¹ Without a complete cessation of education, in Yemen, for example, the conflict led to the disruption of education of approximately 5.8 million students.¹²

Having acknowledged this status quo, the World Programme for Human Rights Education should reconsider the division among national and international actors of implementation strategies. In times of armed conflict or humanitarian crisis, national apparatuses are unable to perform at their maximum capacities. Since the Plan "requires a significant commitment by States to allocating adequate human and financial resources", it should propose mechanisms to compensate for instances in which States may be unable to meet the requirements.

We appreciate the efforts of the World Programme for Human Rights Education and, through this commentary, aim to bring insights from the SWANA region to ensure the development of a nuanced strategy that would promote overall progress and prevent the creation of even larger gaps in human rights education.

7. "How Israel Has Destroyed Gaza's Schools and Universities." Al Jazeera. <https://www.aljazeera.com/news/2024/1/24/how-israel-has-destroyed-gazas-schools-and-universities>.

8. ECW, NRC, and Save the Children. "Education under Attack in Gaza, with Nearly 90% of School Buildings Damaged or Destroyed, and No University Left Standing - Occupied Palestinian Territory." ReliefWeb, April 16, 2024. <https://reliefweb.int/report/occupied-palestinian-territory/education-under-attack-gaza-nearly-90-school-buildings-damaged-or-destroyed-and-no-university-left-standing>.

9. "How Israel Has Destroyed Gaza's Schools and Universities." Al Jazeera. <https://www.aljazeera.com/news/2024/1/24/how-israel-has-destroyed-gazas-schools-and-universities>.

10. Naim, Nour. "Israel's War on the Education Sector in the Gaza Strip ." Arab Center Washington DC, March 20, 2024.

11. "TODAY'S ARMED CONFLICTS." The Geneva Academy of International Humanitarian Law and Human Rights. <https://geneva-academy.ch/galleries/today-s-armed-conflicts>.

12. "Education." UNICEF Yemen. <https://www.unicef.org/yemen/education>.

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