

# Human Rights Education In The U.S.

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## I. Introduction

Human rights education (HRE) has helped to transform realities all over the world. It has improved police activities in Australia, contributed to fight discrimination, and change paradigms in India, enhanced women's capability to resist gender discrimination in Turkey<sup>1</sup> and has empowered vulnerable communities living in the U.S./ Mexico border<sup>2</sup>. HRE is a human right and an important tool to foster knowledge and progressively change views about the various facets of human dignity. It helps to structure human rights networks, empower individuals and social movements<sup>3</sup> and improve government and officials' conceptions. It promotes development that protects human rights<sup>4</sup>. It contributes to redesigning the school environment and educational outcomes towards a more inclusive and respectful society. Lack of knowledge about human rights and mechanisms of enforcement is a barrier to enjoying and protecting human dignity<sup>5</sup>. This has an even stronger impact on the most vulnerable populations, such as children, ethnic minorities, the disabled, and the elderly. Thus, HRE can help to enhance civil, political, cultural, economic, and social rights and to build a more free, fair, and equal environment.

Despite the benefits of HRE, the hypothesis is that the U.S. had, as of 2015, no comprehensive plan of action to implement it and is far from complying with international standards of HRE. Thus, a rigorous effort to include HRE in diverse aspects of U.S. society was needed. Part II offers a concept of HRE. Part III sets forth the international and regional human rights framework and the U.S. position in this scenario. Part IV discusses how HRE is in the U.S., important contributions of NGOs and HR activists and the main obstacles. Part V finally offers some insights into good practices, strategies, and mechanisms to advance advocacy aiming that HRE becomes a reality in the U.S. This paper is one of a series of two that discusses HRE in the U.S.. This first one was elaborated in 2015 and assesses the situation and recommendations until then. A second will discuss the advancements and challenges from 2015 to 2025.

## What Is HRE

HRE is the human right to have knowledge about human rights. Initial definitions of HRE were very limited and excluded a significant part of society. In the 50's and 60's, HRE was mostly restricted to school children and youth. In the following decade, the formal educational setting continued to be the main scenario, but the concept was expanded to embrace critical thinking skills and concern with victims. Nonetheless, there was no significant effort to raise awareness about the responsibility to protect or take action to enhance rights or promote social change. The rise of the human rights movement in the 60s and 70s enlightened the relevance of HRE to the entire society and its potential to effect social change. Globalization and the spread of new means of communication and information contributed to HRE to reach outside educated elites and achieve grassroots movements and the most vulnerable persons.<sup>6</sup> UNESCO has, for over 60 years, played a key role in the development of HRE. For instance, in 1953, the organization created the Associated Schools Project to support HRE. In 1974, UNESCO issued the Recommendation on Human Rights Education, which contains principles for all levels of education.<sup>7</sup>

While many scholars from different backgrounds have offered notions of HRE<sup>8</sup>, since 1995 the task to define HRE has been facilitated by the U.N. documents on this issue. This paper adopts the concept stated in the U.N. Declaration on Human Rights Education and Training<sup>9</sup> and in the World

Program for Human Rights Education (WPRE)<sup>10</sup>. HRE is a human right entitled by all human beings. It encompasses knowledge sharing and awareness raising about human rights standards, mechanisms, and skills to incorporate them into daily life, developing values and attitudes that strengthen human rights, and encouraging behavior and action that promote and protect human dignity.<sup>11</sup> It is a lifelong process that involves

the whole society. It includes all forms of formal and informal education, information, training, and learning, with the scope of promoting a culture of human rights in public or private settings. It embraces the training of trainers, teachers, and state officials, continuing education, popular education, and activities targeted at the public at large. It must have as a linchpin the principles of equality, human dignity, inclusion, and non-discrimination, particularly with regard to gender. States hold the primary responsibility and must take legislative, administrative, and policy measures to ensure that HRE is in accordance with the World Program of HRE. They shall engage with civil society, the private sector, and other relevant stakeholders in all stages (conception, implementation, and evaluation of, as well as follow-up). It is a path to social development as it promotes the comprehension of the persons' own dignity and thus the dignity of the others<sup>12</sup>. A culture of human rights contributes to an inclusive society that holds common aims for the present and future. This facilitates a compromise to contribute to the public sphere and to partner with the government<sup>13</sup>.

## **II. The International Human Rights Framework**

### **The United Nations System**

The consensus about the relevance of HRE is developing in the international arena, which is evidenced by the increasing number of international documents that refer to HRE.<sup>14</sup> The Universal Declaration of Human Rights urges for HRE in order to promote respect for the human family and states that education shall enhance respect for human rights<sup>15</sup>. The International Covenant on Economic, Social and Cultural Rights recognizes that every person has the right to education and states that it is very important to build understanding, tolerance and peace<sup>16</sup>. The Convention on the Rights of the Child foresees that education must have the purpose to strengthen human rights, enable participation and contribute to the U.N. mission to promote peace<sup>17</sup>. The International Convention on the Elimination of All Forms of Racial Discrimination emphasizes that states must take measures in the fields of education, teaching and information to fight racial discrimination and promote understanding<sup>18</sup>. Numerous other international documents such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment<sup>19</sup>, Convention on Elimination of all Forms of Discrimination Against Women<sup>20</sup>, Convention on the Rights of Persons with Disabilities<sup>21</sup> and Declaration on Human Rights Defenders<sup>22</sup> contain provisions that confirm that HRE is essential for the implementation of human rights. The Vienna Declaration and Program of Action of 1993 also stresses the relevance of including Human Rights in educational programs.<sup>23</sup>

The UN Decade of Human Rights Education (1995-2005) was the first comprehensive UN initiative to promote HRE. The resolution recalls the Universal Declaration of Human Rights and other international human rights instruments and states that HRE is a priority. It embraces not only providing information but a lifelong process in which all persons continuously develop and ensure respect towards human dignity<sup>24</sup>. To further implementation of HRE in all sectors, the U.N. General Assembly started in 2005 the World Program for Human Rights Education (WPHRE)<sup>25</sup>. Its scope is to foster understanding of HRE, to offer a plan of action structured in phases, and to enhance cooperation among the international level and those working on the ground. From 2005 to 2009, the focus was on HRE in primary and secondary schools<sup>26</sup>. From 2010 to 2014, the focus was HRE for higher education, teachers and educators, civil servants, law enforcement officials, and military personnel. The third phase, which started in 2015, focuses HRE for media and journalism professionals and strengthens implementation of the previous phases.<sup>27</sup> The year starting on December 10, 2008 was proclaimed the International Year of Human Rights Learning<sup>28</sup>

The Declaration on Human Rights Education and Training was adopted by resolution of the General Assembly in December 2011<sup>29</sup> and calls the states organizations and civil society to engage in HRE. It conceptualizes HRE, as stated above, and stresses the key role of HRE in promoting, protecting, and implementing all human rights.

### **The Inter-American System**

It is a principle of the Charter of the Organization of American States that education shall pursue peace, justice and freedom.<sup>30</sup> Article 13 of San Salvador Protocol, which the U.S. has not ratified, states that education should strengthen respect for human rights, pluralism, freedom, justice and peace.<sup>31</sup> There were, as of 2015, 11 Inter-American Reports on HRE.<sup>32</sup> The U.S. was not part of those reports as it is not part of San Salvador Protocol.

The General Assembly of OAS also adopted a resolution about Education on Human Rights in Formal

Education in the Americas.<sup>36</sup> In this document it is considered that governments should develop educational programs to promote respect for human rights and takes into account the positive impact of HRE at the first years of the childhood.

#### **IV Human Right Education (HRE) And The U.S.**

The U.S. and the International law

Although the U.S. has been a leader in the development of human rights law after the Second World War, the country is very resistant with regard to signing and ratifying human rights instruments.<sup>37</sup> It has ratified ICCPR, CERD and CAT, but failed to ratify, for example, ICESCR, CRC and CEDAW. Regarding the Inter-American System, the core human rights document that applies to the U.S. is the American Declaration on the Rights and Duties of the Man. The country has not ratified the American Convention on Human Rights,<sup>38</sup> the Protocol of San Salvador and the Convention of Belém do Pará.

The U.S., as of 2015, has not cooperated with international efforts to promote HRE and has failed to report, answer questionnaires and provide data. For instance the country has not provided information for the U.N. report on Decade for HRE (1995-2004),<sup>39</sup> for the final evaluation of the implementation of the first phase of the World Programme for HRE (2010)<sup>40</sup> and for the evaluation of the second phase of the program (2015). Despite the failure to provide data, the 2015 report mentions that the US federal officials hold training sessions for state and local officers on human rights treaties and mentions the cooperation of Georgia with the U.S. Agency for International Development and other partners to train teachers, develop curricula and publish materials.<sup>41</sup>

Universal Periodic Reviews (U.P.R)

U.S., was as of 2015, within the states that have made the most HRE recommendations during the 1st and 2nd cycle of UPR. It is in the 6th position and has made 35 HRE recommendations.<sup>42</sup>

During the first UPR (2011) U.S. received recommendations to develop awareness raising campaigns to fight stereotypes, sex based violence, ensure appropriate access to public services, avoid criminalization of migrants and prevent police violence; to incorporate HRE and training in the U.S. policies and to avoid Islamophobic and xenophobic behaviors.<sup>43</sup> The first two recommendations were supported and the last two supported in part.<sup>44</sup> Nonetheless, by 2015 the recommendations were not properly addressed. What can be observed is a failure to coordinate efforts in the federal, state and local levels to assure HRE in the formal educational setting. For instance, as of 2015 the U.S. had not integrated HRE in the public policies, there is lack of public education about immigrants' rights and the U.S. has also failed to prevent discrimination and violence against migrants. On the other hand, there has been a progress on HRE with regard to gender-based discrimination.<sup>45</sup>

During the 2nd UPR U.S. received recommendations to strengthen HRE to all public servants,<sup>46</sup> to hold human rights training for law enforcement officials as a measure to reduce violence<sup>47</sup> especially against minorities,<sup>48</sup> to develop human rights awareness-raising activities for law enforcement officers,<sup>49</sup> to increase the need to address racial discrimination<sup>51</sup> and to expand resources to train law enforcement and immigration officers, and combat impunity concerning abuses against defenseless persons (Costa Rica);” .

(“176.118 Put forward continued efforts in raising awareness and working towards addressing issues related to the racial discrimination (Republic of Korea)”) enforcers against trafficking.<sup>52</sup> All those were partially or fully supported by the U.S. IV. III Recommendations issued by Human Rights Treaty Monitoring Bodies

As of 2015, the U.S. also received many recommendations by treaty monitoring bodies which demonstrate the importance of a proper development of HRE in the country.

The Committee Against Torture recommended that U.S. provides specialized training to prison staff in order to prevent and combat sexual violence in prisons and places of detention. It recommends that U.S. further develops mandatory training to raise awareness of the terms of the convention on all public servants, law enforcement officers, military officers, intelligence officials, prison staff and medical personnel employed in prisons and psychiatric hospitals. U.S. must ensure that the staff is able to identify cases of torture and ill treatment. Measures to verify the effectiveness of the education process are necessary.<sup>53</sup>

The Committee on the Rights of the Child recommended that the U.S. spreads knowledge about the provisions of the protocol on the sale of children, child prostitution and child pornography, especially for children and their family. HRE must be included in school curricula of all levels of education and a long

lasting awareness raising activities should be held in federal and state levels. States should also develop cooperation with civil society and the media to promote knowledge for the public at large. Regarding personal training, the committee is concerned that it is not sufficiently child specific. It recommends that U.S. enhances and enlarges educational programs so as to include all issues of the protocol and to reach all relevant professionals, which includes media, religious and community leaders, medical staff, among others. Regarding sex truism, the committee also urges for HRE and recommends that U.S. provide knowledge to change attitudes in this regard, such as that it is acceptable to exploit children living in poverty abroad. Concerning the criminal justice system protection measures, the committee urges for training on child-friendly interaction with children who are victims or testimonies.<sup>54</sup> The Committee on the Rights of the Child while addressing the Optional Protocol on the involvement of children in armed conflict issued concluding observations that also emphasize the need of HRE.<sup>55</sup> The committee recommends that U.S. continues to train all the staff of the armed forces. Every personal that deal with children must receive training, especially those who deal with asylum seekers and refugee children, police, lawyers, journalists, medical doctors. The committee regrets the absence of Human Rights and Peace education and that the knowledge of the optional protocol is not mandatory in school curricula and of teachers training. It recommends the inclusion of human rights and peace education in the curricula of all schools. It further recommends that U.S. adopts a program of action for the second phase of the WPHE. It should assure HRE for teachers and educators, law enforcement personal and military staff.

#### U.N. Special Procedures

In 2001 the Special Rapporteur on the right to education, by then Katarina Tomaševski, visited the U.S. She reported a desperate need of HRE in the country and also that human rights are seen as relevant only outside the boundaries of the country.<sup>56</sup>

#### HRE: A perspective

As of 2015, there was no national plan of HRE for primary and secondary school, higher education and training of educators. There is also no national program of HRE that targets civil society, minority groups, and public servants.<sup>57</sup> Until September 2013 only New Jersey, New Mexico, Arizona and Vermont expressly mentions human rights in their school curriculum<sup>58</sup>.

A 2015 study commissioned by UNICEF<sup>59</sup> on early childhood education observed that in the U.S. only in some places HRE is a curriculum requirement for all children. As of 2015 there was no government or public agency to inspect the quality of HRE. Regulations about teachers' qualification do not refer to human rights and HRE is not a requirement for all teachers training.<sup>60</sup> It concluded that federalism generates a lack of coordination that poses challenges to implement HRE in a top down perspective.

Moreover, education is mostly a state responsibility in the U.S. which leads to a diversity within the U.S. educational system. Thus, HRE is not guaranteed for all children. Teachers HRE also varies and is not universal. Respondents to the research were skeptical about the obstacles to make HRE a reality in U.S. education. They expressed concern about the American 'exceptionalism' and the lack of consensus about the CRC.<sup>61</sup> According to this study, networks among Unicef, schools, government and civil society and advocates are very important.<sup>62</sup>

#### A Cutting-Edge Legislative Attempt in 1989

In 1989 the Bill 3077 was introduced to promote respect for human rights through HRE. It records that UDHR was adopted under the leadership of U.S. and that it urges for HRE. It points out that according to a research no national or local educational system has conformed to HRE. It then states as a policy of the U.S. to develop a national program of human rights by the year of 2000 that will be an example for the whole world. The program shall be based on the successful practices of schools and teachers already engaged in HRE. It foresees an HRE advisor with the duty to suggest policies, programs, procedures and budgets to develop HRE to the Secretary of Education. The secretary shall report to the congress with regard of the recommendations received.<sup>63</sup> After 26 years, in 2015 there was still no national plan of HRE in the U.S.

#### NGOs working on HRE in the US

NGOs have played a major role in fostering HRE across the globe. They have developed various educational programs and materials, collaborated with governments and provided information to national, regional and international organizations. This was recognized by the final report that evaluated the implementation of the first phase of the WPHRE<sup>64</sup> and by the U.N. Declaration on Human Rights Education

and Training.<sup>65</sup> In the U.S., where there was as of 2015, lack of institutionalized programs of HRE, NGO have been essential to promote HRE.<sup>66</sup> Some leading NGOs in the field and their initiatives will be presented, while recognizing that many others have also played a key role in promoting HRE.

HRE 2020, a global coalition of organizations and networks, aims to support the implementation of HRE by inviting the civil society, governments, human rights treaty bodies and stakeholders to embrace the HRE commitments. It seeks to enhance HRE compromises and accountability; develop a coalition that empowers civil society to hold governments accountable for their HRE compromises and facilitate government and treaty bodies comprehension of HRE responsibilities.<sup>67</sup>

Human Rights Educators USA (HRE USA) aims at promoting a culture of HRE through advocacy and policy measures. Its projects embrace efforts to include HRE in formal and informal educational settings. HREUSA advocates to integrate HRE in national and state policies, standards, curricula and pedagogy. It offers resources and teachers training, fosters research and scholarship and empowers educators and learners.<sup>68</sup> HREUSA submitted with the US Human Rights Network the first national civil society report on HRE for the U.S. 2nd UPR<sup>70</sup>. They aim to work on follow up to the UPR and on advocacy with educational authorities. HREUSA is a member of the civil society coalition HRE2020.

Amnesty International has a program to promote and facilitate HRE. Its target public are teachers, educators, group leaders, volunteer leaders and other potential educators. The program offers educational materials, training and networking opportunities. Amnesty international's website offers courses, films, curriculum guides, lesson plans and teaching guides.<sup>71</sup>

#### Critiques To HRE

There is still few literature on HRE critiques. Nonetheless, HRE has been compared to a Trojan horse and labeled as an utopia. The argument is that there is no solid legal linchpin for universal human rights. HRE considered a version of social activism that endeavors to extract convenient interpretations from human rights documents. In short, it is a sort of ideologic imperialism that conveys western values to the educational setting by operating with redemption arguments that transmit a version of truth similar to religious fundamentalism. According to the critique, it relies on the authority of international documents and might prevent other perspectives from being heard.<sup>72</sup>

This paper disagrees with this critique. The entire human rights and HRE framework presented and the potential of HRE to promote a culture that respects human dignity in various sectors of the society demonstrate its relevance. Nonetheless, this paper considers that this critique raises important awareness of the risks that HRE might encompass. All advocacy to promote HRE must be self-reflective, self-critical and opened to hear and evaluate critiques from other actors.

#### **Obstacles To HRE In The U.S And The Realistic Utopia**

As can be viewed from the previous discussion, there were, as of 2015, still insufficient and insulated initiatives on HRE in the U.S. The U.S. was far from achieving the goals stated in the WPHRE. The challenges to implement HRE in the country were probably similar to the reasons why U.S. is resistant to bring home international HR standards.

American exceptionalism is the double standard the U.S. stands out regarding international human rights law. On the one hand the country advocates for high standards of human rights abroad, on the other

U.S. is very resistant to adopt and implement intentional human rights inside the country.<sup>73</sup> There is a general comprehension that the country has a satisfactory framework and does not need any external input. International human rights is viewed as necessary only outside the boundaries of the U.S.<sup>74</sup>

The federalist system brings obstacles to commitments by the federal government in the international arena. Considering that in the internal sphere many issues are within states and local attributions, U.S. has made considerable reservations, declarations and understandings while ratifying treaties. In the setting of formal education, federalism is also a major challenge. Education has traditionally been states and local attribution in the U.S., as follows by the Tenth Amendment. Nonetheless, after the second world war the federal government's participation in the educational field began to change and increased during the cold war. In 2002 the legislation "No children left behind" was enacted and Federal government is now involved not only in funding and equity, but also in testing and curricula standards.<sup>75</sup> This trend of a progressive shift in the federalism pattern demonstrates one entry point to human rights education which must be included in the minimum standard curricula.

As of 2015, there was no national Human Rights Institution to assess human rights situation in the federal, state or local level. The U.S. lacked, as of 2015, a structured and coordinated framework to monitor and

guarantee that the sub national entities are aware of human rights commitments and implement them.<sup>76</sup>

HRE is relatively new and there is a lack of knowledge about it. There is few juridical literature that focus specifically on HRE and most books on International Human Rights or do not discuss it<sup>77</sup> or dedicate just a few pages to HRE.<sup>78</sup>

The country has a powerful history of protecting civil and political rights, but the U.S. Constitution is weak with regard to economic, social and cultural rights.<sup>79</sup> The right to education is not explicitly contemplated in the U.S. Constitution, which poses one more challenge to implement HRE. Nonetheless, as of 2015, the right to education was protected in all State Constitutions of the U.S. with possible exemption of the state of Mississippi.<sup>80</sup> Furthermore, despite recent initiatives, the most influent NGOs that act in the U.S., such as Amnesty international and Human Rights Watch have traditionally focus their efforts on civil and political rights.<sup>81</sup>

The realistic utopia<sup>82</sup> that this paper proposes is that the US ratifies all treaties related to HRE. That the federal government develops a national plan of HRE in a joint effort with state and local governments in order to accomplish with the WPHRE. All levels of government must engage in measures to implement HRE. The inclusion of HRE in all formal educational settings is an essential step. Moreover, all state officials and public servants must receive HRE. Teachers and professors, media professionals, physicians and social workers should be reached by a HRE project. HRE must also be offered by the government for the civil society in programs tailored to reach their specific needs. As stated in the bill 3077, it has to be a policy of the U.S. to develop within a time frame a program of HRE that will be an example for the entire world. A HRE committee responsible to research and make recommendations about HRE is an important measure that could have started in 1989. This advisory committee would ideally be part of a national human rights institute that also needs to be created and should coordinate the national plan of HRE. The federal government shall provide state and local governments with funds to finance HRE as well as with technical support. Incentives have to be offered to NGOs and Civil Society that promote HRE.<sup>83</sup>

### **V Some Insights For Advancing Advocacy To Promote HRE**

Considering the gaps of HRE in the U.S. as of 2015, and the ideal scenario above proposed, there are a lot of opportunities for activists to advance advocacy in order to promote HRE in the country. This paper is one of the series of two that provides insights with a 2015 perspective. The second paper of the series will discuss it from 2015 to 2025.

#### **Within the Human Rights Movement**

HRE is relatively new and only became a major issue in the international agenda after the World Conference on Human Rights in Vienna 1993.<sup>84</sup> There is a lack of knowledge on the importance of HRE within the human rights movement. The literature about HRE, especially in the juridical field, is still sparse and there is a need for more research on the theme<sup>85</sup>. Thus, advocates can work to increase research and data about HRE, develop literature and include, for example, a chapter on HRE on Human Rights books. Promoting seminars and meetings to discuss best practices, exchanging experiences and building coalitions are also important steps. In this regard, as stated before, HRE 2020 has already built coalition and a network. This definitely contributes to improve the awareness concerning HRE and the WPHRE among human rights activists, besides increasing the number of advocates supporting this cause.

#### **At the Federal Government level**

There are many venues for activists to engage with the federal government, such as promoting awareness and developing partnerships. One should focus on working with the government so as to develop and implement a national plan of HRE target at formal and informal education, public employees, professionals (such as journalists and medical doctors) and the civil society at large. Direct advocacy efforts so that U.S. creates a national Institution to deal with human rights. This institution should have an advisory committee responsible to foster HRE in the whole country, collect data, support and spread best practices, besides promoting accountability. Due to the obstacles above mentioned, this might be a difficult, yet feasible process and it can be inspired by the Bill 3077. Also, directing advocacy efforts so that U.S. ratifies treaties that comprise HRE is an important step forward.

Engaging with the federal officials is essential to promote awareness about HRE, the WPRE and to stress the importance that U.S. participates and provides data. All the recommendations U.S. received, reports, declarations among other instruments about HRE can be used as a persuasive argument. It can be framed as a opportunity for the country to be an leader in the effort to promote HRE around the world.

Develop a federal campaign to reach out state and municipalities to improve awareness of HRE and convince the federal government to send a memorandum about HRE and the WPHRE is also an important measure. This is a less challenging goal, considering that the Obama administration has done some efforts to engage with state and local officials to implement human rights and has sent a memorandum about the treaties U.S. is party.<sup>86</sup> Regretfully, those initiatives did not embrace specifically HRE.

It is also important to convince the federal government to provide funding, technical support and incentives to state and local governments and NGOs to enhance HRE. Promotion of best practices could be done by convincing the federal government to create a national award of HRE.

At State and Local level

The U.S. constitution states that only the federal government can commit with treaties in the international arena. Nonetheless in the advocacy realm, literature and practice have expanded the constitutional frontiers and States and localities play an increasingly role in human rights efforts.<sup>88</sup> Thus, engaging with states and local governments is also a relevant task for human rights advocates to implement HRE across the country.

Advocates can raise awareness and develop partnerships with the U.S. Conference of Mayors aiming at creating a HRE cities program. Considering that the U.S. Conference of Mayors has many ongoing programs (such as healthy cities, climate protection) and has committed to consider ways to incorporate international human rights into local practice and policy as well as to promote initiatives to spread human rights in the local agenda,<sup>89</sup> they are likely to be receptive to this initiative.

Activists can also engage with local authorities aiming at creating HRE programs and at issuing HRE resolutions. Municipal and states human rights commissions across the country can be an entry point to advocate for HRE. Despite the average inertia to promote HRE, with the support of activists, many new programs can succeed. For instance, as of 2015, Salt Lake City has an Office of Diversity & Human Rights that works in cooperation with organizations<sup>90</sup> and has developed since 2012 a HRE project. It offers workshops tailored to the target audiences about rights, responsibilities, and resources available to people who live in the city.<sup>91</sup> The city has also included an entire title on human rights in its code.<sup>92</sup> Pittsburgh Human Rights City Resolution is another example of a city that has committed with HRE and has issued a resolution that expressly mentions the U.N. Year of Human Rights Learning. This spurred an initiative aiming at promoting knowledge about human rights.<sup>93</sup>

Advocates raise awareness about the WPHRE and support governments so that they promote HRE and include it as a part of the school curricula. An example of this engagement is HREUSA project of developing a "Human Rights Education Curriculum Integration Guide" for the State of New Jersey<sup>94</sup>. The guide is also intended to become a model for other states.

At the U.N. (UPR, Treaty monitoring bodies and Special Procedures)

The U.N. mechanisms offer many opportunities for advocates to advance HRE in the U.S. They can submit shadow reports demonstrating the lack of HRE in the U.S., provide data and evidence for the U.N., develop relationship with experts and lobby for recommendations to advance HRE, work with countries that play a major role in the international agenda to make recommendations about HRE to the U.S., organize meetings to discuss relevant issues about HRE, and also work on follow ups of the recommendations received. With regard to the treaty monitoring bodies, U.S. reports to the Human Rights Committee, the Committee Against Torture, the CERD committee and the Committee on the Rights of the Child (U.S. ratified two additional protocols to CRC). Thus, those treaty monitoring bodies shall be the aim for U.S. advocates. Activists can also request a visit of the current Special Rapporteur on the right to education, who stated that the right to education in the post-2015 development agenda involves HRE as an aim of education.<sup>95</sup>

It must be considered that HRE, as a specific approach, has received a diminished focus by U.N. monitoring mechanisms, particularly the human rights treaty bodies and the Special Rapporteurs<sup>96</sup>. Nonetheless, the attention towards HRE has increased with program such as WPHRE<sup>97</sup> and advocates can and have done important efforts to enhance it internally and internationally.

As of 2015, Human Rights Educators USA (HRE USA) and U.S. Human Rights Network (USHRN) submitted a shadow report focused on U.S. accomplishment of responsibilities regarding HRE on curriculum standards, teachers training and school environment to the UPR 22nd Session in which U.S. was reviewed for the second time. The document emphasizes, for instance, the absence of coordination, leadership and oversight

of the federal government so as to include HRE in the schools curriculum; the disparity and unregulation of curriculum in the state level; that human rights are taught with a historical approach disconnected with skills and attitudes; that training programs for teachers and other personal that work with children has failed to

include HRE<sup>98</sup>. Some of the recommendations of the shadow report are that all levels of government take measures to implement HRE; U.S. should ratify treaties related to HRE such as CEDAW, CRC, CRPD and ICPRMW and ICESCR; that the U.S. government develops in cooperation with governments and civil society a national plan of HRE in compliance with WPRE; U.S. government shall establish a focal point to coordinate the plan of action and identify and develop best practices; to create of a national human rights institute; U.S. department of education shall support financially and technically state and local governments to include HRE in the legislation and policy related to school curriculum, it should also equip state and local governments to review their practices so as to provide HRE to all children and include HRE in the curriculum of key subject areas; U.S. government shall support, offer funding and assistance for civil society, organizations and NGO's that provide HRE; the federal government should work with legislatures and credentialing and accreditation entities to provide HRE for teachers and other professionals that deal with children or in the educational field.<sup>99</sup>

The summary of the stakeholders of the 2nd UPR also conveys that many organizations<sup>100</sup> recommended a national plan of HRE in compliance with the U.N. WPHRE.<sup>101</sup> It was also recommended<sup>102</sup> that human rights training and education takes part in public policies. Training of law enforcers was also urged by the stakeholders.

HRE 2020 successfully used the U.N. arena to advance HRE and presented during the side event HRE and Training: Achievements and Perspectives<sup>103</sup> a tool kit to monitor HRE policies and practices "Human Rights Education Indicator Framework: Key indicators to monitor and assess the implementation of human rights education and training".<sup>104</sup> It has also reinforced the importance of HRE at the Cedaw 58th Session half day discussion on girls' and woman's right to education in 2014.<sup>105</sup>

## **VI At The Inter-American System**

Inter-American System can also be an important entry point to advocate for HRE in the US. Considering that U.S. has not ratified the American Convention on Human Rights, the Protocol of San Salvador, which both tackle HRE, efforts must be made to promote ratification of those treaties. The reports on HRE embrace the countries that signed and ratified the Protocol of San Salvador. Nonetheless, activists can engage in the reports to provide information and call attention for the lack of HRE in the country. The OAS resolution Education on Human Rights in Formal Education in Americas can be used to raise awareness of the importance of HRE.

Advocates can also engage in the Inter-American System by filling individual petitions to the Inter-American Commission informing concrete violations in which the lack of HRE was a contributing factor and frame it as a HRE issue.

Advocates can also engage with the Rapporteur of Social, Economic and Cultural Rights to request an on-site visit to provide knowledge of the failure of the U.S. to provide HRE, work for recommendations and proceed with a follow up.

The Inter-American institute is an autonomous international entity which has among its missions to educate about human rights.<sup>107</sup> It has played a key role in promoting HRE within the Inter-American System. Advocates can engage with the institute by participating in their events, researches, activities and by developing partnerships.

## **VII With Grassroots Movements And Civil Society**

There are many venues for advocates to engage with civil society and grassroots movements to promote HRE. Activists can organize hearings with civil society, promote campaigns, develop educational programs and materials and promote coalition. Amnesty international and Human Rights Educators U.S.A, for instance, offered HRE educational materials.

By framing relevant rights violation as human rights and providing HRE they can indeed contribute to empower and mobilize communities to reach their needs<sup>108</sup>. In this sense, The Border Network for Human Rights (BNHR), a human rights organization that acts in the borders of US and Mexico has used HRE as a tool to organize border communities and to mobilize their members to foster a new framework in policy and practice.<sup>109</sup> This educational process has formed a grassroots community organized in a Human rights community committee and helped to form human rights promoters. It has empowered individuals by raising awareness that they are entitled to human rights and helped to build a critical thought about questions such as US immigration policy, US. border policy, american exceptionalism and the constraints of human rights in the US with regard to migration. With this knowledge members of the community started defending, exercising and promoting rights, such as reporting violations<sup>110</sup>.



### **VIII Conclusion**

Human rights education is a human right that can contribute to enhance respect towards human dignity, to empower individuals and social movements and to improve government and officials conceptions within the U.S. By promoting a development consistent with human rights and fostering a school environment more aligned with human dignity, it can evolve the standards of decency in the country. Lack of knowledge about human rights and its mechanisms of enforcement is a barrier to protect, promote and enjoy them. For instance, in a country shocked by police killings based on racial profile, that school to prison pipeline is a reality and where migrants suffer discrimination, HRE is a venue and a hope to improve this unbearable situation.

HRE is a U.S. compromise that follows from the Universal Declaration of Human Rights, the American Declaration of the Rights and Duties of Man and from other Human Rights instruments and treaties that U.S. has ratified. The United Nations Declaration on Human Rights Education and Training and the WPHRE establish the base line of the content, scope and framework of HRE. Nonetheless, as of 2015, the US had no national plan of action or policy on HRE and only sparse initiatives have been taken by federal, state and local governments.

As of 2015, during the two UPRS (2011 and 2015) U.S. received many recommendations to implement HRE. Treaty bodies and special rapporteurs had also expressed concern about the lack of HRE in the country. In order to accomplish the duty to foster and provide HRE, a national plan of HRE must be developed and HRE shall be mandatory in schools curriculum and teachers training. All law enforcement and Military personnel must receive HRE and training. State personnel, media and health workers and other professionals shall also be contemplated with HRE, among many other measures before mentioned.

Human rights activists have a challenging and intense task to turn HRE a reality in the U.S. In this regard, there are a lot of opportunities for advocates to engage within the human rights movement, at Federal, State and local levels, at the U.N. and Inter-American System and with civil society and grassroots movements in order to foster implementation and accountability of HRE.

This paper discussed the HRE in the U.S. as of 2015, following paper will analyze the progress and challenges of the next decade, namely from 2015 to 2025.