

# **THE HUMAN RIGHT TO THE TEACHING OF HUMAN RIGHTS EDUCATION IN ALL SCHOOLS IN INDIA**

**Report for the United Nations Human Rights Council  
for India's Third Universal Periodic Review**

**JOINT STAKEHOLDERS' REPORT**

Submitted by the **Institute of Human Rights Education, India**

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2. Holistic approach for People's Empowerment (HOPE), Puducherry
3. Institute of Human Rights Education & Protection, Agartala, Tripura
4. Institute of Human Rights Education, Bhubaneswar, Odisha
5. People's Action for Rural Awakening (PARA), Andhra Pradesh & Telangana
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This report is made as submission for the Third Cycle of the Universal Periodic Review and has no other concern than the improvement of human rights on the ground and in particular **human rights education** framework and practice in India.

## 1. Introduction and actual context:

- i) On July 11 four young men members of the Chamaar caste, part of the Dalit community, were assaulted and trashed by a group of cow-protection vigilantes in Gujarat's Una. The victims were stripped, tethered to the back of a car, beaten for hours while hundreds dozens of people were silently witnessing the atrocity.<sup>i</sup> After the divulgation of the new, media was rapidly covered with hundreds of opinions expressing its rejection towards the cow supremacy above dalits dignity and the paper of Government on the increase of violence since Modi took charge in New Delhi, but the instinctive and elementary reflection that everyone should have after reading those kind of atrocities is asking about the values and principles that might have not just the perpetrators but also the witnessed who did not stand up for its neighbors rights. Where did the perpetrators ingest that hate? Which education was given to the observing silent majority? Certainly, they did not attend any kind of Human Rights Education Program. What if a critical mass among them had such an opportunity? What if they had been taught to Celebrate Diversity and Difference which in a nut shell is Human Rights Education Training?
- ii) This is just an example of the actual situation in India: many atrocities are committed due to religion, cultural or sexual discrimination while many state departments as Army Forces or Police officers are receiving sharp criticism from civil society for its constant human rights violations around the country. In this context it really important to bear in mind the true power of Human Rights Education (HRE) which promotes "*respect for human dignity and equality and participation in democratic decision-making*" and "*contributes to the long-term prevention of abuses and violent conflict*"<sup>ii</sup>. There is a strong bond between human rights and education as it is the best way to develop active subjects with capacities to promote the values of social and democratic states and spread the culture of human rights across global citizenship.

## 2. Human Rights Education and Training Legal Duties of the Republic of India

### Treaties and international bodies

- iii) In the Preamble, the **United Nations Human Rights Declaration** encourages "*teaching and education to promote respect for these rights and freedoms*" and in its article 26.2 it is stated that "*Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall 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*"<sup>iii</sup>. This general provision contains the spirit and force of common vision contained in dozens of international covenants: education as a mean to achieve a more plural, democratic and tolerant society.

- iv) India has general but clear duties relating Human Rights Education which are contained in international treaties in which is member. In article 13 of the **International Covenant on Economic, Social and Cultural Rights** States parties “agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms”. States further agree that “education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups”.<sup>iv</sup> Another declaration of the HRE spirit that enforces the duties imposed to the States on the development of human personality and dignity skills. If education shall enable all persons to “participate effectively in a free society”, persons need to know rights and duties and the way to exercise them or claim for them in case of rejection from powers.
- v) In the same sense article 29.1(b) of **Convention on the Rights of the Child** stated that “education of the child shall be directed to the development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations”.<sup>v</sup> Other treaties enshrined the power of education for eradicating specific ways of discriminations. In this direction, article 7 of the **International Convention on the Elimination of All Forms of Racial Discrimination** establishes the obligation for States parties to “adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination”.<sup>vi</sup>
- vi) Other treaties do not impose literally obligations in the field of education, and yet it is clear that education is one of the critical elements in reaching the goals the state has a mandate to fulfil. We can find one example of this in article 30.1 of the International Labour Organization (ILO) concerning **Indigenous and Tribal Peoples in Independent Countries** which states that “Governments shall adopt measures appropriate to (...) to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention”.<sup>vii</sup> Another example of this open legislative imposition in article 5(a) of The **Convention on the Elimination of All Forms of Discrimination against Women**: “States Parties shall take all appropriate measures: To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women”.<sup>viii</sup> How could any State change social and cultural patterns? Just through Education, Law and Media. That is the reason why the First phase of the World Programme for HRE (2005-2009) was focused on primary and secondary school, the Second phase (2010-2014) was focused on higher education, teachers, educators, law enforcements and military and the Third phase is focused on media professionals and journalists.<sup>ix</sup>
- vii) There exists also other kinds of international bodies that has HRE mandates as resolutions or declarations of the General Assembly of the United Nations. The clearest example is the **United Nations Declaration on Human Rights**

**Education and Training** adopted in 2011 which do not have binding effect but can assist us in the interpretative task when looking at the commitment of states in comply their duties and can develop into international customary law with the common practice through time. The Declaration recollects brilliantly the content of HRE as a right itself: *“Everyone has the right to know, seek and receive information about all human rights and fundamental freedoms and should have access to human rights education and training”*.<sup>x</sup> It also brings interesting ideas as describing HRE as a *“lifelong process that concerns all ages”* amplifying the scope of the right to other sectors of society which cannot have institutional and formal education. This is important as those who are illiterate are the ones with more probability to suffer human rights violations due to their lack of knowledge of their rights and the power to raise their voice.

- viii) In the national sphere, article 51.A of the Indian Constitution states as duties of every citizen the respect of the Constitution, the promotion of respect and harmony amongst all people transcending religious, linguistic and regional or sectional diversities and the renounce of practices derogatory to the dignity of women<sup>xi</sup>.
- ix) Thus we can identify clear obligations emanating from international binding treaties and declarations that State must ensure human rights education in the educational field: develop human personality, spread the respect on the human rights, enable people to participate effectively in a free society with respect for human rights and fundamental freedoms and combating discrimination with special attention to gender or race in particularly.

### 3. Assessment of the UPR recommendations

#### 3.1. Human Rights in the school curriculum

- x) In the Second Universal Periodical Review the Republic of India noted the recommendation expressed by Sri Lanka to *“continue with action to include human rights education in the school curricula”*.<sup>xii</sup> This commitment is similar to the provision contained in the paragraph 79 of the Vienna Declaration and Programme of Action which *“calls on all States and institutions to include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of all learning institutions in formal and non-formal settings”*.<sup>xiii</sup> In the next pages we are going to explore the developments and failures on implementations since May 2012 when the recommendation was accepted.

##### 3.1.1. Children and school context

- xi) The interdependence between education and human rights forces us to draw up some generalities about children rights and schools with the aim to have a wider perspective in our critical view. The Right to Education Act (RTE) grants since 2009 compulsory and free elementary education to children from six to fourteen years. However, as the Committee on the Elimination of Discrimination against Women stated *“only 4 per cent of the GDP is spent on education, that girls with disability and minorities still register low enrolment rates, and that the dropout rate among adolescent girls is as high as 64 percent”*.<sup>xiv</sup> One of the polemic measures that can explain this high dropout rates is the recent Child

Labour amendment Act 2015 that has amplified the scope in which children can work to following situations: “(i) helping family and a family enterprise which are not hazardous occupations, after school hours or during vacations, and (ii) working in the audiovisual entertainment industry (films, TV, etc.) or sports activities”.<sup>xv</sup> Would this help to reduce the number of 10,028,663 children workers in India that have from 5 to 14 years old?<sup>xvi</sup> Certainly not. Moreover, contradictions between RTE and Child Labour Act are also present in respect of adolescents, as they are allowed to work no matter what they have or not finished elementary school. In this sense, the Standing Committee on Labour submitted in its legislative that “*The Bill could modify the definitions to provide that those who have not completed elementary education (even if they are above 14 years) will not be employed in any occupation*”.<sup>xvii</sup> Furthermore, in the same year was passed a populist and visceral Juvenile Justice Amendment in which adolescents from 16 to 18 years can be tried like adults if they committed heinous crimes.<sup>xviii</sup>

- xii) In relation to the psychological and physical welfare of the children, Ministry of Women and Child Development (MWCD) released in 2007 a study report on child abuse that pointed out some horrid statistics: 53.22% of the 12,477 questioned children reported to have been sexual abused.<sup>xix</sup> As per physical abuses concerns, MWCD report found that 69% of children reported to have been physically abused.<sup>xx</sup> In relation to corporal punishments by teachers, 2009 UNICEF report found that in India 78% of 8 year-olds and 34% of 15 year-olds said they had been physically punished in the past week, while 93% of 8 year-olds and 68% of 15 year-olds said they had seen other children being physically punished.<sup>xxi</sup> In this regard, the Republic of India fulfilled the recommendation of Liechtenstein<sup>xxii</sup> and incorporated a prohibition of physical punishment and mental harassment to child in the RTE.<sup>xxiii</sup> Moreover, the Gujarat High Court has clearly stated that “*corporal punishment to child in present days (...) is not recognized by law*” no matter the contradictions with Sections 88 and 89 of the IPC.<sup>xxiv</sup>
- xiii) Ultimately, discrimination in schools is just a reflect on the general discrimination around the country –Could it be otherwise? Dalits and Adivasi communities face especially higher dropout rates, classroom segregation and mid-day meal cooks discrimination as well as they have “*poor infrastructure, equipment, staffing and quality of teaching*”.<sup>xxv</sup> In this context in which discrimination stills here it is important that our children know their rights.

### 3.1.2. Development since last review

#### A) Government action

- xiv) The National Curriculum Framework (NCF) was drafted by the National Council of Educational Research and Training (NCERT) in 2005. It contains several declarations on the importance of education “*as a long-term process of building up peace, tolerance, justice, intercultural understanding and civic responsibility*” which strengthens democracy and helps students to achieve a rational commitment to values.<sup>xxvi</sup> The basic approach established into the NCF in primary and secondary schools is to teach human rights in an indirect way using

subjects as history or science as vehicles of principles and values. In this sense, Social Science has *"interdisciplinary approaches, promoting key national concerns such as gender, justice, human rights, and sensitivity to marginalized groups and minorities"*.<sup>xxvii</sup> This approach of inculcating human rights culture might not be enough if we look to the alarming human rights violations rates in India. As Pranati Panda says *"the basic approach to human rights education in schools is to integrate it into various subjects and not treat it as a separate area of study"*.<sup>xxviii</sup> Fortunately, as an exception to this indirect way of transmit HRE, the Central Board of Secondary Education (CBSE) introduced an elective course for students of XI Class called 'Human Rights and Gender Studies' in the academic course 2013-2014.<sup>xxix</sup>

- xv) Another Aquila's heel of this indirect method is the teachers' training, as most of them lack in having human rights education knowledge that can assist them in inculcating students the values of the United Nations Human Rights Declaration. Although *"the Curriculum Framework prescribed for various teacher preparation programs of the country promotes the inclusion of themes related to various human rights"*,<sup>xxx</sup> it is again an indirect way to learn what then will be taught, diluting the quality and effectiveness of human rights learning.
- xvi) The NCF also is concerned in its own implementation and rise the voice about the *"huge ambiguities and overlaps in the functions and tasks"* as there is *"no role clarity between the functions at the different levels"*<sup>xxxi</sup> of planning, implementation and monitoring.
- xvii) In relation to the New Educational Policy, it is in its initial consultation process. In its first document drafted by the Ministry of Human Resource Development, it is stated that *"curriculum will cover the issues of social justice and legal measures in order to avoid social discrimination. It will be ensured by the curriculum and text book development agencies that text books promote harmony and do not contain any discriminating issues, events, examples in the context of gender, disability, caste, religion, etc. Citizenship education, peace education, character building, legal and constitutional literacy, financial literacy, environmental sustainability and other common core which will be promoted through all the subject areas"*.<sup>xxxii</sup> The participatory approach is a really good beginning and civil society will be active in ensuring that the first message is fulfilled.
- xviii) This static state of affairs in school curricula might be quite different in the higher education steps. Recently, the Indira Gandhi National Open University (IGNOU) started a certificate course in HRE and the University Grants Commission granted 10.000 lakh to take activities related to human rights education and human rights development, in concrete 25% of the ceiling to research, another 25% of the ceiling to teaching and a 50% of the ceiling to organization of seminars, workshops and conferences.<sup>xxxiii</sup>

## **B) Civil Society action**

- xix) Instead of this slow and leaden path of the government towards HRE, civil society counts in some cases with more than 15 years spreading human rights education through the country. NGOs are providing HRE with various formula: by themselves, jointly with other organizations and in some cases associated with the UN departments. Some examples of this action are discussed below as good examples that the State scale up to fulfill its responsibility towards human rights education, strengthen the human rights education programs that it has already initiated.
- xx) The Institute of Human Rights Education (IHRE) has a National Plan in 15 States (Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Karnataka, Kerala, Maharashtra, North Eastern, Orissa, Rajasthan, Tamil Nadu, Telangana, Tripura, Uttar Pradesh and West Bengal) in collaboration with different NGOs. At this moment, the program has trained more than 4476 teachers in 3909 schools involving 316832 children. It also has pressed the State Curriculum, Education, Research and Training (SCERT) in Odisha to include HRE in school Text Books from 2005 onwards ([www.odia.org/books/allTextBooks.php](http://www.odia.org/books/allTextBooks.php)). Due to this strong advocacy and communication the SCERT had also integrated HRE subjects in the History and Politic Science textbooks of Classes VII and IX. Stories and examples were also included in '*Odia and English literature*' textbooks of Classes VII and VIII.
- xxi) People's Action For Rural Awakening program of setting up 1000 human rights club in 525 government schools in the two states of Andhra Pradesh and Telangana with the express collaboration of the government educational department. Despite the willingness of the government to the idea of human rights education and human rights clubs in schools getting the actual permissions for scheduling training session for teachers and students have been a hassle.<sup>xxxiv</sup> It has also succeeded in getting the AP Government to train 167,000 teachers as part of their in-service training programme under Sarva Siksha Abhiyan (Universal Primary Education) Programme.<sup>xxxv</sup> Further, its advocacy and council work has accomplished the inclusion of human rights content in Telangana's social textbooks from 5<sup>th</sup> to 9<sup>th</sup> grade.<sup>xxxvi xxxvii xxxviii</sup>
- xxii) Amnesty International Human Rights for Education Programme has done several workshops and training during the last years in more than 30 schools in Bangalore as part of its wider program called Human Rights Friendly Schools.<sup>xxxix</sup>

#### **3.1.4. Regressive actions of Government**

- xxiii) The vindictive action by the government against those NGOs who question its commitment to the social and secular ideals of preamble of the constitution and to the rule of law has hampered implementation of human rights education program that those NGOs have assiduously tried to take forward as a response to the call of the UN. A case in point is the punitive action against Institute of Human Rights Education and against SICHREM (ref needed). Union Government frozen the Bank account due to foreign donations during several years and that decision affected programs as the one carried on by IHRE.<sup>xi</sup>
- xxiv) One of the main omissions in the fulfillment of the school curricula implementation recommendation is the lack of National Action Plan on Human Rights Education.<sup>xii</sup> Countries like Senegal, Brazil, France or Japan have national systems in which they develop HRE guidelines and principles and

distributed the main responsibilities in the implementation and assessment of the program among different national agencies or department. The actual legal framework in India just brings confusion and does not distribute obligations. The Republic of India is ultimately responsible for the omissions regarding its HRE legal duties and should encourage the draft of a National Plan coming from a joint and participative dialogue between government, the civil society, universities, educative centers, experts in a democratic proceeding. This National Plan should be take into account the country particularities and should create a national organ in charge of its development and assessment.

### **3.2. Human Rights training law enforcements:**

xxv) In the Second Universal Periodical Review the Republic of India noted the recommendation expressed by Malaysia<sup>xliii</sup> and Iraq<sup>xliiii</sup> to intensify and improve the training programmes on human rights for law enforcements officials, judicial, legal officials and police officers. This recommendation and the designed moment for its implementation matches with the Second Phase Universal of the World Programme for HRE (2010-2014) that is directed to the law enforcements.

#### **3.2.1 Developments since last review**

##### **A) Government action**

xxvi) The main agency in India in charge of promoting human rights culture and principles is the National Human Rights Commission (NHRC). In the Section 12 (h) of the Protection of Human Rights Act 1993, the Commission is mandated to "*spread human rights literacy among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means.*"<sup>xliv</sup> The NHRC has targeted different groups which are required special attention in relation to its Human Rights Education or Training among the ones we can find police, judiciary, prison officials, army, para-military forces and civil servants. In the performance of this '*literacy*' task they provide in-house, short-term, long-term, collaborative programs, internships to students and online basic courses on human rights to police personnel. In the year 2010-2011, when the Commission "*approved 123 training programmes relating to various aspects of human rights. Out of these, 67 training programmes were successfully organized by 57 institutions/universities/NGOs.*"<sup>xlv</sup> In the same sense, 125 training programmes relating to various aspects of human rights were successfully organized by 50 institutions, universities and NGOs during the year 2011-2012. The problem to evaluate its developments during the last 4 years is due to the lack of publication of the reports – this fact in itself is a clear indication of the human right education situation in India: the main agency is not observing the basic rules of transparency and accountability. And what has been done in no way matches the enormity of the task that needs to be done.

xxvii) Other Government organizations has developed training programs during the last years. One example is the National Legal Service issued a resolution on 9 December 2011 in which orders every State Legal Service Authority (SLSA) to implement and provide annual trainings to juvenile or child welfare officers attached to police stations and to the members of special juvenile police unit. It

its order it commands the SLSA to “*undertake periodic review and appraisal of training programmes and will revise and upgrade such training programmes*”.<sup>xlvi</sup> Since then juveniles rights courses are being provided to the members of special juvenile police, but as ERIKA RICKARD says “*A further complication with the creation of SJPU is that officers are transferred in and out of these positions more frequently than the trainings take place (...) Officers are rotated in and out of these specialized positions more frequently than they are given training*”.<sup>xlvii</sup> The lack of information available makes it difficult to know the periodicity of its trainings.

- xxviii) The National Judicial Academy India in coordination with State Judicial Academies also provide different courses on Human Rights. For example, last August held the “*Annual National Seminar on Working of Human Rights Court in India*” and Andhra Pradesh Judicial Academy had provided 7 workshops on “*Fair Trial in Criminal Cases – Role of Judge as Human Rights Protector and Provider*” for 3 District Judges and 3 JFCMs during the year 2013 and is providing two weeks “*Refresher Courses for Junior Civil Judges*” working in the states of Telangana and Andhra Pradesh every year.
- xxix) Specific trainings are being provided to different law enforcements and police officers especially in the field of child and juveniles, domestic violence and atrocities against scheduled cast and scheduled tribes, etc. In regard to the last group, the Committee of the International Convention on the Elimination of all Forms of Racial Discrimination urgently recommended in 2007 to “*introduce mandatory training on the application of the Scheduled Castes and Scheduled tribes (Prevention of Atrocities) Act (1989) for police, judges and prosecutors*” and no action in this sense have taken place.<sup>xlviii</sup>
- xxx) The above citations show that when the government puts its mind to it, we see a movement in creating awareness on critical legislations for protection of human rights of particular section of society on specific thematic areas. Government should use this experience in taking forward the mandate for human rights education. When this task is taken seriously there will be greater scope for reduction of human rights violations in general. Thus we can surely notice a certain reticence to impart general courses covering all human rights.

## **B) Civil Society action**

- xxxi) As in the primary and secondary school HRE mission, civil society has made significant efforts to impart human rights trainings to police officers and law enforcements. Some of the programs have been done in collaboration with more NGOs, UN programs or local governments. The following examples may be cited in this regard:
- xxxii) The HAQ Centre for Child Rights have been giving training to police personnel, including Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables since several years. The modules cover various aspects of the JJ Act, the persistence and implications of child trafficking and wider child rights issues.<sup>xlix</sup> ENFOLD in collaboration with UNICEF and the Government of Karnataka has trained since 2012 about 1.850 stakeholders among police personnel, social workers, doctors and dept. prosecutors on Child Rights and Child Abuse.<sup>l</sup> The Centre of Social Research in collaboration with Un Women and the NHRC has also imparted women's rights and gender equality trainings

in different police academies. Actually, they have a gender sensitization training of trainers program at SVP National Police Academy, Hyderabad.<sup>ii</sup>

### **3.2.2. Evaluation of implementation**

- xxxiii) The evaluation of this recommendation has to be valued in a more positive way than the previous recommendation as government had implement at least several training programs among the law enforcements and police officers. Despite that, lot of actions need to be taken for the sake of human rights consciousness among this vital group of our society.
- xxxiv) The training provided were basically specific courses on child or women issues and in the majority of cases the trained police officers were the ones tasked to perform special roles as the Special Juvenile Police Units and Officers. Government seems to be reluctant to give Human rights training per se, while they are comfortable providing training on specific fields. The specialization of human rights content to specific units is as necessary as a general course on human rights where is learned the duties, boundaries and guide lines principles on daily proceedings in accordance with human rights standards. This double dichotomy regarding the specific content and assistants to the training programs shall be addressed.

## **4- Recommendations**

### **4.1. Recommendations on Human Rights in school curriculum**

- xxxv) Despite some advances in HRE presence in the classrooms, there is lot of work to do for the integration of human rights in schools. First of all, general recommendations in the field of the education shall be pronounced although is not the main object of this report. Another recommendations will be to reform the Child Labour Act. On the one hand, to prohibit any kind of work for children below 14 years old in order to secure the children presence in the school. On the other, to condition the adolescent work to the presentation of an official certificate which states the fulfilment of elementary school. Further, remove the possibility of adolescents being tried like adults in heinous crimes as it is stated in Juvenile Justice Amendment.
- xxxvi) In relation to the specific field of HRE, the most obvious recommendation is the creation of a Human Rights subject, module or course for students in primary and secondary schools, adapted to the different ages and necessities with progressive and more complex contents to develop skill of promoting human dignity culture and the awareness and commitment to avoid violations.
- xxxvii) Another quite obvious measure is the inclusion of HRE mandatory course in teachers' training syllabus. Actually, the syllabus in the diploma of elementary education drawn up by the National Council for Teacher Education does not include human rights in a formal way as there is no concrete subject dedicated to the learning of human rights. It can be argued that it is learned in an indirect context as some subjects have political contents which can be related to, but it is not enough as teachers need to have a clear idea of the specific rights, the way to avoid violations and the institutional channels to that can redress them.

xxxviii) Other proper measures to improve HRE would be the establishment of refresher courses in Human Rights Education each two years in order to strength teachers' capacities, continue with the task of adapting text books to human rights contents and the adoption of a National Action Plan on Human Rights Education as was explained above.

#### 4.2. Recommendations on Human Rights trainings

xxxix) One action that should be carried out is the incorporation of a course in human rights in the higher education, at least in the syllabus of those professions which would have later a position to affect in a deeper manner the human rights: law enforcements, policemen, journalists and doctors. This could bring the chance to study the possible violations of human rights that will be shown in the daily before it occurs in reality.

xl) Another recommendation is addressed to the State Judicial Academies which should provide to judges modules or trainings focused on human rights. Same modules should be provided to public prosecutors. In the same sense, it is important to introduce mandatory training on the application of the Scheduled Castes and Scheduled tribes (Prevention of Atrocities) Act (1989) for police, judges and prosecutors to redress the grievances they suffer coming from the State. The last recommendation would be to strength, promote and fund collaborations with NGOs in training programs in order to increase the human rights training among law enforcements.

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ii Plan of Action. World Program for Human Rights Education. First Phase. United Nations, United Nations Educational, Scientific and Cultural Organization and the Office of the United Nations High Commissioner for Human Rights. New York and Geneva 2006.

iii United Nations Human Rights Declaration adopted by United Nations General Assembly in Paris on 10 December 1948 General Assembly resolution 217(III) A.

iv International Covenant on Economic, Social and Cultural Rights adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December.

v Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990.

vi International Convention on the Elimination of All Forms of Racial Discrimination adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965.

vii ILO n<sup>o</sup>169 Convention concerning Indigenous and Tribal Peoples in Independent Countries adopted in Geneva, 76th ILC session (27 Jun 1989).

viii Conventi on the Eli mination of All Forms of Discrimination against Women adopted in New York, 18 December 1979.

ix <http://www.ohchr.org/EN/Issues/Education/Training/Pages/Programme.aspx>

x United Nations Declaration on Human Rights Education and Training adopted by resolution General Assembly resolution 66/137 on the 19 of December 2011.

xi The Constitution of India 1949.

xii A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. Page 2

xiii Vienna Declaration and Programme of Action Adopted by the World Conference on Human Rights in Vienna on 25 June 1993

xiv CEDAW/C/IND/CO/4-5 Advance Unedited Version, Concluding observations on fourth/fifth report, paras. 26 and 27

xv Child Labour Amendment Act 2015.

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- xvi Census 2011 Workers seeking/available for work classified by age and sex. Office of the Registrar General & Census Commissioner, India.
- xvii 2015 Amendments to the Child Labour (Prohibition and Regulation) Amendment Bill, 2012. PRS Legislative Research. Anviti Chaturvedi. 3 December 2015. Page 3.
- xviii Juvenile Justice Amendment Act 2015.
- xix Study on Child Abuse: India 2007. MWCD. A report prepared by: Dr. Lovleen Kacker, IAS Srinivas Varadan Pravesh Kumar. Supported by: Dr. Nadeem Mohsin Anu Dixit. Page 74.
- xx Ibid. Page 44.
- xxi Ogando Portela, M. J. & Pells, K. (2015), Corporal Punishment in Schools: Longitudinal Evidence from Ethiopia, India, Peru and Viet Nam, Innocenti Discussion Paper No. 2015-02, Florence, Italy: UNICEF Office of Research. Page 18.
- xxii A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5
- xxiii The Right of Children to Free and Compulsory Education Act, 2009. Article 17.
- xxiv Gujarat High Court *Hasmukhbhai Gokaldas Shah v. State of Gujarat*, 17 November 2008.
- xxv International Convention on the Elimination of all Forms of Racial Discrimination Recommendations and Comments on Caste based Discrimination. IDSN Compilation. November 2015.
- xxvi National Curriculum Framework 2005. National Council of Educational Research and Training. Page 61.
- xxvii Ibid. Page 127
- xxviii *Human Rights Education in Asian Schools. Human Rights Education in Indian Schools: Curriculum Development*. Pranati Panda. Page 91
- xxix Circular n<sup>o</sup> Acad 21/2013. Central Board of Secondary Education.
- xxx *Human Rights Awareness in India*. Indian Journal of Research October 2015. Prof. Dpt. Sunita Kaler. Page 2.
- xxxi National Curriculum Framework 2005. National Council of Educational Research and Training. Page 105.
- xxxii *Some Inputs for Draft NEP 2016*. Ministry of Human Resource Development.
- xxxiii Annual Report 2012-2015 University Grants Commission. Page 170.
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