

Chapter 4. Human Rights Education

9 Recommendations Assessed:

186.39 (Cyprus), 40 (Burundi), 41 (Iran), 42 (Bahrain), 44 (Seychelles), 45 (State of Palestine), 46 (Thailand), 47 (Togo), and 48 (Uzbekistan)

China's Replies

9 recommendations accepted and already implemented

39, 40, 41, 42, 44, 45, 46, 47 & 48

Civil Society Assessment:

China has partially implemented recommendations 39, 45, 46 & 48, has not implemented the other five recommendations

Recommendation 43 (Democratic Republic of Congo) is inappropriate [not assessed]

Chinese authorities accepted all nine of the appropriate UPR recommendations related to human rights education and said they have “already implemented” all of them, but after examination, it is clear they have only partially implemented four.¹ However, it is very difficult to fully assess the implementation of these recommendations because of the lack of transparency about human rights education and training materials in China, especially those for public servants.

One of the recommendations, involving foreign affairs, is inappropriate and cannot be assessed because it may encourage human rights violations in other countries (186.43). Five of the nine appropriate recommendations—from Cyprus (39), Burundi (40), Iran (41), Bahrain (42), and Togo (47)—are “poor” recommendations because they make assumptions that may not be true about human rights training or education programs.²

We believe that greater focus should be placed on the content of China’s human rights education and training materials, rather than simply concentrating on the number of trainings or education programs. It is questionable if the existing materials meet international standards or convey fundamental human rights principles; build a culture of universal human rights; or develop values, attitudes, and behavior which uphold human rights.³ Currently, there does not appear to be rigorous efforts to examine the effectiveness of human rights education and training programs. The Committee Against Torture recommended in its 2015 Concluding Observations that China should “develop and apply a methodology for evaluating the effectiveness of education and training programmes” relating to the Convention against Torture and the Istanbul Protocol.⁴

Opaque Human Rights Training for Officials

Chinese authorities have partially implemented Cyprus’s recommendation by including the goal of “improving” human rights training in the 2012-2015 National Human Rights Action Plan (NHRAP).⁵ The objectives in the NHRAP, however, are very general and not measurable as written; and there is little discussion of the specific goals or content of the education and training. One assessment by a Chinese NGO pointed out that, despite the 2012-2015 NHRAP, the period between 2014 to 2015 was a low point in publication of education materials focused on human rights training for enforcement officials.⁶

The recommendations from Thailand (46) and Uzbekistan (48) have also been partially implemented, as the Chinese government has allowed the publication of some books and articles that include so-called “human rights education” information.⁷ Since at least 2000, human rights

research centers in academic institutions and the Central Party School have published books and articles that have included information on human rights, as perceived by the authors, and some of these materials may have been used in training sessions for officials.⁸ Of note, some of the books on human rights are available in book stores but are more academic and not of the variety that would be read by most of the population.

There have also been some so-called “human rights trainings” for government personnel, law enforcement officials, the media, and judicial authorities.⁹ According to China’s official assessment of the implementation of its 2012-2015 NHRAP, during that five-year period, Chinese officials have held 144 training sessions for Chinese Communist Party cadres, government employees, judiciary and media personnel.¹⁰ However, as the materials used have not been released, it is impossible to ascertain if the trainings met international standards or promote universal human rights principles.

Chinese officials have been relatively non-transparent regarding the exact content of training materials. It is also unclear if any of the education and training for officials in places of detention are methodologically sound so as to be effective in preventing human rights abuses, promoting equality, and enhancing public participation in decision-making, among other goals, as outlined by UN instruments.¹¹

For example, based on one in-depth study done over several years by a Chinese NGO, a majority of authorities in judicial and public security departments at the provincial level refused to disclose information about training for law enforcement personnel in places of detention, including on the number of training sessions, the contents of education materials, and if the materials met international standards, or whether medical personnel have been trained.¹²

Some of the reasons why authorities refused to provide information included that the information requested was not directly related to the work of the person who applied or was considered “internal.”¹³ Of note, while the Chinese government told the Committee Against Torture in 2015 that all medical personnel in places of detention had already received anti-torture training, the study’s results showed that authorities did not answer information requests regarding this training, making it difficult for civil society to independently assess the government’s claims.¹⁴

School Curriculum Lacks Information About Universal Human Rights Principles

Chinese authorities have partially implemented the recommendation by Palestine on including human rights in school curriculum.¹⁵ Education departments/commissions have been semi-transparent about materials used in middle and elementary education, according to a 2015-2016 survey by Chinese NGO Wenshe Centre of Human Rights Education.¹⁶ The results of that survey show that 26 out of 31 departments or committees at least responded to the requests and 22 provided some or all of the information requested. At least nine others either did not respond or refused to provide information, citing articles from the Regulations on Open Government Information as reasons for not giving out information.¹⁷ Of those that did respond, some merely replied that the materials used were based on the national standardized education materials.¹⁸ Based on studies by the Wenshe Centre, Marxist ideological course curriculum in institutes of higher-level education often included “human rights” issues, but from the Marxist perspective,

not modern internationally-agreed upon human rights principals.¹⁹

While the Chinese government has said that school curriculum included materials on human rights, those materials largely do not address universal human rights principles.²⁰ One review of some materials used in schools done by the Wenshe Centre over a period of years—regarding 19 sets of randomly chosen political and “thought” education materials for elementary, middle, and higher education students—illustrated that the majority of the materials (14) do not contain human rights principles or only include such principles indirectly or ambiguously.²¹

The same NGO reviewed human rights education materials for institutes of higher education over several years, and found that of the 16 sets of materials, 12 simply introduced China’s “human rights education bases” or were mainly theoretical, without reference to concrete issues or cases in China involving human rights violations.²² In addition, education materials focused on citizens’ “rights and obligations under law,”²³ and have favored economic, social, and cultural rights, over civil and political rights.²⁴ Authorities acknowledged this in an assessment of the 2012-2015 NHRAP, stressing that “knowledge about personal rights, economic rights and the right to receive education was included in courses and textbooks in all primary and secondary schools...” but made no mention of political or civil rights.²⁵

Future Plan Fails to Bring Education in Line With International Standards

In the 2016-2020 NHRAP, authorities pledged to expand human rights education efforts, build research platforms, encourage public and enterprise units to strengthen human rights education, add five human rights “education training bases” and standardize their management, “research the need and feasibility” of establishing a national human rights institution, and support media to set up specialized human rights programs, among other goals.²⁶ Some of these goals are the same as in the previous five-year action plan, such as encouraging media outlets to have specialized human rights education programming, but there is no indication they were ever realized.

Without greater transparency of its human rights education efforts, such as including civil society organizations in the development of materials and training programs, it remains to be seen if China will improve human rights education to bring it into line with internationally recognized standards.

Suggestions

- Include specific and measurable goals related to human rights education in National Human Rights Action Plans that are based on international human rights standards;
- Revise or create new human rights education and training materials for all law enforcement, judicial, and other officials, based on international human rights standards, and ensure that they promote respect for universal rights;
- Revise or create new human rights education materials for schools at all levels based on international human rights standards;

- Involve NGOs and UN institutions in designing, implementing, and evaluating human rights education and training materials.

¹ In response to all nine recommendations, China referred to its response to 186.39 (Cyprus): “The Chinese government attaches great importance to human rights education and promotes it at all levels. China has included human rights education in training programs of civil servants.”

² The recommendations that are “poor” are from Cyprus (186.39), Burundi (40), Iran (41), Bahrain (42), and Togo (47). Human rights education and training in China barely exist and the contents of materials are often not disclosed. The school materials that are disclosed are not in line with international standards and do not clearly promote universal human rights principles. So, recommending China to “maintain,” “intensify,” “continue,” “keep up” or “mainstream” such education or “awareness raising” assumes a level of action on the part of Chinese officials that does not exist; and so, the recommendations do not address the problems.

³ For more information on these goals, see: UN Human Rights Council, Draft plan of action for the second phase (2010-2014) of the World Programme for Human Rights Education, A/HRC/15/28, July 27, 2010.

⁴ Committee Against Torture, Concluding Observations on the Fifth Periodic Report of China, CAT/C/CHN/CO/5, February 2016, para. 60.

⁵ Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2012-2015), Chap. IV, <http://www.china-un.ch/eng/rqrd/jblc/t953936.htm>.

⁶ Wenshe Centre for Human Rights Education (WCHRE), “Human Rights Education Bulletin No. 5” (人权教育通讯第 5 期), September, 2016, p. 11, <https://www.humanrightseducation.cn/wp-content/uploads/2016/10/%E4%BA%BA%E6%9D%83%E6%95%99%E8%82%B2%E9%80%9A%E8%AE%AF%E7%AC%A C%E4%BA%94%E6%9C%9F%E7%BC%882016%E5%B9%B49%E6%9C%88%EF%BC%89.pdf>.

⁷ For in-depth information on the numbers of materials published each year, see *Ibid.*

⁸ *Ibid.*, pp. 9-11.

⁹ For more information on training related to the UN Convention Against Torture, domestic laws and regulations, and ministry rules, see: WCHRE, “Mid-term Report on the Partial Contents of Human Rights Education in China After the Second Universal Periodic Review of China” (中国政府接受联合国第 2 轮普遍定期审议后落实人权教育部分内容的中期跟进报告), June 15, 2016, <https://www.humanrightseducation.cn/wp-content/uploads/2016/10/%E5%85%B3%E4%BA%8E%E4%B8%AD%E5%9B%BD%E6%94%BF%E5%BA%9C%E6%8E%A 5%E5%8F%97%E8%81%94%E5%90%88%E5%9B%BD%E7%AC%AC2%E8%BD%AE%E6%99%AE%E9%81%8D%E5% AE%9A%E6%9C%9F%E5%AE%A1%E8%AE%AE%E5%90%8E%E8%90%BD%E5%AE%9E%E4%BA%BA%E6%9D%83 %E6%95%99%E8%82%B2%E9%83%A8%E5%88%86%E5%86%85%E5%AE%B9%E7%9A%84%E4%B8%AD%E6%9C%9 F%E8%B7%9F%E8%BF%9B%E6%8A%A5%E5%91%8A.pdf>.

¹⁰ Information Office of the State Council, Assessment Report on the Implementation of the National Human Rights Action Plan of China (2012-2015), June 2016, Chap. V, http://english.gov.cn/archive/white_paper/2016/06/15/content_281475372197438.htm.

¹¹ UN Office of the High Commissioner for Human Rights, “Evaluating Human Rights Training Activities, A Handbook for Human Rights Educators,” 2011, pp. iii, 9, 25, <http://ohchr.org/Documents/Publications/EvaluationHandbookPT18.pdf>.

¹² Fourteen of the provincial-level judicial agencies contacted did not respond to requests, 16 did respond, but 13 of those refused to provide information citing various articles of the regulation on open government information. Ten of the provincial-level public security departments did not respond to requests, 20 responded and three agreed to provide the information requested, but 17 refused to disclose information, again citing various articles of the regulation on open government information. Even though four of those departments cited various articles of that regulation for refusing to answer the questions, they did provide very basic information. WCHRE, Mid-term Report on the Partial Contents of Human Rights Education in China After the Second Universal Periodic Review of China, p. 12. For more specific details about the reasons authorities gave for refusing to provide information see: WCHRE, “Human Rights Education Bulletin No. 4” (人权教育通讯第 4 期), July 2016, pp. 15-29, <https://www.humanrightseducation.cn/wp-content/uploads/2016/07/%E4%BA%BA%E6%9D%83%E6%95%99%E8%82%B2%E9%80%9A%E8%AE%AF%E7%AC%A C%E5%9B%9B%E6%9C%9F%E7%BC%882016%E5%B9%B47%E6%9C%88%EF%BC%89.pdf>.

¹³ WCHRE, “Human Rights Education Bulletin No. 4,” pp. 15-29.

¹⁴ WCHRE, “Suggestions to the Chinese Government Regarding Developing Human Rights Education and Training for Law Enforcement Personnel” (向中华人民共和国政府就针对执法人员开展人权教育与培训的建议), July 1, 2016, <https://www.humanrightseducation.cn/archives/2027>.

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- ¹⁵ For more information on human rights education in school curriculum see: WCHRE, Mid-term Report on the Partial Contents of Human Rights Education in China After the Second Universal Periodic Review of China. For in-depth information on the numbers of materials published each year, see: WCHRE, “*Human Rights Education Bulletin No. 5.*”
- ¹⁶ WCHRE, *Human Rights Education Bulletin No. 2* 人权教育通讯第2期, March, 2016, pp. 10-26, <https://www.humanrightseducation.cn/wp-content/uploads/2016/04/%E4%BA%BA%E6%9D%83%E6%95%99%E8%82%B2%E9%80%9A%E8%AE%AF%E7%AC%AC%E4%BA%8C%E6%9C%9F%EF%BC%882016%E5%B9%B43%E6%9C%88%EF%BC%89.pdf>; WCHRE, Mid-term Report on the Partial Contents of Human Rights Education in China After the Second Universal Periodic Review of China, p. 4.
- ¹⁷ Regulations of the People’s Republic of China on Open Government Information (中华人民共和国政府信息公开条例), 2007, http://www.gov.cn/zwggk/2007-04/24/content_592937.htm; WCHRE, *Human Rights Education Bulletin No. 2*, p. 26.
- ¹⁸ *Ibid.*
- ¹⁹ *Ibid.*, p. 24-25.
- ²⁰ Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2012-2015), Chap. V.
- ²¹ WCHRE, *Human Rights Education Bulletin No. 3* 人权教育通讯第3期, May 2016, p. 19, <https://www.humanrightseducation.cn/wp-content/uploads/2016/06/%E4%BA%BA%E6%9D%83%E6%95%99%E8%82%B2%E9%80%9A%E8%AE%AF%E7%AC%AC%E4%B8%89%E6%9C%9F%EF%BC%882016%E5%B9%B45%E6%9C%88%EF%BC%89.pdf>.
- ²² WCHRE, “Human Rights Education Bulletin No. 5 (Extracts), Concerning Comparisons and Analysis of Human Rights Education Materials in Institutions of Higher Education” (《人权教育通讯》第5期(节选)——有关高校的人权教育文献比较分析), July, 07, 2016, <https://www.humanrightseducation.cn/archives/2160>.
- ²³ Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2012-2015), Chap. V.
- ²⁴ WCHRE, *Human Rights Education Bulletin No. 3*, pp. 20-45.
- ²⁵ Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2012-2015), Chap. V.
- ²⁶ Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2016-2020), September 29, 2016, Chap. IV, http://news.xinhuanet.com/politics/2016-09/29/c_129305934_7.htm; *Xinhua News Agency*, “China Pledges Greater Efforts in Human Rights Education, Research,” September 29, 2016, http://news.xinhuanet.com/english/2016-09/29/c_135722106.htm.