

**NSU Summer Session 2017 - July 26- August 2 – Saulkrasti, Latvia**  
**Circle 5: International Relations and Human Rights – Human rights and Education**

	<b>Thursday 27</b>	<b>Friday 28</b>	<b>Saturday 29</b>	<b>Monday 31</b>	<b>Tuesday 1</b>
07h30-09h00	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast
9h00-10h00	Liudmila Ulyashyna Universal culture of human rights in Europe: Analysing the success and failures of the "most advanced in the world" human rights system	Alexander Vashkevich Indirect access to the Constitutional Court of Belarus : better than nothing but definitely not enough	Poul Lübcke Religion and Human Rights	Katarzyna Małgorzata Sadowa Education – the best measure for combating "honour" based violence?	Oleg Bresky The Human rights in the University curriculum
10h00-10h30	Pause	Pause	Pause	Pause	Pause
10h30-11h30	Barbara Gornik Anthropology and Human Rights Education	Agnieszka Kuriata Legal regulations concerning presence of Muslim clothing in public schools	Magdalena Tabernacka Religion and ethics in primary and secondary schools in Poland. Between opportunism and reality.	Barbara Anna Jelonek Human rights in opinion polls – Woman rights in Japan.	Mariana Barchuk Human right as the part of the human security of Ukraine
11h30-13h00	Lunch	Lunch	Lunch	Lunch	Lunch
13h00-14h00	Lars Erslev Andersen Arrested Development in Beirut Migration, security and dilemmas of consociational democracy		Mogens Chrom Jacobsen Emile Durkheim on Moral Education		
14h00-15h00			Onerva Kiianlinna The space for human rights activism opened by the aesthetics of diplomacy CIRCLE 2		
15h00-15h30	Coffee	Coffee	Coffee	Coffee	Coffee
15h30-17h00	Keynote	Keynote	Keynote	Keynote	Activities
17h00-18h00	Activities	Activities	Activities	Activities	Activities
18h00-19h30	Dinner	Dinner	Dinner	Dinner	Dinner

Participants without paper: Adam Lübcke Steenstrup, Jakob Munk Højte, Parnuuna Eriksen. Insuk Kim

Abstracts:

*Barbara Gornik, University of Primorska*  
Anthropology and Human Rights Education.

Human rights have become an important element of the global and local cultures that determine our construction of self and sociality as well as our perceptions of the righteous world. The relationship between anthropology and human rights is reflected in at least three varieties; the first one is embedded the argument that anthropologists have an obligation to use their knowledge to defend the human rights of marginalized social groups and peoples, the second refers to the ethnographic analysis of human rights as an anthropological research object, while the third is defined by the "critical anthropology of human rights" that goes beyond the theoretical and methodological boundaries of anthropology integrate the knowledge of other academic disciplines and epistemology. The paper summarizes all three domains and explores the anthropological theoretical and empirical implications that can be drawn in relation to human rights education.

*Lars Erslev Andersen, Senior Research Fellow, DIIS*

Arrested Development in Beirut: Migration, security and dilemmas of consociational democracy

The narrative by the government to the international community is that the stability of Lebanon as a state is threaten by the refugees and that lots of funding is needed if a breakdown with the risk of terrorism and new waves of refugees on the borders of EU should be avoided. The fact, though, is that the government and the state is doing almost nothing to help the social problems and challenges the Lebanese society is facing. The political structure based in power sharing among the former warlords from the civil war has resulted in building up a security state where the politicians controlling religious sects and constituencies will rat together if there are any threats to the power sharing structure and are political paralyzed on almost all other issues including social and public services, which hence are left to the private initiatives, constituencies, civil society, international donors and ngo's to be taken care of. Thus, Lebanon is divided between a state run by sectarian leaders who controls state institutions in a power sharing architecture that only benefits the elites and a society, which are left to its own including managing the problems and challenges, including the refugee crisis, which the society is facing. For the visitors, especially the Danes coming from a country with a strong state that controls, regulates and takes care of almost everything in the citizen's life from birth to grave, the Lebanese state's absence feels charming and looks like freedom. The reality for the citizens are that the societal anarchy and freedom is an expression of the absent state that performs badly concerning public service.

*Katarzyna Małgorzata Sadowa, Ph.D. student University of Wrocław*  
Education – the best measure for combating “honour” based violence?

Although “honour” based violence occurs worldwide, the international community started to implement special policies and strategies aiming to prevent and combat this phenomenon only after it had become recognized in Europe. Nevertheless, despite many political and legal actions which were taken, the problem of honour based violence is still valid. The main difficulties in effective fighting the phenomenon is the fact that it correlates strongly to the specific traditions and cultural ideology. In her presentation the author will focus on the analysis of different types of measures taken with the view to combating honour based violence. She will try to compare their efficiency

by presenting the examples of their implementation in chosen societies. The main aim of this analysis will be to show the importance of proper education as the most influential and effective method for combating honour based violence.

*Barbara Anna Jelonek, Ph.D. student University of Wroclaw*

#### Human rights in opinion polls – Woman rights in Japan

Human rights are nowadays routinely violated. In my presentation, I would like to introduce the issue of Japanese woman rights and the situation of women in Japan (woman rights in marriage/home/work). I would like to raise the issue of the rights of women, which are routinely violated f.ex. in workplace. I would like to compare their situation with global trends, present statistical data like GAP Report and a lot of different polls, and describe these practices on the background of violations of the rights of women in Japan and compare this rights of another countries like for example Poland or another European countries.

*Aleksandra Sychalska, Ph.D. student University of Wroclaw*

#### The role of education and awareness rising campaigns in genocide prevention

The legal basis of responsibility to prevent the crime of genocide is Article 1 of The Convention and the Punishment of Crime of Genocide, according to which "The Contracting Parties confirm that genocide [...] is a crime under international law which they undertake to prevent and to punish". However, the regulations lack precision and clarity. It has not been clarified what "preventing genocide" entails. No measures, methods or actions have been enumerated that could serve as means to prevent genocide. The unclear and unprecise regulations leave the parties a lot of space for interpretation, thus in a way legitimizing "not taking action". Eyal Mayroz, following his analysis of the events in Rwanda, Yugoslavia and Darfur, drew the conclusion that the Convention seems to be more of a protest against the crimes that happened in the past rather than an effective measure to prevent them in the future. The international community faces a challenging task these days- particularly in the light of the recent events in Syria, Sudan or Myanmar. It seems that these days the real challenge is finding a political will as well as the capacity to execute the commitments arising from international legal regulations. And those are very often determined by strong public opinion pressure. That is way it is so important to create knowledge and raise awareness of genocide prevention. The crucial role in this process is played by genocide scholars, NGOs and social activists. In my speech I'll present the measures taken by those actors in order to increase awareness and educate about genocide and analyze their effectiveness.

*Agnieszka Kuriata, Ph.D. student University of Wroclaw*

#### Legal regulations concerning presence of muslim clothing in public schools

Article 9 of European Convention for the Protection of Human Rights and Fundamental Freedoms guarantees freedom of religion which includes freedom of expressing faith through clothing. Muslim women living in EU countries since 90s fight for the right to wear Muslim religious clothing in the school areas, which is kind of a symbol of woman's place in Islam. Since 2004 France has forbidden wearing Hijabs in school areas, which caused complaints being filled to European Court of Human Rights, about imposing on religious freedom and discrimination. Court position on those complaints is already set, and they are rejected as having no basis. Even with lack of general country wide regulation, many schools create their own regulations straight forbidding wearing of religious symbols. Major argument for

that is protecting children from pressure from fundamentalist sources and to helping them to focus on learning and also protection of other children from pressure caused by presence of Muslims at schools. However it is now more frequently pointed out that this mechanism is causing opposite effect in that Muslim women resign from education with their decision caused by their families.

*Liudmila Ulyashyna, Manager, Human Rights House, Oslo, Norway.*

Universal culture of human rights in Europe: Analysing the success and failures of the "most advanced in the world" human rights system

For several decades, the European or the "Western European" human rights system was an inspiration source for justification of the aim to build a community moving towards universal culture of human right. The European system has been founded by recognition of the Universal Declaration on human rights' principles and values. This document as well as other international binding and soft instruments were declared as departure points for enhancing and further development of the European human Practitioners and academicians have admired the Council of Europe's standard-setting efforts, which "contributed to the legal cohesion of the states of Europe and have made that continent the most advanced in the world with respect to the protection of human rights and fundamental freedoms"(Hart, 2010). However, the process of accession of the EU to the ECHR aiming to bind the European Union bodies by the legal standards developed under the auspices of the Council of Europe did not succeeded yet. Nowadays, the crisis of European human rights system is a shocking reality: "2016 will likely be remembered as a critical turning point for human rights in Europe. We will either see it as a low point from which European countries, individually and collectively, bounced back to reaffirm their commitment to human rights, or it will mark the beginning of the end of the European human rights system and European integration"(the Council of Europe Commissioner for Human Rights, Nils Muižnieks, the Annual Report 2016). Drawing on the concept of universal culture of human rights as a *lex specialis* concept and an ultimate goal of the World Program on human rights education, I will critically analyze several instruments of the European Union, namely, the European citizenship and the Charter on fundamental rights. Being "exclusive" and "alternative" concepts to the basic principles of the international human rights regime they might cause erosion of the human rights regime. Thus, the aim of analysis is to draw conclusions if and how the "drift" from basic principles of the human rights legal concept has caused or contributed to the current crisis of the European human rights system.

*Magdalena Tabernacka, Associate Professor, University of Wroclaw, Poland.*

Religion and ethics in primary and secondary schools in Poland. Between oporunism and reality.

Religion has been a school subject in Poland since 1990s. The majority of children participates in these lessons. Obviously, ethics should also be taught at schools, but due to organisational reasons it often is not. This fact bears significant consequences for the public sphere and social life in Poland. One of the main requirements of democracy and the observance human rights is pluralism in religion and culture. The case of Poland illustrates a phenomenon in which the social, cultural, legal and organisational factors in cooperation with the Government and non-public institutions has crucial significance for the life of the society and individuals.

*Yauheni Filipchanka, Lane Kirkland Programme's Fellow, Adam Mickevich University, Poznan, Poland*

Legal Education for Prisoners

My interest to this topic is conditioned by the situation in the punishment executive system of Belarus. The number of prisoners in our country is stably high, for example, in 2012 r. there were 36 652 prisoners, in 2012 – 28 841, in 2013 – 31 700, in 2014 – 32 112. International Centre for Prison Studies in the period 2012-2014 puted Belarus the 11th place in the world for the average index of imprisoned persons - 438 imprisoned for 100 000 of population, 2 times higher than index in our neighbor country – Poland. My professional working experience in procurator's office during 2006-2009 and then work as a law lecturer at the university showed the extremely low level of legal awareness of prisoners in Belarus. It touches not just rules of staying in prisons, basic rights of convicts, rights for health carrying, rest, etc. Prisoners very often don't know anything about other important mechanisms for their resocialization, which help to live normal life and finally broke up with their criminal past (for example what institution is obliged to help them to find a new job, how to get the new profession, etc.). The concept of law leads in their mind an association with the punishment, strict regime of the imprisonment, so called "punitive justice ". Respect to law is replaced by the fear of the legislation, they don't treat law as a very useful social instrument for peace and solving of conflicts. This leads the number of successful resocialized persons, many of them continue committing crimes and then gets into a prison again. On my opinion Poland could overcome these negative tendencies by the scope of reforms in a system of prisons, implementation of democratic principles into their work. From one hand, prisoners can notice the positive action of the law "here and now", have a real opportunity for defense of their basic rights and independently solve some problems appearing during their stay in prison. From the other hand, state and NGO's make a great job in the sphere of legal education of convicted persons using various methods (providing special lectures, workshops, consulting of not just prisoners, but the prisons' personnel, etc.). Some universities in Poland propose special courses for law students. For example, in the University of Wroclaw prepared special training program for the prisons' legal personnel, it's legal clinic organizes special trainings for the prisoners, consulting them for free, as well as special Offices for free legal aid (25 in Wroclaw, some of them collaborate with the city prison). This topic is not popular in Belarus for some reasons, but this fact doesn't make it less important and actual. There is no any researches connected with current issue. So the aim of my research is to study positive Polish experience and to prepare proposals for implementing the best practices in Belarus.

*Beliakova Katsiaryna, Vitebsk State University Named After P.M. Masherov*

#### Human Rights as Necessary Axiological Basis of the Legal Education

In recent years as the standards of law education in Belarus are reformed, Belarusian academic community faces quite a serious challenge: while changing form of courses taught it has to a certain extent to review their substantive and methodological components as well. The problem is that during decades the most part of courses at law faculties are taught in a traditional frames based on the idea that state is the most important subject of law. One of the essential elements of the legal education reform, in our opinion, involves the necessity to mainstream in the legal disciplines eternal values, including human rights. We can see several important ways for this.

1. Providing courses on Human Rights, Legal Ethics, Philosophy of Law, International Human Rights Protection System.
2. Providing special courses (Human Rights in Criminal Process, Equality and Non-Discrimination Law, Freedom of Speech and Mass-Media).
3. Including elements of Human Rights doctrine in the other courses as an element of the topics connected with the principles of current branches of law (Constitutional Law, Criminal Law, Administrative Process, International Public Law, etc.).

4. Establishing legal clinics, promoting human rights by special practical activity, pro bono work of the students.
5. Collaboration with NGO's and Ombudsman (if it is possible), for example, for practice or analytical work of the students.
6. Providing of Moot Court on issues connected with human rights protection (not just for legal students, but with cooperation, for example, with high school pupils), essay competition.
7. Organizing study visits to the European Court of Human Rights and other institutions.

Among the really successful platforms for promoting the idea of human rights in Belarus today are university law clinics. Students clinicians obtain practical skills for their future work by advising socially unprotected people directly in the clinic, by correspondence, conducting classes with pupils at secondary schools and undergraduate students of the university. According to an independent study conducted in 2015 by the advocacy association "New Eurasia" there are currently 11 legal clinics in Belarusian universities [1]. Many of them run training programmes (usually in form of optional courses) on development of professional skills of the lawyer, as well as on legal awareness of school students. Taking as an example the activities of legal clinics we can see three main areas of promoting the idea of human rights: 1) mainstreaming relevant topics (tasks) in training programs aimed at developing professional skills of prospective lawyers; 2) protection of human rights directly, by providing free legal assistance by students-clinicians (directly and by correspondence); 3) dissemination of knowledge on human rights among schoolchildren through training on relevant topics by students working at the clinic. In the first case, the relevant component can be directly included in the training program. In particular, individual themes can directly deal with national, regional and international systems of human rights protection, as well as the peculiarities of protecting the rights of certain categories of citizens. In addition, the ideas of human rights values somehow manifest themselves in almost every structural unit of the clinical programme because the classic version of training in a legal clinic involves development of the triad "knowledge - skills - values".

*References:* 1. Final Report on the Results of the Study on Current Situation and Prospects of Law Clinic Education in the Republic of Belarus. – Minsk, 2015.

*Mariana Barchuk, associate professor, Institute of Philology and The Institute of History, Faculty of International relations of the Precarpathian National University, Ivano-Frankivsk, Ukraine*

#### Human right as the part of the human security of Ukraine

The human security of Ukraine is on a low level. The dangers of it are in the area of a slow identification and integration process of the nation, the polarization of Ukrainian society by the language signs, political and economic crisis, a low level of legal culture. The problems of human rights take a special place as being Ukraine as a part of the USSR left a negative legacy to this question as the practice of the Soviet authority completely violated human rights and that influenced on the perception of the legal framework as an inefficient one, that is the human rights exist but there is not their abundance in the state policy. The dramatic events of 2014 showed a new reality to Ukraine. The escalation of the international armed conflict between Ukraine and Russia led to the humanitarian crisis in Donbas. The international community, that is the OSCE inspectors in Ukraine fixed numerous violations of the human rights in all its aspects. During the conflict the inhabitants of the occupied territories were discriminated according to the language features, religion, expropriated the property, kidnapped, were forced to hard work, subjected to the tortures both civilians and prisoners of war, illegally deprived of the freedom of movement.

These factors strengthened the interest of Ukrainian society to the question of the human rights as a key component of the humanitarian safety in 2014. The main trends of the human rights development sphere:

- The polarization of the legal culture and the human rights in the social media
- The positive role of the international organizations in polarization of knowledge about human rights (the activity of the OSCE mission, the Committee of the Red Cross, international development programs)
- Educational seminars in higher educational establishments in Ukraine (forums, student conferences, discussions). All these factors promote to the building of the civil society of Ukraine, the rise of the legal culture and the honoring of human rights. I would like to devote my speech to these questions.

*Alexander Vashkevich, professor at EHU and former Judge of the Constitutional Court*

Indirect access to the Constitutional Court of Belarus : better than nothing but definitely not enough