

HUMAN RIGHTS AND PEACE IMPLEMENTATION  
THROUGH EDUCATION IN MYANMAR: CHALLENGES AND OPPORTUNITIES  
IN THE PRIMARY EDUCATION SECTOR

RESEARCH PROJECT SUMMARIES



2019-2020

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**DENMARK**

Supported by the Denmark-Myanmar  
Programme on Rule of Law and Human  
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This book is the result of human rights thematic group research project on “Human Rights and Peace Implementation through Education in Myanmar: Challenges and Opportunities in Primary Education Sector”, which is one of the activities of Human Rights Education component of the ‘Denmark-Myanmar programme on Rule and Human Rights’. It aimed to produce quality papers which discussed about to address one or more important issues in the access and acceptability of primary education. The research considered if primary education is available and accessible to all, or how the teaching and learning in schools ensure education about rights, and respects the rights of children.

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## Abbreviation

ASEAN	Association of Southeast
CBOs	Community Based Organizations
CRC	Convention on the Rights of the Child
CSOs	Civil Society Organizations
DIHR	Danish Institute for Human Rights
EFA-NAP	Education for All-National Action Plan
FCPE	Free, Compulsory Primary Education
FoRB	Freedom of Religion or Belief
GBV	Gender-Based Violence
HRE	Human Rights Education
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICJ	International Commission of Jurists
IDPs	Internally Displaced Persons
IHRP	Institute of Human Rights and Peace Studies
ILAM	Independent Lawyers' Association of Myanmar
INGOs	International Non-Governmental Organizations
NESP	National Education Strategic Plan 2016-2021
NGOs	Non-Governmental Organizations
MAAS	Myanmar Academy Arts and Science Conference
MoE	Ministry of Education
MURC	Myanmar Universities' Research Conference
OSCU	Office of the Supreme Court Union
TEIP	Township Education Improvement Plan
UAGO	Union Attorney General's Office

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# Preface

Louise Simonsen Aaen

The Danish Institute for Human Rights

In 2016, the governments of Denmark and Myanmar agreed the framework for the four-year: “*Denmark – Myanmar Programme on Rule of Law and Human Rights*” (hereinafter Programme). At the time, the first democratically elected government in decades had just won a landslide election victory and pledged its commitment to implement reforms to foster peace, national reconciliation, security and good governance, including strengthening institutions’ adherence to the rule of law and human rights. The people of Myanmar were hopeful that the new government would bring much needed reforms to the country, as well as impacting the educational and legal system. In 2016, the government adopted the National Education Strategic Plan 2016-2021 (NESP) including the policy framework and strategy for higher education, which stipulated the goal of improving the quality and relevance of higher education with a key projected outcome being that “academic staff can deliver effective teaching and undertake quality research” (NESP, Higher Education, strategy 2).

The Programme was agreed within this framework and naturally focused on supporting key justice and rule of law institutions as well as academic institutions in implementation of reforms including strengthening core rule of law and human rights capacities. Programme partners included the Union Attorney General’s Office (UAGO), the Office of the Supreme Court Union (OSCU), the Independent Lawyers’ Association of Myanmar (ILAM), Universities

– specifically law departments - and civil society organisations in Myanmar, and is implemented by the International Commission of Jurists (ICJ) and the Danish Institute for Human Rights (DIHR).

Since its inception, the Human Rights Education component of the Programme partnered with the Dagon and East Yangon Universities’ law departments and libraries to introduce and strengthen human rights education which led to enhancement of the human rights law curriculum, integration of new participatory and student-centred teaching methodologies, establishment of Human Rights Resource Centres ensuring access to human rights literature and e-resources as well as Legal Information Centres aiming to re-introduce practical elements into legal education in Myanmar, following their gradual disappearance during military rule. In 2020, the University of Mandalay law department became the third university partner of the Programme.

A key Programme component sought to support law departments in strengthening academic human rights research, since Myanmar professors emphasised the importance of research for the democratic transition and rule of law: strengthened human rights education is one of the most valuable contributions that law departments can offer to the government and people of Myanmar.

This publication of research paper summaries as well as introductory chapters on rule of law, access to justice and human rights education in the primary educational sector have been developed through the strong commitment and dedication of professors and law faculty in Myanmar. The project benefitted from skilled supervision and guidance by the Institute of Human Rights and Peace Studies

(IHRP) - Mahidol University, the DIHR, and international senior researchers from academic institutions in Australia, UK, Denmark and Myanmar, without whom it would not have been possible. Participating researchers aim to publish their research academically in 2021 and hence this publication is dedicated to summaries providing a preliminary introduction to the research carried out with the support of the Programme.

Special appreciation is dedicated to the Embassy of Denmark to Myanmar for its support to rule of law and human rights reforms in Myanmar.

# Human Rights Education Research Components of Denmark–Myanmar Programme on Rule of Law and Human Rights

Louise Simonsen Aaen (the Danish Institute for Human Rights)

May Thida Aung (the Danish Institute for Human Rights)

The overall aim of the Programme was to support partner universities to strengthen teaching capacity in international human rights law, based on core human rights education principles and methodologies. Integral to enhancing knowledge was the introduction of a research component which would allow interested lecturers to strengthen their legal research skills in international human rights law and develop specialized knowledge. Accompanied by training in human rights and teaching methodologies, this sought to significantly enhance their capacities to teach human rights law. A long-term objective of the research component was to strengthen academic research in Myanmar, ensuring international human rights law expertise that can contribute to the legal and judicial reform process in Myanmar.

The Programme was grounded in a human rights-based approach and all outputs and activities were carefully planned and prioritized collaboratively by partner universities and the Danish Institute for Human Rights (DIHR). University partners initially set out to establish joint research projects with international academic institutions and researchers but, given the assessment of research capacity in law departments, the Programme adapted the approach. A series of focused research activities was crafted, enabling Myanmar

academics to learn about different research methods and how to design and plan research projects, as well as strengthen their academic writing. This further enabled law departments to investigate human rights issues through focused research projects and generate new evidence on the functioning of the justice system, rule of law and human rights in Myanmar and barriers to the implementation of human rights treaties.

From 2017 to 2019, research activities were particularly focused on strengthening capacities of law lecturers in the two partner universities, Dagon and East Yangon Universities. Common activities included intensive research training workshops and having law lecturers identify the focus of a smaller human rights research project supervised by DIHR and other senior international researchers. Following this, the development of the research projects was closely mentored by their supervisors together with the Programme research team. The research team also supported researchers by linking them with potential conference opportunities as well as the provision of support to data collection. All activities sought to deepen researchers' understanding of qualitative approaches, research ethics, sampling designs, interview techniques, interpretation and analysis of documents and field data. From 2017–2019, 34 researchers developed and completed 30 different research projects.

In light of growing capacities, the 2020 design of research activities was able to pursue the Programme's initial idea of joint research projects by international and national researchers. This allowed for a maximizing of impact and a deepening of human rights research capacities of dedicated law department researchers in

Myanmar. This resulted in 22 researchers developing 13 research projects under two thematic issues: The Rule of Law and Access to Justice Reform in Myanmar, and Human Rights and Peace Implementation through Education in Myanmar: Challenges and Opportunities in the Primary Education Sector. These 2020 research projects ensure further opportunities to strengthen human rights research in Myanmar and foster a strong and vibrant research culture and environment.

Since 2018, the Programme has also sought to support researchers in establishing links with foreign academic institutions as well as encouraging researchers to disseminate research outputs. This had not been possible for decades during military rule in Myanmar and as a result, law researchers were not very familiar with preparing for conference presentations or receiving peer review of their research. In particular, junior law lecturers are reluctant to present their findings at international conferences due to a lack of experience in presenting research findings and responding to audiences effectively within the often-brief time frame. Hence the Programme facilitated planning of two novel human rights research working paper reading forums in Yangon in 2019, and - due to the Covid-19 pandemic - online in 2020. This provided excellent platforms for the provision of guidance on how to enhance presentation skills and support peer-review by international and national researchers as well as government and civil society experts in the field. Approximately 120 participants, including reporters from local media, attended the first forum, and 110 participants attended the second.

Researchers also presented papers at the Myanmar Academy Arts and Sciences Conference, Rector Committee Conference and at several university conferences. Some researchers also successfully presented at a range of international conferences and more have been accepted for conferences in 2021.

<b>Box 1 -Completed Research Projects from 2017-2020</b>	
<b>Batch/ Year</b>	<b>Mentors</b>
<b>Batch (1) - 2017-18</b> <b>Number of researchers – 18</b> <b>Total research projects – 16</b>	Dr Stephanie Lagoutte Dr Marie Juul Petersen Dr Martin Mennecke
<b>Batch (2) – 2018-19</b> <b>Number of researchers – 7</b> <b>Total research projects – 7</b>	Dr Jonathan Nanda Liljeblad Dr Mike Hayes
<b>Batch (3) – 2018 – 2019</b> <b>Number of researchers – 9</b> <b>Total research projects – 7</b>	Dr Thomas Obel Hansen
<b>2 Thematic Projects (2020)</b> <b>Number of researchers – 20</b> <b>Total projects – 13</b>	Dr Mike Hayes Dr Bencharat Sae Chua Dr Suphamet Yunyasit Dr Duanghathai Buranajoenkij

<b>Box – 2 Conference Participation overview 2017-2020<sup>1</sup></b>		
<b>Year</b>	<b>National/ International</b>	<b>Total</b>
<b>2018</b>	<u>National</u> Myanmar Academy of Arts and Science Conference (Yangon)	1
	<u>National</u> Rector Committee Conference (Yangon)	2
<b>2019</b>	<u>National</u> Myanmar Academy Arts and Science Conference (Yangon)	2
	<u>International</u>	

<sup>1</sup> As of 6 November 2020.

	Dynamics of Everyday Life in Today's Myanmar: Interdisciplinary Myanmar Conference 2019 (Passau, Germany)	1
	10 <sup>th</sup> Worldwide Global Alliance for Justice (GAJE) Conference 2019 (Bandung, Indonesia)	2
	The 6 <sup>th</sup> International Conference on International Relations and Development (ICIRD) 2019 (Chiang Rai, Thailand)	1
<b>2020</b>	National East Yangon University Annual Paper Reading Session	3
	International The 2 <sup>nd</sup> International Conference on Social Science in the 21 <sup>st</sup> Century (United Kingdom)	2
	International Conference on Minorities in Myanmar (Germany)	1
	The 8 <sup>th</sup> International Conference on Asian Studies (ICAS) (Thailand)	1
<b>2021</b>	International Conference on Burma/ Myanmar Studies (ICBMS 3) – (Thailand)	3
	The 6 <sup>th</sup> International Conference on Human Rights, Peace and Conflict in Southeast Asia - Indonesia	2

### *Box 3 – Research Output – Publications & Proceedings*

<b>Year</b>	<b>Journal/ Proceedings</b>	<b>Total</b>
<b>2018</b>	Myanmar Academy Arts and Science Journal	1
<b>2019</b>	Myanmar Academy Arts and Science Journal	2
	Rector Committee Conference Proceeding	2



	The 6 <sup>th</sup> International Conference on International Relations and Development (ICIRD) 2019 Proceeding	1
<b>2020</b>	East Yangon University Journal	3
	The 2 <sup>nd</sup> International Conference on Social Science in the 21 <sup>st</sup> Century Proceeding	2
	Asian Studies International Journal (ISSN: 2279 -1949)	1

# Myanmar's Education Sector during the Democratic Transition

Bencharat Sae Chua

Institute of Human Rights and Peace Studies

The past decade of political transition in Myanmar has seen the integration of human rights and democratic principles into various legal provisions and policies. Among these is the progress made in terms of legal amendments and policy formulation in the education system to promote child rights and human rights education. Education policy is also framed in the context of Myanmar's political transition and the need to contribute to peaceful conflict resolution in the country. This, however, turns the national education system into a space of contention between traditional values and the newly introduced universal human rights concepts, as well as between existing legal and bureaucratic systems and the need to accommodate the new principles and ideas. The research compiled in this volume shows the tensions between these values and mechanisms and how they play out in the school context. Also documented by the research is how Myanmar's education system is evolving in the context of ethnic conflicts and the democratic transition to recognition of ethnic rights and the State's human rights obligations beyond the conflict itself.

Although this project initially targeted research on human rights education, given the context of democratic transition in Myanmar where a commitment to human rights has recently been made by the State, most of the research in this compilation in fact addresses aspects of the right to education and the learning

environment in the education system. During the transition, a range of legal provisions have been enacted or revised to guarantee rights to and rights in education. Essentially, the National Education Law 2014 and the Basic Education Law 2019 guarantee the rights to basic education, child protection, and human rights education. The sociological and anthropological approaches included in the methodologies of the research outlined here, however, add nuance to the findings and point to areas where access to education and human rights education remain limited. Guaranteeing access to education and the availability of education for all are the key steppingstones towards creating a human rights-friendly school environment and introducing human rights education into the school system.

In her research on “Teaching Human Rights in Myanmar: Challenges faced by Primary School Teachers”, Nan Kham Mai investigated the contention between the newly adopted values of human rights and existing cultural norms and values within the education system. The State introduced initiatives to apply human rights education in the 2018-2019 academic year, starting with Grade 2 and extending to all basic education by the 2022-23 academic year. Human rights education is largely integrated into moral and civic education, social studies and life skills. Despite this effort, Nan Kham Mai noted that human rights are not specifically mentioned in the curriculum nor in teacher manuals. Interestingly, human rights values are interpreted and linked to traditional norms and culture. As in other countries where civic education is seen mainly as a means to develop ‘good’ citizens. who work to support state stability and public order, human rights education in Myanmar is shaped as a means to create the ‘good citizen’ which is defined in the context of attempts to develop a

sense of nationalism, a Union spirit, and also in relation to the traditional Myanmar value of a hierarchical social order.

Nan Kham Mai also points to the limitations in state investment to strengthen human rights education in the school system, either through teacher training or the provision of learning materials. In a similar vein, another paper reveals that attempts to create a child-friendly education system are facing similar challenges. Thwin Pa Pa's research on "Prevention of Violence against Children in Primary Schools in Myanmar" looks at the prohibition of corporal punishment which was introduced by the new Child Rights Law of 2019. While the old concept and recognition of 'punishment with good intention' as outlined in the Child Law of 1993 and the Penal Code 1861 allowed punishment "done in good faith for the benefit of" a child, the new Child Rights Law adopts an international human rights framework and prohibits such punishment. Thwin Pa Pa's research in three primary schools in Mandalay reveals that the dominant culture is affecting the evolution of domestic laws in line with international standards. Different forms of corporal punishment are still being practiced with students who do not behave or perform well in class. The research found that the use of violence to punish students is so embedded in the culture that most teachers and parents alike view corporal punishment as "the most useful educational tool".

Similar to Nan Kham Mai's findings in the government's promotion of human rights education, there is still a lack of extensive dissemination of the new approaches to change the nature of punishment in schools among teachers, and there remains little training on alternative or creative forms of punishment for teachers. In

contrary, however, Soe Thiri Win's project that studied "Gender-Based Violence Prevention in schools in Taunggyi" found that a case of gender-based violence against a girl has raised awareness among school teachers and led to practical changes in introducing gender-based violence prevention programmes in schools. In addition to a life skills course which was started in 2014-2015 to provide information that would equip younger children to be aware of potential misconduct they may experience, schools, in partnership with parents, also develop mechanisms to address cases of gender-based violence. However, the extent to which pre-emptive and protective measures have been adopted to create child-friendly school systems or to utilize education to change attitudes on issues like patriarchy and violence against women has not yet been investigated.

Another piece of research looks not into human rights education or human rights through education per se but discusses the factors affecting access to education for different groups of children. Here we can see Myanmar in transition from a different perspective: Myanmar in the struggle to deal with the impacts of armed conflicts and to address peaceful co-existence between different ethnic groups. In the case where ethnic minority rights are officially recognized, attempts have been made to protect minority culture and hence promote education in ethnic languages. In Kayin state, Ei Ei Mya San and Ei Phyo Aye explore the complexity of introducing the teaching of ethnic languages as a subject in primary schools in their research on "Enhancing Access to Education of Minority Groups through the Teaching of Ethnic Languages as a Subject in Primary School: A case study of Kayin Minority Group in Kayin State, Myanmar." The provisions in the National Education Law and Basic Education Law

2019 that allow ethnic languages to be a language of instruction alongside Myanmar language at the basic education level are significant developments. The right to learn their language under the Ethnic Rights Protection Law, 2015, further strengthen this. In the light of this law, school textbooks are being translated into ethnic languages and some courses conducted in those languages. However, as Ei Ei Mya San and Ei Phyo Aye point out, this is not an easy task due to the range of ethnic languages in Myanmar, even in areas dominated by one particular ethnic group. The introduction of one ethnic language into schools does not mean that every local student, who may be from other ethnic groups, gains better access to education. More significantly, the research points to other structural limitations of the education system in Myanmar and the issue of access to education in general. The centralization of education management and the rotation of teachers around the country, which is also practiced in higher education, need to be challenged and modified if the promotion of ethnic, and thus local, languages in schools is to be effective.

In areas where ethnic conflicts are largely unresolved, such as in Rakhine state, ethnic conflicts and related violence are key obstacles to education. When Hnin Nwe Htwe and Wityi Myo look at rights to education in a conflict-affected area in Rakhine region in their project on “the Right to Education in Conflict Affected Area: A Case Study of Access to Basic Education in Rakhine Region, Myanmar”, the findings are not that surprising. Protracted conflicts have unsettled the area and disrupted the daily lives of all people, not only the Rohingya or the Rakhine, in the region. It is not only those who have fled the armed conflicts who face difficulties in accessing education, but rather the conflicts have a wider effect, disrupting education

provision in the area as a whole. While there may be some schools being established inside the internally-displaced person (IDP) camps, and schools outside them that accept students from the camps, the impacts of conflict are more wide reaching and have made the Rakhine region a place where teachers prefer not to work. The influx of displaced children also negatively affects schools in the area.

In two other studies, access to education may not be affected by the on-going conflicts but is degraded as a result of the long-term development deficit in Myanmar. The street children in Mandalay that Dawt Nei Lang has studied in the project “Marginalized Groups and Access to Education: A Case Study of Street Children in Mandalay, Myanmar” and the children in urban areas of Yangon studied by Aye Mar Win in “Roles for Schools in the Effective Implementation of Free, Compulsory Primary Education in Urban Area: A case study of Schools in Three Townships in Yangon, Myanmar” face a similar situation. In both cases, children have difficulties accessing education mainly due to poverty and the lack of identity documents. Dawt Nei Lang found that while the government has set up a new department for Alternative Education and adopted a Non-formal Primary Education Equivalency Programme to promote access to education and lifelong learning for poor children and children out of school, access to education for children remains limited because there are still costs and conditions related to accessing education. Similarly, Aye Mar Win found that poor children from urban communities in Yangon are facing the same challenges, poverty and the lack of identity documents, especially among those who have to migrate to work with their parents.

Using the framework of the United Nations Declaration on Human Rights Education and Training (2011) to explain human rights education, learning about, through and for human rights in Myanmar's education system needs to be understood through the lens of political transition. This collection of research studies points to the challenging situation of a country during the democratization and transition process. While learning about and learning through human rights is already in place through new laws and policies, learning for human rights still needs further development and discussion.



# The Research Projects: From Conception to Completion

Louise Simonsen Aaen (the Danish Institute for Human Rights)

May Thida Aung (the Danish Institute for Human Rights)

## Step (1) Group Research Project Ideas and Conceptualization

Academic human rights research driven by Myanmar researchers has hardly existed in recent decades due to the country's history of one party and military regimes that were not conducive to research in this field. Universities in Myanmar are now working with dedication to change this narrative and strengthen academic research, including in the field of human rights and the rule of law.

Inspired by other applied research projects in Myanmar led by international researchers, in 2019 the Programme Technical Team explored with professors of partner universities in Myanmar their interest in undertaking joint research projects with international researchers on rule of law and human rights education in Myanmar. The goal of such collaborations was to maximize impact and further enhance research skills in the final year of the first phase of the Denmark – Myanmar Programme on Rule of Law and Human Rights. The idea was further developed with law faculty, establishing that research projects should be led by Myanmar national researchers and focus broadly on issues related to rule of law reforms supported by the Programme. Through close consultation with researchers, research advisers and mentors of previous research groups under the Programme, two research areas were identified: one relating to human rights education implementation, and the other to the implementation of the Union Attorney General's Office's fair trial guidebook

developed in 2018, or to improving rule of law and access to justice in Myanmar. Due to having only one year to complete the whole research project including publication, the Programme was relatively cautious of the challenge of two research areas and suggested a focus on a single theme. Professors of partner universities however were determined that focusing on two thematic areas would enrich and strengthen research collaboration and the skills of national researchers.

Since its inception, the Programme has collaborated with the Mahidol Institute of Human Rights and Peace Studies (IHRP) in Bangkok, Thailand, due to their vast expertise in human rights education, research and - not least - contextual knowledge of the region. IHRP was therefore selected to support facilitation of the research conceptualization and design as well as provide senior research advisers to the projects.

### **Step (2) – Planning, recruiting national & international researchers and review committee members**

Starting from early January 2020, the Programme team, together with senior research advisers of IHRP, started the detailed planning of the project and determined the criteria and selection process for national researchers to work jointly with international researchers as well as a tentative timeframe for projects. To recruit national researchers, the Programme sent a call for proposals to all 23 law departments in Myanmar. The goal was to ensure equal opportunities for law lecturers with a strong interest in enhancing their research skills and engaging in group research projects in the two thematic areas. Following a review of proposals, by the third week of February the Programme team and international researchers had

identified 7 proposals for the Human Rights Education in the Primary Sector theme and 6 for the Rule of Law and Access to Justice theme. At the same time, the Programme set-up a Review Committee and an Editorial Board comprising professors from Yangon University law department and senior research advisers already familiar with the programme, with academic research in Myanmar and with the Programme technical team. The research projects were ready to start their journey.

<b>Research Team Members</b>			
<b>Sr</b>	<b>Name</b>	<b>Position</b>	<b>Institute</b>
1	Dr Mike Hayes	Senior Research Adviser	IHRP, Mahidol University
2	Dr Bencharat Sae Chua	Senior Research Adviser	
3	Dr Suphatmet Yunyasit	Senior Research Adviser	
4	Dr Duanghathai Buranajaroenkij	Senior Research Adviser	

<b>Editorial and Review Board</b>		
1	Dr Jonathan Nanda Liljeblad Senior Lecturer and Researcher, Australia National University	Editor
2	Dr Stephanie Lagoutte Senior Researcher, Research Department, the Danish Institute for Human Rights	Editor
3	Dr Martin Mennecke, Associate Professor of International Law University of Southern Denmark	International Reviewer
4	Dr Thomas Obel Hansen Senior Lecturer of Law Ulster University Law School, United Kingdom	International Reviewer
5	Ms. Louise Simonsen Aaen	International Reviewer

	Senior Legal Adviser, the Danish Institute for Human Rights, the Programme	
6	Dr Khin Chit Chit Professor & Head of the Department, Department of Law, University of Yangon	Review Committee Member (National)
7	Dr Khin Khin Oo Professor, Department of Law, University of Yangon	Review Committee Member (National)
8	Dr Nwet Kay Khine Post-Doctoral Researcher Center for Social Development Studies Chulalongkorn University	Review Committee Member (National)
9	Dr May Thida Aung National Legal Adviser, the Danish Institute for Human Rights, the Programme	Review Committee Member (National)
10	Ei Yin Yin Phyu National Adviser, the Danish Institute for Human Rights, the Programme	Review Committee Member (National)

#### National Researchers for the Rule of Law and Access to Justice Reform Project

1.	Daw May Thu Zaw (East Yangon University) Dr Thi Thi Lwin (East Yangon University)	Fair Trial Elements in the Case Management Programme in Myanmar Court
2.	Dr May Thu Zar Aung (Yangon University of Distance Education), Dr Ei Thandar Swe (Yangon University of Distance Education), Dr Thin Thin Khaing (University of Yangon)	Freedom of Expression for Journalists in Myanmar
3.	Dr Mya Moe Khaing (Mawlamyine University) Dr Yu Mon Cho (East Yangon University)	Judicial Corruption as a Violation of Human Rights in Myanmar
4.	Daw Yin Yin Myint (Sittwe University)	Juvenile Justice in Rakhine State

5.	Daw Moe Thu ( <a href="#">Patheingyi University</a> ) Daw Khin Soe Soe Aye ( <a href="#">Pathingyi University</a> )	Human Rights and Refusing a First Information Report in Pre-trial Process in the Criminal Justice System of Myanmar
6.	Dr Pa Pa Soe ( <a href="#">Mawlamyine University</a> )	Protection of Child Labourers in Myanmar: A Case Study in Yangon

### **National Researchers for Human Rights and Peace Education Implementation**

1	Dr Thwin Pa Pa ( <a href="#">University of Mandalay</a> ) Daw May Than Nwe ( <a href="#">University of Mandalay</a> ) Dr Pyone Mon Aye ( <a href="#">University of Mandalay</a> )	Prevention of Violence against Children in Primary Schools in Myanmar
2	Dr Nan Kham Mai ( <a href="#">Mandalay University of Distance Education</a> )	Teaching Human Rights in Myanmar: Challenges faced by Primary School Teachers
3	Dr Ei Ei Mya San ( <a href="#">Yangon University of Distance Education</a> ) Dr Ei Phyo Aye ( <a href="#">Yangon University of Distance Education</a> )	Enhancing Access to Education of Minority Groups through the Teaching of Ethnic Languages as a Subject in Primary School: A case study of Kayin Minority Group in Kayin State, Myanmar
4	Dr Soe Thiri Win ( <a href="#">Taunggyi University</a> )	Gender-Based Violence Prevention in Schools in Taunggyi, Myanmar
5	Dr Aye Mar Win ( <a href="#">Mawlamyine University</a> )	Roles for Schools in the Effective Implementation of Free, Compulsory Primary Education in Urban Area: A case study of Schools in Three Townships in Yangon, Myanmar
6	Dr Dawt Nei Iang ( <a href="#">Mandalay University of Distance Education</a> )	Marginalized Groups and Access to Education: A case study of Street Children in Mandalay, Myanmar
7	Dr Wityi Myo ( <a href="#">Sittway University</a> ) Dr Hnin Nwe Htwe ( <a href="#">University of Yangon</a> )	The Right to Education in a Conflict Affected Area: A Case Study of Access to Basic Education in Rakhine Region, Myanmar

### Step 3 – Project Design workshop

*“It was the very first experience for me to attend a research methodology workshop. On the first day of training, I was quite upset and worried about my research capabilities. But, my confidence level gradually increased due to effective guidance from experienced and friendly professors. At the end of the workshop, I confidently and clearly knew what I wanted to do and how I should proceed.”* (Yin Yin Myint, Sittwe University)



In March 2020, the Programme Team, IHRP research advisory team and national researchers collaborated in a four-day workshop to design and elaborate the research projects in Yangon. The research advisory team supported discussion on the conceptual framework, research problems, research methodologies, documentary and legal analysis and developing interview questions with practical exercises. The group also agreed time frames to complete literature reviews, data collection, analysis and writing, within 3 months.

### Step 4 – Data collection



May Thu Zaw  
East Yangon University

*“To do interviews with officials or to access data from the government is quite challenging for my research. Some government agencies are not willing to share information as there are strong central control systems in those departments. I have to go step by step navigating those procedures and have to be very patient to overcome them. Civil Society Organizations are easy to deal with.”*

*“Cooperation with government departments is really a challenge for the interview process. The process of submitting letter requesting information or to do interviews with responsible persons of government departments takes a long time. Even after as to two months, we did not receive any clear idea who will respond to our request. Trust is also needed with government departments. Official data is crucial for good research.”*



Yu Mon Cho  
East Yangon University



EiEi Mya San (left) & Ei Phyo Aye  
(right)  
Yangon University of Distance  
Education

*“We did not have experience in conducting interviews before. As a result, we faced many challenges in choosing study sites and developing research questions to get the required data. When we went to the field, it was difficult to meet the respondents, particularly government officials. Some respondents actively answered our questions while some did not. Time constraints were also another challenge to good research. It anyway, yielded of a lot good experience as we realized how interviews are important for the quality of our research. And we now know how to prepare in advance for an interview.”*

Based on the research focus and questions several researchers planned to undertake field work in Naypyitaw with key ministries, and with Taungoo and Yangon cities, Tanintharyi Region and Rakhine State. Due to the government’s restriction on movement

on 19 March 2020, driven by the Covid-19 pandemic, immediately following the project design workshop, some researchers had to slightly adapt the original data collection method or postpone data collection until restrictions were lifted. During this period, the Programme provided an online training workshop to enhance skills to conduct literature review for research.

<b>Step 4</b>	<b>Duration</b>	<b>Tasks</b>
	20 March	Literature review
	April	Data collection, transcribing
	31 May	Data collection, transcribing & e-resource training

#### **Step 5 –Paper Preparation and Review Process**

From June to October, national researchers regularly submitted draft versions of their research papers to support coaching and for review. This included the first-round of external reviews by Research Committee members. Reviewers provided comments on structure, analysis, research methodology, coherence and consistency to strengthen papers.

*“I can learn a lot of things from the review process. It was my first experience to receive such detailed comments and guidance. So, I know exactly what to do next because sometimes I lost my way a little. I can apply a similar process and provide guidance to my students.” (Moe Thu, Patheingyi University)*

*"This is the first time I experienced international peer review. Traditionally we have groups that review our*



*work, but only a one-time review during a presentation. Our Head of Department reviews first and consents to publication, but this is focused more on checking for plagiarism. We have a chance to know the comments of other people during the presentation. Under this Programme, there are both national and international reviews and comments. We can add elements based on reviewers' comments. It will improve quality. I am much more satisfied and put more effort into my research papers.” (Nan Kham Mai, Mandalay University of Distance Education)*

After integrating and revising the papers in accordance with reviewers' comments, national researchers submitted a second revision of their papers by the end of August. These were to be reviewed by national reviewers and draft findings presented at the Human Rights Research Paper Reading Forum organized by the Programme on 10 October 2020.

*“It was great to see the engagement and enthusiasm of all participants. I found it very interesting and rewarding to be a discussant in this Research Forum. Having been involved in this Programme since 2017, I have noticed that legal research method and analysis is still a challenge for many Myanmar law teachers. The research presented included a broader social science approach, but it will be good for the law departments to further focus on how to highlight legal issues and*

*to strengthen the legal analysis in their presentations”.* (**Martin Mennecke, University of Southern Denmark**)

*“I saw it worked very well both with the presentations and discussions. Very nice to see the researchers so confidently presenting their research. The researchers are exploring interesting and often novel human rights issues in Myanmar; the case studies tend to be interesting, thorough and well researched, but the researchers would need more support to be enabled to adequately frame the case studies in the context of international human rights law and broader theory”.* (**Thomas Obel Hansen, University of Ulster**)

*“I would like to have a similar paper reading forum in the near future and invite different audiences, including civil society groups. At that time, researchers will have more experience and be more confident to discuss their findings with other stakeholders”.* (**Thi Thi Lwin, East Yangon University**)

## **Step 6 – Publication Process**

A key objective of the human rights thematic research projects was for the Programme to publish research in two books in December 2020. However, as research projects progressed it became clear that some of the papers were undertaking novel research and that the research, since it was undertaken by Myanmar researchers, had the

distinct advantage of allowing for easier access to data and a better understanding of social and cultural context and potential barriers hindering human rights and rule of law reforms. The fact that such papers could make an original contribution to theory fields significantly increases both regional and international journals' interest in the research and so it was agreed that the December publication would include only introductory chapters and summaries of the 13 research papers, allowing potential publication in academic journals in the future. Summaries of the two thematic research projects will be published in connection with the observation of Human Rights Day on 10 December 2020.

# Prevention of Violence against Children in Primary Schools of Myanmar

Thwin Pa Pa (University of Mandalay)

May Than Nwe (University of Mandalay)

Pyone Mon Aye (University of Mandalay)

The practice of various forms of violence against children in school settings is very common and the most visible form of violence in many countries. It encompasses physical and psychological violence, including corporal punishment, verbal abuse, and sexual violence such as rape and harassment, as well as bullying. These all are related to causes such as gender and social norms and wider structural and contextual factors such as income inequality, deprivation, marginalization and conflict.

All forms of violence against children are becoming a national question in Myanmar as an issue of violations of children's rights. Violence can be experienced by children of all ages, although it is more likely seen in primary schools in Myanmar in the form of a method of school discipline. The existence of strong socio-cultural factors, attitudes and beliefs drives the use of violence against children. In some countries, including Myanmar, corporal punishment is regarded as legal when used by parents, guardians and teachers. However, as part of a legal reform process and in collaboration with UNICEF, Myanmar repealed the previous Child Law of 1993 in promulgating the Child Rights Law of 2019. The new law states that "Parents, guardians and teachers shall guide the child to foster the habits of compliance with conduct or discipline described in Section

68 without using any type of punitive measures including corporal punishment.” In this regard, this research examined:

- How corporal punishment is justified and practiced in Myanmar;
- What elements are needed to protect children in primary schools from different forms of violence?

The aim was to understand what factors might undermine the implementation of the new legislation and what key measures are required to protect children in primary school from various forms of violence, considering changing needs and the context of Myanmar.

In this study, researchers used a qualitative research approach through both a systematic review of the literature and interviews with teachers and parents. The review also provided a foundation for collecting and critically analysing the answers to the research questions of the study in a systematic way. The use of an interpretive paradigm in this study was useful to relate experiences of teachers and parents in their day-to-day natural environment. The goal of interviewing teachers and parents was to assess teachers’ awareness of the legal framework around respect for child rights and violent behaviour against students by teachers. The study was made in three primary schools in the area of Mandalay. Public elementary schools were selected on the understanding that private or international schools have well established child protection policies. The interviews intended to identify the challenges faced concerning the implementation of the new laws, and the situation on the ground

confronted by a range of school actors (experts, principals, teachers and parents) in reality. A total of 21 persons were interviewed.

According to several studies in other contexts, corporal punishment and the use of violence are part of the culture and perceived as useful pedagogical tools by the majority of teachers. A Myanmar researcher pointed out in his research that some stories of ‘King Min Don and dried fish’, described in a text book in Myanmar that is studied by all primary schools in the country and referred to by teachers and parents alike, are in support of corporal punishment. Beyond cultural causes, in Myanmar some national laws may drive the use of corporal punishment against children. Section 89 of the Penal Code states that “nothing which is done in good faith for the benefit of a person under twelve years of age ... by the guardian or other person having lawful charge of that person, is an offence by reason of any harm which it may cause, or be intended by the doer to cause, or be known by the doer to be likely to cause, to that person”

Based on the interview data, issues of class management, school discipline regimes, forms of punishment, corporal punishment, and legal awareness of school actors and parents were analysed. It was found that teachers with big classes often believe they need to threaten students by putting a cane on the desk to control the class even if they do not beat a student. Regarding their responses to a question concerning “the rules when students do not obey ‘school discipline’”, most teachers and principals used language such as: "we inform parents and get their cooperation not to do that again, and sometimes beat the students at their parents’ request." Indeed, verbal threats and physical violence are quite commonly applied to discipline

children in schools. According to the interview data, each school has formed an “Association of school actors and parents” having meetings, but there is no clear contextual or legal framework agreed between teachers, students and parents to define appropriate behaviour, ethically and professionally, such as a code of conduct. Teachers’ attitudes to the new legislation were that “we are concerned that students would ignore school discipline if we don’t beat them, and we use it only in their interest.” The practice of physical and mental violence against children is well rooted not only in school settings but also in many families. Most parents interviewed revealed that “I beat my child until he/she is in pain when he/she is not obedient.” Concerning the legal awareness of various school actors, including parents, they said “we don’t know the precise provisions and there is no formal instruction issued by the department but we have learnt from gossip and social media like Facebook that beating children will be punished by six months imprisonment.” Concerning relevant training, they claimed that “we haven’t received any training to learn alternative ways of character building or disciplinary measures. We would welcome such training from the Ministry of Education.” Therefore, due to the lack of child rights-based training, there may be a risk that teachers and other school actors are more likely to resort to violent methods simply because they have not been provided with the skills and knowledge to impose alternative models of discipline to maintain academic standards.

In summary, the main challenges are cultural, with parents and teachers thinking violent punishment including corporal punishment are in the best interests of the children. Therefore, although Myanmar has the legal provisions of the new Child Rights Law, there

is still concern in school and family settings where violence is a norm that the cultural acceptability of these practices will lead to weak enforcement of the law. As a way forward, we are making the following recommendations:

1. Cultural attitudes to violence against children must change in order to protect children in schools, and training is one route to this. School professionals must acquire legal, ethical and professional knowledge of their responsibilities and obligations by attending human rights training administered by the Ministry of Education.

2. Teacher education and training programs must include elements addressing violence against children and child protection. This should be embedded in a policy of national child protection training for teachers.

3. Each school, from primary level, should establish violence reduction initiatives and community parenting programmes. Heads and teachers must receive training in how to implement alternative non-violent disciplinary measures and class management.

4. To follow up on existing legal commitments, each school should establish procedures for handling disciplinary issues in classrooms, as well a code of conduct for pupils and teachers and school policies on prohibition of violence and corporal punishment. This can be developed as a collaboration between teachers and parents.

5. These initiatives should engage school professionals, parents, communities, civil society organizations and local politicians. They should be supported by additional data and research to further



define, monitor and measure school-based violence in Myanmar so that all children have access to safe, non-violent and inclusive learning environments.

The above findings and recommendations may help in ensuring a continued improvement in children's fundamental right to education free from violence in primary schools in Myanmar and in developing a code of conduct that clearly bans the use of violence against children including corporal punishment in a school setting.

# Teaching Human Rights in Myanmar: Challenges Faced by Primary School Teachers

Nan Kham Mai (Mandalay University of Distance Education)

Human Rights Education (HRE) is a unique strategy for the building of a universal culture of human rights. It has gained increasing support over the past thirty years as a tool for promoting peace, tolerance, social responsibility, and global respect for international human rights standards. Myanmar is a country which is trying to build a democratic and a peaceful society and, since 2012, has developed HRE within the higher education system. After the victory in the 2015 national election of a civilian-led political party over the military who had ruled Myanmar for more than 60 years, increasing support is being received from INGOs, NGOs and CSOs to promote HRE. Myanmar adopted the National Education Policy in 2014 to reform the education system which included the integration of HRE in the new curriculum of moral and civic education, life skills and social studies to nurture and produce citizens by providing democratic citizenship education. The policy and law on National Education were implemented in primary schools, with human rights education beginning in the 2018-19 academic year with the Grade 2 curriculum of moral and civic education, social studies and life skills. It will be extended to all higher grades in basic education by the 2022-23 academic year.

To implement HRE at primary level, teachers are the key players to comprehensively instruct on human rights concepts. Implementing HRE is a common challenge to many countries. It is

unclear however how to implement HRE in Myanmar, a country in which the education system reflects the socio-cultural context and where pupils are expected to stand up and welcome their teachers when they see them coming, to attend and wait upon them, to obey and serve their teachers, address their needs, and to learn carefully and respectfully what they teach. Moreover, it remains unclear if teachers have enough knowledge about the relationship between new curricula and human rights concepts. Therefore, the purpose of this study is to examine the extent to which teachers apply and integrate human rights concepts in their curricula, and explore the challenges faced by primary school teachers in teaching human rights.

The paper briefly discusses the implementation of human rights teaching at primary level in the academic literature and reviews existing research on the challenges faced by primary school teachers in teaching human rights. The study uses literature review and qualitative methods, beginning from a review of literature, articles and documents and Myanmar Education Laws and Policy. Data is collected in two different ways: (1) analysis of ‘human rights’ in the new Myanmar national curriculum, through overviews of the contents of Grade 2 and 3 textbooks to aid understanding of the knowledge required of teachers to educate pupils about human rights and, (2) 11 semi-structured interviews with informants, including officials of Myanmar National Human Rights Commission, Township Education Officers, headmasters and primary school teachers. Interview data includes key informants’ views of the new curricula which embed HRE and their experiences of teaching those lessons.

To understand the relationship between current curricula and the concepts of human rights, textbooks of Grade 2 and Grade 3 are analysed. Given that most teachers lack human rights education, this is their principle source of information and shows how the concepts of human rights are embedded in the school curriculum. The purpose of interviews is to explore the views of different actors regarding human rights education in Myanmar. A semi-structured approach to interviewing experts was chosen because of their close engagement in human rights education in Myanmar and the fact that they know how human rights education is implemented at national and regional levels.

The study reveals important findings related to the challenges faced by primary school teachers. First, the curriculum is ambiguous in terms of which lessons are related to HRE; second, teacher understanding of human rights concepts is limited; third, teachers do not receive proper training for HRE which leads them to lack understanding of it; finally, teachers receive inadequate teaching aids and materials, facilitation and support from the Ministry of Education. The lack of a shared language can also be a problem in some cases.

With respect to curricula, they are designed to include human rights concepts while conforming to Myanmar culture: an example is the Myanmar concept of respect. Some concepts reflect universal norms, such as the right to health and the right to a clean environment. The curriculum aims to present various fundamental values within the wider spectrum of human rights, such as solidarity, respect for otherness, social responsibility, and social inclusion.

Therefore, teachers can understand that those areas are aiming to develop and shape students to be good citizens who can apply social skills in relation to family, school and community, respect their parents and teachers and who can resolve conflict in society and be patriotic. Thus, the HRE related lessons are sensibly incorporated in the new curricula by localizing global concepts.

Regarding teachers' understanding of human rights concepts, the analysis indicates that teachers lack knowledge of HRE. In practice, they are teaching lessons related to HRE, and using student-centred teaching methods that encourages the right to participation and freedom of expression. However, they do not know the term HRE and its conceptual basis. Therefore, it is hard to conclude that teachers can disseminate or convey human rights concepts effectively to their pupils.

Many schools in Myanmar lack adequate facilities. Due to a lack of space, teachers complain about being unable to do class activities in accordance with the lesson plan and having to reduce the number of activities that allows for student participation. In some areas, teachers have problems communicating with students whose mother tongues are not those of the teacher and cannot communicate in Burmese as a common language. As a consequence, teachers cannot teach their pupils effectively to achieve the learning goals.

Training for teaching the new curriculum at primary level prioritizes new teaching methods rather than the concept of human rights. Training is provided by the Ministry of Education at three levels, Regional/State level, District level and Township level. Training design does not however enhance teachers' knowledge in

terms of human rights and human rights education. Therefore, it is unlikely that teachers can effectively convey human rights concepts to their pupils. If teachers do not receive proper training for HRE, the concept of HRE and human rights will remain a difficult challenge for primary school teachers.

To promote HRE in Myanmar, the curricula and teacher guidebooks need to be revised to ensure a clear articulation of the concept of HRE. In addition, the necessary materials and facilities must be provided not only by the Ministry of Education but also by international institutions. Schools should be provided with more teachers who can speak local languages. Moreover, teachers should receive proper pre-service and in-service training which supports not only student-centred teaching methods but also improves their knowledge of HRE.

# Enhancing Access to Education of Minority Groups through the Teaching of Ethnic Languages as a Subject in Primary School: A case study of Kayin Minority Group in Kayin State, Myanmar

EiEi Mya San (Yangon University of Distance Education)

Ei Phyto Aye (Yangon University of Distance Education)

The right to education is a fundamental human right under international human rights standards. Reflecting this, the right to education for children in Myanmar is also guaranteed under domestic law. Section 366 of the Constitution of the Republic of the Union of Myanmar provides the right to education for every citizen and guarantees this free up to High School level. According to the National Education Law 2014 and Basic Education Law 2019, the provision of basic education to every child is both compulsory and free. Furthermore, the government has an obligation to promote the education of less developed ethnic groups under the Ethnic Rights Protection Law 2015. Therefore, the State is obliged to ensure access to education for all children from minority groups and also to preserve and maintain minority groups' language, literature and cultural identity. However, in practice not every child in Myanmar has effective access to education, while many children who are enrolled in school do not attend class regularly or drop out early. According to the census report on education 2014, Kayin State has one of the highest rates of both never attending school and of dropping out of school in the country. Relevant factors driving non-attendance include the

physical and economic barriers to education, a lack of livelihood, insufficient schools and teachers, and internal conflicts. It remains unclear whether the language barrier is a factor in school dropout rates.

This study asks if the school dropout rate would be reduced by implementing ethnic language teaching as a subject in schools. A focus is to explore how the teaching of the Kayin ethnic language in schools impacts access to education for children. The study used the research methods of document review, legal analysis and in-depth individual interviews to address these questions. Sources reviewed include the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention of the Rights of the Child (CRC), the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), the Myanmar Constitution 2008, the National Education Law 2014, the Law amending the National Education Law 2015, the Ethnic Rights Protection Law, 2015, the Basic Education Law 2019 and the National Education Strategic Plan (NESP). Two groups of respondents were interviewed. First, a group of professionals including: a Deputy Township Education Officer, two school Heads, three language teachers four subject teachers from two primary schools, and a retired District Education Officer engaged with a Kayin cultural group. The second group consisted of four parents of students whose children are attending those two primary schools. Secondary sources included books, articles, journals and websites.

This paper not only examines the current situation of implementation of Kayin ethnic language teaching in primary schools in Kayin State but also how the implementation of language policies



in education impacts members of that ethnic group. Moreover, it is also concerned with the implementation of language rights by the Central government in Kayin State. This study focuses on the implementation of ethnic language teaching in primary schools in Thandaunggyi Township, Kayin State. This township was chosen because a Kayin language speaking area is located in Hpa-an District, Kayin State, but it is a little far from Hpa-an. It is also found that whilst research into ethnic language teaching in Kayin State has been made, there has been no such research on ethnic language teaching in primary schools of Thandaunggyi Township. In addition, it is more ethnically diverse than other townships in Kayin State, with at least five Kayin ethnic groups in the township. It is also a township that is backward in development terms.

According to the results of this study, the laws and policies relating to language rights of minority groups were more comprehensively implemented after 2014. It can additionally be assumed that teaching the Kayin ethnic language as a subject in primary schools has gradually improved over time, for example being integrated into standard school hours rather than as an extra-curricular activity. The research findings suggest that the teaching of the Kayin ethnic language in primary schools not only improves the understanding of Kayin ethnic language and literature but also supports access to education for children from that minority. Consequently, it is both an effective way of maintaining and preserving a minority language, but also very effectively supports the teaching of other subjects. As a result, children gain a better understanding of the usage of ethnic language and literature. Similarly, other children from minorities may welcome the development of language skills and gain

knowledge about the culture and literature of the Kayin ethnic group. Parents believe that it has become easier for their children to understand subjects at school than before.

Although we have not found evidence that Kayin language teaching is effective in reducing school dropout rates, those previously absent from school due to the language barrier may be more likely to attend. There are however still deficiencies in the implementation of existing laws and policies concerning the teaching of ethnic languages in schools by the government. For instance, the Kayin language textbook published by the Ministry of Education is directly translated from the Burmese textbook and as a result is difficult for children to learn from. Moreover, teachers cannot teach the entire course in the one year allotted for it. Since 2019, the new textbook has been used for teaching the Kayin ethnic language in some primary schools in Kayin State. However, there are insufficient copies for it to be distributed to all schools, even though students are interested in the new textbook. Another important factor is that the salary for language teachers appointed by the government is extremely low and, as a result, some language teachers have left their jobs, driving a lack of language teachers in schools. In some areas of Thandaunggyi Township, especially in rural areas, there are difficulties in teaching all subjects in the Myanmar language because language teachers cannot be appointed in those places. As a result, children face a language barrier when they learn these subjects. More than this, language teachers are also facing difficulties in their teaching according to the interview, in that teaching materials and aids are insufficient when using the new textbook.

In summary, the government is working to address its obligations concerning access to education of children under international human rights standards. Moreover, it seeks both to ensure the right to education and to develop the cultural identity, language and values of children belonging to ethnic groups, by following the commitments of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and Convention on the Rights of the Child (CRC). There are provisions regarding access to education for ethnic groups under national laws and policies in Myanmar, and in implementing these the government is attempting to deliver education which is accessible and available for members of ethnic minorities, notably in seeking to remove the language barrier. According to the study, increased enrolment is not obviously achieved through the teaching of the Kayin ethnic language in schools, although children are increasingly able to understand lessons. Whilst there is no evidence that the teaching of the Kayin ethnic language is effective in reducing the dropout rate, it does serve to address those students who don't attend school due to the language barrier.

There are still however weaknesses in implementation by government arising from the ethnic diversity and geographical features of Myanmar. Specifically, national and regional governments need to coordinate regarding the implementation of ethnic language teaching. More ethnic language teaching staff should be appointed to reduce the lack of teachers in some schools in rural areas. The government should upgrade the teaching of ethnic languages in schools by adopting specific policies and guidelines with the collaboration of the related Ethnic Literature and Culture Associations.

# Gender-Based Violence Prevention in Schools in Taunggyi, Myanmar

Soe Thiri Win (Taungyi University)

The Denmark-Myanmar Programme on Rule of Law and Human Rights supported a research project with the aim of understanding approaches to Gender-Based Violence (GBV) Prevention in schools in Taunggyi, Myanmar. The research project ran from March to October 2020 with the goal of understanding what approaches were being taken to increase knowledge among teachers of the phenomenon of GBV in schools in Taunggyi. Taunggyi is the capital and largest city of Shan State, in east-central Myanmar. Two schools in Taunggyi, Basic Education High School No. 1 and No. 4 were chosen for the study.

The research examines forms of GBV occurring in Basic Education High schools in Taunggyi and how teachers apply human rights knowledge to eliminate GBV in schools. School-related GBV refers to “acts or threats of sexual, physical, or psychological violence occurring in and around schools, perpetrated as a result of gender norms and stereotypes and enforced by unequal power dynamics”. The study targeted teachers at primary and middle school levels, corresponding to children aged 5 – 14 years. This research used literature review and qualitative methodologies, comprising interviews and focus group discussions held in each school. Interviews involved 2 school Heads, 4 primary and 4 middle school teachers, the Assistant Director of the State Education Office and the Central Manager of the Rule of Law Centre, an NGO, in

Taunggyi. A focus group discussion was made in each school, each consisting of 2 primary and 2 middle school teachers. Key findings are described here.

In a school many forms of GBV can occur that are not understood or defined as GBV. GBV in schools can be described in many ways and without reference to gender, including for example beatings, physical attacks and inappropriate behavior. In order to prevent gender violence in schools, it is necessary to understand a school's culture, structures and procedures. Throughout interviews, the following forms of violence were reported in Taunggyi Basic Education High Schools: verbal abuse, bullying, coercion among students, and fighting between students. According to those interviewed, the root causes of GBV can be understood by examining those who perpetrate such violence. In focus group discussions, teachers reported that perpetrators are typically those who lack parental care, of low economic status, from homes where parents are divorced or separated, suffering from the effects of alcohol and drug abuse in the family.

Every school should implement plans for the prevention of GBV, as well as the effective protection of students from GBV, including through issuing warnings and sanctioning perpetrators, in order to avoid the repetition of that conduct. If GBV cases occur in school there is a need to coordinate with parents, engage with the justice system as required, and take effective action. Every school should also establish standards to ensure that the school is 'GBV free'. Such standards include: no gender discrimination, equal opportunities for both boys and girls and equal rights to be protected

against all forms of violence. In order to eradicate GBV, it is necessary to improve the awareness and knowledge of GBV in schools and students' safety in school as well as security on the way to and from school. It is also necessary to add prevention of GBV to the school curriculum. Such responses to GBV must begin from the primary level, and schools can help by encouraging parents and children, while teachers can influence students and deliver GBV prevention knowledge to them.

Therefore, at school educational programme approaches towards GBV prevention should promote gender equality and appropriately prepare education staff to provide the tools to respond to GBV when it happens. Teaching children Human Rights Education (HRE) can improve their awareness and can solve the problems of GBV as part of GBV prevention strategies. Teaching GBV prevention in schools benefits students in terms of their learning about ethics and can guide their behaviour throughout their life.

In Taunggyi, the study explored the level of awareness and understanding among teachers of GBV. According to interviews, the principals and teachers have not received training on GBV or HRE and all teachers seek greater knowledge about it. They all agree on the need for such teaching and that GBV prevention should be introduced as a curriculum subject from primary level. In addressing GBV, teachers can be supported by providing relevant curriculum materials and training in GBV, as well as strategies to address GBV cases and training in interactive and inclusive pedagogies. According to the Rule of Law Centre manager, a teacher should first be well aware of the concept of school-related Gender Based Violence. Awareness raising

activities should be provided to teachers first, which should be discussed in depth to change the attitude of the teacher and to provide appropriate information to the students. Increased awareness raising on GBV and sex education should be the first step for school students.

The data from interviews suggests that teachers need to be trained first and only then will their teaching of children be effective. As a result, schools should support appropriate training of teachers to reduce levels of GBV and raise knowledge and awareness of GBV, implement effective mechanisms to prevent GBV, targeting teaching, curricula, learning strategies, teaching methods and disciplinary approaches. Primary school teachers also need to know about GBV because they can have significant influence on children who are of an age to absorb such concepts. Protecting children from GBV contributes to community programmes and media campaigns for broader awareness raising, beyond schools. Both school principals and teachers interviewed agreed on the value of teaching GBV prevention in extra-curricular activities, and of promoting knowledge of GBV and protection of students from it. To ensure effective and successful prevention of GBV is not exclusively the responsibility of teachers, it is also necessary to ensure the rule of law, and to share knowledge through television, mobile networks and media.

In reality, supporting training and curriculum approaches that can prevent violence and promote gender equality will be a major challenge. There is a need to know what kinds of skills, knowledge and methods are necessary to drive real change. There is a lack of resources, and a need to change teaching styles, such as moving from teacher-centred learning to student-centred learning, a need for

better communication skills, so that a teacher can manage children and share the impacts of using alcohol or drugs in a way that can help children for their entire life. A handbook can include GBV prevention knowledge as a part of initiatives against violence at school and such a handbook can constitute teaching materials and support the incorporation of GBV prevention into national curricula for teacher training. It is also necessary to create a violence prevention plan in the school and train teachers to strengthen their knowledge, skills around GBV and classroom management to enable them to teach students how to protect themselves from violence. There is also a need to collaborate with Ministries of Education, Police, Health, Social Services and Child Protection as well as NGOs to drive fundamental change in responding to GBV. Once such elements are included in the curriculum at primary level, activities should unfold in school classrooms along with training for teachers and information provided through posters and magazines in every classroom.

To support this effort, government needs to provide the necessary financial resources, to improve advocacy, and to effectively collaborate with international and national organizations to address GBV and ensure safer school environments. Such GBV prevention activities can serve to reduce violence not only in schools but also in the home and community. Monitoring attitudes and behaviour of teachers and students as a result of the awareness raising activities on GBV can demonstrate the effectiveness of such action. Moreover, to reduce GBV, government agencies can work with NGOs, for example arranging school buses for child safety and supporting school facilities. In addition, international and national organizations can provide assistance to improve knowledge around GBV in schools through



long-term capacity building. GBV programming ought to also contribute to media campaigns and national discourse.

# **The Role of Schools in the Effective Implementation of Free, Compulsory Primary Education in an Urban area: A case study of Schools in Three Townships in Yangon, Myanmar**

Aye Mar Win (Mawlamyine University)

Education is an essential resource for national socio-economic development and something that citizens have to access throughout their life. Parents need to gain awareness of the objective of Free, Compulsory Primary Education (FCPE), namely that schooling at primary level is mandatory for every child. However, in Yangon, parents seek admission for their children to well-known schools with excellent matriculation examination results, even where such families are not situated within the school catchment area. As a result, such admissions contribute to the enrolment rate in three townships of Yangon. Yangon is a main population centre hosting many internally displaced persons, those running small businesses and other migrants moving there for various reasons. Changes in rural areas drive population movement as a result of degradation of the environment and climate induced migration that has increased in recent decades. This has placed a greater burden on Yangon which is largely unprepared to absorb such-rapidly growing internal migration. These factors are an important element of the background to this paper.

The researcher chose three schools from different townships as a target area of the study due to the different socio-economic situation of the residents. Townships are third-level

administrative divisions of Myanmar and sub-divisions of a District. In Yangon they are integrated elements of the larger conurbation and those townships chosen for the study contain large numbers of internal migrant households. This study focuses mainly on the role of the State in implementing and monitoring the FCPE policy and of those participating in that implementation, such as parents, parents-teacher associations and township education officers. The paper aims to identify gaps and challenges in the FCPE framework and to provide recommendations to improve enrolment rates of primary school students based on the findings of the study.

The specific research questions are as follows;

- What factors contribute to low enrolment rates in the three townships?
- What actions are being undertaken by schools or other actors in the three townships to address the low enrolment rate?
- What can be done to enhance the capacity of schools to effectively address low enrolment rates?

This research used qualitative research methods, with data derived from both primary and secondary sources. Documents yielding secondary data included: the National Education Law, the Basic Education Law and National Education Strategic Plan, and published articles from both international and national research journals. Quantitative data was used in terms of enrolment and dropout rates of primary students in the three townships-studied. Additionally, the paper relies on a number of interviews with relevant stakeholders in the primary education sector, including school Heads, parents of primary students, and representatives of parent-teacher associations.

Semi-structured interviews were conducted with seventeen informants. Amidst the Covid-19 pandemic, the researcher sought to reduce risk by using purposive sampling to limit the number of informants. Due to the limited scope of the study, the findings cannot be assumed to be valid for townships and regions outside the areas studied, but are likely to be relevant for similar areas in Yangon.

In Myanmar, enrolment in primary schools was made free in the 2010-2011 academic year, followed by middle schools in 2013-14 and high schools in 2015-2016. In addition, laws have been enacted and policies put in place as part of the process of education system reform, to ensure all children access the right to education. Recently enacted laws include the National Education Law of September 2014, the Amendment of the National Education Law June 2015 and the Basic Education Law in December 2019. The Constitution of the Republic of the Union of Myanmar, 2008, provides that the Union shall “implement a modern education system that will promote all-around correct thinking and a good moral character contributing towards the building of the Nation”. According to Section 366 of the Constitution of the Republic of the Union of Myanmar, 2008, every citizen shall, in accordance with the educational policy laid down by the Union: (a) have “the right to education; (b) shall be given basic education which the Union prescribes by law as compulsory; (c) have the right to conduct scientific research, explore science, work with creativity and write, to develop the arts, and conduct research freely other branches of culture.”

The enrolment rate is directly impacted by the nature of the school’s catchment area at the township level, and at ward levels, the administrative division below the township. Enrolment rates at the

three schools are all different with only school 3 having a high enrolment rate. Dropout rates are largely driven by parents suffering financial instability and working in manual labour (e.g. construction site workers and road repair workers). A child's birth certificate must be presented at enrolment in school 3 to confirm the student's data. Parents need to ensure the enrolment of all students at school going age, but some parents want their child to work instead. Students who are deprived of regular education often arrange non-formal primary education including lifelong learning education at school 1. A low teacher to student ratio and a lack of exposure also affects learning and overall student performance. The ratio of teachers to students in school 2 is higher than the other two schools.

All children have the right to free education at public schools under the National Education Law. The Education for All-National Action Plan (EFA-NAP) 2003-2015 was formulated to ensure that all school-age children have access to a completely free and compulsory basic education of good quality by 2015. None of the three schools studied reached the threshold in enrolment rate despite the adoption of EFA-NAP 2003-2015. The Basic Education Law, 2019, enshrined Free, Compulsory Primary Education on the basis of students' and parents' rights and duties, but the implementation of FCPE has not been successful in two of the schools studied. This law shall promulgate the penalty and punishment for not completing primary education.

The primary school dropout rate is a function of parents' economic and employment situation. The Ministry of Education (MoE) should strengthen the back to school programme and technical assistance for children under the legal working age who are

nevertheless working. School 3 has eliminated the collection of civil documentation from parents since this reduced enrolment of those who lacked such papers. The government should expand the National Comprehensive Development Plan (2011-2031) to include all those living in informal settlements and casual labourers, and promote the implementation process in urban areas, including through education and poverty alleviation. The MoE should integrate child labour elimination and prevention strategies into national education policy. Parents or guardians should be required to train and be taught to become better educated human resources, since education is vitally important for the advancement of society and the country's future.

State plans should progressively increase the education budget and ensure sufficient teaching staff in all primary schools, in line with basic education principles and policies. Ensuring that primary schools are available for all children necessitates their being fully funded by the state. Schools should also enhance programmes, such as extending the Township Education Improvement Plan (TEIP) and non-formal primary education to ensure the adaptability of education for working children in suburban areas in the Yangon region. Schools should encourage the involvement of NGOs and CBOs for the effective implementation of FCPE. There is also a lack of effective participatory mechanisms at the local level to ensure the fulfilment of FCPE. To ensure effective life-long learning and FCPE, schools, parents and the State should work together hand in hand with all stakeholders.

# Marginalized Groups and Access to Education: A Case Study of Street Children in Mandalay, Myanmar

Dawt Nei Iang (Mandalay University of Distance Education)

The right to a quality education is just one of many rights that street children are denied. In this context, the term ‘street children’ is used to refer to children who work and/or live on the streets. As a result, they are limited in their opportunities to grow and develop through education due to a range of barriers. It is recognized that education is an effective way for street children to become good citizens, integrated into society and ensuring the realisation of their other human rights.

The right to quality education is a key component of the 2030 Agenda for Sustainable Development, centred on leaving no one behind. Sustainable Development Goal 4.1 is to ensure that, by 2030, all girls and boys access completely free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes. In Myanmar, more than five million children between the ages of 5 and 18, including street children, are out of school. Mandalay, the second largest city in Myanmar, has a population of 1.22 million and the highest rates of street children. In Mandalay, street children can be seen at the railway station, bus station, at pagodas, under overhead bridges, at city shops and markets and at crossroads in the city. Some street children live on their own and survive on the streets without adequate shelter, or any supportive guardian or parental figure, while some work to support their family. They lack access to health care, food, education or adequate assistance in terms of housing and

other support, and face risks of trafficking, exploitation and drug addiction. Most street children are not attending school, and some have never been.

Myanmar's education laws provide free and compulsory primary education; alternative education, such as non-formal approaches and lifelong learning, is implemented for children who are unable to attend school for various reasons, but access to education for street children remains unrealised. The government's response to the situation has been mostly ad hoc. Projects such as the 100-day plan for street children are often launched to provide education and vocational training, in cooperation with stakeholders such as World Vision, Kinnected, TDHL and UNICEF. Street children in Mandalay are labelled variously as 'Lan Pyaw Kalay' (literally, children who are happy on the streets) or 'Lay Lwint Kalay' (tramps) or 'Tuu Taung Sar' (beggars). The Child Rights Law of 2019 uses the term 'Lan Paw Nay Kalay' which means children who are living or working on the streets but does not define the term. Under the law, street children are understood as: "children in need of protection and care". The neglect of the presence and rights of street children in Myanmar is seldom explored. Various media channels have exposed the situation of street children and shown that they are victims of violence, malnutrition and exploitation, and often involved in crimes of various degrees and substance abuse.

Previous studies of relevance have addressed child labour and considered institutional-centred interventions in Mandalay. This article presents a first case study-based contribution to this field in Myanmar, to better understand and document the current situation



around access to education for street children. The study is guided by the following questions:

- What are the challenges faced by street children to access education?
- What kinds of education are available to street children in Mandalay?

It analyses the main issues at stake in relation to the international and domestic human rights framework on the right to education and the specific situation of street children.

This article builds on legal sources, a review of the literature and a qualitative case study. Through exploring the case study and analysing it in the light of other sources, the article proposes a new understanding of the issues at stake and presents recommendations to ensure street children's access to school to aid them in realizing the right to education. Primary data were collected through semi-structured interviews with five types of stakeholder in Mandalay City: experts on education and child's rights, relevant government departments, social workers, street children themselves and their parents or guardians, all identified using purposive sampling. A total of 29 interviews were made. The sample size was limited by the COVID-19 pandemic which complicated data collection. Content analysis was made of these data, referencing the presence, meanings and relationships of certain concepts in interview responses. Secondary data consisted of legal and non-legal documents, and studies from international academic journals, as well as media articles, government documents from the Ministry of Education and the Ministry of Social Welfare, Relief and Resettlement and NGO reports including from

Second Tap Root and the Consortium for Street Children. Also considered were international standards and treaties relating to children's right to education as well as Myanmar's laws and regulations in the field of education.

The study clearly showed that, unlike most children, street children are not receiving a quality education. The main reasons that children leave their homes to live on the streets are domestic violence, a lack of job opportunities for parents, family problems, such as divorced or separated parents, poverty and abandonment, or to support their family. The barriers to accessing education include the following factors: a lack of identity documents and residence papers, poverty, parental ignorance of child rights, affordability, mental illness, a lack of a permanent residence and parental influence on children.

An increasing number of street children and the absence of specific mechanisms and resources to address the situation adversely affects street children's access to education. There is a major need for second chance education to support these out of school street children to achieve basic literacy and improve their life. The State is the primary duty bearer with respect to education provision for street children. The root causes behind the problems of street children have been identified and should be addressed. In addition, the barriers faced by street children are numerous and complex: this calls for tailoring education initiatives to the specific needs of these children. Government, civil society, NGOs, parents, and children are all important stakeholders in this respect. In working with street children, it is important to consider the role of parents and children's physical

and mental needs. Public schools might not always be the best environment to enhance street children's educational chances; it is important to create an optimal environment in which these children can learn outside school, given their life experience. Finally, rehabilitation programmes should be developed for street children who have no parents or guardian and who use drugs, such as through glue-sniffing.

Based on this combination of legal sources, existing literature and primary data, the article makes recommendations to ensure the protection of the right to education of street children in Myanmar. They all point in the direction of securing funds to support a flexible and multi-partnered approach to ensure street children's access to school and right to education.

# The Right to Education in a Conflict Affected Area: A Case Study of Access to Basic Education in Rakhine Region, Myanmar

Wityi Myo (Sittway University)

Hnin Nwe Htwe (University of Yangon)

Rakhine is a region of Myanmar with poor education systems and ongoing conflict related to ethnicity and religion. Conflict has driven high numbers of Internally Displaced Persons (IDPs) in Rakhine region, defined, according to the United Nations Guiding Principles on Internal Displacement, as:

“persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.”

The northern and central townships of Kyauktaw, Mrouk-U, Rathedaung and Buthidaung have been severely affected by conflict. People have been displaced across the state and protracted and repeated displacement has left them confined in camps with no access to education, healthcare, or livelihood opportunities. According to OCHA reports of June 2019, there were more than 128,00 IDPs still living in camps in Rakhine State, of which more than half are children, according to UNICEF. An escalating conflict between the military and the Arakan Army in Rakhine and Chin states triggered 80,000 new

displacements in 2019. Most displaced children face difficulties to access school and can lose the right to education as a result of the impact of conflict. The duty of the State to provide compulsory and free primary education is a prerequisite for realizing children's right to education and the government has to protect the right to education through enacting and implementing national laws.

Research was conducted to gain an overview of the education situation of IDP children in a conflict affected area in Rakhine region, including an analysis of gaps in current education provision. This research paper uses a qualitative approach and two different methods of information gathering, document review and semi-structured interviews. Interviews sought to obtain not only views of government and non-government actors, but also experiences and views from regional civil society organizations working specifically on children's education in Rakhine. Individual interviews are a methodology that can capture the particular experiences of respondents.

The site for the study was Rakhine region, including Sittwe township, where the issue of education rights for IDP children from conflict affected areas is relevant one. Researchers first looked at census data to ascertain the areas in the Sittwe region with a high number of IDPs to better understand the current situation and problems in the region. They then made interviews with government officers in the education sector, teachers, local people and staff of non-government organizations and regional civil society organizations in Rakhine. A semi-structured questionnaire was developed for data collection around the issue of children's education in Rakhine region. Interview questions aimed to examine respondents' experiences of

education activities in Rakhine and the current situation concerning access to education, in the light of both domestic laws and international standards. The research team reached out to local people to obtain information about the situation on the ground around access to education. Individual interviews were conducted in a space that was deemed comfortable for respondents, typically in their homes. In some cases, respondents were interviewed over the phone due to the Covid-19 pandemic.

Various limitations emerged during the research process. Researchers refrained from engaging in political discussions on the wider issue of IDPs and instead focused interviews on issues linked exclusively to the education situation. Questions and discussions focused on how rights to education in conflict affected areas were denied and the weakness of access to education in conflict affected areas in Rakhine region.

Whilst IDPs have the same rights to education as any other citizen, in practice several implementation challenges remain. As a human rights obligation, the government must make education available, accessible, acceptable and adaptable. But there are many challenges to realising these obligations. Challenges in Rakhine region include a lack of school spaces, students dropping out due to insecurity and the distance children must travel to school especially for primary and secondary students. There are also needs for better school buildings and furniture: in some schools with large student numbers there is insufficient space for teaching.

The Ministry of Education and regional administrative bodies have the obligation under national laws to create special types of school, such as mobile and temporary schools, for children from

IDP camps. The long-term consequences of unequal access to high quality education, and in particular how it impacts social transformation in conflict-affected societies, need to be examined and discussed among a wide range of actors. The Government must place greater emphasis on improving access to and quality of education and protecting children from violence, abuse and exploitation in areas of armed conflict and to collaborate with relevant civil society and other organizations.

Myanmar still has areas in some regions affected by conflict. The government should therefore move towards engaging with international standards, such as the Safe Schools Declaration, that has been created to protect students, teachers, schools, and universities from the worst effects of armed conflict. The State should endeavour to adopt effective policies, frameworks and implementation mechanisms that can fully support the right to education for children living in IDP camps. Although Myanmar has a set of national laws, such as the Basic Education Law, National Education Law, the Child Rights Law, that are concerned with the right to education, and relevant provisions can address the right to education for IDP children, implementation is weak. There are many needs and challenges to ensure comprehensive access to the right to education. Concerned ministries need to focus on practical issues such as a lack of teachers, and inadequate classroom facilities while government must ensure that schools are safe zones, despite internal conflict.

To ensure greater alignment of education sector plans with peacebuilding frameworks and policies, there must be a stronger focus on the potential of education to contribute to social cohesion and reconciliation. Moreover, education reform plans can be strengthened

if they are based on an analysis that correlates education data with data on levels of violence or crime. The long-term consequences in terms of how unequal access to high quality education impacts social transformation in a conflict affected society need to be examined and discussed. Even though IDPs have the same rights to education as any citizen, in practice implementation challenges remain. The Government needs to place greater emphasis on improving access and quality of education and protecting children from violence, abuse and exploitation in areas affected by armed conflict. This will likely require collaboration with relevant civil society and other organizations, especially those working in the education sector.



## Epilogue: Ways Forward

Louise Simonsen Aaen

The Danish Institute for Human Rights

2020 has been a very unexpected journey in so many ways. While Covid-19 brought extended periods of lockdown to Myanmar and most of the world, closing universities and their law departments, it also brought opportunities – as people could not go about their usual busy lives which often set agendas, tasks, chores and not least the rhythms of life. This is equally the case for the contributing researchers, who have used the extended lockdown periods and university closures to undertake the novel research presented in this publication. The unexpected ceasing of teaching obligations afforded them valuable time to dive deeply into human rights research. For some of the researchers this was their very first experience with human rights research and they witnessed up close how their research significantly deepens understandings of human rights and legal issues as well as of their practical implementation in Myanmar, and enabled exploration of solutions to these.

The in-depth training on research methodology, and the ‘learning by doing’ of the research projects themselves, left a deep impression. Some researchers emphasise that research methodology was in the beginning difficult for them to grasp, as this has not been integrated into LL.M or PhD studies in Myanmar. However, due to the experience gained from the research projects several have already started teaching research methodology and are encouraging students to pursue small scale research of their own. One researcher has told us:

“I tell my students human rights are everywhere,” and several researchers increasingly encourage students to view other law subjects through a human rights lens and critically examine the legal framework.

A window has been opened, affording Myanmar legal scholars time to explore and reach new insights, by seizing the opportunities of a time where academic space and liberties are expanding. This change is noted by several participating researchers, as they explain that before 2012-2014 they would never be allowed to research such topics. While the window of academic liberty appears to be steadily expanding, opportunities gained by time provided by the pandemic will cease when Myanmar and the world (hopefully soon) contain the virus and researchers return to their normal teaching duties. Researchers report that during the normal academic year, they face multiple resource constraints including as a result of their many administrative duties, but that the drastic change in work modalities during the pandemic enabled them to identify structural issues - whether historical, systemic or institutional – whose addressing are important for the future incorporation of research as a discipline in their law departments. Their interest in research has been encouraged, and a contributing researcher believes: “We have to do research forever”. Thus, a significant potential for future human rights research exists within universities and law departments, and this can be unlocked through strategic prioritisation, and organisational and administrative reforms. These will not happen overnight, but the ‘new normal’ and the insights that are emerging will surely support professors and law departments in finding suitable strategies to achieve their research goals.

Academic human rights research is here to stay, and professors and researchers aspire to integrate research methodology courses, increased peer review, the reactivation of university journals and the establishment of ethical review processes for the research undertaken in law departments. Exciting opportunities lie ahead for the academic human rights community in Myanmar, but also challenges in maintaining momentum once life returns to normal. If these are addressed adequately, Myanmar-led human rights research can become a driving force towards achieving both the desired academic levels within law departments and contributing to academically informed policy and decision making that can strengthen rule of law and peacebuilding in Myanmar.

[Denmark will continue their partnership with Myanmar Universities to support the law departments in their further strengthening of Human Rights Education and Research in 2021-2022.]

# RESEARCH TEAM

## INTERNATIONAL RESEARCHERS

**Dr Mike Hayes** – is a lecturer and researcher at Institute of Human Rights and Peace Studies of Mahidol University, Thailand. He also serves as a programme director and chair of the Global Campus of Human Rights Asia Pacific, and serves on the Council of the Global Campus of Human Rights. He has taught widely throughout Southeast Asia and has been involved in the development of human rights programs at universities in Vietnam, Cambodia, and Myanmar. His research and specializations are human rights and migration, human rights education, and development.

**Dr Bencharat Sae Chua** is a lecturer at the Institute of Human Rights and Peace Studies, Mahidol University, Thailand. Before she joined the academics, she worked with a non-governmental organization in Thailand working to promote the rights of displaced people from Burma/Myanmar. She developed her interest in Myanmar's politics and human rights since then. Her current research interest is on social movements and contestation on concepts of democracy and human rights, with particular focus on cultural determinations of the ideas. She also works on human rights education and engage in ranges of capacity building for civil society organizations on human rights.

**Dr Suphamet Yunyasit** is a lecturer in the field of conflict and peace studies, Institute of Human Rights and Peace Studies, Mahidol University, Thailand. She serves as Secretary-General, Religions for Peace-Interreligious Council of Thailand (*RfP-IRC*) and has just been appointed by Thailand's Ministry of Foreign Affairs as Thailand's

representative in ASEAN Women Peace Registry which is closely linked with ASEAN Institute for Peace and Reconciliation. She started her work on conflict transformation and peacebuilding in 2012 after graduated with a Ph.D in Anthropology from the National University of Malaysia. She has organized and facilitated intra and interreligious dialogues designed for conflict transformation and relationship building between conflicting parties in Thailand's three southernmost provinces. Her current project focuses on the participation and roles of the Buddhists of the South in conflict transformation and peacebuilding. Her research interests and expertise include conflict transformation in Thailand and Southeast Asian contexts, inter-ethnic/religious and majority-minority interaction in multicultural society, freedom of religion or belief (FoRB), and cultural rights of minority groups.

**Dr Duanghathai Buranajaroenkij** is a lecturer of the Institute of Human Rights and Peace Studies (IHRP) at Mahidol University. The courses she offers in MA and PhD programs at IHRP are, for example, Conflict Transformation, Human Rights and Peace in Practice, Feminism and Gender Perspectives in Human Rights and Peace. She is a head of the Peacebuilding Center of IHRP based in Pattani province, the Deep South of Thailand. Her research interest center on women's rights, gender and development issues related to politics, conflict and peacebuilding. She holds Ph.D. in Gender and Development Studies from the Asian Institute of Technology (AIT), Thailand and MA in Conflict Analysis and Management from the Royal Roads University, Canada.

## NATIONAL RESEARCHERS

**Prof. Thwin Pa Pa** is a Professor and Head of the Department of Law at Mandalay University. She holds a Doctor of Law degree in the subject of Transnational Law and Policy from Tohoku University (Japan, 2006). She has over 26 years of teaching experience. Her teaching and main fields of research interest cover Constitutional Law, Business Law, Labour Law, Land Law and Arbitration Law; she has received many human rights-based trainings, such as the 74th International Refugee Law Training in Italy and International Human Rights Law in Sweden (Lund University). She was a Fellow at the Central European University (Department of Legal Studies) in the year 2015.

**Dr Aye Mar Win** is an Associate Professor in the Law Department at Mawlamyine University, Mon State, Myanmar. She was first appointed as a tutor in the Law Department, at Taungoo University, Bago Division, Myanmar in September 2005. She received her PhD in International Law from Yangon University, Myanmar in 2016. She undertook research on “The Status of Civil Documentation for Dala and Thanlyin Townships in Yangon Region” in 2019 in collaboration with the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI). She has participated in a number of human rights research projects under the supervision of the Danish Institute for Human Rights (DIHR). From 2017-18, she conducted research on “Protecting the Right to Housing in Myanmar” under the supervision of international experts supported by the Denmark-Myanmar Programme; the resulting paper was presented at the Myanmar Universities' Research Conference (MURC) in May 2019. “The Role

of United Nations Human Rights Treaties-Based Monitoring Mechanism in Myanmar” was presented at the Myanmar Academy Arts and Science Conference (MAAS) in July 2020. She presented the research paper “Legal Protection on Animals in Myanmar” at Myanmar Universities' Research Conference (MURC) in June 2020. Since 2019, she has been undertaking two research projects under the Denmark-Myanmar Programme: (1) Right to Access Reasonable Accommodation for Persons with Disabilities in Workplaces in Myanmar and (2) Roles of School in the Effective Implementation of Free, Compulsory Primary Education in an Urban area: A case study of Schools of Three Township in Yangon, Myanmar.

**Dr. Dawt Nei Iang** is a Lecturer at the Department of Law at Mandalay University of Distance Education. She studied Law at Monywa University and received her LL.B degree there in 2007 and her LL.M at Yadanabon University in 2009. She received her Master of Research in 2010 from Yadanabon University and her PhD from Mandalay University in 2016. She began her teaching career as a tutor at Mandalay University of Distance Education in 2012 and later transferred to Myitkyina University where she taught Law of Contract, Labour Law, Law of Tort, International Law and Human Rights Law. She returned to Mandalay University of Distance Education in 2019. Her teaching and research activities focus on human rights, with particular emphasis on freedom of expression and right to privacy, and minority rights. She participated in a Rule of Law (TOT) Workshop in 2014 and Human Rights Training given by Columbia University. She has also participated in the 3<sup>rd</sup> Asia Pro bono Conference in Singapore, the 8<sup>th</sup> GAJE Conference in Turkey and the UN Regional Course in International Law for Asia-Pacific, in Bangkok.

**Dr Ei Ei Mya San** is a lecturer in the Law Department at Yangon University of Distance Education. She received her LLB degree in 2005, LL.M in 2007, MRes in 2009, and PhD in 2016. She was appointed as a tutor in 2009. She teaches law to students of Yangon University of Distance Education and to students studying law online. Her research interests are dominated by human rights subjects and she is currently engaged in a research project entitled ‘Enhancing Access to Education of Minority Groups through the Teaching of Ethnic Languages as a Subject in Primary School: A Case Study of Karen Minority Group in Kayin State, Myanmar’, with the Denmark-Myanmar Programme. At present, she is also undertaking research on ‘The right to education for children in Myanmar’. She hopes to continue doing research in the area of human rights, with a focus on human rights and development

**Dr Ei Phyto Aye** is a lecturer in the Law Department at Yangon University of Distance Education. She received her LLB degree in 2006, LL.M in 2008, MRes in 2011 and Ph.D. in 2016. She was appointed as a tutor in 2009. At present, she teaches law to students of Yangon University of Distance Education and to students studying law online. In 2012, while at Taungoo University, she undertook research on ‘Legal Aspects of Health Protection for Seafarers in Myanmar’ which was published in Taungoo University Research Journal. She is currently researching: ‘Domestic Violence against Women in Myanmar’ with government support at Yangon University of Distance Education. She is also engaged in a research project entitled ‘Enhancing Access to Education of Minority Groups through the Teaching of Ethnic Languages as a Subject in Primary School: A Case Study of Kayin Minority Group in Kayin State, Myanmar’ with the



Denmark-Myanmar Programme. She hopes to continue doing research on human rights with a focus on access to justice, business and human rights and the right to information.

**Dr Hnin Nwe Htwe** has worked as a tutor in the Department of Law at the University of Yangon, Myanmar, since 2015 and was promoted to Assistant Lecturer in 2019. She has almost six years of teaching experience, not only with undergraduate and master students but also supervising term papers and Master's theses. She received her LL.B degree in 2011 from Yadanarbon University, Mandalay, and her LLM in 2013 and M Res in 2014 from the University of Yangon. She received her PhD in 2019 from the University of Yangon. Her Master's thesis was entitled 'Responsibility of Security Council', her Master of Research thesis is about 'Legal Rights of Myanmar Migrant Workers' and her PhD thesis 'Freedom of Expression and Censorship System in Media'. She participated in the 'Special Summer Program on Comparative and International Business Law' at Keio University Law School, Tokyo, Japan in 2017, 'Responsible Business and Human Rights Forum' in Bangkok, Thailand in 2019 and the 8<sup>th</sup> Asian Constitutional Law Forum in Hanoi, Vietnam in 2019.

**Daw May Than Nwe** is a Lecturer in the Department of Law at the University of Mandalay. She received her LL.B degree in 2007 and her LL.M in 2010, both from Yadanabon University. She specializes in International Law. She was appointed as a Tutor in the Department of Law at Magway University in 2012 and transferred to the University of Mandalay in 2015. She passed the Preliminary Course in 2016 and is writing the thesis for her PhD. Her research interests are International Law and International Humanitarian Law. She has joined

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**Dr Nan Kham Mai** is an Associate Professor in the Law Department at Mandalay University of Distance Education. She has over 15 years of teaching experience in Departments of Law at different universities in Myanmar, including Mandalay University of Distance Education, Panglong University and Mandalay University. She received her LL.B degree from Mandalay University of Distance Education in 2002, her LL.M - with specialisation in International Law – from Mandalay University in 2006, and her LL.M in International Economic and Business Law at Kyushu University, Japan, in 2009. She completed her LL.D degree in the Doctoral Program of Multi-social Studies at Niigata University, Japan, in 2017. Her research interests span International Sales Law, International Investment Law and Business and Human Rights Law. She has published research papers in the Journal of the Study of Modern Society and Culture, Mandalay University of Distance Education Research Journal, Mandalay University Research Journal and Journal of the Myanmar Academy of Arts and Science. One of her research works ‘Analytical Study on the Legality of Multi-Level Marketing’ published in the Journal of the Myanmar Academy of Arts and Science was awarded best Law paper of 2018. She is also co-author of the Rule of Law Handbook for Civil Society Organizations published by the Konrad-Adenauer-Stiftung.

**Dr Pyone Mon Aye** is a Lecturer in the Department of Law at the University of Mandalay. She received her LL.B Degree in 2006 and her LL.M in 2009, both from Yadanabon University. In 2010, she obtained her Master of Research (M.Res) degree with the title ‘Legal

Protection of Industrial Designs in ASEAN Countries’. She was appointed as a Tutor in 2012 at the University of Mandalay, and promoted to Assistant Lecturer in 2016. She received her Ph.D in 2016 from the University of Mandalay. She was offered a Research Fellowship by the Central European University in 2018 and has participated in the Regional Research Initiative on Human Rights organized by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law. She was also a participant in the University Human Rights Education Project in Myanmar sponsored by the Open Society Foundation from 2014 to 2017. She has attended many human rights trainings delivered by the Danish Institute for Human Rights. Her research interests include International Criminal Law, International Human Rights Law and Constitutional Law.

**Dr Soe Thiri Win** is a lecturer in the Department of Law at Taunggyi University. She received her LL.B degree in 2006 and her LL.M in 2008, both from Taunggyi University, and was appointed in 2009 as a Tutor at Panglong University. She received her PhD in 2017 from Mandalay University, with a thesis entitled: ‘Legal Status of Armed Non-State Actors’. She has almost eleven years of teaching experience and is responsible for teaching a number of substantive law classes and also the Externship Class which employs a clinical learning and interactive methodology. She teaches: Myanmar Customary Law, Sale of Goods Act, Labour Law, Criminal Law Criminal Procedure Law and International Humanitarian Law.

**Dr Wit Yi Myo** is a Lecturer in the Department of Law at Sittway University, Myanmar, having been promoted to Lecturer in December 2019. She was appointed in 2012 at Dawei University as a Tutor and

after two years transferred to the University of Yangon, where she worked from 2014 to 2019. She has almost eight years' experience teaching Public International Law, Law of Treaties, International Air and Space Law and Human Rights Law. Her duties include not only teaching undergraduate and Master's students, but also supervising papers and Master's theses. She received her LL.B degree from Magway University in 2008 and her LL.M (2012) and MRes (2013) degrees from the University of Yangon. She received her PhD in 2020 from the University of Yangon. Her Master's thesis was entitled 'International Instruments relating to Outer Space', her Master of Research thesis 'Privileges and Immunities of the United Nations and United Nations Personnel', and her PhD thesis 'Derogation of Human Rights during Emergency Time'. She participated in the 'Special Summer Program on Comparative and International Business Law' at Keio University Law School, Tokyo, Japan in 2017. She also did fieldwork research on 'The Status of Civil Documentation for Hlegu and Taikkyi Townships in Yangon Region', in collaboration with the Roaul Wallenberg Institute of Human Rights and Humanitarian Law in 2019.

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Whether everyone can access basic education or not is a fundamental principle for fully enjoying the rule of law and human rights, not only in Myanmar but throughout the world. In basic education, it can be assumed that being able to learn about human rights and child rights through easily comprehensible teaching methods is a basic foundation for a society that values human rights and dignity.

In Myanmar's current situation all aspects of human rights, including the right to life and right to live freely, the right to express opinions, the right to education, the right to access information, all of which relating to human rights and dignity, are being restricted for reasons of politics, civil war and internal conflicts.

This design is a computer graphic derived from a single photo. The platform used is Photoshop. This photo is a photo of student who lives in Min Pya Township, Rakhine State. As a student who will attend Grade 4 in Min Pya Township, the wars, conflict and Covid-19 pandemic have all become obstacles for him to freely access education. Such a child, who should be now studying happily with the school bell ringing during the rainy season, can only look at his school from far away while being aware of the conflicts and the presence of armed forces. This design seeks to express the situation of a society that has no guarantee of equality, justice or peace, and where human rights are absent and discrimination ongoing. It is hoped that this design reflects

the research topics that seek to understand access to primary education without discrimination.

