

Curriculum Development and Academic Institution Building in the European Union: The Experience of the European Master in Human Rights and Democratisation (E.MA)

Antonio Papisca, Manfred Nowak, Horst Fischer

The idea of a European Master Degree in Human Rights and Democratisation, E.MA, was born in Padua in 1996 during the visit of the Head of the Unit for Human Rights and Democratisation at the European Commission, Daniela Napoli, and of Prof. Julia Gonzales, Head of the Department of International Affairs at the University of Deusto (Bilbao). Formally, E.MA was established in early 1997 as a prompt, concrete response to the Amsterdam Treaty whose article 6 proclaims human rights among the basic principles of the European Union: indeed, a major EU financed project in the educational and formational field, with the support also of the Region of Veneto and of the Municipality of Venice. In 1997, the European partner universities were 10. They are now 37. The E.MA Course is organised in Venice by the Council of the participating universities and it is now implemented by the European Inter-University Centre for Human Rights and Democratisation, EIUC, located in Venice, at the Monastery of San Nicolò in The Lido. The E.MA Diploma, that for 6 years was conferred by the University of Padua, became in 2003 the European Joint Degree, a true European Diploma, conferred by a pool (inner circle) of E.MA partner universities.

The following pages summarise the experience carried out in the first six years, as assessed by three leaders of the joint undertaking.

The E.MA Acquis and Beyond

Antonio Papisca*

If I had to summarise in few words the first 6 years of E.MA life, I would not hesitate to say: constant curriculum-development, constant inter- and trans-university institution-building, constant «in kind» expenditure of didactic and scientific energies («in kind» is the bureaucratic translation of «generous volunteering» in a co-financed project), finally, the right persons in the right place.

E.MA is a permanent yard, but the living laboratory has already

** Director of the E.MA Programme from the a.y. 1997/1998 to the a.y. 2002/2003.*

produced what can be considered a consolidated *acquis*, made by E.MA *esprit*, E.MA organisational scheme, E.MA style, E.MA subsidiarity practice, E.MA faculty and laureates community.

1. E.MA Spirit and Organisational Scheme

What makes the peculiar E.MA spirit are imagination, creativeness, awareness of shared responsibilities, commitment, enthusiasm, service. This axiologic feature is well indicated in the solemn and innovative formula that Rectors and Presidents of the participating Universities jointly pronounce to proclaim open a new E.MA academic year: «Bearing in mind the principles of the International Law of Human Rights and in the spirit of inter-university co-operation, we declare open the (X) Academic Year of the European Master's Degree in Human Rights and Democratisation».

The E.MA organisational scheme was soon acknowledged as a model for similar international undertakings. While under the legal supervision of a co-ordinating university – the old University of Padua (1222) – activities were since the beginning endorsed and carried on, at the headquarters in Venice and in each participating University, by a supra-national structure of E.MA Governing Bodies according with the original set of E.MA rules called the «Venice Charter». The institutional architecture was shaped as a holistic entity, not as a mere sum of individual contributions provided by the partner units. When we started, we wanted our educational enterprise to be conceived and develop within the broader process of European integration and in close relationship with its Institutions. We intended to contribute to enhance the European process by educating and forming – I dare to say, leading by example – with the means and methods that are proper to the academic world and with an ambitious mandate: to increase the impact of the human rights paradigm in both the EU system and the university system and to make more visible the link between the construction of positive peace between the EU countries and the universalistic inspiration stemming from the values and principles that are enshrined in the United Nations Charter and in the International law of human rights. Such a wide-ranging vision was felt as deeply consistent and coherent with our being both Europeans and members of *Universitates*.

2. E.MA Style, Subsidiarity and Wealth

There is an E.MA style. I refer especially to the E.MA faculty's way of being close to students as well as to decision-makers and institutions at different levels, primarily to the EU institutions. A significant indicator of how we endeavour to translate into practice the human rights policy- and action-oriented approach is provided by the E.MA Diplomatic Conferences, a series of annual meetings convened in Venice with the aim of facilitating free and refreshing exchanges on relevant EU-human rights topics between academics, diplomats international and national officials, and NGOs leaders. The last Conference, held at the Monastery of San Nicolò on July 19, 2003, was devoted to «How to improve the EU input into UN human rights policies».

A further significant part of the E.MA *acquis* regards the practice of (genuine) subsidiarity in running the overall project. The first input came from Brussels through Daniela Napoli, the academic world promptly reacted in a positive way, in a similar prompt way the Municipality of Venice and the Government of the Region of Veneto provided financial and logistic assistance.

This synergetic venture is proving to be fruitful and lasting. At the EU level, the E.MA not only is being supported by considerable financial sources (the pertinent figure is included in Chapter A of the EU budget), but it is explicitly mentioned in the solemn Declarations issued by the European Council in Vienna (1998) and in Koln (1999). In 1998, on the occasion of the 50th anniversary of the Universal Declaration, the Assembly of the Region of Veneto unanimously endorsed an *ad hoc* Bill to ensure E.MA substantial support on a regular basis.

In the same year, the European Parliament devoted a public hearing to the E.MA project: I like to remember the MEPs sympathy and unanimous consent at the end of the session. Constant relationship with the members of the Working Party on Human Rights and Democratisation of the EU Council (COHOM) can be rightly considered as a *fil rouge* of our subsidiarity practice, that is further carried out in the annual EU Discussion Forum on Human Rights.

Since the starting of the Forum series in 1999, a large E.MA delegation has actively participated in the works. Indeed the COHOM-E.MA permanent relationship is proving to be a fertile opportunity to actually mainstream human rights in the whole EU system. Fruitful relations are being carried on with the Office

of the United Nations High Commissioner for Human Rights (a Memorandum of Understanding was signed in Geneva in May 1999 jointly by Mary Robinson and the E.MA Director: Gianni Magazzeni, senior officer at the Office, has played a major role since the beginning), with the UNESCO (Memorandum of Cooperation signed in 2000: Vladimir Volodine in the Paris headquarters is constantly at work to develop our relationship), with the OSCE (its Secretary-General, Ambassador Jan Kubis, came twice to Venice to address our awarding-opening ceremony, Ambassador Christian Strohal, new Director of ODIHR, former COHOM member, is long time active in our networking and in the courses as well), with the Council of Europe (Stefano Valenti is providing us expertise and materials in a continuous way), with important NGOs: Lotte Leicht, of Human Rights Watch, is offering expertise and advice since the very E.MA beginning. All those entities, as well as the International Committee of the Red Cross, the International Commission of Jurists and the International Rehabilitation Centre for Torture Victims are formally part of the E.MA Advisory Board.

For sure, the most substantive E.MA *acquis* is the E.MA conspicuous wealth constituted by its laureates and teachers. We have so far awarded 455 «Masterini» from 37 countries, who are now active in significant programmes and offices all over the world. They form a living community of expert and committed people, which I like to call «civil servants of the human family»: indeed a critical mass, strongly gender-marked, for metabolising institutions and policies in a more human-centric direction.

The prestigious E.MA Faculty includes roughly 70 academics and experts from several universities and international organisations: how much «in kind» offered to the cause of human-centric improvement... Then, the E.MA Faculty and Laureates, such impressive wealth of expert and committed human resources, is the most significant indicator of the sustainability of the structural investment in education and formation that we decided to realise more than six years ago.

3. The Founding Phase

In late 1996, when Daniela Napoli, Head of the Unit on Human Rights and Democratisation of the European Commission, came to Padua, at the University Human Rights Centre (founded in 1982), to exchange ideas on possible initiatives for human rights education at post-graduate level, we imagined a (infra) structural investment in the form of a «European Master». We were approaching the 50th anniversary of the Universal Declaration of Human Rights and we wanted to mark the celebration with an initiative that could last in the long term by preparing new generations of young people with «the mind of human rights». We wanted to combine this circumstance with the «constitutional» content of Article 6 of the Amsterdam Treaty, thus providing it a first concrete implementation in the very way that the *incipit* of the Universal Declaration indicates as the primary and most effective guarantee of human rights: «... every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms». In this nascent phase, the ambitious idea was shared by another founding-mother, Julia Gonzales, now Pro-Rector of the University of Deusto. Marco Mascia, now a Jean Monnet Chair on European Integration at the University of Padua, was fully involved in shaping the overall strategy and since took over the burden of daily assisting the Director of the Programme from the inside of the Rectorate of the co-ordinating university: how formidable, and totally free, has been his work!

Then we launched a call, in the framework of Socrates, with very short deadlines. Several prestigious Universities of EU countries promptly replied and a first plenary meeting was convened in Venice in March 1997, in the basement of Palazzo Ducale. What happened in that occasion was an exploratory exchange, marked by curiosity and caution, but also by good will: the idea of a «European Master» was unanimously accepted. Horst Fisher successfully advocated for addressing, as a prior item, the organisational scheme. This was agreed in general terms at the end of the meeting convened in Deusto-Bilbao in May 1997: Julia Gonzales played there a major role. Two months later the E.MA architecture was finalised in Venice during the «Seminar for Trainers on Human Rights and Democratisation» (18-26 July 1997). In that week, hard and innovative work was carried

out at Villa Herriot (Giudecca Island) and in the monumental venue of Salesiani on the Island of San Giorgio. All participants shared the deep awareness that we were creating something really new. The Venice Charter, containing the (very detailed) Rules of the European Master Degree in Human Rights and Democratisation, was solemnly endorsed on July 25th, under the effective chairmanship of Markku Suksi. We unanimously decided to locate in Venice the E.MA activities. We relied on the promise of generous hospitality that was formally expressed by the Venice Mayor, the well-known philosopher Massimo Cacciari.

Then, enthusiasm, commitment, and so much hope...

In a very short time the overall E.MA Project was finalised. If we consider the sophisticate complexity of the architectural design and the magnitude of its membership, we could even talk of a «structural miracle» that advanced the most ambitious goals of the then nascent Bologna Process.

The E.MA founding fathers and mothers, most of them still at work in our Faculty are Paul Lemmens (Catholic University, Leuven), Florence Benoit-Rohmer (Université Robert Schuman, Strasbourg), Markku Suksi and Hanna Vuokko (Åbo Akademi University), Horst Fischer and Hans-Joachim Heintze (Ruhr-University, Bochum), Antonio Papisca and Marco Mascia (University of Padua), Attracta Ingram and Brid O'Rurke (National University of Ireland, Dublin), Fred Grunfeld (Maastricht University), Jaime Oraà, Trinidad Vicente and Felipe Gomez (Deusto University, Bilbao), Aisling Reidy and Todd Landmann (University of Essex), Maria Benedita Urbano and Francisco Lucas Pirez, soon replaced by Vital Moreira and Ana Luisa Riquito (University of Coimbra). And of course Daniela Napoli, the inspired and energetic representative of the European Commission.

They were soon joined by Jean-Paul Lehnert (Centre Universitaire de Luxembourg) Dimitra Papadopoulou (Aristotle University of Thessaloniki), Manfred Nowak (University of Vienna, L. Boltzman Institute of Human Rights), Gudmundur Alfredsson (University of Lund, Raoul Wallenberg Institute of Human Rights), Kirsten Hastrup, subsequently replaced by George Ulrich (University of Southern Denmark, Danish Institute for Human Rights). And shortly after other Colleagues joined the first fifteen: Guy Haarscher (Université Libre de

Bruxelles), Stelios Perrakis (Panteion University, Athens), Cees Flinterman (Utrecht University, Netherlands Institute of Human Rights), Wolfgang Benedek (University of Graz), Jan Klabbers (University of Helsinki), David Harris and Alastair Mowbray (University of Nottingham), William Schabas (National University of Ireland, Galway), Adalberto Perulli and Fabrizio Marrella (Cà Foscari University, Venice), Teresa Beleza y Pizarro (New University of Lisbon), and Hans Giessmann (University of Hamburg).

4. E.MA in Venice

Why in Venice? Besides saying that Venice is unique, one reason is a practical one: Venice is close to Padua, the city of the university that was co-ordinating the E.MA for the first six years. Locating the E.MA seat in Venice was like providing it some kind of extra-territoriality, thus emphasising its European identity. A further, very important reason is that Venice is the capital of Veneto, a Region that first in Italy – and perhaps in the world – endorsed a Regional Bill on 30 March 1988 (n.18, complemented and improved by the Bill n.55 of 16 December 1999) to enhance the culture of human rights, peace and development co-operation, whose Article 1 reads:

1. The Region of Veneto recognises peace and development as fundamental rights of the human being and of the peoples, in accordance with the principles of the Italian Constitution and of the International Law for the promotion and protection of human rights and the rights of peoples, of democratic liberties and of international co-operation by means of initiatives of information, research, education, de-centralised co-operation and humanitarian aid.

2. For the purpose of paragraph 1, the Region promotes human rights, the culture of peace and of development co-operation».

Since 1988, the Region of Veneto has a Councillor specifically for Human Rights and a Budget figure devoted to the very implementation of the Bill. In 1991, upon suggestion of the Human Rights Centre of the University of Padua, the Regional Councillor launched a proposal aimed at including a similar provision in the new Statutes that Communes and Provinces were allowed to endorse according to an innovative national Law on local autonomy. Hundreds of Communes and Provinces in Veneto included that provision, even with more precise references to international legal instruments on human rights (Universal Declaration, European Convention of 1950, International Covenant on Children Rights...), thousands all over Italy

did the same. In 1995 it was up to the University of Padua to revise its own Statute. The Veneto peace-human rights orientation entered into Article 1.2, that reads: «The University of Padua, in accordance with the principles of the Constitution of the Italian Republic and of its own tradition that goes back to 1222 and is summarised in the motto *Universa Universis Patavina Libertas* (All Paduan Freedom for All), affirms its pluralistic character and its independence from any ideological, religious, political or economic conditioning or discrimination. It promotes the elaboration of a culture founded on human values such as human rights, peace, environment protection and international solidarity». In 2000 the City Council of Venice decided to become active member of the network of Cities which pledge to implement the «European Charter of Human Rights in the City.

I think these few references are enough to explain the peculiar vocation of Veneto to host and actively support the E.MA enterprise.

Needless to point out that the E.MA founding mothers and fathers unanimously endorsed to meet that vocation.

5. E.MA Events at Palazzo Ducale

The inauguration of the first E.MA Degree Course took place the 6th of October 1997 at Palazzo Ducale, in the «Sala del Piovego»: from the basement where we hold the first exploratory meeting we upgraded to a more comfortable and formal floor. It was the beginning of a logistic – and ceremonial – *crescendo* in the most prestigious historical building of the «Serenissima» Republic of Venice. The 1998 opening ceremony took place in the magnificent «Sala del Maggior Consiglio», enlightened by the largest Tintoretto painting. It was prized by Jacques Santer, President of the European Commission, who offered a keynote speech. Since then Palazzo Ducale has become the prestigious venue for the awarding/opening events of E.MA. The «Camerata Musicale Vicentina», under the direction of Maestro Piero Javarra became as well the permanent E.MA Chapel. The Overture from the «Te Deum» by J. Charpentier marks the entering of the procession of Rectors and Professors in cap and gown, the European Anthem from the Ninth Symphony of L. van Beethoven concludes the ceremony: finally E.MA is a fully humanistic adventure! In the first opening ceremony in October 1997, that was addressed by a warm message sent by Mary

Robinson, the *lectio magistralis* was offered by Jaime Oraà, now Dean of the Law Faculty of the Deusto University. In September 1999 and in September 2001 the key-lectures were offered by Manfred Nowak and Horst Fischer: we were then facing dramatic situations (Kosovo war, Twin Towers attack) challenging the effectiveness of both International Humanitarian Law and Human Rights Law. On those occasions advocacy for international legality based on human rights and the rule of law sounded very strong at Palazzo Ducale. The same commitment was expressed in the 2002 awarding-opening ceremony, in the eve of the Iraq war, when the Director of the E.MA Programme launched the password: *We are on a peace footing*. A further opportunity to express our firm position in favour of International law, of the United Nations centrality and of a EU more active role in the construction of a peaceful world order, was offered by the meeting of the E.MA Governing Bodies that took place in April 2003 in Athens (how pleasant was the *accueil* there, thanks to the Greek Authorities and to Ambassador Denaxas, a COHOM member, who has consistently participated in the E.MA Diplomatic Conferences).

The academic ceremonies at Palazzo Ducale were since the beginning addressed by high personalities of the EU institutions, of UNESCO, Council of Europe, OSCE, of national, regional and municipal authorities: speeches were offered, among others, by Jacques Santer, Benita Ferrero-Waldner (Secretary of State, Federal Ministry for Foreign Affairs, Presidency of the Council of the European Union), Giancarlo Aragona (former Secretary-General, OSCE), Jan Kubis (Secretary-General, OSCE) (twice), Joseph Verde y Valde (Vice President, European Parliament), Enrique Baron Crespo (Member of the European Parliament), Pierre Sané (Assistant Director General for Social and Human Sciences, UNESCO), Daniel Tarschys (Secretary-General, Council of Europe), Giancarlo Galan (President of the Region of Veneto), Marialuisa Coppola (Councilor, Region of Veneto), Massimo Cacciari (former Mayor of Venice), and Paolo Costa (Mayor of Venice).

6. E.MA Logistic Fantasy

Due to the shortness of time, accommodation in Venice of the first generation of E.MA students – the pioneers – was not easy, but the pioneer Masterini were all so pleasantly (and patiently)

adaptive and co-operative! They deserve special gratitude also for that. I like to recall the accommodation that was organised in the narrow spaces of the «Hotel Milano», near Piazza San Marco. In order to make it more comfortable (at least from a cultural and... axiological point of view), we provided a name to the different narrow floors by quoting from «An Agenda for Peace»: then, first floor was «Preventive diplomacy», second floor «Peacekeeping», and so on. The same sophisticated logistic culture was spent in the monumental Monastery of San Nicolò, the E.MA headquarters, where we moved from the «Palladio» building of Giudecca (the provisional premises of the first E.MA Course): San Nicolò's meeting rooms are called «Global civil society», «Human development!, etc. Needless to say that I am remembering these aspects in order to further highlight an E.MA own spirit which is pleasantly shared by both teachers and students.

7. E.MA in Bosnia and Herzegovina

The «training mission» to Bosnia and Herzegovina is another significant piece of the first six years E.MA story. It was intended to provide the Masterini community the opportunity to carry on a week of intensive training on that dramatic spot. The first mission was organised in January 1998, notwithstanding the budget for that year did not include a specific figure. The Italian Government promptly provided *ad hoc* financial support and free travel and local transport facilities. The 18 January 1998 two C130 military aircrafts came to the Venice airport and brought us to Sarajevo and back to Venice. In Sarajevo we organised our headquarters in the damaged premises of that University. In the first meeting, held in the Aula Magna, we were joined by the Sarajevo Rector and by the Ambassadors of the EU members states. At that time nobody could have imagined that three years later on January 13th, 2001, during the fourth training mission, we would have participated, in the same Sarajevo Aula Magna, in the inauguration of the first year of the Regional Master in Human Rights for South-East Europe and joined the pioneer generation of students enrolled in that Master. In that moving atmosphere I had the unique chance to formally express friendly wishes to the new-born brother- Master, and Manfred Nowak shared with me the same joy by offering the first introductory lecture.

Around the European Master based in Venice, a family of similar undertakings is now flourishing in different regions of the world: besides Sarajevo, in Pretoria (African Master), in Malta (Mediterranean Master) and in Hong Kong.

A new deal for E.MA is being further qualified by the establishment of the European Joint Degree in Human Rights and Democratisation. This is an indicator that we have already entered the «beyond».

8. Looking at Beyond

We cannot but admit that some kind of *spill-over* is constantly working within the E.MA undertaking. At the beginning we were ten universities, soon becoming fifteen, right after twenty seven, we could'nt but decided to provide the Master Degree Course, and other complementary activities, a more proportionate instrumental organisation. The University of Padua did its best in the take-off or, if you want, being the «womb». I can say that my University is deeply proud for having fulfilled that task, jointly with the other partner Universities. I further dare to say perpetual gratitude to it, especially to Pro-Rector Aldo Rossi, to Prof. Luigi Filippo Donà dalle Rose, to Mrs. Emanuela Pavia, chief-administrator for the Project/Rectorate of the University of Padua, and again and again to Prof. Marco Mascia.

In September 2002 another ambitious dream became a reality: the European Inter-University Centre for Human Rights and Democratisation, EIUC, was established in Venice in the form of an association of universities with legal personality. Such trans-university and supra-national merging offers the suitable ground for running the European Joint Degree in a really «European» way.

This is the last and mature achievement in the direction that was clearly advanced in the E.MA Venice Charter of July 1997 and that since then I advocated for.

But be sure, further valuable and innovative outcomes can actually be expected by the E.MA-EIUC community, whose present leadership deserve full appreciation and to whom I express full success.

E.MA Aims and Objectives

Manfred Nowak*

1. Vision of the Programme

The European Masters Programme in Human Rights and Democratisation (E.MA) is the most important contribution of the European Union to the United Nations Decade for Human Rights Education (1995 to 2004) and at the same time one of the most exciting examples of a genuine European inter-university co-operation. It derives its strength from two equally important pillars: a network of EU officials in the Commission, Council (COHOM) and European Parliament who consider human rights and democracy as a major foundation of the internal and external politics of the Union, and a network of European academics who consider human rights as a major inter-disciplinary subject which should have a proper place in the curriculum of all universities. Since the international protection of human rights still represents a fairly recent and by no means undisputed phenomenon of international relations as well as university education, both networks are actively engaged in promoting human rights in their respective political and academic environments, an endeavour which is not always easy. Against this background, it is amazing how quickly the E.MA programme and degree became firmly rooted as a major institution of higher learning within EU policy and European inter-university co-operation. Among the various reasons for this dynamic development I wish to mention two outstanding Italian personalities: *Daniela Napoli* (European Commission) who is the driving force behind the intergovernmental network, and *Antonio Papisca* (University of Padua), the spiritus rector of the inter-university network. With the active support of the Region of Veneto and the Municipality of Venice which made the beautiful Monastero di San Nicolò at the Lido di Venezia available, E.MA quickly broadened its basis from 10 to presently 27 European universities from all EU member states and offers a truly interdisciplinary, trans-national and post-graduate human rights education and training to a growing number of European students and future human rights experts. With the enlargement of the Union, universities from Central and Eastern Europe will join this academic human rights network which might encompass more than 50 prestigious European universities and human rights centres within a few years.

* *Chairman of the E.MA Council and the Executive Committee since January 2001.*

From the beginning in 1997, the University of Padua has acted as the co-ordinating university which has not only been responsible for entering into legal contracts with the European Union and other donors, for administering the funds and organising the programme but also for conferring the E.MA degree to our «Masterini». In September 2002, more than 20 E.MA universities formally established the «European Inter-University Centre for Human Rights and Democratisation» (EIUC) as an independent legal entity under Italian law in order to gradually take over these responsibilities from the University of Padua. We expect that over the years all E.MA participating universities will join this consortium which provides a common legal and institutional framework to the E.MA programme and strengthens the network. In addition to the E.MA programme, this Inter-University Centre will organise further teaching, training and research activities, develop a comprehensive human rights information and documentation centre and become a focal point for diplomatic, academic and expert conferences in the field of human rights and democratisation in Europe.

Most importantly, the participating universities have committed themselves to contribute towards a further harmonisation of European university systems in the spirit of the Sorbonne Declaration of 25 May 1998 by establishing, in the near future, a joint European Master's Degree which will be conferred to our future «Masterini» by all participating universities at the same time. It is not only of symbolic significance that the first joint European Masters Degree that will be awarded by universities of all EU member states will be created in the field of human rights and democratisation. We hope that our common contribution to this «European university space» in the sense of the Bologna Declaration of 19 June 1999 will also open the doors for more space to be made available to the European Inter-University Centre at the Lido di Venezia. This would enable us to fulfil our vision of establishing a permanent European Human Rights Academy with genuine campus facilities including student dormitories, in other words: a European human rights village in Venice.

2. Importance of Human Rights Education

Within the last half century, the idea of international human rights has developed into a powerful factor of international relations and today represents the only value system which has

been laid down in a legally binding normative framework and which can claim to have achieved universal recognition by governments and civil society alike. In practice, we are however far from universal compliance with all the international human rights obligations which States have first developed in the framework of universal and regional organisations and then have voluntarily undertaken to respect, protect and fulfil by means of treaty ratification. In addition to States as the main duty-holders under present international law, other powerful actors, such as intergovernmental organisations, international financial institutions and trans-national corporations, have a responsibility towards creating a universal human rights culture. International law and practice provide a broad variety of procedures and mechanisms to hold States and other actors accountable for non-compliance with human rights obligations, to protect and enforce human rights at the regional and universal level, and ultimately to prevent future human rights violations. One of these tools is human rights education.

A universal human rights culture can only be achieved if all human beings have an opportunity to acquaint themselves with the concept of human rights which constitute a system of values designed to govern the relations among individuals, between individuals and States, and among States. Ultimately, it is individuals who on the one hand benefit from human rights and who on the other hand are responsible for human rights violations and who are increasingly held accountable for such violations by various means, including criminal law. The idea of individual criminal responsibility for serious human rights violations was underlined during the last decade by the establishment of *ad hoc* tribunals for the former Yugoslavia and Rwanda and by the creation of an International Criminal Court who is strongly supported by the European Union and will start to function in early 2003.

Human rights education is the most important tool to teach individuals about both their human rights vis-à-vis other human beings, the society and the State, and about their duties to respect human rights of others. With this in mind, the UN General Assembly in 1994 proclaimed the United Nations Decade for Human Rights Education from 1995 to 2004. Governments, intergovernmental and non governmental organisations as well as educational institutions are encouraged to develop special training

programmes and to include human rights in the curricula of primary, secondary, higher and nonformal education structures. As the main institutions of higher learning, universities bear a major responsibility to recognise human rights as an independent and interdisciplinary field of teaching, research and documentation, to establish specialised human rights institutes and research centres, to educate students in human rights, to educate human rights trainers and teachers for primary, secondary, adult and non-formal education, and to spread the message of human rights to the society at large. In most European countries, specialised human rights centres and human rights education programmes have been developed on the basis of private and governmental initiatives, within the framework of university structures or outside.

The European Union significantly increased its human rights education activities and budget during the United Nations Decade. In the human rights year 1998, on the occasion of the 50th anniversary of the Universal Declaration of Human Rights, the EU allocated almost 40 million Euros to projects of human rights education and training, including the support of education and information networks. The most significant contribution of the EU to the goals of the UN Decade is, without doubt, represented by the E.MA programme. In the innovative document «A Human Rights Agenda for the European Union for the Year 2000» adopted by a «Comité de Sages» composed of *Antonio Cassese, Catherine Lalumière, Peter Leuprecht* and *Mary Robinson* in 1998, the important contribution of the E.MA programme to human rights education and awareness in Europe has been welcomed, and in the Vienna Declaration of 10 December 1998, the European Council committed itself to ensure the continuation of the E.MA programme. Since its creation in 1997, more than 350 «Masterini» graduated from the E.MA programme and most of them work in human rights positions in Europe or the «field» where they play an active part in creating a universal human rights culture.

3. Distinguishing Features of the E.MA Programme

The E.MA differs from other human rights master programmes in its truly trans-national and interdisciplinary character and in the high priority given to practical aspects of human rights work, above all in the field. Students are equally recruited from all EU member states (plus 15 places for students from applicant and

other countries) and represent different academic disciplines relevant to human rights, such as philosophy, history, anthropology, law, political science and international relations. Those students who have no background in philosophy, law or political science have to follow a basic introduction into these disciplines. The curriculum of the first semester in Venice and the teaching staff equally reflect this interdisciplinary approach. Legal questions are only taught and discussed after an extensive introduction into the history, philosophy and politics of human rights and democracy. The faculty consists of professors in all relevant fields recruited from the 27 participating universities, civil servants from the EU, the Council of Europe, OSCE, United Nations and other intergovernmental organisations, as well as experts and representatives of non-governmental organisations, such as Amnesty International and Human Rights Watch. As important is the fact that the curriculum is jointly designed, constantly evaluated and periodically improved by the E.MA governing bodies which are composed of professors from all participating universities and relevant disciplines. In other words: the E.MA programme provides the students with a rich interdisciplinary and intercultural European learning atmosphere and at the same time constitutes a continuing interdisciplinary challenge and learning experience to the professors who jointly bear the responsibility for the high academic quality and practical relevance of the programme. Another feature which distinguishes the E.MA from other human rights Master programmes is the fact that students will spend the second semester in one of the E.MA participating universities of their own choice. While the first semester is characterised by a very heavy teaching experience (6-8 hours classes per day plus group work and independent studies) for all 90 students together, the students in the second semester split up into small groups, integrate with other students in their respective host universities, follow a few highly specialised seminars of their choice and spend most of their time on the preparation of their Master's thesis. As a link between the two semesters, the «Masterini» are offered a highly intensive field week in Bosnia and Herzegovina where they stay with Bosnian families, meet representatives of Bosnian human rights institutions as well as various intergovernmental and non governmental organisations involved in this complex peacekeeping and peacebuilding

operation. For many students, the Bosnian experience is a first encounter with a world in which they might spend a good deal of their future human rights career. For the 15 best E.MA graduates, such a field experience might start immediately after their graduation since the EU provides them with a 6 month paid internship which is often used in an institution or organisation active in the field.

4. Contribution towards Regional Integration

Human rights, pluralist democracy and the rule of law constitute the three major European values on which the Council of Europe, after the bitter experiences with the Nazi holocaust, has been founded in 1949, and which are also recognised by the Treaty of the European Union as the foundations of European integration. New States may join the Council of Europe and the EU only after they have reached a certain minimum standard of the rule of law, democratisation and human rights. Both organisations closely monitor the human rights situation in applicant countries and assist them in their respective institution-building efforts. Education in the field of human rights and democratisation forms a major component of such co-operation activities. But also within the 15 EU member states, the comparatively high standards of human rights, democracy and the rule of law should not be taken for granted and, therefore, need to be continuously re-affirmed, strengthened and defended against new challenges and destructive tendencies, such as nationalism, racism, xenophobia, terrorism, organised crime as well as certain governmental actions in the fight against international crime and terrorism. Again, human rights education is one of the most important tools to uphold and defend a common European human rights culture against these tendencies and challenges.

The E.MA programme has been designed in order to establish a common European roster of highly qualified and motivated human rights experts who will either work in European governmental, intergovernmental or non governmental human rights institutions or who will be sent, on behalf of the EU and other organisations, to the field. Roughly 80% of all E.MA graduates so far found a specialised human rights job inside Europe or abroad and, thereby, contribute to the dissemination of those common values on which European integration is built.

The fact that 10 E.MA places are reserved each year to citizens of European countries that have applied for EU membership also contributes to strengthening the human rights component in the EU enlargement process. In addition, the E.MA governing bodies are planning to start already in 2003 to gradually integrate universities and human rights institutes from the present applicant countries into the E.MA network and to offer a special education programme to citizens from these countries. As soon as they will be formally admitted into the EU, the new member states will be fully integrated into the E.MA programme.

5. Collaboration with Other Regional Masters

While the E.MA programme is primarily designed for EU citizens, the European Commission has also been instrumental in the creation and support of similar Master degrees in other regions: The African Masters Programme in Human Rights and Democratisation is organised by the University of Pretoria in co-operation with the University of the Western Cape, Makerere University in Uganda and the University of Ghana; the European Regional Masters Programme for Democracy and Human Rights in South-East Europe is co-ordinated by the University of Sarajevo with the assistance of the Universities of Bologna and Graz; and the Mediterranean Masters Degree in Human Rights and Democratisation is co-ordinated by the University of Malta in collaboration with universities in Italy, Spain and MEDA countries (Morocco, Algeria, Tunisia, Egypt, Jordan, Syria, Lebanon, Palestine, Israel and Cyprus). Similar initiatives have started in Hong Kong for the Asian region and in Quito for the Latin American region.

The E.MA programme was the inspirational source for these regional degrees, and members of the E.MA network co-operate with the regional Masters by teaching, exchange of staff and students and by harmonising the academic contents of the respective courses.

6. Personal Conclusions

Since the University of Vienna joined the E.MA programme only in 1998, I was not involved in its development from the very beginning. When I first came to teach in early 1998 on the invitation of *Markku Suksi* (Åbo Akademi University Turku), the programme was still hosted at the former Palladio-school on the

Venetian island Giudecca, and everything seemed fairly improvised. But the students were enthusiastic. Soon thereafter, the E.MA enlarged from the 10 founding universities to 15, and I was invited to act as Austrian national director on behalf of Vienna University and the Ludwig Boltzmann Institute of Human Rights. It is never easy to join a network which just had been established and developed its own group dynamics. Nevertheless, the representatives of the five new universities were received in a very open spirit of co-operation by the E.MA governing bodies under the efficient chair of *Horst Fischer* (University of Bochum). I was particularly impressed by the enthusiasm and the amount of work which all participants invested, free of charge, to this common undertaking. We did not only have to develop and organise the joint teaching in the first semester but were also responsible for all the administrative, budgetary and technical questions and problems, such as student accommodation, mobility grants and the renovation of the new premises in the Monastero di San Nicolò. When *Antonio Papisca*, whose enthusiasm and visionary abilities together with his admirable practical and diplomatic skills were always the driving force behind the rapid development of the project, for the first time showed us the future venue of the programme, this beautiful monastery was in a state that nobody of us foreigners believed that we would be able to start teaching there within only a few months. But Antonio and his highly professional and dedicated staff achieved the impossible. While the old and venerable monks' cells were still in the process of being adapted with IKEA furniture to modern student dormitories, the inauguration of the new programme took place, as always, in the magnificent Palazzo Ducale, and the teaching could start. This pioneering atmosphere constitutes the exceptional spirit of Venice which achieved, in only a couple of years, an expansion to 27 universities, the anchoring of the E.MA programme in Chapter A of the EU budget (which assures its continuity) and the recent establishment of the European Inter-University Centre as the legal foundation for future activities under the joint responsibility of the participating universities. With this same spirit, E.MA will continue to soon establish the first genuine and joint European Masters degree, to integrate new universities and students from Central and Eastern European countries, to start many new initiatives in the field of human

rights education, training and research, and to create a true European human rights village at the Lido of Venice.

Preconditions for Success in European Education in Human Rights and Democratisation: The Example of the E.MA Programme

Horst Fischer*

When representatives of almost forty European Universities met at a London airport hotel in 1996 to discuss possible areas of co-operation in educating young Europeans in actual and important fields human rights was just one of the options mentioned for a joint Master programme. In three follow up meetings in 1997 in Venice and Bilbao ten interested universities¹ finally considered setting up a joint master programme for a truly European education in human rights and democratisation². With the opening ceremony in September 1997 the first academic year commenced with 54 students and the programme since then has been further developed by the original members accepting first five additional members and later enlarging the programme to include thirty European universities. The so called «E.MA-programme» since 1997 has been regarded by the European Commission as a unique programme in educating young Europeans in Human Rights and Democratisation. In five years more than 400 students received the programme's degree and are now working for national and international organisations and in different human rights related areas. Similar regional programmes have been established with the assistance of E.MA inside Europe and outside of Europe. E.MA has earned its reputation of a successful European co-operation between large numbers of universities including all members of the European community. What were the essential elements of the process setting up the programme and how it was possible to keep it alive are questions the answers of which are important for the future of the programme and similar attempts to Europeanise human rights education. Some aspects should be emphasized here after the first five years of the programme.

* He has been Chairman both of the E.MA Council and the Executive Committee from July 1997 to December 2000.

¹ These were the universities of Bilbao, Bochum, Strasbourg, Leuven, Padua, Essex, Maastricht, Dublin, Coimbra and Thessaloniki.

² Already at the first Venice meeting in March 1997 the European Commission had indicated its interest in supporting such a programme and in the first year both the Commission's directorate for Human Rights as well as the DG XXII responsible for education with advice and finances granted support.

1. Europe and Joint Human Rights Master Programmes

Different aspects are important when looking at the notion of human rights and democratisation: history, treaties, courts,

implementation etc. Undoubtedly Europe has a unique position regarding humanitarian rights. On the other hand all these elements not naturally create the framework for a European Master Programme in that field. At the time of the first meetings several human rights masters were already provided by European universities and the participating universities had been chosen specifically because of their background in human rights teaching. Why then establishing a joint master and why should it be European was the first question to be answered. After a fruitful and necessary information and debate about the existing programmes it became evident that the reasoning to establish a joint programme did not originate from existing deficiencies in the already available masters. The participating representatives of the founding universities rather had been convinced during a one-week seminar in July 1997 that none of the existing programmes did reflect the richness and variety of what European universities can provide in human resources, views, perceptions, imagination, determination and methodology if working together in one programme. Fully accepting that diversity for the participants of that seminar at the same time meant to create a new educational environment yet unknown in Europe stimulating the students (and the professors) with a richness in variety only a cross continental programme can provide.

2. The E.MA-Model

Accepting the unique opportunity to work together did not automatically create the framework for the programme. Rather the group had to decide which model to follow in developing the educational framework of the E.MA-programme. Some options were discussed and already existing European programmes in other areas were looked at. After an intensive and controversial dialogue one decided not to create a «centralised» model but rather to follow a decentralised model of education. Centralisation would have implied to bring all students and professors to one place for the whole period of the programme. The group in 1997 refused such model to allow students to benefit not only from one place but to accumulate experience in culture and education from different places. Therefore it was decided to organise the basics education in Venice and then permitting students to move to one of the other universities in the second semester for specialisation. It is interesting to note

that the students defended strongly that part of the model in later evaluation meetings with the board of national directors whenever the pros and cons and in particular the costs of the mobility were discussed.

It followed logically from the first element which did include not only individuals in teaching human rights and democratisation in one place but rather institutions with their full academic backing and administration that decision making for the programme could only be based on a participatory approach. The E.MA founding document, the so called Venice Charter, therefore created two bodies, the Council of National Directors and the Executive Committee, which served to guarantee full control of the participating universities of all programme elements including the first joint part in Venice. In the first years all constituent components of the programme were decided upon jointly by the Council and the Committee. In the first three years all decisions were taken by consensus reflecting an amazing determination of the national directors to co-operate.

Not only the incredible collaboration of the University of Padua needs to be highlighted in this regard providing the degree for the students but to allow the Council and the Committee to have full control over the essential components of the programme. Also without the support of the European Commission it would have been impossible to create the programme. Likewise to the financial support guidance and advice by the Commissions representatives has been equally important. Most of all their constant participation permitted mutual exchange on all aspects of the programme in particular during the evaluation meetings with the students. That exchange on the other hand guaranteed highlevel participation of the member universities essential for the constant process to develop the curriculum and the technical rules of the programme.

Finally the group in 1997 had to decide about one other pillar of the programme: The disciplinary or interdisciplinary character of the programme. Though most of the participants of the meeting were lawyers the programme to be interdisciplinary in objective and character was easy to agree upon based on the nature of human rights and democratisation. The curriculum comprises since the beginning political, historical and philosophical elements besides the necessary law parts.

The decentralised, participatory and interdisciplinary model

reflecting Europe and not one country or one university decided upon at the first meeting of the E.MA universities has not only proven to be successful. E.MA came into being because these pillars were developed and implemented jointly. Yet it needs to be seen whether attempted changes and modifications leading to a more centralised model will make E.MA more sustainable and successful or will lead to a disappearance of the European richness in the programme or E.MA itself.

3. Three Crucial Issues

How to implement the pillars in the joint programme was not only a question of the first meetings in 1997. In the first five years the National Directors spend most of their meetings on evaluating and revising the technical rules resulting from the chosen model. There were several crucial issues of which only the following three need to be briefly highlighted.

A European programme needs a common language. Science as such does not provide for a common language if one disregards certain areas of natural science. In social science it is the language which makes a difference. Being aware of the difficulties in a continent with so many different languages and so many official languages the Directors could quite easily agree to have English as the working language and to accept French as the second important language of the programme. Painful hours of debate about the exact phrasing of the second language requirements had no real effect in practice of the programme as both teachers and students were able to manage in both the official and all the other languages. A certain flexibility of the programmes was necessary to accommodate not only the different levels of language education in the European Union but also to maintain the consensus by those having their mother tongue not reflected in the daily life of the programme. The debate about the language questions sometimes overshadowed the real success of the programme in terms of the human rights «language». It is evident after five years how the programme has developed its own human rights language in the education of human rights in Europe.

The original curriculum of the programme did quite naturally reflect the expertise of the participating universities and the objectives set by the Council. The order of classes has since been changed different times, elements have been added changed or deleted and in particular the skill building component were

strengthened. All these changes took place following evaluations by the students and the teachers. E.MA in this respect fully implemented the participatory approach also with regard to student's role in the curriculum process. Despite sometimes rather hectic responses to marginal aspects the process in general has been a success as the changes were based on substantive rather than formal arguments. Transparency and participation did generate a support for the curriculum process by all, which also needs to be noted as precondition for the success of the E.MA-programme. Being less transparent and less participatory would have definitely led to frictions and disturbances in the group of universities that have invested tremendously in the programme without necessarily getting the same visibility individually as the programme as such.

Joint teaching does not necessarily lead to excellent exam results, which had been highlighted as one of the overall objectives of the E.MA-programme. Two reasons are important to understand why E.MA functioned so well with regard to exams. Despite the different national rules and with the assistance of Padua University the programme was able to develop joint exam and marking rules for the joint parts of the programme and to accept national rules and national marks for the second semester activities of the students. Moreover, as the national directors were both teaching in Venice in the first parts but also in their home universities in the second semester a remarkable level of uniformity has been created over the years, which finally led also to first attempts of the National Directors jointly reviewing national marks provided for the master papers. In particular the joint exam commissions consisting of three professors participating in the defences of the master papers of their own students but also of the students of their two colleagues has been proven to be a successful method of cross programme evaluation. Again, the consensus, which has been created on the content and form of the exams, was essential for the overall success of the programme.

There might have been other ways of creating a European Master Programme in Human Rights Education. What is however evident is that the success of the E.MA programme is based on the above highlighted elements which also serve as guiding elements for all future developments regarding the programme.