

Human Rights *Education*
in Asia-Pacific Volume One

HRP
Asia-Pacific

HURIGHTS OSAKA

Human Rights Education in Asia-Pacific—Volume One
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**HUMAN RIGHTS
EDUCATION
IN ASIA-PACIFIC**
VOLUME ONE

Acknowledgment

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Foreword

TWELVE YEARS of exclusive focus of this publication on human rights education in the school system yielded more than two hundred articles from almost two hundred contributors in more than twenty countries in Asia and beyond. Individuals and various types of institutions contributed articles on mainly ground-level experiences on the teaching and learning of human rights. We see many more experiences to document from many more individuals and institutions in the region. And we are continuing the task of gathering them.

However, as we brought out the twelfth and final volume of *Human Rights Education in Asian Schools* in 2009, we paved the way for a new annual publication that would cover a wider range of human rights education initiatives in Asia and the Pacific.

We correctly predicted the availability of many documentations on human rights education experiences that we considered worthy of dissemination to many others. We correctly anticipated the support of individuals and institutions in producing this new publication.

We are therefore proud to bring to you this inaugural volume of *Human Rights Education in Asia-Pacific*. Just like its predecessor, it aims to document and disseminate to an audience beyond the communities of the contributing individuals and institutions the rich Asia-Pacific experiences in human rights education.

We thank the contributors in this volume for joining us in this task. We salute their work as much as we wish their initiatives to continue for a longer period.

OSAMU SHIRAISHI
Director
HURIGHTS OSAKA

Introduction

THE VASTNESS of the Asia-Pacific region spawns myriads of social-cultural-economic-political-historical contexts that make weaving a common thread of its historical development a highly difficult task. Human rights situations vary from country to country, from one subregion to another, from one alliance of nations to another.

It is the diversity of the region that makes the experiences on human rights education very interesting and challenging at the same time. The highly differentiated situations in the region provide the ground for a variety of human rights education initiatives to develop and even prosper.

This inaugural issue of the publication tries to capture the diversity and richness of the human rights education experiences in the Asia-Pacific region. By compiling various experiences in one volume, it creates linkages between formal and non-formal human rights education initiatives at the local, national and regional levels.

The main objective of this publication therefore is to present such diverse, ground level human rights education experiences and discuss their achievements, issues, challenges and potentials. Just like the *Human Rights Education in Asian Schools* volumes, this publication is designed mainly for practitioners – the workers at the ground level.

To achieve its objective, this publication attempts to

- Define areas that deserve greater attention from educators be they about specific rights, issues, sectors/communities, programs, teaching/learning systems, key education players including those that support them;
- Tell the stories on how human rights education initiatives began and developed through the patient nurturing of people who were almost always adventurous enough to start something new and challenging;
- Stress the common factor of sharing of efforts among people of diverse backgrounds (members of sectors or communities, educators, supporters of human rights education);
- Identify nuggets of good experiences such as those that “educate and mobilize,” facilitate “reflection and remembrance,” and “institutionalize, mobilize and deliver;”

- Connect the unconnected experiences of the different networks for different issues and yet with similar goals and methods, and lay the ground for cross-fertilization as well as shared analysis of experiences;
- Present the widening reach of human rights education initiatives as in the cases of increasing number of schools that incorporate human rights into their systems and the thousands of students who are joining the activities.

There are new developments in the field of human rights education in the region that deserve recognition and support. There are programs for hitherto unattended issues (such as HIV/AIDS, human trafficking, religious minorities) that should be replicated. There are studies of concrete efforts by schools that can be used to develop specific programs in schools in other countries. There are courses for non-human-rights or non-human-rights-education practitioners that can initiate them into working in this field. There are likewise graduate programs for those who would like to pursue further academic studies on human rights.

The present collection of articles reflects to some extent what this publication tries to achieve. The articles represent quite significantly the variety of issues, situations, players and initiatives on human rights education that exist in the Asia-Pacific. But they certainly do not cover all types and programs of human rights education in the region. These other types and programs of human rights education should be documented and included in the next volumes of this publication.

JEFFERSON R. PLANTILLA
HURIGHTS OSAKA

Community to Community Exchanges: Breaking the Isolation

Asian Coalition for Housing Rights

WHEN THE Asian Coalition for Housing Rights (ACHR) was formed in 1988, there was no common or regular forum for members of grassroots or community groups working in Asian cities, urban social activists, non-governmental organization (NGO) workers, and professionals to meet and exchange ideas. During the United Nations International Year for Shelter for the Homeless in 1987, several regional processes were organized which encouraged groups to share their experiences in addressing issues of urban poverty and housing and to discuss regional collaboration. At that time, there was a shared recognition that new ideas and actions were needed to tackle the upsurge of forced evictions in Asia and to develop opportunities for organizations of the poor to gain due recognition and a meaningful role in city management and planning.

In the early years of ACHR (1988-1990), the emphasis was on housing rights and eviction problems in Asian cities. International Fact Finding Missions that put pressure on governments were organized to South Korea (twice), Hong Kong and Philippines with positive outcomes. The second stage of work (1991-1993) developed solutions to eviction problems. The third stage centered on the Training and Advisory Program (TAP) supported by the Department for International Development (DFID) of the United Kingdom (1994-2000). TAP was a comprehensive package of support activities for ACHR partners with cross-country learning, exchange visits, regional

workshops, training from key regional projects, new country action programs and research. This added significantly to the knowledge and capacity of the regional intervention process.

The fourth stage, from 2000, represents a more mature process and a broader scale of intervention. This included the introduction of community savings and credit activities and the development of many Community Development Funds that have been able to influence new forms of development change in Lao PDR, Cambodia, Vietnam, Nepal, Mongolia, Sri Lanka, Thailand, Philippines and India. Regional responses to the tsunami devastation have developed with the promotion of community-driven relief and rehabilitation. In terms of policy advocacy, the contribution of ACHR key activists has increasingly been recognized with requests to meet and share knowledge with policy makers including government ministers. This reflects increasing interest in possible collaboration and support for urban community development and/or community upgrading programs. City-wide and country-wide slum upgrading in Thailand and India has been used to boost and support learning for structural change in other countries.

Some ACHR interventions and support have been integrated into government policies, while others have been successfully up-scaled without government support. The upgrading of a hundred slums per year in Cambodia and the community savings and credit groups initiatives in Lao PDR and Mongolia have developed into large-scale programs. Other activities include the production and widespread dissemination of international publications including the *Housing By People* series, *Eviction Watch*, and *Understanding Asian Cities*; also the work on protecting the heritage of cities by the participation of poor communities, the Young Professionals Program and regional information activities. ACHR is the Asian branch of the Habitat International Coalition and an executive committee member of CITYNET.¹ It also works closely with Slum/Shack Dwellers International (SDI) and collaborates with United Nations Habitat, United Nations Economic and Social Commission for Asia and the Pacific (UN-ESCAP), United Nations Development Programme (UNDP) and the World Bank.

The Regional Eviction Watch Program aims to develop housing rights and the question of rights in general of the urban poor and activities to deal with regional eviction problems. It monitors evictions in Asian cities, undertakes fact finding missions, disseminates information (about evictions to mobilize protests, inform communities on how to tackle evictions, docu-

mentation of evictions for lobbying governments and international development agencies), build the capacities of communities and development organizations to be able to deal with eviction situations professionally and constructively, organize selected studies for advocacy on eviction related issues, hold training workshops for community leaders, NGOs and ACHR professionals to improve eviction monitoring skills and discuss strategies and tools for dealing with evictions, and exchange study visits focusing on the solutions tried by some countries in the region.

The Young Professionals Program (YPP) aims to influence professionals and decisionmakers of the future by increasing their understanding of urban poor communities and cities so that they have a realistic understanding of how their cities function and are more effective at solving city problems—including those of the poor. YPP includes short internships for students, recently graduated professionals, or young slum professionals to work and/or undertake action based research and activities under the mentoring of ACHR coalition partners in their respective countries, which will be strengthened in the future. There is an emphasis on building a network among the concerned young professionals within countries, rather than within the region. ACHR professionals, activists and community leaders work with academic institutions to undertake lectures, develop curriculum and training programs to enhance student understanding of urban poor realities and how the city functions. YPP thus facilitates the establishment of links between universities and urban resource centers for long-term cooperation and intended to change city planning processes.

ACHR produced in 2000 a special publication entitled *Face to Face: Notes from the Network* on community exchange that started a program that used direct people-to-people exchange learning as the most important development tool.

Community-to-Community Exchange

Within poor communities in Asia today, so many activities are going on—learning, building, innovating, negotiating—moving forward in a thousand ways.

Asian grassroots organizations are truly on the cutting edge of people-driven solutions and represent a powerful pool of skills and expertise. This is something we know now, but more than two decades ago, there was also

a lot going on but nobody knew much about it, all those struggles were isolated, as though locked away in separate cupboards.

That's where horizontal exchange comes in.

Community exchange and exposure are terms used to describe a variety of activities which all have in common poor people visiting poor people in other places to meet, talk, see what each other is doing and begin an education which allows them to explore the lives and situations of people in other communities, and to pick up any ideas which they think could be useful back home, in their own struggle for a better community. Exchange builds relationships of trust and partnership across distances, where teaching and learning from each other becomes natural—almost automatic. Exchange remains the root strategy for education and mobilization of poor communities, of the poor and by the poor, in Asia and Africa, and in the ACHR networks.

TO A SIDEWALK

A visit to the Byculla Mahila Milan in the heart of Bombay

WHOO CAN FORGET her first trip into India—into Bombay, it's teeming mercantile capitol, and into Byculla, right in the gritty, overcrowded, clamorous heart of the city?

For the connoisseur of the THWACK, India has immense and boundless shock value.

Here are some telegraphic impressions from a Thai visitor to the Mahila Milan's Area Resource Centre at Byculla.

First the street kids pick you up at the airport in their Citibank-donated taxi. They are grown up now, and driving so fast, nothing to do with rules!

Collecting daily savings with Shehnaz, in the early morning.

People on her street live in three-square meter "bed-houses" on the street. The feet of sleeping people stick out of these tiny shelters.

Men bathe in the gutter, babies play under parked taxis and women roll out chapattis and pound spices.

And that food! The way they mash it all together on a steel plate, and scoop it up with their hand.

Shit even on the sidewalks—Shehnaz says, "Watch out for those bombs!"

How can people survive like this! We've seen the pictures, we've heard the

stories, we've read the statistics, but nothing—nothing!—can prepare us for the shock of Byculla, of Bombay, of India!

Even tough people like us, who live and work in poor communities are shocked when they come here.

In Thailand, we get awed by Klong Toey, Thailand's largest slum, with 6,000 families. That's nothing at all in Bombay. Jockin explains about federating the Rural Slum Dwellers Federation (RSDF) or doing the survey, and everything is reckoned in hundreds of workers, thousands of families, millions of poor people!

The scale of everything here is staggering, the scale of filth, the scale of poverty.

But underneath all this, there is this women's savings collective, this federation which has got so much going—building thousands of houses, hundreds of toilets, saving millions of rupees. It's a little mechanism in all this big scale, but it's working! It's healthy, alive, growing.

Book keeping back in the Byculla office, in the garage out behind an old municipal dispensary. So many people here, all in different groups do different things, all sitting on the floor in one small room—making payments, taking loans, counting money, filling ledgers, rubbing feet, combing hair, gossiping, arguing, sleeping.

The phone rings all the time. Sadak Chaap kids wrestle outside, women slap each other on the back. Glasses of sweet tea are handed around. Women pavement dwellers come and go with so much confidence—it's so plain to see.

This is their place—you can feel it, it's not like the offices you visit in other projects—these women are the ones asking you questions, "Do you have savings schemes in your country?"

Learning Tools

When something that poor communities do in one place is found to be useful, it gets repeated. With repetition, it becomes a feature of their work and begins being used with more intention. The more it is used, the more it gets refined and standardized. Soon it becomes a bona fide tool.

Through transfer and adaptation, which are at the heart of community exchange, these tools get reinvented in other places, creating new tools. As with all tools, people master them only by using them—tools that help them

to negotiate with the state, to explore house design possibilities, to organize a savings scheme, to analyze conditions in their settlements. It is a quality of most of the really good tools that they educate and mobilize at the same time—they have a double edge—they have both practical and strategic value to communities in their struggle for land tenure, secure houses, basic services and jobs.

Community leaders need tools in order to mobilize other poor communities, to form that critical mass which is prerequisite to bringing about real change. These kinds of tools are emerging gradually, from experiments and practical application—many are being actively used within exchange programs. People now have a set of precedents, a protocol. They have been to other places, seen a variety of tools being used. They know how to use them, know what to expect, know what to do. They've become managers of their own learning.

There is a need to explore this new paradigm in light of globalization and new systems of internationalism which are now having an impact on local and national situations, but which are short on solutions that work for the poor.

How can we provide investments to actors in the Asian region to expand the capacities of informal settlements to negotiate for their own development needs?

A very important part of the exchange process is to explore new solutions in which communities themselves determine the priorities, try them out and spread them around if they work. When we look at the community processes that are bubbling along in Asia and in Africa, we have to ask: are there negotiations going on between communities and cities? If so, what skills assist them to leverage these negotiations and what tools help build those skills?

a. Surveys

Enumeration is a great community mobilization starter.

Anybody can start a survey, get ten people together to do it. Just putting the knowledge of ten people together transforms the way they look at their settlement—they can touch it, they can feel the difference. And then that tickles their imagination and they can move ahead. When cities hold a census, the poor are always miscounted, and which means the poor lose. Fifteen years ago, for example, there was no policy for pavement dwellers in

Bombay—nobody acknowledged their existence. Everyday there were demolitions, but the only thing that was clear was that it was the city's job to demolish, and the people's job to build again. The first survey of pavement dwellers defined a universe which nobody knew existed, and it started Mahila Milan, which would eventually transform their statistics and their understanding into a resettlement policy for pavement dwellers all over the city.

In the meantime, they traveled to cities all over India, Asia and Africa, helping others conduct enumerations. Their motto? "When in doubt, count!"

b. Festivals, Jamborees and Big Events

When canal-side settlements in Thailand held a big klong-cleaning, they called canal-dwellers from all over the country to help, planned it to coincide with the Queen's birthday for added luster, and turned a mucky job into a celebration of their right to live there, and proof that they are the best canal-keepers.

And when a community toilet was built in Kanpur, the Mahila Milan organized a big Sandas Mela [Toilet Festival], they invited city and state officials to come cut the ribbon, visitors from all over India, thousands of people from local communities. And there were also speeches, TV coverage, colored flags.

These are ways of marking community milestones by turning them into celebrations that involve many. These are ways of democratizing possibilities, of highlighting and disseminating issues like toilets, houses, ration cards, or policies—any issue at all—and getting people to know and talk about them.

c. Community Mapping

For federations across Asia, an important part of a community's data-gathering process is making settlement maps, which include houses, shops, workshops, pathways, water points, electric poles, along with problem spots and features in the area, so people can get a visual fix on their physical situation.

Mapping is a vital skill-builder when the time comes to plan settlement improvements and to assess development interventions.

In Thailand, for example, canal-side communities draw scaled maps of their own settlements, as part of their redevelopment planning, and also go

upstream, beyond their settlements, to locate and map sources of pollution from factories, hospitals, restaurants and sewage outlets. Where do they learn these skills? From other canal-side settlers.

These community-maps, with their detailed, accurate, first-hand information on sources of pollution, are a powerful planning and mobilizing tool, and also make an effective bargaining chip in negotiations for secure tenure, with cities obliged to accusing communities of spoiling the klongs they live along.

d. Savings and Credit-Savings Walk

Both Mahila Milan in India and the Payatas Scavenger's Federation in Manila have made the "savings walk" a feature of everyone's visit to their settlements—you go house to house with one of the women, you collect the money, you document it, you come back to the office, count the money, put it in the ledger and process the loans—you actually do these primary things.

The savings walk gives visitors a vivid sense of how central these small, daily acts are sustaining their movement.

e. Land Search

When cities claim there is no land left for the poor, don't believe them—they're almost always fibbing.

And when poor people get to know their own cities and educate themselves about development plans, they can challenge this bunkum. Land-searches in cities all over Asia have helped poor communities to negotiate countless resettlement deals.

An early land-search in Bombay went like this: "We thought we could find places for poor to stay—there must be some land allocated for poor people's housing—you can't have a government and a city corporation which doesn't plan for people's housing! So we got these silly development plans, and along with a big group of Mahila Milan women, we went all over the city, locating every single place marked "Housing for the poor" on those plans.

What an eye-opener! Whatever was "green belt" on the plan was actually industrial belt. And whatever was meant for housing the poor was upper-income housing, or warehouses and factories—all kinds of things. In the same naiveté, we went to the Chief Secretary and asked him why this is happening? He told us, this is a national plan, this is how we'd like it to be!

And that's what it is—"it's a dream plan."

f. House modeling and layout

House modeling takes many forms. Mahila Milan used the length and width of their own sarees to understand room dimensions and ceiling heights that are otherwise incomprehensible to someone who has lived most of her life in a box-like hut on the pavements.

Elsewhere, communities use long bolts of cloth to mock-up their house designs, stretched around poles at the corners.

Whether using clay, cardboard, cloth or thermacol—at full scale or small scale—house modeling is another much-used dream prompter.

g. Building elements

Poor people can do many things more efficiently than the state—like building their own solid, affordable houses.

When poor communities take steps to teach themselves how to build better houses collectively, at larger scale, they are helping the state understand this and showing an alternative.

This comes right down to making building materials.

When communities make blocks, or slabs or window frames, they can do it cheaper and better than any contractor or factory, because they are both manufacturer and customer, so quality control is automatic.

And in exchange, going on-site to a housing project, and actually pitching in on the work—helping build a foundation or making some blocks or funicular shells—is one of the best things to bring abstract ideas right back to the big goal—which is decent, secure houses.

This is building an up a stock, and also training others, taking over, taking charge.

TO A DUMP

A visit to the Scavengers Association at Payatas

AND WHO COULD FORGET his first visit to the sprawling settlements which encircle the smoking, towering, stinking mountain of garbage at Payatas, in the Philippines?

Or to the federation of savings collectives which has become the Philippines Homeless People's Federation's senior sister?

Here are some first-hand accounts from a team of community members from Bicol, on their first exposure to Payatas, back in 1996.

Miloy: I was already worried, right from the start—my first time traveling to Manila from the province. I approached some people whom I thought wouldn't fool me. They directed me to the jeepneys (vehicle for public transport) going to Payatas. Reaching Payatas, I wondered what kind of place this is! There was garbage all over the place.

Someone directed me to the Parish. I tried looking around and saw the sign Scavengers' Savings Association on the door.

Dora: I was treated like a member of the family. Where I stayed, water was a big problem. The pump there is good only to fill one pail for taking a bath. Nothing would come out afterwards. So, if you need to go to the "comfort room", it would be very difficult.

Virgie: We visited the dumpsite and even did scavenging ourselves. One woman got angry with us since the system is that dump-trucks are already negotiated for, even before they arrive. Anyway, we got the right timing when one truck arrived loaded with *retaso* (cloth scraps) that you could make into pillows. We started picking them up, then another got angry. Covering our nose is not allowed here because they feel insulted, that's what I observed.

Lina: Mang Boy Awid toured us around. We covered practically all the streets of Payatas! We visited some families, members of the savings program. People are really united in savings—they were even remitting their savings in coins! The person in the savings office was a Bicolana too. I worked with her three times and she showed me filling out records, receiving savings remittances, and issuing receipts.

In Bicol, I'm a market vendor. The other vendors asked me about the real score of the savings program in Payatas. I told them you may not believe it at once, but what comes in and out daily is about 100,000 Pesos! In fact one day savings was about 114,000 Pesos, and what went out in loans was about 83,000 Pesos. There are days when loans are bigger than savings.

Miloy: I told my colleagues in the Tricycle Drivers' Association to join the savings. I told them that—modesty aside—somebody in Payatas bought a jeepney out of his savings. Persistence is all it takes. There in Payatas they have answers to their necessities due to savings. It might be dirty and smelly in Payatas and houses may just be small and makeshift, but they are complete with appliances.

Tita: For me, it is good to go there—actually. It makes a difference seeing the actual instead of just hearing stories. If a speaker talks about something, you would still be wondering if it is really so, while if you personally see it, you will not have any qualms.

TO A SEWER

A VISIT TO THE LANES of the Orangi *katchi abadi*, or to the vast *katchi abadi* (informal settlements) of Orangi, in Karachi, Pakistan—a slum that is bigger than most cities, where the most effective, most practical, most unifying link between a million poor families is nothing abstract like solidarity or human tenderness—but sewage!

Exposure visits to the Orangi Pilot Project (OPP) follow a little more structured model than the Indian or African visits.

Probably because the whole project, as it progresses, has been used for a long time as a living training ground for extending the model of community-managed sanitation to other settlements, other cities and other parts of Asia.

Hundreds and thousands of people have come here for specific training in building sewers, organizing lanes, digging manholes. And so the training has been systematized.

The OPP staff, which combines technical people and social organizers, from both the communities and from the professions, has got it down to a science.

Visitors are first sat down and given a formal presentation about OPP's work, in the training center, richly illustrated with before and after slides.

The OPP's concept is very simple: off-site infrastructure is done by the government, and on-site infrastructure is developed, built and paid for by the communities—with assistance from OPP.

Engineers who come say "Impossible! Communities have no skills!" NGOs say "They cannot do it!" and community people say "We're too poor! How can we afford to invest in this? This is cruelty!"

After the presentation, they are sent out into the lanes of Orangi with someone to meet the people who have done this work.

"This lane has laid its own sewage system, it has built its own water supply. If you would like to talk to anybody, you can."

So people come out, they bring out their chairs or their beds and spread them out in the lane, and everyone sits down and discusses. It is here that visitors learn how pipes link all these million families—small pipes in hundreds of small lanes connecting to secondary drains, then to main drains, and at the edge of Orangi to the municipal trunk sewers.

And all along the way, the vital issues are level, slope, pipe diameter, sewerage flow. They learn how all these pipes are the basis of organizing their settlements, improving their lives and health, consolidating their right to stay.

Skepticism melts away. And what all these proud sewer-builders tell them is, "You know, we've done this—the OPP has only been a pain in all this."

These tools were developed based also on the experiences of slum dwellers in Africa. The network of communities of Shack/Slum Dwellers International (SDI) in Africa provides the experiences in the use and development of these tools. People from the slum communities in Africa have also visited Asian slum communities under the Community-to-Community Exchange Program.

Achievements

More than twenty years of work led ACHR to the following achievements:

1. A network of serious “doers” and change-makers linked together for shared learning, mutual assistance and collaboration. This twenty-year collaboration has become a recognized institution in Asia. It is a regional network that includes key agencies and is bound together by friendship, mutual respect and trust.

2. Regional horizontal process for analysis and solidarity. This regional platform allows sharing and mutual learning and support which flows horizontally between groups in different countries. Most conventional development processes by international agencies or government are characterized by vertical (or hierarchical) free-standing interventions; evidence suggests this does not build a substantial and sustained process. The ACHR platform helps support contextual understanding rooted in the region and in each city while mutual involvement in activities supports stronger community, city and country capacities to secure change.

3. Nurturing Asia-specific ways of making change. Asia has its own, very significant, history, culture(s) and politics. In particular, its political culture has very deep roots. The groups in the ACHR network are made up of people who have a deep and subtle understanding of Asia’s political realities, its feudalistic social and behavioral patterns, and its institutional traditions. They have aligned to maneuver within these traditions to make things work for the urban poor, with new ideas and innovations that support systemic and structural change. If principles of participation, democracy, accountable government and citizen inclusion are to be realized in Asia, links have to be made between these institutional traditions and new realities. ACHR has a demonstrated track record in achieving such change, nurturing and challenging its members to improve their contribution through a strong horizontal and participative process.

4. Bringing development processes by people to scale with structural change.

The ACHR network includes many successful experiences in developing and up-scaling people-led processes. The network shares, extends and transfers these experiences; examples include CODI (Thailand), the Kampung Improvement Program (Surabaya, Indonesia), Orangi Pilot Project and the Urban Resource Centers (Pakistan). There are similar examples in India, Nepal, Mongolia, Lao PDR, Philippines, Indonesia, Sri Lanka, and Cambodia.

Some Learning

The Community-to-Community Exchange Program facilitated the gathering of many ground-level experiences of communities. It brought out a number of significant learning that defined the value of such an exchange program.

Exchange learning is a development tool which helps people build capacities to deal with the root issues of poverty and homelessness, and to work out their own means to participate in decision-making which affects their lives—locally, nationally and globally. In exchange, people are not being trained to “do things”. They decide themselves what to pick up and what to discard, by visiting others in the same boat. It is learning without an agenda or anybody else’s atmosphere—it’s on-site and vital learning, direct from the source, unfiltered. Nobody’s telling who, what or when to learn.

Exchange has proven to be a useful and many-sided development tool. As an isolation-buster, confidence-booster, option-expander and network-builder, horizontal exchange is one of the most powerful antidotes to that old non-involvement problem. The exchange process represents a collective commitment of organizations of the poor to communicate with each other, to examine their problems, set priorities and explore solutions, to use each other as allies. Then to evaluate these solutions, refine them and spread them around.

These kinds of solutions and these explorations invariably mean working with other development actors—with municipal and state governments, with NGOs and bilateral development agencies. Here, too, exchange is a powerful builder of networks and working alliances with sufficient scale and clout to strengthen representation of the poor in development debates and to expand the role the poor can play in bringing about equity and social

justice. The large networks, which exchanges create, become a channel for the direct, rapid transfer of ideas, strategies, and options. When some solution seems to work in one place, horizontal exchange creates opportunities for more communities to learn about it and piggy-back on the experience, so good ideas spread around. Usually this means community leaders (and sometimes NGO partners and even government officials) come along to get hands-on training and then take the message back home and to other cities. In these ways, solutions that are worked out locally become the building blocks for scaling up with global applicability.

The more these national groups get exposed to regional processes, the more we build a regional mechanism for diffusing innovation, by and for people, directly. A growing number of grassroots groups in the Asian region—and their supporters—have embraced this form of direct, experiential learning, and over the past fifteen years, the exposure process has mushroomed in scale, matured in focus and expanded in variety. Exchange is now an inherent feature of how the regional network operates, and how the poor learn.

As more and more exchanges are organized within the region, an increasing—and increasingly varied—core of expertise comes out of those exchanges. If one settlement in India, for example, has grappled with a serious infrastructure problem, there is your resource for other communities to learn from. Another settlement which has navigated a bumpy negotiation for alternative land becomes another resource. The Asian network now has a set of core organizations that operates as resource team, in which everyone knows each other, understands each other's strengths and weaknesses and knows how best to combine and work together. The investment stays within communities and within the region—it's available, affordable, there's a better language and cultural fit.

One of the most powerful aspects of exchange is that it expands your repertoire of options—you don't have to have it happen in your own backyard any more. People don't have to work out all their systems by themselves—they can import that process to help them if they need to. And that's what the larger pool offers. This resource pool provides a healthy counterbalance to a development paradigm which keeps sending international experts over to tell communities what to do, and which still holds considerable sway over Asian development and development resources. In that model, experts come in, innovate and then go away, taking the learning with them. In the

exchange model, learning stays within communities because the vehicle is people, who are rooted in their local process—and who do not go away.

Exchanges take many forms. Some are like wake-up calls, some are highly ritualized, others are big events. Some work like museum visits, others like comfy drop-in visits between old chums. Some exposures have events that are carefully planned, all worked out, and others fly by in a chaotic whirl. Some encourage reflection, some galvanize to immediate action. But one thing that is common to all—no matter what the protocol—and that is that afterwards, when people go back home, or when they see off their visitors, they are a little bit different. Something has happened to shake things up—something always happens.

Conclusion

There were approximately eighteen international exchange visits in 2007 with more than two hundred twenty people participating from around ten countries. Many included integrated teams of community organizations, government agencies and NGOs. More than half were funded by external agencies but managed by ACHR and friends. When the exchange program started more than ten years ago, ACHR funded ninety percent of the activities. In 1992, when ACHR-TAP began, exchanges were a rare methodology for learning. But since then it almost became mainstream methodology for development agencies.

In 2008 ACHR began a program of city-wide community centered upgrading called Asian Coalition for Community Action (ACCA). Through the network developed over the past twenty years through rituals of savings and credit, and exchange and networking, ACHR was able to approve thirty-two large housing projects and two hundred eighty-six smaller projects in sixty-four cities in fourteen countries in Asia. Community-to-community exchange is fundamental to the learning process and scale of these activities.

Endnote

¹Key members of the Coalition include:

- Pakistan: Arif Hasan (Orangi Pilot Project [OPP], Urban Resource Centre [URC]), Perween Rahman (OPP), Anwar Rashid (Orangi Charitable Trust [OCT]), Muhammad Younus (URC)
- India: Sheela Patel (Society for the Promotion of Area Resource Centres [SPARC]), Jockin Arputham (National Slum Dwellers Federation [NSDF]), Kirtee Shah (Ahmedabad Study Action Group [ASAG]), Rabial Mallick (People's Responsible Organization of United Dharavi [PROUD]), Sandeep Virmani (Abhiyan).
- Sri Lanka: K.A. Jayaratne (Sevanatha), Nandasiri Gamage (Women's Bank), Upali Sumithre (Women's Development Bank Federation)
- Nepal: Lajana Manandhar (Lumanti Support Group for Shelter), Prafulla Pradhan (UNESCAP)
- Indonesia: Johan Silas (Kampung Improvement Programme [KIP]), Wardah Hafidz (Urban Poor Consortium [UPC] and UPLINK in Jakarta)
- Philippines: Denis Murphy and Ted Anana (Urban Poor Associates [UPA]), Bimbo Fernandez (Pagtambayong Foundation), Jing Karaos (Institute on Church and Social Issues [ICSI] and Ateneo, Manila), Ana Oliveros (Foundation for the Development of the Urban Poor [FDUP]), Fr. Norberto Carcellar (Philippines Action for Community- led Shelter Initiatives [PACSI] and Homeless People's Federation), May Domingo (PACSI/ACHR)
- Cambodia: Mann Chhoeurn (Urban Poverty Development Fund [UPDF]/ Phnom Penh Municipality), Somsak Phonpakdee & Sok Visal (UPDF)
- Vietnam: Tran Minh Chau and Bang Anh Tuan (ENDA-Vietnam)
- Lao PDR: Monthaa Ajchariyakul (ACHR), Kanthone Phamuang (Women and Community Empowering Project), National Women's Union.
- Bhutan: Manjusha Rai (Thimpu)
- Japan: Prof. Mitsuhiro Hosaka (Nihon Fukushi University), Prof. Uchida Yozo (Tokyo University), Fr. Peter Shimokawa (Sophia University, Nojiren), Fr. Jorge Anzorena (Selavip, Sophia University), Mr. Etsuzo Inamoto (SHARE)
- Mongolia: Enhe Tsendorg (Urban Development Resource Center, Ulaanbatar), Center for Human Rights and Development [CHRD]
- Fiji Islands: Semiti Qalowasa and Fr. Kevin Barr (Ecumenical Center for Research Education and Advocacy [ECREA])
- Thailand: Somsook Boonyabancha (Community Organizations Development Institute [CODI]), Human Development Center, Human Settlements Foundation

Arts and Creativity in Child Protection Work

Brian Jungwiwattanaporn

THERE ARE THOUSANDS of children across Southeast Asia who experience violence, neglect, abuse, and exploitation on a daily basis. Migrating children, and children affected by migrating families, are exposed to many situations that increase their vulnerability while structures for child protection from the local to national level are still in the process of development. Children living in poverty are pushed into migration by their circumstances and are especially vulnerable in their countries of origin, points of transit, and destination areas. They easily become marginalized and are denied such essential services as health care and education thereby reproducing cycles of poverty. In many cases children experience a series of protection issues during their childhood, which call for governments to set up protection systems that are able to respond to the multiple vulnerabilities that children face at home, workplace, school, and community.

When children are involved in or affected by migration, such vulnerabilities might be exacerbated. Children move for a variety of reasons: to look for better employment opportunities, for education, to escape violence at home, political repression or natural disasters, or can be trafficked for various exploitative purposes. Other children are left behind by migrating parents or face neglect from their families. Risks may emerge at any of the three stages of the migration process: departure from the place of origin, transit, and arrival at destination. The risks greatly increase when they cross

illegally through porous international borders. At destination points they face discrimination and lack access to basic services while their vulnerabilities are intensified by fractured social networks and the loss of support from extended family networks which migration unavoidably entails.

Across the region child protection policies and practices remain fragile. When they exist, they are often not devised to include children affected by migration. While some steps have been taken in the field of child trafficking, development and migration policies are still not responsive to the needs of protecting children from abuse and exploitation.

The aim of Save the Children UK's Cross-border Program is to influence policy and institutional development at the community, national, and regional levels; and to set up locally appropriate and sustainable child protection systems that are able to protect all children, including children on the move, from trafficking, and many other forms of exploitation, abuse, violence, and neglect. Building local capacity through children and communities is central to this aim. The effectiveness of child protection systems rely not only on the commitment and skills of the duty bearers but also on the capacity of children and their communities to protect themselves and each other. Strong child protection systems and empowered young people contribute to strengthening a country's social capital that is a necessary element to combat poverty and address the challenges of migration.

Introduction to Save the Children UK

Save the Children UK, founded in 1919, is the world's independent child rights organization and has sought to support children through emergency relief, health and education support, and is a leader in the advocacy for child rights and protection. Save the Children UK is a member of the Save the Children Alliance which acts to improve children's lives in over one hundred countries. Working across Asia, Save the Children UK acts in the best interest of children through the implementation of programs aimed at improving their lives while supporting them as decision making actors.

a. The Cross-border Program

Originally conceived on the premise that child trafficking is a transnational issue, and thus requires a regional approach to address its challenges, the Cross-border Program has evolved to address the protection of all

vulnerable children through the establishment of child protection systems. Began in 1999, the Cross-border Program has worked with local partners to help children in the Mekong Sub-Region. It has previously addressed the needs of children by focusing on trafficking in communities of origin. Save the Children has also worked on improving the access and quality of local and national child protection systems. It derives its sense of mission from Article 6 of the United Nations Convention on the Rights of the Child which proclaims that state parties recognize that every child has the inherent right to life and that they shall ensure to the maximum extent possible the survival and development of the child.

The current Phase 4 of the Cross-border Program, “Sustainable Multi-Actor Solutions to Migration Related Child Poverty in the Greater Mekong Sub-region,” largely funded by the European Commission of the European Union, aims to consolidate past successes and scale up Save the Children’s work on anti-trafficking and child protection. Beginning with community-based models of child protection, the Cross-border Program seeks to replicate good practices in new communities while using successful examples of child protection to advocate for locally appropriate policy changes at different levels of government. It also seeks to find more durable solutions for children affected by poverty, migration, and social exclusion through strengthening the currently fragile child protection structures in the Greater Mekong Sub-region (GMS). This will be implemented through capacity-building on child protection, child rights and child-participation, and supporting actions that enable authorities and non-state actors, especially children to lead actual programs for child protection related to response and prevention in their localities. The program seeks stronger policy commitments for child protection for all children, particularly for migrant and other socially excluded children, among the governments of Cambodia, China, Burma/Myanmar, Thailand, and Vietnam.

Working with four groups affected by migration—unaccompanied migrant and stateless children, vulnerable children in areas with high level of outward migration, children left behind by migrating parents, and children returning from migration or trafficking in danger of exploitation and discrimination, the Cross-border Program promotes the development of child protection systems supported by government structures.

As a program with a regional scope, it works with local and national partners across the target countries. In China it works closely with the

Women's Federation at the provincial level allowing close cooperation with government structures, while in Cambodia it is partnered with a local non-governmental organization (NGO) in a province that is a high source of outward migration. The Burma/Myanmar program is directly implemented by Save the Children, and the Cross-border Program in Vietnam works closely with the government's Ministry of Labor, Invalids, and Social Affairs (MOLISA). The Thailand program has partnered with NGOs situated along many of the country's borders in order to best meet the needs of migrants. Regionally, the Cross-border Program has partnered with the Philippine Educational Theater Association (PETA) in order to build a closer relationship to artist and cultural communities, and to align with the arts in order to build stronger advocacy efforts. Close work with governments at the local and provincial levels in all countries have allowed children's voices to be heard by policymakers.

b. Training Activities in Mekong

Across the region the partners of the Cross-border Program are engaged in a variety of capacity-building trainings. In each target country, children learn about their rights while youth leaders learn how to organize peer education seminars on child rights. Government structures and case management for vulnerable children are supported through trainings in social work provided in Myanmar, and young lawyers are being trained to work with survivors of trafficking and risk migration in Thailand. Many trainings and projects are pilot activities that inform the lessons learned and strong practices which, if successful, can hopefully be expanded to meet the needs of more children.

A Regional Training Experience

In August 2009, PETA in partnership with Save the Children UK's Regional Cross-border Program held the 1st Regional Leadership Course on Child Protection. Thirty-three participants from seven countries working in the Greater Mekong Sub-Region met in Nakhon Nayok, Thailand to discuss the various forms of child protection in their own countries.

Chosen as one of the participants of this conference, I was able to work with community NGO staff members, government officials and Save the Children staff from Cambodia, China, Lao PDR, Burma/Myanmar, Thailand,

Vietnam, and Pakistan in a ten-day transformative experience. Together, we developed our skills and understanding in promoting the protection of children using PETA's methods and learning techniques, discussing children's issues while creating art and synthesizing information on child protection and exploring various art forms—using drama, dance, visual arts and sculpture along with other techniques to explore our own stories as well as the stories of the children we work with.

The training consisted of six modules that required us to explore the situation of children in the region: covering topics on childhood and child rights, child protection, building child protection systems and improving our work on protection. We also examined child protection in Thailand through field visits to organizations dedicated to helping children and migrants. Site visits included learning about local NGOs and their work with migrants to meeting children at a local detention center. This allowed some participants to link their work in countries of origin to the situations and programs in a destination country. Over the course of the training and after several presentations centered on children supplemented by group work, we became deeply involved with the issues surrounding child protection.

Several of PETA's activities utilized art as a hook into broader discussion and self-reflection into children's issues. One such activity involved splitting the participants into two groups. Each group was instructed to contort their bodies into a sculpture representing the situation of a child. The first group represented children with their dignity disrespected while the second represented children with their dignity upheld. As participants molded themselves into sculptures, depictions of child abuse and abandonment were revealed. This spurred discussions on the qualities of each group of children and then the factors necessary to support children with dignity and self-esteem. The activity progressed with participants asked to interact with the human sculptures to display how the child could be helped or harmed by others. The activity allowed participants a way to discuss sensitive topics and provide more emotional reflections than would have been possible in a lecture format. It also allowed participants to personally exhibit examples of child rights demonstrating their understanding of rights and child protection.

Another activity utilizing sculpture divided participants by country and provided them with modeling clay. Each person was asked to use the clay to model the situation of a child they knew or worked with. Working with

different colored clay along with an assortment of beads, buttons, and other bric-a-brac, participants molded detailed creations. The time spent working with the clay was used to meditate on the child they knew, allowing detailed, and heart-felt discussions when it was time to share our work. The situations of children ranged from abandonment to abuse and neglect while also planting the seeds for further discussion on the socio-economic situation and status of the child. As participants discussed their work, others fell silent with nods of agreement as they recognized the situations of children in their communities were similar. The activity reinforced who we work for and why. The broader discussion of the causes for these situations that followed displayed the need for child rights by displaying concrete and emotive examples of the daily situations children face in the Mekong region. Participants felt the activity allowed reflection and remembrance that provided a strong connection with their work and our discussions on child rights.

Through various activities, we were able to unlock our inner-child and release our creative spirits. Many participants, just like myself, also commented on how we enjoyed learning new tools with which to engage children and their communities.

Aside from our personal discoveries, we were also focused on weaving together the story of children in the Mekong region: discussing the lives of children in our own countries, the similarity of the difficulties facing children across the area and the gaps of the various protection systems that eventually led to a dialogue on what participants could do to start overcoming and addressing these issues.

There were further sessions on topics ranging from child abuse, corporal punishment, stateless children, and children in emergencies. These were followed by a session on creating an advocacy plan to support children at the national level. Underpinning these activities were the understandings reached by the participants through their involvement in PETA's art activities.

Outside of the main curriculum, we were also able to gain practical skills and techniques in story-telling while using different mediums such as photography, videography, and shadow-theatre which enabled us to more effectively tell stories on child protection as well as provide children with the creative tools to tell their own stories.

At the end of the training, the event experienced one of its highlights as Ernie Cloma, Associate Curriculum Director of PETA, received the Child

Protection Champion award from Save the Children UK's Cross-border Program. For over forty years, Tito Ernie, as many would call him, has passionately conducted integrated theater arts workshops for disadvantaged children in the Philippines and abroad—inspiring many of us to do the same, to become instruments and channels for the protection and promotion of child rights in our own communities.

The closing ceremony brought together new friends as we shared traditional songs and dances throughout the region. Possessing new knowledge and skills, exposed to PETA's pedagogy and supported by a new network of like-minded people, we have benefited greatly from PETA and Save the Children UK's first leadership training.

As the project came to an end, it was possible to see the personal growth that many of us had felt, and as we bring this experience back to our communities, hopefully, stronger child protection systems will start to grow throughout the communities and across the region.

Assessing the Project

Participant feedback of the training program has been overwhelmingly positive, and participants have initiated their own workshops based on the methodology and content of this regional training. In Nanning, China, Save the Children's Cross-border team along with the local Women's Federation hosted a training for local officials, social work students, and community volunteers. Over a period of several days, participants explored their conceptions of children while developing tools to increase their abilities to support children.

As the training brought together both NGO practitioners and government officials, their perspectives were essential in determining how the training could be applied to their work. Nguyen Phoung Thuy of Save the Children's Cross-border Program in Vietnam felt the new methods that she learned about teaching child protection would be easy to apply when working with children and looked forward to applying the lessons learned in her work. Her sense is that the creative approach allowed participants to be more open in sharing their ideas and thoughts. The training sessions on advocacy strategies and emergency response for child protection were also helpful, providing new views on pushing child protection work forward.

Monthip Kityingsopon, of the Thai government's Bureau of Anti-Trafficking of Women and Children, expressed similar feelings about the training. Talking to an audience a month after the training, she explained how the creative approach reinvigorated her work and the new approaches informed her of different ways of working. On a personal level, she rediscovered the artist within which also provided greater appreciation for the work NGO staff are undertaking in the field.

The main difficulties of the training were its length and the challenges imposed by simultaneous translation. Ten days of training requires patience and commitment, and the time frame is necessary in order to immerse oneself in the experience and be open to transformations allowed by the creative arts. Bringing together Save the Children staff, local NGO partners, and government counterpart officials was also useful in order to develop a network of professionals across different institutions addressing child protection. Although there were language difficulties, future trainings may be held in target countries utilizing the host country language.

Participants began the training intrigued with PETA's methodology which required self-reflection and engagement. Through art, participants found themselves analyzing familiar issues through a new lens. This group of attendees, most with several years of child protection work, had many people who remarked that they felt engaged and re-invigorated by the material from the workshop, and that they were able to come to new understandings of their work.

Convinced that an arts approach to working with children was valuable, an arts camp for migrant children was also held in Thailand by local partners where youth leaders from minority communities shared their stories while developing their skills in performing arts. Children responded to the use of creative outlets and were able to produce stunning pieces of work. As youth leaders they will return to their communities with new tools in which to engage their peers.

Other avenues for integrating arts and advocacy have opened up as well. As a result of the training, artist groups are being approached to help develop ways in which child participation can be supported and provide new platforms for children's voices and their stories to be heard. Bringing artists to migrant communities informs their views on the issues of migration while NGO staffs learn new tools with which to interact with children as they develop their skills of self-expression.

Conclusion

With the success of the first regional training on child protection using PETA's creative methodologies, the Cross-border Program will continue to explore ways in which arts can be used to support children's participation in advocacy work. Support for the Children and Youth Bloc during November 2009 Mekong Media and Arts Festival in Phnom Penh, Cambodia brought artists, children, NGO staff, and the media together and explore new ways of amplifying the voices of children and exploring new ways to discuss child rights.

Building new networks between policy makers, government officials, NGOs, and artists, the Cross-border Program planted the first seeds for broader cooperation during the Regional Leadership Training on Child Protection. Partners have begun to utilize artistic approaches to reach and communicate with children, while the use of arts have allowed officials and NGO staff to deepen their personal understanding of each other, facilitating our working relationship. Artists, in turn, were able to understand our priorities and methods of work. Stronger partnerships with artists, and their ability to create culture were recognized as powerful engines for personal and societal change. The arts provide a positive forum for interaction between different groups while also using creative methods to focus on our end goal of better protection for children.

Although Save the Children UK's Cross-border Program focuses on policy change in order to create sustainable child protection systems, the use of art will play an important role in delivering change. Faced with discrimination and bias, migrants need their stories to be told in ways that allow their acceptance into a new society. Furthermore, arts can help heal the broken social rifts caused by the migration experience. Cultural and behavioral change can be inspired and supported through arts, and migrants without a voice can also have a powerful medium to share their experiences.

As the Cross-border Program continues its fourth phase, child participation and child protection will continue to be focal points as partners throughout the region will host a series of national level youth forums leading up to the Mekong Youth Forum in 2010. These forums will build on the skills that facilitators learned during the regional training in order to support child participants. The Mekong Youth Forum itself will bring together youth leaders from across the region to discuss child rights advocacy with

national and regional policy makers. Continued efforts through the arts and creative methods will help to increase the visibility of our work in promoting the protection and participation of children while providing children the opportunity to create new artwork that will resonate with the public.

Human Trafficking Prevention in the Greater Mekong Sub-region*

International Labour Organization – Asia-Pacific Regional Office

INFORMATION IS PROTECTION. Reaching young people before leaving home, in transit areas and upon arrival in destination areas helps them become migrant-wise.

The proven practice: a prevention-related awareness drive that recognizes people’s aspiration or need to move for work and to help young people wanting to migrate avoid human traffickers as well as labor and sexual exploitation during each stage of the process: before leaving home, in transit and at their destination.

The Situation¹

Across Southeast Asia millions of people are on the move. For most it is a positive and rewarding experience. However, sub-regional trends toward uninformed and ill-prepared migration have created a dangerous vacuum in which human traffickers are able to exploit migrants, especially children and women. Adult migration, and how to regulate it to the advantage of both the migrants and the sending and receiving countries, is becoming an urgent priority for many International Labour Organization (ILO) member states.

*This is an enlarged version of the report entitled *Meeting the Challenge: Proven Practices for Human Trafficking Prevention in the Greater Mekong Sub-region*, published by the International Labour Organization Regional Office for the Asia-Pacific.

Preventing the trafficking and labor exploitation of children and young people is an obligation of ILO members which have ratified Convention 182 on the Worst Forms of Child Labor.

In the Greater Mekong Sub-region (GMS), children and women, often as a result of unprepared and ill-informed migration, are at a heightened risk of being trafficked within their own countries and across international borders. Some victims are abducted from their communities or sold to traffickers by family members. However, most are deceived by false promises and offers of fictitious jobs in major urban areas.

Those at a higher risk of encountering human traffickers are often from poor, under-educated, unskilled, debt ridden, and/or socio-economically excluded backgrounds. Many also come from dysfunctional or single parent households. However, it is also true that many victims are not the poorest of the poor. Many have some level of education and aspirations for a better life - but lack of forward planning brings them into contact with exploiters along the way with some ultimately falling victim to trafficking.

Children and women from ethnic minorities and tribal groups whose host countries have refused them the right of citizenship also face a higher risk of exploitation. Effectively stateless, barred from owning land, and with limited access to government services, the children and women from these families are particularly vulnerable to the lure of traffickers and subsequent labor exploitation.

The Initial Challenge

Trafficking in women and children in the Mekong sub-region is a problem aggravated and complicated by many factors. While some victims are abducted or “purchased” from parents, relatives or boyfriends, increasing evidence indicates that most trafficking occurs during voluntary migration prompted through poverty, family crisis, lack of employment opportunities and other factors in sending areas and the belief that destination sites offer a better future. Currently, the flow of people across borders and within countries remains unregulated and this creates a vacuum in which traffickers exploit the vulnerabilities of migrants. Human trafficking often succeeds where there is misinformation, ignorance and deception. People are more vulnerable to exploitation and devious tricks when they are away from familiar surroundings. And their vulnerability becomes even more acute the

farther they go, especially after crossing borders and finding themselves in an illegal situation with incomplete or forged travel documents and unable to understand the local language or culture.

The Response

The ILO has been working in the field of human anti-trafficking since the mid to late 1990s, originally in the Greater Mekong Sub-region, but later in China as well. Work in Yunnan Province, in southern China (ILO-IPEC-TICW), served as a pilot for future collaboration between the ILO and All-China Women's Federation (ACWF). The ILO-ACWF expanded their work into a further five provinces - including, for the first time, migrant destination areas along the booming eastern seaboard. Further ILO anti-trafficking projects are planned focusing on Cambodia, China, Lao PDR, Malaysia, Thailand and Viet Nam. It is anticipated that this work will complement the Decent Work Country Programmes in the region up to, and including, the final year of the Asian Decent Work Decade (2006 -2015).

The ILO's Mekong Subregional Project to Combat Trafficking in Children and Women (ILO-TICW) was established as part of the organization's specific mandate to 'contribute' to the elimination of labor exploitation of children and women. Working to prevent trafficking in these groups is a major step in that direction. ILO is laying the foundation for effective prevention, but it is up to the policymakers of each country—and their societies as a whole, including employers' and workers' organizations—to join forces in working toward sustainable reductions in the supply and demand for the exploitative labor of trafficking victims, thereby leading toward the elimination of human trafficking and child labor.²

ILO-TICW has the following mission statement on this issue:³

- Our mission is to help eliminate the sexual and labour exploitation of children and women in the Greater Mekong Sub-Region by reducing their vulnerability, and preventing their exposure, to human traffickers and exploitative employers.
- In partnership with governments, employers' and workers' groups, and other organizations, we are striving to help countries create safer, open and accessible migration channels - and working conditions for adult migrant workers - within and between countries.

- We are helping to raise awareness of the long-term benefits of a child in school, while working to reveal and reduce demand for exploitative occupations that disrupt their education and their human development.
- We are helping to mobilize society and policy makers in order that they may take over our campaign to permanently eliminate the exploitative conditions that lead to and stem from trafficking in children and women, while introducing financially sustainable local alternatives to unprepared and ill-informed migration.

ILO-TICW believes that an ounce of prevention is worth a pound of cure. And while those young people already caught up in the cycle of trafficking need help and support, the ILO and our donors have agreed that the best long-term solution to human trafficking is to tackle the ‘supply’ problem at its source—in the villages and towns where so much of the ill-informed migration begins—and the problem of ‘demand’ at the destination, in the towns and cities where most of the exploitation takes place.⁴

In line with this perspective, ILO-TICW identified a number of factors to consider. First there was a need to raise public awareness regarding the plight of those who are exploited—in both sending and receiving countries—and the negative consequences that labor and sexual exploitation have on their own society. The public need to realize that the problem exists in their country. At the same time we need to show the positive benefits their society would experience by eliminating the demand for the services and products provided by those being exploited. Second, there was a need for law enforcement officials, the judiciary, and society at large to recognize that many working in the sex trades, sweatshops, factories, construction sites and domestic workers are not there of their own choice, but have been coerced and deceived. Those individuals are victims and should be treated as such. Indeed anyone under 18 working in exploitative, slave-like or near-slave-like conditions—including the sex trade—is a victim of trafficking, regardless of whether they were deceived or coerced.⁵

Although trafficking is a crime, the objects of the crime are human beings. There is a tendency for some authorities to treat trafficking victims as criminal ‘evidence’ and/or ‘illegal’ immigrants. So in order to de-criminalize and re-humanize the situation, we work with a variety of government departments, including law enforcement officials. But it is a multi-dimensional issue, requiring multi-dimensional responses. Therefore, we also place

strong emphasis on civil society, and our relationship with the ILO's two other constituents: employers associations and workers' groups. The more segments of society we can enlist in our prevention methods and messages the greater chances of success in eliminating the labor exploitation and the trafficking that leads to it.⁶

ILO-TICW has initiated a number of projects that respond to the human trafficking situation in the Mekong subregion. These projects relate to:⁷

- *Building the knowledge base.* Research on a more accurate picture about the causes and consequences of human trafficking in Southeast Asia.
- *Awareness raising about safe migration.* Reaching out through its partners and constituents to those most vulnerable—teens and young women—migrating in search of work.
- *Setting the standards on labor migration.* Development of a set of guidelines for improved policy and practices in migrant recruitment.
- *Preparing economic alternatives.* Development of alternative or additional income generation at home for vulnerable young people and their families to help relieve the 'push' of ill-prepared migration that can result in labor and sexual exploitation in transit and at destinations.
- *Advocacy.* A process and a tool used to bring about the required changes in policy, attitudes and public participation in the fight against trafficking and labor exploitation.
- *Working with governments.* Reinforcement of the ILO commitment to the governments within the United Nations (UN) System and the demonstration of the value of ILO technical assistance being offered.
- *Working with businesses and unions.* Working with employers' organizations across the GMS to sensitize them to the problem of human trafficking and how it affects them. Collaborating with them to become partners in advocacy, the project has developed a business case that works in trafficking prevention. This also covers working with labor unions as natural allies in the fight against trafficking-related abuse of workers everywhere.

- *Working with communities.* Engaging people from vulnerable groups—including children—to support their policy plans and actions.
- *Helping victims return home and re-build.* Aimed at a) supporting a more humane reintegration process for returned victims of trafficking, and b) improving the capacities of service providers to reintegrate victims of trafficking (especially referral services, counseling and case documentation).

Particularly concerned about young migrants leaving home with little or no information to guide them, the ILO-TICW initiated in 2006 a two-year awareness “campaign” that targeted would-be migrants in their home countries as well as migrants in destination areas.

To promote awareness among migrants to the dangers of ill-prepared migration, the ILO-TICW team produced four versions of a guidebook, entitled *Travel Smart—Work Smart: A “smart” guide for migrant workers* and translated into seven languages (Burmese, Chinese, Karen, Khmer, Laotian, Shan and Vietnamese).

The *Travel Smart—Work Smart* guidebooks, first launched in Thailand as a destination tool for inbound migrants and later revised for sending areas like Lao PDR and Cambodia, are now a commonly recognized ‘brand’ of the ILO’s outreach materials for migrant workers. The guidebooks raise the awareness of migrant workers about their rights—both labor and human rights—and direct them where to go for help should those rights be abused. The guidebooks have been expanded to cover sector-specific areas of work. In late 2009, *Domestic Work—Decent Work* the latest in the series of Travel Smart books, was launched as a “safe” guide for domestic workers in Thailand (both migrant and Thai national).

The content for each version has been adapted, based on the national context and depending on whether the audience is in a source, transit or destination country. The guidebooks primarily target youth aged 15–24 but are equally relevant to older migrants.

The guidebooks either explain the rights of workers or list them. The ILO guidebook for domestic workers, *Domestic Work—Decent Work*, explains these rights in the following manner:

Your right to respect, fair pay, safe work, rest time and privacy: When we talk about “rights” we mean human rights “a right to be treated in a dignified way like any other human being

in life and at work. Rich or poor, young or old, male or female, we all have these rights. In return for your labour, you have a right to expect “and receive” fair pay and decent working conditions. You also have a right to keep in touch with your family and friends and that includes the right to leave the house and visit other people and places during your time off. No matter what type of work you do, you are entitled to the respect for, and protection of, your human rights, to live and work in a decent and dignified way, free from harassment and exploitation!

Travel Smart—Work Smart discusses a number of rights that people should be able to enjoy as migrants in countries other than their own. It lists the rights that should be enjoyed by migrants such as the following:⁸ right to minimum wage, one regular working day not exceeding eight hours, rest time, minimum of one day off per week offered not less than thirteen working days off each year, take medical leave work in safe and healthy workplaces, receive pay for the work completed if one quits the job or is fired.

There are also provisions for female migrant workers:⁹

Female migrant workers are entitled to the same wages as male migrants performing the same job. Employers can pay wages based on a worker’s performance so long as it is not based on whether the worker is male or female and that the pay is not below the minimum wage.

Pregnant migrant workers shall have the right to take maternity leave of not more than ninety days including forty-five days of paid leave from their employer.

Avoid work just before or just after pregnancy. Get a medical certificate from your doctor stating that you are unable to continue hazardous or physically difficult work. You have the right to ask to change your work duties just before and after you give birth.

All female workers are legally entitled to work while pregnant and to receive special protection from dismissal due to pregnancy.

Travel Smart—Work Smart states¹⁰ that as a migrant of any age, and regardless of whether or not legally registered to work, you have the right to seek help and assistance if:

The above rights have been violated by your employer.

You have been unfairly dismissed from your job and/or your employer has withheld your wages.

You have been physically or sexually assaulted or harassed by your employer, chief, supervisor, etc. Physical and sexual assault and sexual harassment are crimes.

Your identity/work documents have been withheld by your employer.

Your employer, or people working for your employer, have forced you to work or denied you your right to leave the premises during non-working hours.

The ILO-TICW awareness “campaign” refers to the promotion of three concepts:

That government and workers’ and employers’ groups “buy” into the branding idea of working together to better inform migrants via a variety of networks;

Roll-out of the guidebook in different countries (all governments endorsed the idea of informing migrants from their respective country); and

Encourage local migrant groups to carry this work on after ILO-TICW support ends.

The Process

The *Travel Smart–Work Smart* guidebook for each country is written in concert with the respective governments and covers the steps young migrants should take before, during and after arriving at a destination to better safeguard themselves against abuses. In each country, the guidebook was developed through several rounds of consultations between ILO-TICW, government officials, nongovernmental organizations (NGOs) and other specialist consultants.

In 2006 and 2007, the ILO-TICW project also organized meetings of high-level government advisers of all five project countries as well as members of workers’ and employers’ organizations who endorsed the *Travel Smart–Work Smart* campaign and pledged further support.

Test Trials of Specific Editions In-Country

Thailand

The Thailand edition of *Travel Smart–Work Smart* targets migrants (regardless of regular/irregular status) who are already in the country. The

guidebook was translated into five languages (Burmese, Karen, Khmer, Laotian and Shan).

Whether registered or unregistered, documented or otherwise, the Thailand destination guide stresses ways for migrants to stay safe while in Thailand, how to avoid abuse by unreliable employers and where to turn if they need help. It informs them of the minimum wages and working conditions they are entitled to under Thai law. These sections are translated into Thai language so the migrant can more easily communicate the point with his/her employer or, if required, when making a complaint to the Job-Seekers Protection Division of the Department of Employment. The Department's "hotline" number is prominently displayed for migrants should they need counselling or redress in the event of a contract violation. It also highlights the Thai Government's aim to encourage migrants to follow the registration procedures for work in Thailand that begin before the migrant leaves home (via application for registration with their own government to be part of the official Thai quota for migrant workers in various employment sectors).

As a trial to test the content, the Thailand edition of the preliminary guidebook was distributed widely in Thailand in destination and transit areas through NGO partners. Some of them also organized focus group discussions to gauge the usefulness of the material. The discussions produced tremendously insightful feedback on what information was confusing and not helpful and how, in some cases, translations made no sense. The feedback was then circulated among NGOs, agencies and government departments and discussed further in a one-day workshop. Revisions were made to the guidebook and 15,000 copies were produced (with a plastic cover to make it more durable).

Eleven international and national NGOs and networks in various migrant "hot spots" within Thailand have distributed the guidebook. Advocacy workers handed them out in group discussions or in one-on-one discussions. In some cases, training courses were organized in sending and destination areas for would-be migrants and migrants. By setting up group sessions in high-risk areas, the objective aimed to encourage young people to discuss issues and protection among themselves and to then feel empowered enough to further distribute the guidebook and talk with others about how to better protect themselves. The group sessions also included information on livelihood options closer to home.

In late 2007, after a round of follow-up consultations with the government and NGO partners, the ILO-TICW project began drafting a second edition that will be more simplified—focusing primarily on how to remain safe during migration to a new place and where to go for help if required at that destination.

Lao PDR

The Lao edition of *Travel Smart—Work Smart* targets individuals potentially interested in migrating to Thailand for work. It contains information aimed at assisting them to better prepare their migration before they leave and what to expect upon arrival in Thailand.

Some 15,000 copies of the first edition of the guidebook have been printed and were launched by the Ministry of Labour and Social Welfare in March 2008. The books were distributed in many villages in five provinces (Champassak, Savannakhet, Khammouane, Bolikhamxay and Sayabouly).

One-day media trainings were also conducted in Lao PDR for print, radio and television journalists for help in relaying the message about safe migration to the public. The media in Thailand was alerted to the campaign to encourage better news coverage of the need for safer migration and of options available to migrants. In the Lao workshops, the media participants were asked to file one report incorporating the workshop issues within thirty days of the training. Following this, the Thai and Lao Governments each engaged their local media in a seminar on trafficking to further discuss issues of safe migration.

Cambodia

The Cambodian Government, with support of the ILO-TICW project, produced its own version of the *Travel Smart—Work Smart* guide following an earlier publication of an ILO-supported guide for Cambodian migrants en route to Malaysia. The new guide targets domestic migrant workers and disseminated in both sending and receiving provinces. It provides information on proper planning, what to expect upon arrival, measures to reduce risk of exploitation and where to seek help in case of need.

Viet Nam

With support of the ILO-TICW project, the Ministry of Labour, Invalids and Social Affairs (MOLISA) developed and published a Vietnamese version

of the *Travel Smart—Work Smart* guide in 2007. Some 20,000 copies of the guide, which focused on domestic migrants, were disseminated in two sending provinces (Quang Ninh and Thanh Hoa) and one key destination area (Ho Chi Minh City). Following requests from the partners, particularly the MOLISA and the Viet Nam General Confederation of Labour, an additional 50,000 copies were produced.

Yunnan province, China

A guide similar to *Travel Smart—Work Smart* was produced in Chinese by The Project to Prevent Trafficking in Girls and Young Women for Labour Exploitation within China (CP-TING), an ILO sister project, with the All-China Women's Federation in 2006 for internal migrants in five provinces. In Yunnan, the CP-TING guide was revised in early 2008 to include some of the core messages from *Travel Smart—Work Smart*. Some 45,000 copies will be disseminated in source and destination areas within Yunnan province, targeting migrant workers aiming for destinations within the province or to other main destination areas within China.

Outcomes

The national-level project implementation resulted in a number of outcomes, namely,

- The *Travel Smart—Work Smart* guidebook for Cambodia.
- In Yunnan province of China, 45,000 copies of *Travel Smart—Work Smart* have been distributed by June 2008.
- In Lao PDR, 15,000 copies of the first edition of *Travel Smart—Work Smart* were disseminated starting in April 2008, and a second edition might be supported, based on the feedback from the first round.
- 15,000 copies of *Travel Smart—Work Smart* were distributed in Thailand, in Burmese, Karen, Lao and Khmer languages with significant input from the Ministry of Labour and other government and non-government agencies concerned with the migrant workers issues. A second edition resulted in the production of a further 70,000 copies distributed in major migrant destination areas.

- 20,000 copies of the Viet Nam version of *Travel Smart—Work Smart* was disseminated in 2007 and an additional 50,000 have been produced.
- Seventy-five journalists have also been trained on the links between migration and human trafficking through this program.

According to a summary of a focus group discussion with Cambodian migrants working in Thailand on the *Travel Smart—Work Smart* guidebook:

The migrants said the materials were useful both for undocumented and documented migrants and they enjoyed reading the booklets, which they said covered all legal aspects needed by migrants and gave useful information on how to protect themselves. The Thai translation was also good for long-term migrants who can no longer read Khmer and for Thais who are interested in the materials. Migrants said they felt more empowered after reading the booklet, particularly informing undocumented workers that they have rights.

However, they thought that two separate booklets are needed for source and destination provinces, as the information was mixed between what was useful for source and for destination.

In post-dissemination testing, migrants in all countries have said the guides are useful and have offered ways to improve the content, proving yet again, the value of consulting the people who are to be helped.

Challenges

There are challenges that remain to be fully addressed:

- Migrants that travel across borders without documentation claim that even if they know their “rights” (minimum wage, etc.) they are powerless to demand that they receive them in the same way that a national of that country would.
- Hotlines and call centers designed to hear complaints of labor exploitation at destinations often do not have anyone who can speak the language of the migrant.
- Hotlines and call centers often are not staffed at a time when the migrant is able to call.
- Some migrants claim that even knowing how to stay safe will not prevent them from taking risks as they often see few other economic choices.

Lessons Learned

The project provided the following lessons learned:

- Government partners need to be consulted because they are the authorities on workers' rights and are able to offer assistance in times of trouble.
- Useful information needs to be "simple" to make it easy to understand.
- The advocacy workers who have direct contact with migrants need to be trained on the guidebook content prior to distributing it in order to answer any questions.
- Disseminating the information in group sessions is beneficial and logical for outreach in areas of migrant concentration.
- Getting feedback from people distributing information books is needed prior to republishing future editions.
- A plastic cover helps prevent the book from being destroyed easily by water.

Migrants who participated in the focus group discussion on the guidebook also made the following additional suggestions:

- A pocket size book with bigger writing and more pictures should be produced.
- Storybooks encompassing the information on how to protect oneself from trafficking and exploitation would also be good.
- Information on where to go (or a telephone number) for reporting a migrant who has disappeared is needed.
- International organizations should give labor rights information to employers and produce booklets to inform employers of the Labour Protection Act and that migrants have rights.
- Information on rights during arrest and deportation should be included.

The migrants stressed the need for information on what actions/things are illegal in Thailand, such as gambling and not wearing a helmet when riding a motorbike.

Next Steps¹¹

Slowly but surely, governments, employers, workers groups and civil society, assisted by ILO-TICW and other agencies, are winning the fight to

prevent children and women falling into the hands of human traffickers. In 2005, representatives of all five governments along with participants from workers' and employers' organizations from each of the five countries gathered in Bangkok to map out a way to work together to fight trafficking. This sub-regional advisory group - or SURAC - pledged to build on this momentum to ensure that fighting trafficking for labor exploitation would become a priority among their constituents.

Recognizing the problem was the first step. Identifying effective countermeasures was the second. Helping Governments, Employers' and Workers' groups and civil society carry on the fight and land the decisive blow is next.

Endnotes

¹Taken from Project Overview, Preventing Trafficking in the GMS, in www.ilo.org/public/english/region/asro/bangkok/child/trafficking/projectoverview.htm

²Text from "11. Can ILO-IPEC actually prevent trafficking in children and women?," in "FAQ—Human Trafficking and ILO Responses" available in www.ilo.org/public/english/region/asro/bangkok/child/trafficking/faqs.htm#faq01

³Text from "Our Mission Statement," FAQ, *ibid.*

⁴Text from "8. Why focus on prevention instead of protection, rescue, or instead of trying to catch the traffickers, etc?," FAQ, *ibid.*

⁵Text from "10. What can you do to help change the attitudes of society toward labour and sexual exploitation of children and women?," FAQ, *ibid.*

⁶Taken from "9. Why not just work with law enforcement agencies and judiciary?," FAQ, *ibid.*

⁷Based on "Where we work—The workplan (2006-2008) in Preventing Trafficking in the GMS - The ILO Mekong Subregional Project to Combat Trafficking in Children and Women, www.ilo.org/public/english/region/asro/bangkok/child/trafficking/wherewework-thailanddetail.htm.

⁸Based on "Your Rights as a Migrant Worker In Thailand" in *Travel Smart - Work Smart A 'Smart Guide' for Migrant Workers in Thailand* (Second Edition), pages 9-12.

⁹Based on "Special Notes for Women Migrants," *ibid.*, page 18.

¹⁰Op. cit., page 20.

¹¹Taken from "A Brighter Future?," in the Project Overview, in <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/projectoverview-thefuture.htm>.

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EarthRights International Mekong School: Promoting Public Participation in Mekong Basin Development

EarthRights International

EARTHRIGHTS INTERNATIONAL (ERI) combines the power of law and the power of people in defense of human rights and the environment—our earth rights. It specializes in fact-finding, legal actions against perpetrators of earth rights abuses, training for grassroots and community leaders and advocacy campaigns. Through these strategies, ERI seeks to end earth rights abuses, to provide real solutions for real people, and to promote and protect earth rights.

The roots of ERI were initially in the Thai-Burma border region, where it worked on the ground with indigenous peoples, refugees, and villagers since 1995.¹

Its strong presence along the Thai-Burma border, as well as in the United States and the Amazon reflect the core of ERI's mission to link grassroots and international movements working at the nexus of human rights and the environment. Specifically, its strategy includes the recognition that fundamental, sustainable change can only occur when local people gain the skills and education necessary to plan and enact their own agenda.

With a diverse staff comprised of human rights lawyers, activists, grassroots human rights investigators, teachers and community leaders, ERI uses human rights strategies and laws to address various issues including

environmental protection, women's rights, corporate accountability, labor rights, and environmental health.

ERI founded the first EarthRights School in 1998 in Thailand for young leaders from Burma/Myanmar seeking to free their country from an oppressive military regime and corporate exploitation of natural resources. The program was established for local communities in Burma/Myanmar and in exile along the Thai-Burmese border who sought more knowledge and skills to effectively participate in documenting abuses, international advocacy, and community organizing. Based upon the successful model of the Burma School, EarthRights International's Mekong School was founded in 2006 to address the growing needs of civil society advocates in the Mekong region.

Context for a Mekong School

The Asian Development Bank (ADB) has proposed a Mekong Power Grid that spans the Mekong region, including China, Burma/Myanmar, Lao PDR, Thailand, Cambodia, and Vietnam. Key parts of the Mekong power grid include water diversion projects and large dams whose environmental, social, and economic impacts are felt not just in the areas near the dams, but also downstream all the way along the river system.

In addition, since March 2006, hydropower companies from Thailand, China, Vietnam, Lao PDR, Malaysia and Russia have proposed eleven big hydropower dams for the Mekong River's lower mainstream. There is already widespread concern among riverbank communities and the general public about the severe consequences these dams will have.

The Mekong River is host to the world's largest inland fishery. The commercial fish catch is currently worth US\$3 billion annually. Not only are these fisheries an important source of income for local fishers, which include many of the region's poorest people, but they are also vital in ensuring regional food security. Between half and four fifths of the animal protein consumed by the sixty million people in the lower Mekong basin come from the river's fisheries.

Building dams on the river's mainstream will block the major fish migrations that account for up to 70% of the commercial catch. Scientific opinion agrees on the importance of the Mekong's migratory fisheries, the impact of the dams on them, and the non-existence of measures to mitigate these impacts.

Previous large water development projects in Southeast Asia have suffered from a lack of transparency and a lack of participation by affected local and indigenous communities. It is imperative that future projects include the voices of these communities at every stage of the decision-making process.

Mekong School

EarthRights International's Mekong School is a training program for civil society advocates from the Mekong Region (Yunnan/China, Burma/Myanmar, Lao PDR, Thailand, Cambodia and Vietnam) whose work focuses on human rights and the environment. It brings together activists from the six Mekong countries to investigate the negative impacts of large-scale development projects, and campaign for greater public participation and transparency in regional development planning. It aims to build a cohesive group of activists from each of the Mekong countries who have the intercultural skills, substantive knowledge and experience to voice their individual and collective concerns about large-scale development projects and related human rights, transparency and participation issues within the Mekong basin. The Mekong School is a response to the situation in the Mekong region by equipping grassroots activists from the Mekong basin with the skills to protect and promote earth rights threatened by hydropower and other development initiatives.

To this end, the Mekong School aims to help students:

- To develop an understanding of the impacts of hydropower dams and other large-scale development projects, as well as the views and approaches of various stakeholders in hydro-development
- To understand and analyze the methods communities have utilized for greater protection of human rights and the environment
- To develop practical skills in research, advocacy and campaign work; and
- To develop strong relationships, networks and concrete campaign plans for implementation upon graduation and the students' return to their respective countries.

The beneficiaries of the program are not just the individual students who participate in the training, but also their community members who are or will be affected by large-scale development projects. The ideal candidates

are individuals who have been active on environmental, human rights, or community development issues, who are enthusiastic about partnering with other activists from the region and who have the capacity to become effective community leaders and/or advocates. Young indigenous activists are preferred where possible.

Each year, Mekong School students complete field research projects in their respective countries and use their findings to identify ways in which the destructive impact of development projects on human rights and the environment can be mitigated through increased public participation and stronger accountability and transparency mechanisms. This research forms the basis of the student's future campaign plans in the region. To coordinate their plans, the students have established a Mekong School Alumni Group, whose mission and goals are highlighted below.

Mekong School Curriculum

The seven-month Mekong School curriculum focuses on the impacts of large-scale infrastructure projects, particularly hydropower dams, and how citizens are engaged in advocating for more equitable development in the Mekong region. At the school, students investigate community complaints regarding negative impacts from development projects funded by the ADB, World Bank, and private sources. Through a series of field visits, students examine the threats posed by various projects, such as the series of hydropower dams currently planned and under construction along the mainstream of the Mekong and its tributaries, to migratory fish stocks, local livelihoods, and regional food security. Finally, program graduates focus on ways in which they can join together as alumni to advocate for policy reform with the ultimate goal of promoting greater public participation and transparency in development planning in the Mekong region.

Experiential learning and field visits are combined with the student-centered and participatory classroom lessons to create a truly interactive curriculum. A specific feature of the experiential learning curriculum is the Dam Case Studies course, in which students are instructed by people involved in movements against controversial dam projects throughout the region. Other types of participatory activities are role-plays, debates and group discussions. Although English is the medium of instruction, students spend one hour each morning teaching their national and indigenous languages to the group, focusing on one regional Mekong language each week.

Students are also guided through a field research process where they identify a large-scale development project that has had or may potentially have a destructive impact on local livelihoods and the environment, such as a large dam project. Students then develop and implement a field research project in their home country, analyze and write a report focusing on the human rights and environmental impacts of that problem. They use their field research to develop an advocacy plan and campaign strategy to effect positive change on the issue. The issue may concern a range of fundamental rights, such as the right to information, the right to participate in development projects affecting local livelihoods, freedom of expression, the right to food security, the right to adequate health care, etc. Students make public presentations highlighting the findings of their research, their recommendations to stakeholders and their proposed advocacy plans.

Mekong School Courses in Detail

A closer look at some of the specific courses offered at the Mekong School is instructive in understanding the student-centered, participatory and experiential nature of the curriculum. The first is a course taught by Toshiyuki Doi of Mekong Watch entitled “Understanding the Asian Development Bank” in which students learn how to use the bank’s accountability mechanisms to address adverse impacts on local communities. Through a three-day seminar, the instructor provides students with an overall understanding of the ADB, its policies and practices, how to use its safeguard mechanisms, and the ADB’s plans for the Mekong region.

To understand how local people and the environment might have been affected by these plans the students took an in-depth look at the case of ADB’s Highway One project in Cambodia. Highway One community leaders, Ms. Phin Vanna and Ms. Sin Chhin, traveled from Cambodia to Chiang Mai to present at the Mekong School how their community was affected by the Highway One project, how they organized to demand fair compensation and an end to corruption. The presentation allowed students to gain a first-hand perspective on a campaign against an ADB-funded project and to pinpoint what strategies might be useful in other parts of the Mekong region.

The Highway One community leaders then joined the Mekong School on a trip to a community affected by the ADB-funded Mae Moh Power Plant in Lampang Province of Northern Thailand. Estimates suggest that since the

implementation of the project, three hundred villagers may have lost their lives as a direct result of pollution from the plant, thousands may have suffered from respiratory problems, and over 300,000 people may have been displaced from their homes. During the visit, local leader Ms. Malinee was joined by a number of her neighbors, who described what they have endured and highlighted their attempts to pressure the ADB and local and national government offices for compensation and relocation from the affected area.

Ms. Phin Vanna and Ms. Sin Chhin from Cambodia had the opportunity to exchange experiences, campaign strategies, and words of encouragement with Mae Moh community leaders with the assistance of Mekong School Cambodian alumni Keat Kunthea, who provided Thai-to-Khmer translation for the duration of the trip. Mekong School students were quite moved to learn of the similarities in suffering caused by the two projects, and to witness the strength of the local leaders as they shared strategies, lessons learned, and vows of solidarity between their respective Thai and Cambodian communities.

The second course exemplifies the Mekong School's experiential learning style through a week-long visit to the Salween River, where students learn from villagers who will be affected by the proposed Salween Dams on the Thai-Burmese border. In preparation for the trip each year, Mekong School 2006 Burmese alumni Nang Shining gives a presentation based on her fieldwork on the Salween Dams, and Ms. Ta Lai Laza of the Karenni environmental group shows the video documentary she made entitled "Damming the Yin Tha Lay." The powerful documentary shows the potentially catastrophic impacts of the Salween Dams on the Yin Tha Lay, a small indigenous community threatened with extinction should the project move ahead.

During the trip, students have an opportunity to stay with villagers in several different communities, all of which will be impacted by the dams if they are constructed. Through community meetings and personal conversations, students gain detailed information about the social and environmental impacts of the Salween dam projects, with particular emphasis on the problems faced by stateless people. Without citizenship, undocumented community members fear relocation in the wake of the dams back into the unstable war zones they previously fled, with no provisions for compensation or security. Lack of citizenship also prevents the communities from fully joining in the worldwide campaign against the Salween Dams, for fear

of reprisals and lack of legal representation. The trip includes a town meeting in the local mosque in the riverside community of Mae Sam Laep, where Christian, Muslim, and Buddhist representatives discuss their efforts to transcend ethnic and religious differences to work together to secure citizenship and equal rights for their community members and to oppose the dam projects.

In 2009, Mekong School students joined a public forum in the Salween community of Sop Moei where for the first time members of affected communities were given a chance to express their concerns regarding the proposed dam projects to the Electricity Generating Authority of Thailand (EGAT) and government representatives. The villagers spoke passionately in their Karen language about how the projects would affect their lives. In attending the meeting, Mekong School students gained the opportunity to observe the strategies employed by stakeholders on both sides of the dam debate.

Upon their return to Chiang Mai, Mekong School students and alumni marked the International Day of Action against the Salween Dams by circulating on-line petitions and joining in a demonstration in front of the consulates of several countries in Chiang Mai to protest overseas investment in development projects in Burma/Myanmar.

Mekong School Alumni Program

Now, four years into the program, Mekong School alumni represent a wide range of communities along the Mekong, from its origins on the Tibetan plateau to the Mekong Delta, where the river completes its 4,350 kilometer journey and flows into the South China Sea. Mekong School alumni speak a cumulative total of twenty-three regional languages (Brao, Burmese, Cambodian, Chinese, Jarai, Kavet, Khmer Krom, Khmu, Krueng, Lao, Lisu, Mon, Naxi, Palaung, Phu Thai, Pumi, Shan, Tai Lue, Tampuen, Thai, Tibetan, and Vietnamese), and are committed to the shared goal of strengthening environmental promotion and protection in the Mekong region.

The Mekong School Alumni Program was formed by program graduates upon completion of the inaugural year of the Mekong School with the mission to collaborate to monitor destructive development projects and strengthen environmental and human rights protection in the Mekong basin countries. The alumni group developed the overall campaign theme

of increasing the participation of affected communities and civil society in regional development process. A closer look at the work of alumni Zhang Chun Shan (China 2007) and Nov Piseth (Vietnam 2008) provides an example of the variety of work the alumni engage in both before and after attendance at the Mekong School.

Zhang Chun Shan

Mr. Zhang Chun Shan is a farmer and grassroots environmental activist from the Pumi ethnic group in Northwestern Yunnan. He single-handedly conducted a fact-finding mission into the work of Sino-America Yunnan Hande Biotechnology Co. Ltd., and in July 2003, successfully brought a lawsuit against the company for smuggling, and illegally purchasing and processing endangered wild plants. He received an award at a ceremony sponsored by WildAid China in the Great Hall of the People in Beijing in 2005, and has since been active in anti-dam campaigning along the Jing Sha (Upper Yangtze) and Lan Cang (Mekong) Rivers.

Zhang Chun Shan approached the Mekong School Coordinator at a meeting of environmental non-governmental organizations (NGOs) in Kunming, and expressed a strong desire to join the Mekong School. He vowed that, although he had little formal education and no knowledge of the English language, his motivation to gain the knowledge and skills to take his work to a higher level was sufficiently strong to see him through the successful completion of the program. For over a year, he spent every waking hour intensively studying English language, human rights law, and environmental advocacy strategies. He graduated at the top of the class, giving an outstanding oral presentation of his fieldwork research, and delivering a graduation speech that won a standing ovation.

Upon graduation, Zhang Chun Shan worked with the Mekong School Alumni Coordinator to write a series of proposals, through which he succeeded in setting up the Three River Guardians, China's first grassroots NGO aiming to address the negative impacts of large-scale hydropower projects along the Nu (Salween), Jinsha (Upper Yangtze) and Lancang (Mekong) Rivers. Three Rivers Guardians ensures that communities learn about the environmental issues. The Three Rivers Guardians and its grassroots network will monitor hydropower dam construction in Yunnan province, using legal frameworks to ensure that community and environmental rights are protected.

Nov Piseth

Nov Piseth is a young human rights lawyer who came to the Mekong School from the Community Legal Education Center in Phnom Penh, where he engaged in policy advocacy and lobbying activities, conducted legal research, represented clients, and monitored high profile cases related to land disputes. As a student at the Mekong School, Piseth completed an excellent two-month fieldwork project, in which he conducted first-hand interviews with community members to document the environmental and social impacts of World Bank-funded airport expansion project in Sihanoukville, Cambodia. In conducting his research, Piseth showed a strong capacity for using his knowledge and experience in human rights law to analyze the complex factors at play within the project context, and effectively drew upon local peoples' concerns around compensation, loss of livelihood, and environmental destruction to develop policy recommendations to address the adverse impacts of the project.

Upon completion of his field work project, Piseth attended a meeting in Ho Chi Minh City, where he presented the information he had gathered to the Chairperson of the World Bank Inspection Panel, highlighting the adverse impacts the airport expansion project has had on the local community. Piseth spoke about the community members' concerns regarding land confiscation and compensation for nearly an hour, and the inspection panel members asked many questions in return. Afterwards, they complimented Piseth on the thoroughness of the facts he presented, and indicated that he had a very strong case. Piseth has now applied for a Mekong alumni small grant to work directly with the community to file a formal petition. Upon receiving the petition, the World Bank's Office of the Compliance Advisor/Ombudsman (CAO) will meet to assess the validity of the complaint, and should they accept that the project indeed violates World Bank safeguard policies, they will send representatives to investigate. Should the investigation affirm the facts that Piseth presented, the project will be re-evaluated, and changes will be made to ensure the community members are treated fairly and receive just compensation. This is an example of the real-life impacts of Mekong School students' investigative work.

Upon graduation from the Mekong School, the Land and Livelihoods Unit of the United Nations Office of the High Commissioner for Human Rights in Phnom Penh hired Piseth. He has continued to enhance his

professional skills through membership in EarthRights International's Mekong Legal Advocacy Institute (MLAI), a series of trainings to provide Mekong region lawyers a forum to share experiences and enhance their knowledge while strengthening efforts to protect and enhance environmental conservation and human rights. The trainings provide advanced training in areas not addressed in traditional legal education such as corporate and International Financial Institution accountability, forced labor and relocation, wildlife trafficking, and environmental impact assessment.

Initiated in 2009, the Mekong Legal Advocacy Institute intends to introduce new legal and advocacy strategies that promote earth rights, and provide the region with a growing network of strong legal advocates and activists who contribute to the growth of a rights-based culture throughout the Mekong region. This will be an intensive, long-term effort, with support and advanced training for alumni and an expanding network of dedicated litigators.

Cross-Border Campaign Initiatives

In addition to individual work, the Mekong School Alumni have collaborated to organize several joint campaigns to oppose potentially destructive development projects in the region. The largest of these is the broad-based Save the Mekong Coalition, in which alumni from all previous four annual programs and six Mekong countries have participated.

The Save the Mekong Coalition was formed in response to the growing public concern about the impacts on regional food security from a series of dams currently planned on the mainstream of the Mekong River. Since March 2009, Mekong School Alumni have assisted in collecting signatures and personal messages from concerned citizens through a postcard and online petition urging regional leaders to consider the adverse impacts that mainstream Mekong dams will have on the region's food security. At this point, over 23,000 people from within the Mekong region and around the world have signed the "Save the Mekong" petition.

The petition, written in seven languages, was hand-delivered to Thailand's Prime Minister Abhisit Vejjajiva on 18 June 2009 in Bangkok, and sent to other government leaders within the region. Mekong School alumni from five countries traveled to Bangkok, where two alumni met the Prime Minister, and the larger group joined the press conference that followed.

The event was widely covered in local media, including popular Thai television news channels and English, Thai, Vietnamese, and Khmer language newspapers.

As a next step, at the ASEAN People's Forum in October 2009, Save the Mekong campaigners announced the submission of the Save the Mekong petition to the Prime Ministers of Lao PDR, Vietnam and Cambodia, calling for a halt to dams on the mainstream of the Mekong River. The Salween Watch Coalition, headed by an EarthRights Burma School Alumni, also presented a letter protesting against dams on the Salween River, which was presented to Heads of State during the 15th ASEAN summit. Over a dozen EarthRights Alumni and current students from Burma/Myanmar, Thailand, Lao PDR, Cambodia and Vietnam who have been heavily involved in this campaign since its inception were in attendance at the forum.

The Mekong Alumni launched a website (<http://mekongalumni.net>) that they designed and maintained to provide information on their activities.

Concluding Statement

The Mekong Alumni play a central role in ensuring the Mekong School remains responsive to the needs of regional civil society movements by assisting in the recruitment of new candidates, and returning to the school each year as instructors and mentors of the next generations of students, who will in turn strengthen the network and become strong allies in future advocacy initiatives. Through this participatory process, EarthRights International's Mekong and Burma School alumni form an ever-expanding group of committed activists and skilled campaigners, who are dedicated to working together to promote human rights and environmental protection in the region.

Endnote

¹Additional information on EarthRights International can be found in its website: www.earthrights.org.

Training HIV Positive People as Advocates

Pacific Islands AIDS Foundation

THE FIRST known case of infection of human immunodeficiency virus (HIV) in the Pacific was reported in the Northern Mariana Islands in 1984. By 2009, over sixteen thousand known HIV positive cases have been reported, with over ninety percent being reported in Papua New Guinea (PNG). By global standards, the Pacific Islands remain a low prevalence region. However, some areas are already facing high levels of infection, and other factors threaten to create conditions for a generalized epidemic in the future. These factors include:

- The large youth population;
- The high incidence of sexually transmitted infections (STIs) and teenage pregnancies;
- Highly mobile populations, both within countries and internationally, particularly for employment;
- Limited access to condoms and to health information, particularly outside the main urban areas;
- Poverty and associated conditions such as low employment;
- Socio-cultural barriers surrounding sex and sex education; and
- Cultural perspectives on the status of women.

A 2009 review of the current state of law in the Pacific in relation to HIV provides some important findings:

a. HIV Testing in the Pacific

With the exception of PNG, which prohibits mandatory testing in most circumstances, there is no legislation restricting mandatory HIV testing. This means that mandatory HIV testing is not illegal in most of the Pacific although it is contrary to international law and practice. There also exist provisions in the employment legislation of various countries (e.g., the requirement of a medical exam) that could be considered a backdoor way of justifying mandatory HIV tests. Prisons, education and immigration legislation also have requirements of medical exams which might include a mandatory HIV test.

b. Health Care

Although international law includes a general “right to access health care,” few if any Constitutions in the Pacific actually recognize this right and in any event, in most - if not all - Pacific countries, health care is not free. Access to the means of preventing the spread of HIV (condoms, education materials) may also be hindered by antiquated obscenity rules and regulations. Most public health legislation in the Pacific makes no mention of HIV, even though Ministries of Health across the region are the department with primary responsibility for dealing with the disease. Most countries have legislation that deals with “notifiable diseases” or “quarantinable diseases” which require mandatory reporting of infection or suspected infection and/or potential forced isolation of those with various infectious, communicable or venereal diseases. At present HIV is not specifically included on most lists, though some countries, such as Tonga, have included it.

c. Education

Few Constitutions in the Pacific actually recognize the right to education. The Marshall Islands and Fiji are exceptions; denial of access to education in these countries may be questioned as a violation of the constitutional right to education. However, it is not known to what extent this right is actually enforceable. Most education legislation in the Pacific addresses neither HIV nor the right to education.

d. Criminal Law

Homosexuality and prostitution are generally illegal in the Pacific region. This contributes to the marginalization and stigmatization of sex

workers and men who have sex with men (MSM) which in turn can discourage these individuals from seeking testing or treatment, and thus increase the risk of HIV infection among the sex worker and MSM population. There is also much controversy in the region surrounding HIV-specific criminal laws. The debate continues over whether willful transmission, attempted willful transmission or reckless transmission of HIV should be unique criminal offences. No country in the Pacific has a specific HIV-related criminal offence, although some, such as Fiji, have considered creating one. However, most countries have other existing provisions that could be applied to willful, reckless or attempted transmission of HIV. Assault causing bodily harm, grievous bodily harm, criminal or common nuisance, criminal negligence and unlawful infection are all examples of offences that exist in the Pacific which could be applied to HIV transmission.

Regional response to the challenges of HIV/AIDS started when the first case of HIV was reported in the early 1980s. But only in mid-1990s that the health ministers of the governments in the region started meeting on the problem and finding resources to address it by linking governments to non-governmental institutions including churches. The regional body, the Secretariat of the Pacific Community (SPC) started developing regional strategies on education and prevention of spread of HIV/AIDS. A 1996 report entitled *Time to Act* provided the basis for the first regional strategy, from 1997 to 2000.¹ The Regional Strategy on HIV/AIDS 2004-2008, adopted by the SPC, recognizes the importance of human rights and the greater involvement of people living with and affected by HIV/AIDS.

It therefore emphasized the need for² respect for human rights in relation to people living with HIV/AIDS. Based on these rights, people living with HIV/AIDS should be actively involved and supported through networks and the interface with mainstream services.

As a result, the Secretariat of the Pacific Community adopted as one of its themes “human rights and greater involvement of people with and affected by HIV/AIDS.”

A Response to the Situation

The Pacific Islands AIDS Foundation (PIAF) responds to the HIV/AIDS situation in the Pacific as well as links to the existing regional initiatives on human rights and the people with and affected by HIV/AIDS. It is a Pacific-

based regional organization for people living with HIV and AIDS (PLWHA), based in Rarotonga, Cook Islands.

PIAF is the first regional civil society organization (CSO) focusing exclusively on HIV and AIDS in the Pacific Islands. A young Tahitian woman, Maire Bopp, one of the first Pacific Islanders to go public with her HIV positive status, founded it in 2002. Her crusade started in December 1998 when, still a university journalism student in Fiji, she broke a taboo in her community by revealing that she was HIV-positive during a Pacific Islands News Association (PINA) conference in Tahiti. Since 1999, after graduating from the university with a journalism degree, she has been touring the islands to speak to communities, schools and nongovernmental organizations (NGOs) about the epidemic. In the same year, she won PINA's Pacific Freedom of Information Award for her outstanding efforts in the promotion and defense of freedom of information and expression in the region.

She changed the shape of HIV work in the region by putting a face to the disease and challenging Pacific political, religious and traditional leaders to respond appropriately to the epidemic.

PIAF has the following goals:

- To improve the quality of life for HIV positive people, their households and families by helping educate them about HIV and how to manage it as well as about their rights and how to exercise them, offering them skills building programs and advocating for their access to quality treatment, health care, social and economic integration, and better legal protection from all forms of discrimination.
- To prevent the further spread of the epidemic in the Pacific region by engaging HIV positive people in the delivery of messages to our decision-makers, policy-makers, youth and other communities, and by mobilizing Civil Society Organizations to unite in building an AIDS-Free Pacific.

To achieve these goals, PIAF has adopted a number of strategies:

a. Positive Living. Throughout the Pacific Islands region, HIV positive people face the stigma and discrimination. Fear of rejection or social exclusion results in many HIV positive people refusing to disclose their status to their families and partners or denying their status. This leads to further isolation and can increase the potential for transmission through high-risk behavior. PIAF seeks the creation of a friendlier environment that makes it easier for HIV Positive people to voluntarily disclose their status with-

out fear of discrimination. This in turn will contribute towards awareness and prevention, an improved feeling of self-esteem, and acceptance of HIV Positive people as valued members of society. It aims to give HIV Positive people the opportunity to acquire knowledge and skills that will help them improve their self-esteem, live positively with their health condition and face the stigma and discrimination that they may be confronted with. It also aims to raise awareness on positive legal reforms and help governments ensure that the rights of their people living with HIV and AIDS are protected.

b. Positive Health. Without access to proper treatment with anti-retroviral drugs, the progression of the disease from HIV into AIDS is inevitable. Anti-retroviral treatment is the most effective life prolonging strategy known to date; but it has its limitations. It is a constraining regimen that requires good management capacity and ability from the patient. It can cause irritability, depression, hunger, fatigue, skin rashes that encourage people to stop their treatment at the risk of worsening their health and chances of treatment combinations. PIAF will continue to work towards free anti-retroviral (ARV) accessibility in the region and dedicate resources and energy to develop activities that will offer greater mental support and well-being to patients.

c. Positive Action & Prevention. The Pacific region continues to experience political and social upheaval. Now, more than ever, we must build efforts to keep AIDS on government agendas and priorities to secure some of the progress made in fighting the epidemic. It is crucial that we advocate for and support government initiatives in the area of 'best model' policy development, while targeting the media to ensure that the messages are heard in a balanced way. We must also actively maintain training and supporting groups of advocates, comprising of HIV positive people, to advocate for positive actions within their own communities and from their national decision makers. These positive actions include making factual and sensitive information on HIV and AIDS easily accessible to the media who have, for various reasons, played a role in reinforcing the stigmatization and discrimination of the general public against HIV Positive people. The expected result is that messages become, and remain, more sensitive to the issues faced by HIV Positive people and their families and promote their human rights.

d. Positive Partnership. All sectors of society are affected by HIV and AIDS. It is critical that we all participate in the response to the epidemic. We are all losing a relative, friend, colleague or key leadership personnel

and when the infection advances we lose a critical mass of the labor force as is experienced in Africa today. We must motivate players from all levels and sectors of society and encourage everyone to work together. Businesses, churches, trades, professions and public services all need to set up initiatives, and build partnerships inside and across our area.

e. Positive Investment. The economic burden of HIV on HIV positive people and their household is reduced.

f. Positive Management. HIV initiatives are effectively managed and inclusive of HIV positive people

PIAF also serves as the Secretariat for the Pacific Alliance of CSOs [Civil Society Organizations) on HIV & AIDS - a network of partners across the region collaborating to improve actions in response to HIV and AIDS.

Programs

PIAF implements the following programs:

a. Ambassadors Outreach Program. PIAF supports HIV positive people as full-time advocates on issues surrounding HIV and AIDS. AIDS Ambassadors share their testimonies and knowledge with a variety of community organizations including government, health and church groups. AIDS Ambassadors put a face to HIV and help reduce discrimination through the sharing of their personal stories. Many communities throughout the Pacific still perceive the disease as a punishment or curse and the work of AIDS Ambassadors helps to change these perceptions.

b) B.I.B.L.E Project. The BIBLE Project is designed to provide a culturally safe and relevant process for people living with HIV/AIDS (PLWHA) to assist them to Build Incredibly Beautiful Lives Enthusiastically. The Project utilizes a narrative group counseling approach with theological reflection by the participants that is respectful and embraces their culture and faith. Through this approach, PLWHA are given the opportunity to move from isolation to inclusion.

The BIBLE Project is implemented in partnership with the Pacific Theological College based in Suva, Fiji.

c) Discrimination Study. PIAF initiates studies on specific discrimination-related issues. In 2006, PIAF initiated its Study on the Stigma and Discrimination experienced by positive people across the Pacific. The study involves HIV positive people from Fiji, Kiribati, Vanuatu, Samoa, and

Solomon Islands, and is being funded through the Pacific Regional HIV Programme's (PRHP) competitive grant program.

d) Hardship Grant. Since 2003, PIAF has been operating a Hardship Grant program that provides emergency or temporary relief assistance to PLWHA who are facing extreme hardship as a result of deteriorating health, and/or discrimination from the community as a result of their HIV status. PIAF has set criteria in administering the grants to provide direct assistance to households and bring about some sustainable benefit to the family.

e) PIAFilms. PIAF has produced several documentaries featuring HIV positive Pacific Islanders in an effort to address key HIV issues, break down HIV-related stigma and discrimination, and share the courageous stories of Pacific Islanders living with HIV. Many of these films are available in multiple languages. In a geographically vast region, PIAF uses a multi-media approach to reach isolated islands and to help put a Pacific face to HIV. The documentary series is called 'Positive Lives', and began in 1999 with the documentary *Maire*, a film about the founder of PIAF—one of the first HIV positive people to go public with her status in the Pacific. In 2006, PIAF revived the series with two documentaries named after the women they feature: *Peati*, which is the story of an HIV positive Samoan woman and *Irene*, the story of a Ni-Vanuatu woman. Each film focuses on women living with HIV/AIDS, and highlights the various challenges they face after diagnosis and how hope can be found through family and community support, and access to ARV treatment.

PIAF undertakes education on human rights and the issues impacting people living with HIV (PLWH). PIAF publishes information and education communication materials (IEC's) such as the *HIV and Your Rights* booklet and conducts education workshops. PIAF also utilizes various media platforms for up to date press releases on HIV and AIDS issues in the Pacific region.

AIDS Ambassadors

In December 2003 PIAF started the AIDS Ambassadors training and outreach program. The training gives PLWH the opportunity to gain knowledge and skills to live positively with their HIV status and face the stigma and discrimination they may confront in their lives. It builds the capacity of HIV-positive people to become advocates in their own communities.

The outreach component encourages the formation of strong and effective HIV Positive public advocates and the strengthening of advocacy networks within the region.

PIAF works with existing networks, assists in strengthening organizations with limited capacity and builds those that are non-existent. A particular emphasis is placed on advocates becoming peer educators; working with schools, in church groups and communities to challenge commonly held misconceptions about HIV and AIDS. The AIDS Ambassadors program aims at better-targeted prevention messaging in the community.

Since 2003 PIAF has made significant progress in the provision of sustained and ongoing support and resources for AIDS Ambassadors.

Temo Sasau, employed as PIAF's AIDS Ambassadors Coordinator since 2008 and based in Lautoka (Fiji), has played a significant role in growing the membership of the AIDS Ambassadors and supporting those who have become public advocates. Requests from community groups for AIDS Ambassadors have been numerous and the responses, as the following quote from a participant demonstrates, have been overwhelmingly positive.

We had a combined session on HIV/AIDS, its effects, how it is transmitted, with teachers of Vatukaloko Junior Secondary and Drauniivi District School. The presentation was lively and also very emotional and interesting and motivating. We need more of this type of presentation. - School Principal, Vatukaloko Junior Secondary School

In the past twelve months AIDS Ambassadors have organized and conducted Regional Life Skills Training, including the BIBLE project, with participants from Fiji, Samoa, Solomon Islands and PNG and English Literacy and Computer Skills with participants from Fiji, Samoa, Solomon Islands and Papua New Guinea (PNG). The AIDS Ambassadors trained four PLWHA on HIV/AIDS and specific Human Rights; presented submissions at the International Congress on AIDS in Asia and the Pacific 2009 (ICAAP); supported the May Candlelight Ceremony; publicly advocated for The World Testing Day campaign; attended legal training sessions; took part in various public speaking engagements; conducted home visits and contributed their stories to a wide variety of Information and Education Communication mediums.

In the Field

Several AIDS Ambassadors are now working in several countries in the Pacific. In Fiji, Paulini Vakacegu is now working fulltime with the Pacific Counselling and Social Services (PCASS) as a Trainer/Counsellor. In Solomon Islands, Alice Buko has been working with local positive people with a view to setting up a local support group. She is also scouting potential participants for the upcoming BIBLE. So far Alice has had discussions with two positive people. In Vanuatu, Irene Malachi has just returned from an outreach activity on Santo Island.

Temo Sasau will be visiting the Solomon Islands, Kiribati and Samoa in 2010 to evaluate newly trained AIDS Ambassadors, discuss plans with the Red Cross about setting up and hosting PLWH Support Groups, visit in-country PLWH, and liaise with Ministry of Health representatives in regard to complaints of inadequate HIV drug services.

The AIDS Ambassadors hold training activities for those who may become AIDS Ambassadors themselves. Table 1 presents a module of the training.

Table 1. AIDS Ambassadors Training Module

Day One	Day Two	Day Three	Day Four	Day Five
Session A	Session A	Session A	Session A	Session A
Welcome and Introduction	Welcome	Common Questions and Sample Answers	Why positive people speak out Who discloses their status in public? Motivation of positive speakers Protecting Human Rights and Promoting Public Health Benefit to the community Negative consequences of speaking out Benefits to the speaker	Joining the Regional AIDS Ambassadors program
Course Overview and ground rules	Voice work			
Motivation	Style of Talks			
What makes a good Speaker				
Elements of Good Storytelling				

Table 1. (cont'd) AIDS Ambassadors Training Module

Day One	Day Two	Day Three	Day Four	Day Five
Session B Body Language What is important for you Structuring Talks	Session B Continue sample talks	Session B Knowing our rights as human being	Session B The first steps Support for speakers Positive peers Family Counselling: Guest Speaker: Steven Vete	Session B Avoiding Burnout – Stress management
Session C Handling difficult situations Encouraging questions	Session C Dealing with the Media	Session C Being in control of your health: ARV and other support	Session C Forming Partnerships Training Becoming an Expert Signing a Contract	Session C Summary of lessons learnt Goal setting Debriefing and Evaluation

Achievements

PIAF has been able to achieve the following:

1. Actions leading to the availability of anti-retroviral treatment in twelve Pacific Islands Countries;
2. Empowering and educating HIV+ People through our AIDS Ambassadors Program and supporting them in educating their communities by publicly sharing their experiences;
3. Increasing awareness of stigma and discrimination against HIV+ People through producing and broadcasting the “Positive Lives” Films;
4. Completing the first survey on the experiences of HIV+ People with stigma and discrimination in the Pacific Region;
5. Promotion of in-country support groups and counselling;
6. Establishing a Regional Hardship Grant for HIV positive people;

7. A review of Law and HIV in the Pacific Islands and production of educational and advocacy materials in a range of Pacific languages.

PIAF's documentaries, *Peati* and *Irene*, won the Peace and Development Award at the Pacific Media Peace Awards. This award went to director and producer Ingrid Leary, an independent journalist who has worked with PIAF on many projects over the years, including directing and producing the films.

Endnotes

¹*The Regional Strategy on HIV/AIDS 2004-2008* (Noumea: Secretariat of the Pacific Community, 2005), page 23.

²*Ibid.*, page 25.

Child Development and Youth Leadership Program

Insan Foundation

INSAN BEGAN ITS WORK IN 1992 with the mission to provide basic literacy skills to the child workers and street children in Lahore, the second most populated city of Pakistan. “Insan” is an Urdu word that stands for “human” and serves as the basic principle for the organization to work *for* and *with* all humans irrespective of any identity. Insan faced one of the glaring realities in the factory area of Lahore at that time—the considerable population of children working in automobile workshops, small hotels and shops whose exploitation put at stake their own future in particular, and their humanity in general. Thus, Insan wanted to do something for them as well as for humanity.

The volunteers of Insan, who started off its first ever Child Education Program in 1992, hailed from urban universities and colleges. Those youth were under the impression at the outset that poverty was the fundamental reason of children’s being at the workplaces or streets than schools. They believed so because they themselves were from the privileged class and were thus unaware about the political side of poverty. So, their first impression while approaching the deprived children was driven by “mercy” rather than “critical consciousness.” However, their naive perception vanished very soon when majority of the children revealed that they had attended schools at least once in their lives but dropped out because of corporal punishment by the teachers and the threatening and dull environment existing at their

schools. Therefore, the harsh reality coming from the children themselves helped Insan come to the conclusion that it needed to make its educational program “attractive”, “meaningful” and “relevant” and it should involve parents and communities in the process. This was how games, theater, exposure trips and community festivals and meetings became part of the ‘informal educational system’ and children found themselves to be at home and well-connected to the organization.

Insan in Brief

Insan Foundation Trust (IFT) is a non-profit and pluralist organization, working to protect, support and promote the human rights of the most marginalized sections of society, especially children, women’s empowerment, negotiated peace, good governance and sustainable development. It operates in Pakistan with the following objectives:

- To mobilize, educate and train youth groups, communities and government and non-government institutions to ensure healthy development of deprived children
- To demonstrate social, political and economic viability of gender equality and women’s empowerment with the involvement of women, communities, government and non-government structures and institutions
- To enable stakeholders to protect, support and promote sustainable development and negotiated peace as a social value and belief.

Insan Foundation was registered in 2002 under the Trust Act 1882. It changed its formal name in 2008 into the Insan Foundation Trust, in compliance with the rules of the Trust Act.

Aside from the members of its Board, there are twenty-one full-time staff members and about three hundred forty volunteers working with Insan. Since 2009, Insan has been running two fundamental programs, i.e., Gender Equality and Women’s Empowerment Program and Child Development and Leadership Program, through Capacity Development, Research, Advocacy and Technical Assistance.

Insan implemented its first program for eight years. It established educational centers that were mostly located in factory area and urban slums of Lahore. These centers are working in urban and semi urban and rural areas. During its first eight years, Insan catered to about a hundred students per

six months in each of the six educational centers. At one point of time, Insan also launched one such center in a village called “Theatre” near the Pakistan-India border.

The technique of education coined by Insan was very innovative but very simple. Insan used newspapers for enabling children to identify alphabets, connect them to make words and words into sentences in two to three months time. Very soon, children got used to being able to identify basic social, political and economic issues of their communities also. Then the organization engaged them in reporting incidents of child rights and human rights violations taking place in their communities. Selective reports were published in the newsletters. Sometimes children also draw and gain space in the newsletter’s art-corner. This was how Insan moved with its Child Education Program in which “critical consciousness” remained at the center stage. It was through this process that children came to know how badly society was treating children as well as women. They started asking questions as to why men killed women.

In eight years of work, many of the students became volunteers and started helping Insan undertake theater shows, even in the streets and bazaars, in Lahore and elsewhere to educate people about the negative impact of child labor and poor educational system on children. “Mistree Natik” or “Mechanics Theatre”, which was named after the first batch of child workers who were mostly automobile mechanics, also started performing in every nook and corner of the province. And it was noted on the way that their relationship with their child-apprentices was very different from the one which they faced as children themselves.

The street plays, as they progressed, improved on their themes. During years of work, Insan’s opinion about the problem of child labor started shaping in a holistic manner. Insan started feeling that child labor existed because of poor educational system which was the product of poverty of *resources* as well as *thought*. The poverty of thought refers to development priorities and the political will of the policy makers. The organization realized that the issue of child labor could not be addressed unless development priorities of Pakistan were aligned to the cognitive needs of children; Pakistan increased spending on children rather than on bombs and guns; and the state took care of girl children and women. Some years down the road, Mistree Natik and the educational centers developed a consensus about peace, girl’s rights education and women’s rights as priorities of its advocacy initiatives along with basic literacy and child rights education.

Synthesis: From Delivery to Capacity Development

As Insan moved to the end of 2000 its work had synthesized and the organization felt that it was being pushed to explore new venues. The organization was under great pressure from new communities and old and new students to further ramify and this stress prompted it to realize that it could not manage to go with the same speed and in the same direction due to the scarcity of financial resources. The organization analyzed that there was a need for more local groups and organizations to join the struggle and moving one step ahead—from service delivery to advocacy and training—was a must. It felt it was in a position to share its experience and transfer the corporate knowledge gained in all those years. It concluded that providing “equality” education to all children was the prime responsibility of the state according to the national and international commitments and that unless peace, human rights education and women’s rights became first priority of the state of Pakistan, there was hardly any constructive change expected. This realization then guided Insan in launching a national-level capacity development, peace advocacy program and women’s rights education program with small like-minded groups, organizations and institutions across Pakistan.

The training program, called Child Labor Advocacy and Training Program, was logically an offshoot of the Child Education Program. It helped partner groups and organizations design and undertake similar forms of programs according to their own local realities. Through this program, Insan moved from stage 1 to stage 2, from delivery of the services to training and motivating many more groups and organizations on “how to institutionalize, mobilize and deliver.” The organization developed a range of training manuals, educational games and organizational development tools and checklists, etc. The training workshops and exposures included comprehensive introduction to the social, political, economic and legal side of the issue of child labor, child rights, role of the government and the state, human and financial resource mobilization, program design and proposal writing, program monitoring, reporting and evaluation, etc.

In four years of the training program since 2000, Insan trained forty organizations and helped them design long-term child development and leadership programs. As follow up in the capacity development program, the forty organizations made child labor education and peace activism as part of their organizational missions and programs.

By disseminating information and motivation material, Insan expanded membership in its peace campaign, Dove Day, to interested segments of society, mostly youth and their parents.

Insan launched this peace campaign in 2002 in the context of war hysteria and armed conflicts in the regional context. The members of this campaign used to gather at Lahore and Islamabad at one point every month and fly dove cutouts to voice out peace and demand symbolically from the state to opt for peaceful negotiations to solve the conflicts.

Women's rights education remained at a low profile, mostly as assertions and punctuations, in the debate of rights and peace until 2007 when Insan developed a game on giving orientation to common citizens and rights activists about women's rights. Insan contacted women rights activists, trainers and researchers to add content to the game, especially from the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Constitution of Pakistan. In the beginning of 2008, Insan had its comprehensive strategic review that resulted not only in structural change in the organization but also women's rights and gender came to the forefront. This was also important because of the increasing violence against women on the one hand and the policy discussions and legislative processes going on at the national level.

Child Development and Youth Leadership Program: Graduating Through the Years

But going back to the beginning of 2002 is important for Insan from another angle, when it also decided to diversify and involve educational institutions in its peace and rights education activism.

The need to involve schools was in recognition of the fact that they were natural allies and best positioned to effectively change the attitudes of the youth and communities toward children, working children, peace, and human rights, due to their specific role in society. This could also help Insan to "institutionalize" the struggle and thus make the efforts sustainable in financial and programmatic sense. This idea got further polished when Insan decided to make sports activities the entry point for developing partnership with schools and inculcating concepts like child rights, education, joyful learning and peace (in the regional context with India as a primary concern). It was thus the beginning of Child Development and Youth

Leadership Program in which sports, awareness, mobilization and activism became interconnected and made Insan the first organization in Pakistan which employed sports for social change.

Insan's "sports for change" started in the North Western Frontier Province (NWFP). At that time, NWFP had considerably attained national attention due to low literacy, lesser opportunities for sports and play available to the children and rising militancy especially in the context of 9/11 and the subsequent war on terror. Initially there was a resistance in communities towards sports, but volunteers did not give up unless parents themselves became part of the process. On the basis of this experience, Insan took its sports project to Quetta, Balochistan province, to mitigate the sufferings of the earthquake-hit population. Insan worked there for about two years till the communities, especially children were out of the trauma caused by the massive destruction and human casualties.

Insan designed its project for thirty educational institutions at Peshawar at the beginning in 2002. The schools were local and those of Afghan refugee communities. About 18,000 male and female students were involved in sports and orientation sessions on various issues, including child rights, peace, health and hygiene, etc. Volunteer coaches took different sessions, for example, on health and hygiene, hepatitis A, B and C, etc. Insan in fact trained a number of head-coaches for delivery of sports and health education sessions to volunteer coaches. The volunteer coaches delivered mini-lectures on selected issues and mentored male and female students' sports activities. During their play sessions, the students also learned how to respect their bodies and those of others, how to behave, how to treat minors and elders, how to take care of their sports facilities, etc. It is also important to note that special children were involved and made part of the mainstream sports and educational sessions too.

Before Insan partnered with schools, Afghan and local communities were against sports and used to discourage children from playing. Sports for girls were simply out of question due to the cultural barriers. But the mobilization by Insan's team and volunteers led to a level where even girls started playing with boys and schools continue to do the same practices even after one year of the formal closing of the project. And even some of the communities ask why Insan did not do the same program for them too.

When Insan was closing its funded work in NWFP in December 2008, there were eighteen schools formally working under the Child Development

and Youth Leadership Program. Due to the mobilization and close working relationship, there are at present twelve educational institutions (covering about 14,000 students) and one hundred fifty volunteers still working with Insan. On the basis of quality results, Insan is also planning to implement the same program in South Punjab province. Religious extremism and intolerance are rising as fallout of the military operation in NWFP and Balochistan and therefore conditions demand from Insan to continue to play its role as a member of civil society. Insan believes that sports are best means to wean children away from the culture of violence and extremism. Insan is currently in the process of identifying financial resources for a long-term project which should enable it to work in at least eighty formal schools and with estimated 40,000 male and female students, in rural and semi-urban areas.

Year 2007 was also important in the life of Insan. In this year, Insan wanted to groom Mistree Natak on professional grounds. Until then, Mistree Natak was purely a volunteer work, which gained immense support. In 2007, Insan hired a creative director to take care of Natak independently, developed a full-fledge office for it, bought equipment and the necessary gadgets, and earmarked budget so that volunteers were paid for their performances. Some new volunteers also joined. The idea was to enable Natak to run independently and start performing on request of other organizations that were willing to engage the group in helping them in raising awareness of various issues. That was where Insan miscalculated. When money came in, actors started pushing each other to get selected for the roles. Money became the focus of interest, especially of the new volunteers who were not on the same wavelength and did not carry the heritage. That was a time when the Natak team started developing differences and the differences took the form of irrevocable split. Before Insan's leadership could jump in to help the team resolve the issues, many volunteers had already left. Once the group was in disarray, Insan could not muster up the courage to design anything of the sort again.

Reflections: Institutional Development of Insan

While Insan was sad upon the demise of its cherished Mistree Natak, it still had to move on. It was time for a serious review of the past and to plan for future challenges. And the organization exerted its energies to keep the spirit of voluntarism. Child Development and Youth Leadership Program in

fact played a very central role in sustenance of the volunteer spirit. Though Insan is also currently running a women equality and gender mainstreaming program, and its researches and technical support to the government and civil society are now widely acknowledged, the Child Development and Youth Leadership Program is in fact the one that has given new horizons to Insan to explore. It provided the basis on which Insan is standing today.

The Child Development and Youth Leadership Program, through years of its existence in one form or the other, enabled Insan to recruit hundreds of volunteers. It was not possible to run the program at such a massive scale without voluntary support of teachers, coaches, communities and parents. It was not possible to shape the opinion of the children, youth and communities without the program. It has helped Insan in bringing about a constructive social change on the one hand and enhancing the role of the organization from delivery of services to technical support, capacity development and research on the other hand. It enabled the organization to work with many partner organizations across Pakistan and even India and Canada. Even today, it remains to be a common point of reference between Insan and the donors' community. On the basis of this program, Insan developed many educational materials, such as rights-orientation card games (on children and then women in later stages), story analysis exercises, street theater skits, training manuals, which it used for awareness and education. Insan developed different card games on Child Rights, Gender, and Human Rights. The card games involve a set of cards that contain different violations of the Universal Declaration of Human Rights, the Convention on the Rights of the Child, and CEDAW. Another set of cards contains the articles of the human rights instruments. This game is played in teams. There is a score sheet. Team A shows the cards of violations; Team B has to find the particular articles related to the violations. This card game is available in Urdu and Dari languages (for Afghans). See Annex A for the list of materials of Insan.

Today, Insan has support of project partners in all the four provinces of Pakistan. Insan is already known well in the social development circles. The Canadian International Development Agency (CIDA), International Labor Organization (ILO), ActionAid, Norwegian Human Rights Fund (NHRF), Right to Play (RTP), etc. have worked with Insan on these projects. In this sense, Insan is present in communities and has the support of volunteer groups, civil society organizations and donors. Insan is also working with

governments. Currently, Insan is engaged with the Afghan government, through Governor Jalalabad, on the “Sports for Change” program (the component of the program being run in Afghan refugee schools in NWFP).

Annex A

Insan Materials



Insan developed different card games on child rights, gender, and human rights.

One set of cards contains different violations of UDHR, CRC and CEDAW. While another set of cards contains the articles of the conventions. This game is played in teams. There is a score sheet. Team A shows the cards of violations, Team B finds the particular article related to the violation.

This card game is available in Urdu and Dari (for Afghans) languages.

Footsteps: Survival to Development Dynamics

National Research on Practical and Strategic Needs of Afghan Refugee Children

Health Manual

A Guide for Teachers on Health and Hygiene. It contains information about thirty-five common diseases along with play techniques as to how teachers can give health information through games.

This manual is in Dari language, developed for Afghan Refugees.

Environmental Scanning: Gender Sensitivity in Government Employment Sector-Punjab

This is the report on a survey of twenty-three districts and six Punjab provincial line departments including those responsible for health, local government & community development, services & general administration, education and, planning & development matters.

Peace and Smile: Sports Tournaments for Afghan Refugee and Pakistani children

Thematic Sports Tournaments for which children prepare different programs and speeches as well

Mouse Pad

Millennium Development Goals

WE CAN, WE MUST!

Sports for Social Change – Some Experiences

Success stories of social change through sports



Motivating and Empowering Adolescent Girls in Bangladesh

PHREB

PROMOTING HUMAN RIGHTS AND EDUCATION IN BANGLADESH (PHREB) is a non-profit organization that has been running long-term, school-based awareness campaigns since its inception in 2004. The purpose of these campaigns is to educate young people on human rights issues and encourage them to speak out and defend their own human rights. These campaigns help young people gain confidence, which empowers them to mobilize their families and communities in the fight against gender-based violence.

PHREB started with a study of the conditions faced by women in poverty from a diverse range of religious and citizenship statuses, and their wishes, wants and desires. PHREB undertook detailed fieldwork surveys in selected slums around the Chittagong District to obtain the needed information.

Field data gathering used both formal and informal methods, from household interviews to forum discussions to integrated workshop participation. From estimates and responses provided by the participating women, PHREB was able to identify poor living standards and limited access to decision-making mechanisms as barriers to empowerment.

PHREB began its first project “Ending Violence against Girls and Women” in 2005 with financial support from the Interchurch Organisation for Development Cooperation (ICCO) of the Netherlands and received three awards in Bangladesh and abroad for its contribution in fighting violence against women.

Context

From the early stages of life, Bangladeshi girls are taught to be dependent on, and submissive to, men. They are kept ignorant of their basic human rights which limit not only their broader education, but also more importantly their choices in terms of marriage, career aspirations and personal safety. It is through this ignorance that women are instilled with the idea that they will be disobedient if they are economically independent, they cannot walk alone because it is not safe, they cannot work long hours as it will hamper their household duties, and perhaps the most damaging, they cannot think their own thoughts or speak their own minds.

The social constructions of class, gender and normative values create an environment with limited scope for change. In the region, where an estimated sixty percent of the population is illiterate, where economic growth is limited, where corruption is rife, where educational, health and welfare services are inadequate, life for the overwhelming majority of Bangladeshis takes the form of a difficult struggle. In such circumstances, along with an imbued cultural conservatism, the role of young women in particular lacks independent agency.

Such prejudice is not sustainable in any community. Peace and prosperity can only be sought if all members of the community are able to contribute in meaningful, empowered and equal ways. Empowering young women and girls is an essential part of maintaining the social, cultural and economic fabric of Bangladeshi society.

Turning Oppression into Empowerment

Since its inception in 2004, PHREB has been educating young people at school to motivate them to become “Leaders of Change” by helping build their self-esteem and bring the “power of resilience and of change” that they wish to bring in their own communities. The educational activities are in the form of school campaigns. Currently, PHREB runs campaigns at two hundred fifty schools per year, reaching out to over 300,000 students in the Chittagong Metropolitan City, Rangamati Hill District and Moheshkhali Upazila of Cox’s Bazar District.

The school campaigns cover international human rights instruments including the Convention on the Elimination of All Forms of Discrimination

against Women (CEDAW) and the Convention on the Rights of the Child (CRC). The campaigns are divided into school-based activities and community interventions.

1. School-based Workshops

The campaign begins in the form of workshops in various schools, where young girls and boys learn through presentations and demonstrations from PHREB staff members about fundamental and basic human rights and gender equality. Over the years, the campaign has broadened its scope to include issues that directly impact adolescents. These issues include health and hygiene, illness and diseases, food safety, nutrition and water sanitation, HIV/AIDS awareness, sexual and reproductive health, eve teasing, harassment, domestic and sexual abuse, and violence against girls and women. These workshops educate young people on a range of topics and encourage them to speak out and defend their own human rights. The workshops are designed to make young people gain confidence that will empower them to mobilize their families and communities.

The students participate in group-work sessions to discuss what they have learned in the workshops and then impart this knowledge to their peers through drama, song, dance or debate.

The workshop activities employ various educational materials including the various international human rights instruments. Each classroom has forty to over one hundred students.

PHREB also organizes other school-based activities such as celebration of the National Girl Child Day and the International Human Rights Day. The celebration activities include cultural functions and debates.

2. Inclusive Training Sessions

Students from the school workshops that showed interest in actively promoting human rights are selected by PHREB to participate in Inclusive Training Sessions. These students learn in-depth about international human rights and the child rights. They participate in group activities that further enhance and build their knowledge that helps them mobilize the school community. Each group would have an average of forty to fifty students from each school.

Police officials are invited to attend the training sessions to offer advice and support to the female students. On 16 July 2009 the deputy police

commissioner of Chittagong (North), Mr. Banaj Kumar Majumdar, attended PHREB's training workshop giving the girls further opportunity to be heard and further highlighting the importance of reporting violent incidents to the police.

PHREB has been reaching out to a number of new schools since the beginning of July 2009. Campaigns in these new schools have been very successful, with PHREB staff doing an excellent job of engaging these young people, whose views and ideas have been inspirational. Students have been enthusiastic and energetic about learning; many of them asking for the sessions to continue for longer and wanting to know when they will next be visited by PHREB.

After the training sessions, the students are divided into three groups:

a. Sports. Female students participate in a range of sports at their school to provide an environment for them to unite and share personal experiences with each other.

b. Cultural events. The holding of theater, singing and art exhibitions and other cultural events have always been a very important way to mobilize communities. The events take up issues affecting adolescent girls in society, to create awareness and empower others.

c. Debate. Students debate on a range of relevant topics such as women's rights issues, domestic violence, early marriage, and dowry. They hold debate forums in front of the school and encourage others to get involved. Debate is important for girls to learn about their rights and the laws enacted to protect them.

3. Community Engagement

Students who participate in the School Workshops and Inclusive Training Sessions develop the capacity to engage their own communities on human rights and other issues. Adolescent girls who are given space to build confidence and alliances with other girls, as well as develop the skills they see necessary, become important change-makers in Bangladeshi society.

PHREB has developed a community-based platform for teachers, social leaders, youth leaders, students, local elective bodies, non-governmental organizations (NGOs) and educational institutions that campaign for women's rights. This initiative works to reduce incidences of child marriage, eve teasing, rape, dowry-related violence, domestic violence and acid throwing.

It also launched a number of community-based interventions in line with its objective of promoting child rights and women's rights, namely:

a. Family-level Mobilization. PHREB organized one hundred six family-level campaigns at Chandagaon, Chakaria, Moheshkhali, Talukdar Para, Banderban Hill District, Rangamati Sadar to mobilize family members to work against gender discrimination.

b. International Women's Day. PHREB celebrated the International Women's Day in 2006 and 2007 in a slum area, Shadur Para Slum in Chandagaon, Chittagong, with hundreds of men and women who were given the opportunity to share their stories.

c. Seminars. PHREB organized three community seminars in Chakaria Thana community, Cox's Bazar District, to raise public awareness of women's rights.

d. Artists for Human Rights (AHR). In April 2006, PHREB developed a network of young singers, dancers, cultural activists with ages ranging from 15 to 24 years who were committed to promoting women's human rights and gender equality. AHR organized various forms of cultural functions and interactive forum theaters at the community level.

e. The Imam's Movement for Women's Rights. PHREB started a program seeking to re-establish justice through an intervention of religious leaders in the communities.

PHRB found that if it could change the mindset of children and youth, it could make a difference in the present culture of violence against women. Imams (Islamic leaders) are influential within the community and play a critical role in the way people, and especially young worshippers, lead their lives. There are over 250,000 mosques in Bangladesh. This indicates that the people of Bangladesh are devout followers/believers and the help of Imams is needed to improve the human rights situation in the country.

It knows that some Imams use Islam as a tool to subjugate women. However, there are some, though still a minority, who are knowledgeable about and committed to the way in which women are respected and regarded as equal to men in the Quran and Hadith.

It began working with Imams in 2005 on its STOP Violence against Girls Program. Fourteen Imams from the Chittagong region attended PHREB's December 2005 seminar entitled "Islam and Women's Rights." The Imams came together to discuss women's rights to property inheritance, their participation in civil society, and the prevention of gender-based violence. The

participants agreed to work with PHREB in ending violence against women and girls and the Imams Movement for Women's Rights was set in motion.

Four hundred sixty-five Imams in south Bangladesh have been involved with this movement since October 2009 and this number is increasing. PHREB sees these leaders taking a stand against all forms of violence against women at home, in school, at work, and on the streets. Their Friday speeches at the mosques, reaching around 600,000 men every week along with those in *Waj Mahfils* (community-based religious gatherings), are influential means to send the message of stopping violence against women.

4. Creation of Change-Makers

These united, educated and confident young girls and boys have the ability and capacity to lobby for change. They write to district government officials and parliament members to address the issues facing adolescent girls and advocate for change.

School Organizations

PHREB organizes the students and the teachers to support its programs in the schools. It organizes the Teachers-Students School Management Committee, the Bangladesh Kishori Adhikar Forum [Adolescent Girls Alliance] or BKAF, and Leaders of Tomorrow Clubs.

PHREB encourages male students to take part in the campaign to end violence against women by encouraging them to form Leaders of Tomorrow Clubs. These clubs aim to empower boys to become champions for human rights in their communities.

Some of the female students join the BKAF and learn about issues affecting themselves and other women in Bangladesh and how to raise their voices in order to enjoy their fundamental rights. During BKAF meetings, the female students can speak out about the violence, abuse and victimization they are suffering from.

BKAF is an adolescent girls' alliance committed to motivating the victims of gender-based violence to become leaders of change while also continuing to raise awareness on issues of violence against women, sexual and reproductive rights, maternal health and women's rights. It is the biggest alliance of adolescent girls in the country with over 38,000 registered members across two hundred ninety-five chapters. Members include students,

garment workers, victims of gender-based violence, domestic workers, street girls and slum girls. BKAF members unite and stand up for the rights of women and girls, gender equality, right to safe schools, water, sanitation and hygienic practices, and learn how to keep themselves free from all forms of violence. It organizes regular motivational dialogues, theaters and cultural functions on violence against children, gender equality, reproductive and sexual health, HIV/AIDS, girls' right to education, health care services and social justice. BKAF members who are recognized as adolescent "change makers" have the opportunity to speak at the annual Adolescent Girls' Summit, which is attended key community persons, and members of the police, civil society and women's rights organizations.

International Work Camp

PHREB will be organizing an International Work Camp in support of the long-term evolution of Bangladeshi society into a society where women are free from violence and are empowered to live their lives as they choose. By utilizing the skills and advocacy capacity of international volunteers, PHREB aims to generate an awareness and receptiveness to the ongoing campaign. The Work Camp will include a number of activities such as:

School Workshops: International Volunteers will work with local volunteers and staff to educate youth and children about human rights and gender equality through workshops for students and teachers. The workshops will consist of various games and activities to develop an understanding of international human rights standards and their applicability to everyday life. These activities will allow the youth to understand how their behavior can impact on people around them and alert them to the rights of these people that need to be upheld.

Art, Essay Writing and Debate Competitions: Following the workshops, students will be invited to build on the knowledge and ideas gained by writing essays, submitting artworks or joining formal debate competitions on any topic of relevance to human rights.

Youth Summit: At the end of the school campaigns, outstanding youths will be invited to join a youth summit where local children will speak about human rights and gender equality.

International volunteers will facilitate the human rights education campaign, develop human rights education modules, write reports, and develop audio-visual documentaries.

The Work Camp will be held over a one-month period in mid-2010.

Other Programs

In addition to the school campaign, PHREB has other successful programs including legal aid, movement for women's rights among religious leaders, and another school program.

The Access to Legal Aid and Counselling Program is undertaken through PHREB's human rights lawyers' network. Women can access legal advice and support free of charge. In partnership with the Chittagong Medical College, PHREB offers victims of rape and acid attack the needed medical and counselling support.

The Tulip School is another school-based program that offers quality non-formal and formal education for underprivileged girls. PHREB campaigns for safe schools for girls, and each Tulip School accommodates up to sixty students for primary and secondary levels of education.

Some Achievements

The main achievements of the school-based interventions of PHREB as of October 2009 are the following:

- 3,564 school workshops were organized in three hundred ninety six secondary schools and fifty-eight colleges covering more than 659,300 students in Chittagong, Cox's Bazar and Rangamati Hill Districts.
- Three hundred seventy-four BKAF chapters have been established with 56,329 registered adolescent girls in Chittagong, Cox's Bazar and Rangamati districts. The alliances are committed to stand up against all forms of violence against adolescent girls.
- The Kisholoya Adarsha High School BKAF chapter organized "SAY NO to Violence against Girls" campaign in Shonadia Island on 15-18 May 2006. The campaign included a community seminar and a family level mobilization.

- School Committees have been established in thirty-nine secondary schools.
- Highlights of the School Campaign – PHREB has been reaching out to more schools since the beginning of July 2009. Campaigns in these schools have been very successful, with PHREB staff doing an excellent job of engaging the young people, whose views and ideas have been inspirational. Students have been enthusiastic and energetic about learning; many of them ask for the sessions to continue for longer periods and want to know when they will next be visited by PHREB. To celebrate the achievements of young girls and encourage greater participation in education, PHREB runs an awards initiative for girls who achieve a Grade Point Average (GPA) of 5 in their secondary school examinations in Chittagong. Girls are encouraged to give a speech at an awards ceremony at which key community representatives are also invited to speak. Winners join the BKAF to advocate for women's rights.
- BKAF has grown dramatically since it began in 2004 and now has more than 56,000 members in three hundred seventy-four chapters. PHREB organizes BKAF School Chapters which undertake a number of activities including Weekly Motivational Dialogue (exclusively for girls, they discuss problems related to gender discrimination), Advocacy Training (leadership training for girls), Cultural Function (includes music, dance and theater at the community level to raise public awareness of women's rights), Lobby and Advocacy (dialogue with Cox's Bazar District High School Education Department officials regarding violence against schoolgirls at school, need to increase the number of teachers who are aware of women's rights, separate toilets for girls and boys, and putting up of complaints box to report any cases of violence at school). PHREB has organized one hundred sixteen weekly meetings in 2006 and three hundred fourteen meetings in 2007 for more than three thousand members.
- Young Women Summits in 2006 and 2007 – these gatherings brought together girls from Moheshkhali, Kutubdia, Chakaria, Pekua, Chittagong Hills Track, Chittagong city, Cox's Bazar Sadar, Eidgaon, Ramu and Ukhia who discussed a number of issues including the importance of including human rights in the school curriculum.

- BKAF successfully lobbied the local government in (Moheshkhali island Sub-district of Cox's Bazar District) to increase the number of on-site doctors after a mother died during childbirth because the hospital's sole doctor was unavailable when she went into labor. BKAF representatives persisted in demanding from the hospital's administrator and local government officials to provide adequate health care at the hospital. The meeting where this demand was made was reported in *Prothom Alo*, Bangladesh's largest newspaper, and soon thereafter the number of doctors was increased from one to three.
- BKAF chapters are active in stopping child marriages. They take various steps such as community mobilization programs to make parents and peers become aware about the negative effects of child marriage, child pregnancy and domestic violence. If the parents do not pay attention to these awareness campaigns and they continue child marriages, the BKAF chapter leaders and members seek help from the community-based PHREB alliances with Imams, village heads, teachers and local government leaders and finally from the local police station.

A Look to the Future

By continuing its innovative campaigns and interventions, PHREB wants to make human rights a fact in Bangladeshi society so that every man and woman equally enjoy human rights and freedoms. PHREB dreams of a Bangladesh in which violence against women and girls does not exist and continues to work towards stopping all forms of gender-related violence.

PHREB plans to increase the number of individuals getting involved in its programs each year by reaching more than three hundred schools in the Chittagong region, one hundred communities, one hundred fifty mosques, and getting 100,000 BKAF members by the end of 2010. In addition, it aims to further develop the respective alliances among adolescents, head teachers and communities.

Legal Literacy: Social Empowerment for Democracy and Good Governance

Jananeethi

KNOWLEDGE OF LAW IS POWER and helps self-realization. India, the largest democracy in the world, has an emergent need for generating awareness of rights as knowledge so that people live in consonance with the true dictates of democracy and rule of law. Legal literacy is commonly understood as knowing the primary level in law. When citizens, particularly marginalized or underprivileged groups, know what the law has to offer them, they can recognize and challenge injustices much more forcefully. The first step towards that knowledge of law, which can transform people's lives, is legal literacy.

Indian Scenario

Around 35% of India's population have no formal education.¹ Most of them live in rural areas, where social and economic barriers play an important role in keeping the lowest strata of society illiterate. Literacy is an indispensable means for effective social and economic participation, contributing to human development and poverty reduction. Even those who are literate are helpless and confused when there is a violation or infringement of a right enforceable in law. Government programs alone, however well intentioned,

may not be able to break these barriers, due mainly to the social vulnerability of the people writ large. Ignorance of legal rights, human rights, civil liberties, constitutional mandates and several other laws of the land that defend the people and protect their dignity, freedom, right to equality and access to justice, etc., are manifestations of their vulnerable existence. Major social reformation efforts are required to bring about a change in the rural scenario. Non-governmental agencies that have deeper contacts at the grassroots level than official government machineries play crucial role in this regard. Legal literacy and human rights education are effective and practical means to strengthen the social fabric for a successful democracy.

Article 39A² of the Constitution of India requires the State to ensure that the operation of the legal system promotes justice on the basis of equal opportunity. It directs the State to provide free legal aid with the support of suitable legislation or schemes. The State is also directed to ensure that opportunities for securing justice are not denied to any citizen for reason of economic or other disabilities. If people are aware of their rights and duties, the delivery of justice and balancing of various interests in a society become so much easier. Increase in legal literacy ultimately develops into a transparent and accountable government truly based on the 'Rule of Law'. Since the fundamental postulate of the Indian Criminal Procedure Code³ is "ignorance of law excuses no one from compliance therewith," the need for legal literacy is undisputable.

Legal literacy, therefore, is a tool for bringing about qualitative change at the grassroots level. Experience shows that better awareness of laws helps people work more effectively in diverse spheres. The non-implementation of many laws is partly attributed to the beneficiaries' lack of awareness.

Jananeethi

Jananeethi was founded in 1992 as a non-political, non-sectarian, non-profit-making and voluntary organization that provides legal aid and assistance, protects and promotes human rights, and provides psycho-legal counseling services and clinical legal education. Jananeethi aims at radical changes in society, enabling people to become aware of their inherent human rights and civil liberties, so that they may live in dignity and freedom, free from fear and want, in consonance with the true dictates of humanity in its widest scope and dimension.

Jananeethi is meant to defend the life, dignity, liberty and other fundamental rights of the defenseless. It facilitates a process of accessing justice, governed by democratic principles and rule of law, focusing on the weak and vulnerable in the society.

It has a firm belief that it is essential to use the knowledge of the law as a tool for vulnerable groups to be able to understand and critique the law, to familiarize themselves with the scope of their rights under the law, and eventually to assert their rights as a means toward taking action and bringing in change. With this aim in view, Jananeethi started its own legal literacy program that aims to educate the maximum number of people and to help build capacity from within communities, so that they are in a position to educate others, and more importantly, challenge violations.

The services of Jananeethi are primarily intended for the victims of violence, corruption and gender-racial discriminations. The recipients of its legal literacy, however, are both the victims and the stakeholders. They include women, children, small peasantry, labor unions, unorganized workers, women's groups like *Kudumbasree*⁴, self-help groups, non-governmental organizations (NGOs), community organizations, police, service providers, clinical practitioners, media persons, elected women representatives of local legislative bodies, students, and government servants.

The strength of Jananeethi lies in its profoundly rich personal resource. Its members include retired judges, eminent jurists, successful practitioners in courts, law teachers, human rights defenders, researchers, social activists, authors, thinkers, journalists, civil servants, and students of law and social sciences. The full-time staff of Jananeethi comprises of highly talented and deeply committed lawyers with experiences of more than five years in dealing with people in difficult situations.

Legal Education as Human Rights Education

Legal literacy means creating general awareness on legal rights and duties, which are enforceable and whose violation invites legal action. Human rights education, on the other hand, is based on principles of human rights which are global ethical standards protected by international instruments. Legal literacy is concerned with particular laws or rules that have specific application, and often in limited scope. Human rights are universal, their application often is based on the ethical and moral framework of the indi-

viduals or communities. Their scope is much wider, though human rights are also culturally specific. Jananeethi combines both legal literacy and human rights education and delivers them in a single package. It deals with specific laws, impressing the audience with the binding nature of their rights and duties and the consequences in the event of violations. It also introduces human rights that have implications far beyond specific laws. Human rights have deeper significance in democracy, rule of law, civilization, human achievements and sustainable development. Invariably there are sessions on the development of the concepts of human dignity, freedom, right to opinion, security and self-determination followed or supported by international documents like the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights etc. References to international instruments depend on the topic under discussion. For example, in Jananeethi's series of seminars and debates on good clinical practices of pharmaceutical companies regarding human participants in its research the essential national and international documents often quoted are the following: i) Ethical Guidelines for Bio-Medical Research on Human Participants by the Indian Council for Medical Research (2006), ii) Helsinki Declaration by World Medical Association (2008), iii) International Guidelines for Bio-Medical Research involving Human Subjects jointly declared by the WHO and Council of International Organizations for Medical Services (1993), iv) Universal Declaration on Bio-Ethics and Human Rights by UNESCO (2005), Guidelines for Good Clinical Practice for trials on pharmaceutical products by WHO (1995), v) Guidelines for Good Clinical Practice by International Conference on Harmonization (1996) and International Covenant on Civil and Political Rights (1966). Thus human rights education helps people to think locally and globally and to be concerned of humanity today and tomorrow across the borders. Human rights education also helps participants to understand and appreciate the worth of individual human being notwithstanding his/her diversities.

Programs

The methods of dissemination of legal knowledge and information by Jananeethi vary in respect of other relevant factors. It holds formal, classroom-based lectures to focused groups, but mostly have informal, uncon-

ventional settings (folk style) giving more stress on spontaneity and emerging needs. The outreach programs belong to that category.

a) Psycho-legal therapeutic counseling

The key words here are psycho, legal and therapeutic. Many of the victims, particularly those who have been sexually abused, physically battered and mentally tortured, are not happy with mere legal remedy. Since their problem is multi-dimensional, there is a need for an integrated approach addressing the psychological, emotional, physical, social, marital, sexual and legal issues involved. Hence, for all practical reasons, the first step has to be the psychological approach along with social support. Jananeethi provides the services of clinical psychologists who befriend the victims so that feelings and emotions that bleed within are attended to with concern, love and respect. Whenever needed, medical assistance or care is provided on a priority basis. Shelter is immediately provided in cases of victims needing safe and comfortable place to stay without fear and threat. Once the victims are mentally stable and are disposed to listening to legal remedies and reparations, members of the law faculty of Jananeethi start counseling them regarding the violations and the available remedies in law, both in statutory and common laws. This is a process and does not happen in one single session. The victims are steadily helped to be able to take recourse in law, and continuously supported and assisted by the law faculty of Jananeethi until the victims feel that they can manage without external assistance. The therapeutic course is complete when the person gets healed. Healing should primarily happen in the victims' memory that has been filled with pain, shame, humiliation and indignation. Until healing takes place, justice is not done to the victims, as we believe justice heals.

b) Clinical legal education

Each petition/complaint received in Jananeethi office is a befitting case for clinical legal education. The purpose of Jananeethi is to help people resolve their problems and access justice, having been empowered through awareness generation and capacity building. The law faculty of Jananeethi takes ample time to assess, analyze, evaluate, explain and interpret to the petitioner/complainant the merits and demerits of his/her grievance/petition. We deem it our moral duty to instruct them with regard to all options before taking recourse to legal proceedings. More than a consultancy, it is

aply called a clinical service, going into every minute detail with its legal and social implications. Whether one should file a suit is ultimately the independent decision of each individual concerned. However, Jananeethi ensures that the person makes a decision fully aware of its legal implications.

c) Trainings

There is subtle difference between literacy and awareness building. The training programs of Jananeethi are twin-edged—for legal literacy and for legal awareness generation. Legal literacy means principles of common and statutory laws being taught systematically and in sufficient detail. It is administered in a structured manner based on a curriculum. Whereas awareness building is only at the peripheral level and aiming only at a general understanding of a given set of rules and statutes. All outreach programs of Jananeethi are intended to generate awareness, and the workshops and short courses organized for different segments of society with clearly spelled out thematic inputs come under literacy mission.

1. Legal Literacy

Jananeethi holds the following activities to spread legal literacy that enables individuals and groups to respond to violations of legal and human rights in a wider spectrum.

Training for “Barefoot Lawyers”/Paralegal Activists. Public spirited young men and women being trained as “barefoot lawyers” receive basic courses on elementary laws. The training participants have a minimum educational qualification of completion of at least two-year tertiary level of education or above. They may be either members of NGOs or community organizations, or social/environmental activists who would also like to take up legal/human rights issues. They are expected to become competent in identifying violations of individual or community rights after a one-week crash program on the essential and elementary laws. If they are not able to sort out any complicated matter, such matters could be referred to the law faculty of Jananeethi. There are refresher/updating programs over and again depending on the need. There are paralegal workers who are specially trained in specific thrust areas like minorities, indigenous people, child rights, gender issues, right to information, consumer rights, torture and custodial violence, etc.

Professionals. Well-educated and highly-placed professionals too are often not conversant with legal provisions and the implications of their violation. Many do not know the nitty-gritty of several statutory laws and their applications. For example, the newly legislated Act for the Protection of Women against Domestic Violence⁵ is purportedly to be complied by a vibrant administrative machinery. However, the fact remains that vast majority of the officers and professionals like clinical psychologists, therapeutic counselors, welfare officers, social workers, institutional heads and members of the academe are ignorant of their roles and responsibilities as provided in the Act. Jananeethi takes pains to organize workshops to sensitize them with respect to such new generation legislations wherein the pro-active role of various stakeholders are of great significance.

Non-governmental organizations/Community Organizations/Service Providers. Similarly, NGOs, community organizations, faith-based groups, various service providers, trade unions, youth clubs and service organizations also have larger scope of helping improve the quality of life provided they are conversant with the respective legislations. There are many laws (such as consumer laws, Right to Information Act, National Rural Employment Guarantee Act, Protection of Women against Domestic Violence Act, Law on Human Rights Protection) that can be successfully implemented only through the active participation of the larger public. Jananeethi has volunteered over the years to organize several sessions in a year for these groups to achieve their goals.

Police Personnel. The Kerala Police Academy⁶ sought the help of Jananeethi to streamline the curriculum of police training from a human rights perspective. One major reference book on police training has been *Human Rights* in Malayalam published by Jananeethi. The Jananeethi law faculty has engaged several batches of police trainees, especially on human rights, gender justice, child rights and social policing. In addition, Jananeethi has organized workshops for senior officers at Jananeethi on the nuances of new legislations and reports of Commissions on police reform.

Elected Women Representatives to Local Bodies. Women have greater role in public and local governance. The Government of Kerala has recently amended the rules reserving fifty percent of the seats in local bodies to women.⁷ This phenomenal advancement of our polity is under challenge to prove its political wisdom by improving women's performance in their official capacity as people's representatives. Hence Jananeethi during the last

few years has focused on elected women representatives by organizing special capacity-building programs for them specifically on successful implementation of welfare legislations in their constituencies.

Post-graduate Students of Social Work. Post-graduate degree holders in social work, who are expected to work in social welfare institutions and social justice and empowerment departments, need to keep abreast with the social legislations of the country. Jananeethi has volunteered to impart this knowledge to students of social work in both Calicut University and Sree Sankara Sanskrit University. In addition to preparing them for their university examination, Jananeethi takes additional interest to teach them lofty principles of democracy, human rights and rule of law.

2. Legal Awareness

Psychological studies have shown that the lecture method is one of the least effective means of communication and should be complemented by interactive teaching methods. There are wide varieties of teaching methods available to human rights educators apart from the usual lecture method. Jananeethi from its own experience has found that the best way to teach human rights is to use “folk school” approach that involves the participants in the learning process and allows them to help determine the content of the sessions.

Outreach Programs (Folk School). In association with women’s neighborhood groups like *Kudumbasree*, Integrated Child Development Services (ICDS) network,⁸ self-help groups, etc., Jananeethi organizes a few hundred awareness generation programs in a year for women of low income families focusing on legal protection for women, and the means and methods to avail them. Thus several thousands of women are served annually.

The dynamics of each session is simple. It begins with an interactive activity on their experiences regarding sexual abuses at home and in society, gender discrimination and sexual harassment at the work place, dowry-related violence, female foeticide, women’s right to property and maintenance, the newly-passed Act for the Protection of Women against Domestic Violence, etc. The participants can bring in any issue they feel relevant to the context. It leads to sharing of views and opinions including their apprehensions of the consequences of the problems. Invariably this ends up in a detailed discussion on the respective laws and their implications and means of implementation. In case someone needs deeper insight or personal assis-

tance, she will be invited to Jananeethi office. So also, if there is any serious issue/complaint that needs exhaustive analysis and follow-up, that too will be brought before the law faculty of Jananeethi.

Street Theater, Road Shows, Reality Shows. As mentioned earlier, Jananeethi looks for the most effective means of communication in rural settings. It realizes that wider sections of people highly appreciate theatrical presentations on the streets; stills and visuals representing or highlighting either a theme or a problem or a call for action; and presentations at the reality shows are highly appreciated by wider sections of people. They have direct access to people, who do not need to spare extra time or expenses to be able to reflect on their own lives that are being re-enacted before them, wherever they are. Jananeethi, again, has used these methods predominantly to sensitize the gender concerns and rights of children against exploitation and abuse. Reality shows refer to television programs that project real situations such as the contest broadcasted by a private channel (Amruta TV) during the 7 February to 4 June 2008 period that included corruption issues. In that show, one of the contestants, Ms. Bonnymol, was a close associate of Jananeethi. Through Ms. Bonnymol's presentation on the TV show, Jananeethi was able to highlight many instances of corruption to the public on the television show. As a result, the intelligence wing of the Law and Order Department of the State of Kerala took on some of the issues raised on the television show for positive action. This show was named the BEST CITIZEN JOURNALIST in 2008.

Public lectures, Radio talks, FM Radio, etc. There is explicit interest expressed by senior citizens in attending public lectures followed by interactive sessions. Many wish to spend a few hours in the afternoon listening to scholars on contemporary issues that have significant bearing on the rights and livelihood of ordinary people. Jananeethi during its nearly two decades of existence has organized several series of lectures in the city for the general public, some of them were rated as the best attended public debates of the year. For example, following the demolition of Barbari Masjid at Ayodhya in the State of Uttar Pradesh, Jananeethi organized a series of lectures by Dr. Sukumar Azhikode⁹ on the "Cultural Identity of India" continuously for eight evenings in the premises of the public library. Several hundreds of people attended the program from far and wide. Jananeethi organized another series of public debates on 4-12 March 1994 in the city on the pros and cons of the *General Agreement on Tariffs and Trade (GATT)*,¹⁰ which again

was a fabulous event. The most recent attempt of Jananeethi in this area was a series of public lectures on “Challenges to Democracy” delivered by very eminent thinkers for twenty weekends. Both All India Radio and several FM Radio networks keep approaching Jananeethi to deliver talks or join panel discussions on the most relevant topics of public interest.

Creation of the “Legally Literate” and Litigation-free Zones. Jananeethi employs an innovative approach to spreading general awareness of various fundamental legal provisions and principles among the people and to invite public attention to abide by the rule of law and statutory regulations. Creation of litigation-free zones means resolving all existing disputes and cases in courts and police stations and in such other government and semi-government offices in the spirit of cooperation and trust, and based on mutual agreement. During the pre-settlement talks and counseling, people are made aware of their rights and duties as perceived in respective laws. A “legally literate” village means at least one member of a family in the village has undergone thorough training on preliminary laws and legal rules. There must be an express intent of the people to abide by the norms and the general rules.

Public Interest Litigation. Jananeethi takes every public interest litigation case as an opportunity to impress the respective groups or communities on the need of such litigation, its justification, the scope and possible consequences of its end results. This is, of course, a long process but also a sensible method of enabling people to be responsible for what they are talking about. Normally, Jananeethi takes the matter in issue to the concerned communities to shape public consensus. This obviously is an educative process.

Human Rights Advocacy. The Jananeethi desk for human rights plunges into action whenever human rights violations are reported. The violations refer to custodial torture and violence, violations of indigenous people’s rights, attack on the environment, human trafficking, corruption in public offices, etc. This requires a lot of spadework before launching a massive response to the violations. This also presupposes that substantial public awareness generation activities in the designated areas and communities prior to the launching of a campaign have been undertaken.

Negotiated Settlement of Disputes. Negotiated settlement of disputes constitute the major activity of Jananeethi and one of the primary objectives of the organization. In the case of negotiated settlements, the decision

is finally taken by the parties concerned in the presence of Jananeethi law officers, and other legal consultants if any. Lawyers assist the parties in the process so that they do not make errors in law. One of the significant advantages of the program is that the parties themselves become mediators in similar situations in their own communities/villages.

D) Publications

Jananeethi comes out with publications that are significant means of legal education on selected topics for the general public. They also invite public debate and provide larger platforms for further deliberation.

Books. *Human Rights*, published by Jananeethi in 1998, is perhaps the first authoritative reference book in Malayalam on the training of police personnel on human rights. Edited by N.R. Madhava Menon, PhD,¹¹ a celebrated legal luminary of international repute, the book contains articles by eminent Indian scholars on various dimensions of police training. This book is considered as a textbook widely used by police training institutions in the State of Kerala. *All Rights are for All* is another significant publication by Jananeethi in Malayalam, again published in 1998, the 50th year of Universal Declaration of Human Rights. This is a collection of all human rights instruments by the United Nations (UN) subsequent to the UDHR. Prior to this publication, there has never been a material on UN documents available in the vernacular language in Kerala. This book was widely circulated in schools and public libraries for the benefit of the general public. In 2003, Jananeethi published a critique of the Recommendations by the Committee on Reforms of the Criminal Justice System in India authored by Basil Fernando, the Executive Director of the Asian Human Rights Commission. Again in 2003, Jananeethi published *Niyamaprakaram* (According to Law) in Malayalam as a handbook for anyone wishing to initiate action in law. All elementary laws that are relevant in Kerala and that every Malayalee should know have been summarily explained in simple language with examples to illustrate the theme. In 2004, Jananeethi together with the Asian Human Rights Commission published the English version of late Professor T.V. Eachara Varier's *Memories of a Father*, his reminiscences on his only son, Rajan,¹² who was slain by the State police force in 1976. This book is a living testimony of how brutal a government could become in depriving the fundamental human rights of its own citizen.

Monthly Journal. Jananeethi has been publishing since 1994 a monthly journal named *Jananeethi* in Malayalam that can be seen as a link between the bench and the public. In the early years, each volume of the journal was devoted to a particular topic with elaborate explanation of relevant law and its amendments. Further, important judgments by the high courts and Supreme Court regarding relevant laws were also published for the benefit of the readers. Later, the journal has become a human rights critique of the government and public institutions. The main objective of the journal is to give the true and unbiased interpretation of major events in the country affecting the people, their life, property and the environment consistent with the national and international laws and covenants. Judicial officers in Kerala await with interest the arrival of each volume of the journal. Often, the healthy criticism by the Jananeethi of the judiciary from the peoples' perspective has been complimented by members of the Bench.

Other Publications. Jananeethi during the last eighteen years has been serving the public by publishing several booklets, pamphlets, brochures, folders, stickers, display boards, posters and charts dealing with particular laws, their applications in society and legal implications in cases of violation. Thousands of wall-charts were prepared by Jananeethi in 2004 on topics like 1) your rights when arrested, 2) rules regarding bail, 3) traffic rules, 4) accident claims, 5) offences against women, 6) sexual harassment at the work place, 7) ragging (hazing) as a criminal offence, 8) consumers' rights, child rights, and 9) your right to information that were freely distributed in the community. People took them home and hanged them on the wall so that they could refer to them time and again. Huge display boards were prepared on Supreme Courts directives on the rights of a person under arrest, and sexual harassment at the work place. The display boards were put at strategic places of public activity like railway stations, bus stations, market places, etc. and in front of major government offices and police stations. This has helped government officials, police and the public to understand the spirit of the law and the mind of the judiciary regarding such offences.

Major Interventions

In addition to the above account of legal literacy programs directly undertaken by Jananeethi at different levels of society, every intervention it makes in society (related to human rights, gender, environment, democratic in-

stitutions, social justice, civil society movements, domestic violence, therapeutic jurisprudence, etc.) is always a case of legal education. Jananeethi is justified in getting involved in a public cause either to protect or promote an existing legal right or to establish the need for a legislated social order for the full achievement of humane life. This has been proved right in the first public interest litigation case of Jananeethi on behalf of Gopi¹³ who was brutally tortured to death in police custody in 1989; in the matter of seventy-five thousand Indian adolescent girls who had been rescued¹⁴ by Jananeethi from being trafficked for sexual trade in 1995; in the initiatives of protecting land, air and water from industrial pollutants and land mafia; in the relentless fight against dowry-related violence and sexual exploitation; in the campaigns against child labor, capital punishment, war, nuclear installations, globalization, etc.; in launching helpline for women, children and the elderly in distress; in providing legal aid and support to victims of natural and human-made disasters; in organizing care and support to people living with HIV/AIDS, and many more. In short, every initiative of Jananeethi is a case of legal literacy designed/intended for specific groups/communities/institutions.

Recognition

The impact of Jananeethi educational activities is quite obvious and emulative. Women began asserting their rights including their dignity, freedom, right to divorce and maintenance in appropriate cases, etc. Through our consistent efforts, a large number of women dared to file petitions in police stations, courts or human rights commissions against gender-based violence and discrimination. The creation of the First Litigation-free Village in India in 2000 was another classical example of the power of women to negotiate and settle disputes in families or communities. There are conspicuous positive changes in the overall attitude of the male sections of society on issues concerning women. Christian women who were under the impression that their marriage could not be dissolved at any cost, started applying for declaration of nullity and received positive orders in genuine cases.

Jananeethi has been recommended by the District Administration, State Social Welfare Department, State Legal Services Authority and such other institutions like the Government Medical College and the Kerala Agricultural University as the representative of the civil society organizations

to several Committees/Boards functioning at the district and state levels. The Institutional Ethics Committee, Anti-ragging Committee, Anti-sexual Harassment Committee, Child Labor Monitoring Committee, Committee against Bonded Labor, District Committee to Monitor Ethical Standards of Private Television Channels, etc. are examples of such Committees/Boards. Jananeethi, as official nominee to these bodies, is vested with great responsibility to ensure that the statutory rules and ethical standards are meticulously complied with.

Conclusion

Jananeethi's efforts on legal literacy and legal awareness are an odyssey through various successful interventions and interactions by diverse participants who work for a change of mind and a change of character in the Indian social milieu. Through its large network of legal literacy programs and activities, Jananeethi is pursuing two related but distinct missions. First, it seeks to reform society by changing the mindset of future litigants in choosing not to go for hazardous, time-consuming, expensive course of adjudication and preferring Alternate Dispute Redressal¹⁵ as a matter of principle. Second, it seeks to create a more robust "rule of law culture" by educating members of the public about their legal rights under domestic and international law. An educated public that is willing and able to demand that the government acts in a fair, transparent and law-based manner can help achieve peaceful change. Jananeethi envisions a world where people everywhere have the opportunity to access justice and join the knowledge economy that governs their everyday activities.

Endnotes

¹*Economic Survey 2004-05*, Economic Division, Ministry of Finance, Government of India, quoting *UNDP Human Development Report 2004*; see also "India Statistics" in www.unicef.org/infobycountry/india_statistics.html. Retrieved 2009-03-27

²Article 39A of Indian Constitution reads as follows: The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

³Ignorantia juris non excusat or Ignorantia legis neminem excusat (Latin for “ignorance of the law does not excuse” or “ignorance of the law excuses no one”) is a legal principle holding that a person who is unaware of a law may not escape liability for violating that law merely because he or she was unaware of its content.

⁴Kudumbashree, the State Poverty Eradication Mission (SPEM) was launched by the Government of Kerala in 1998 with the active support of the Government of India and National Bank of Agriculture and Rural Development (NABARD) for wiping out absolute poverty within a period of ten years. The project is implemented through Local Self Governments empowered by the 73rd and 74th Constitutional amendments. The slogan of the Mission is “Reaching out to families through Women and reaching out to community through Families.” Kudumbashree envisages prosperity of the economically backward families in the state. Kudumbashree has altered the lives of economically backward women in the state, changed their perception, built their confidence, boosted their morale, rediscovered their dignity and honor, and empowered them economically, socially and politically. Today 3.6 million women participate in the Kudumbashree movement in the state cutting across political ideologies and religious faiths.

⁵Protection of Women from Domestic Violence Act 2005 was brought into force by the Indian government on 26 October 2006. The Act was passed by the Parliament in August 2005 and assented to by the President on 13 September 2005. It is meant to provide protection to the wife or female live-in partner from domestic violence at the hands of the husband or male live-in partner or his relatives, the law also extends its protection to women who are sisters, widows or mothers. Domestic violence under the act includes actual abuse or the threat of abuse whether physical, sexual, verbal, emotional or economic.

⁶Kerala Police Academy is situated at Ramavarmapuram in Thrissur city which began functioning in May 2004. The Academy runs full-term basic courses for sub-inspectors, constables, women constables, drivers and telecommunication wing constables. It also runs short-term courses and in-service courses for various ranks.

⁷The Kerala Legislative Assembly on 16 September 2009 unanimously passed two vital bills providing for fifty per cent reservation for women in local bodies in the State. Kerala Panchayat Raj (second amendment) Bill and Kerala Municipality (amendment) Bill, adopted by the Assembly seeks to give crucial role for women in the decision-making process for grassroots level developmental and welfare activities. On 28 September 2009 the Union Cabinet of India through an amendment of Article 243(d) approved fifty percent reservation for women in panchayats (local self-government) all across the country.

⁸Integrated Child Development Services (ICDS) with its network of Anganawadis (child-care or mother-care centers) covering more than 3,000 Community Development Blocks in the country is perhaps the largest Women and Child Development scheme being implemented anywhere in the world. The basic purpose of the ICDS scheme is to meet the health, nutritional and educational needs of the poor and vulnerable infants, pre-school aged children, and women in their child bearing years. The scheme seeks to meet these objectives by delivering an appropriate combination of six basic services to children aged under six, pregnant women and nursing mothers: Supplementary Nutrition, Health Education,

Immunization, Health Check Up, Referral Services and Non-Formal Pre-School Education.

⁹Dr. Sukumar Azhikode is a writer, critic and orator, acknowledged for his contributions to Malayalam literary criticism and insights on Indian philosophy. Azhikode's most famous work is *Tatvamasi* (1984, Malayalam), an authoritative book on Indian Philosophy, Vedas and Upanishads. *Thathvamasi* has won twelve awards including the Indian Sahitya Akademi Award, Kerala Sahithya Academy Award, Vayalar Award and the Rajaji Award.

¹⁰The General Agreement on Tariffs and Trade (GATT) was the outcome of the failure of negotiating governments to create the International Trade Organization (ITO). GATT was formed in 1947 and lasted until 1994, when it was replaced by the World Trade Organization in 1995. The Bretton Woods Conference had introduced the idea for an organization to regulate trade as part of a larger plan for economic recovery after World War II. The GATT's main objective was the reduction of barriers to international trade. This was achieved through the reduction of tariff barriers, quantitative restrictions and subsidies on trade through a series of agreements.

¹¹N.R. Madhava Menon (born on 4 May 1935 in Trivandrum, India) is a legal educator from India. He was instrumental in setting up the National Law School of India University (NLSIU) in Bangalore, and was its founder-director. He has also been the founder-Vice-Chancellor of West Bengal National University of Juridical Sciences (NUJS) in West Bengal, Calcutta, which runs on the NLSIU model. He was the first Director of the National Judicial Academy, Bhopal, an institute for training of judges. Currently he is a member of the high-power Committee for Center-State Relationship in India. Madhava Menon has worked for nearly five decades to improve Indian legal education. As a member of the Legal Education Committee of the Bar Council of India and later as the first Secretary of the Bar Council Trust, Professor Menon, PhD, influenced the shaping of legal education policies.

¹²Rajan was a student of Regional Engineering College, Calicut during the emergency period. In the 1970s the Naxalite movement had become very strong in north Kerala. Almost any idealistic, young man/woman in those days was attracted to that ideology. College hostels were probably full of sympathizers to the "cause". It is generally accepted that Rajan was not in the movement but likely was a sympathizer but so were thousands of others. Rajan was taken into custody by police, tortured, brutally killed and was (allegedly) burned in the police camp at Kakkayam. After the emergency was lifted, Rajan's father, Professor Eachara Varrier filed a case against the State Government which ultimately was disposed against the Government, leading to the resignation of the then Chief Minister. Later, Professor Varrier published his reminiscences on his son entitled *Memories of a Father*.

¹³Gopi, son of Thankappan, was 21 years of age in 1989 and was a very enterprising young man with sound habits. He was a member of a political organization but had to resign for genuine reasons. This earned him the wrath of his political opponents who cooked up a false case against him. The Cherthala police summoned Gopi to the police station on 5 October 1989 and tortured him to death. The police alleged that Gopi had committed suicide in the police station. Thankappan, father of Gopi refused to accept the police version, and decided to keep the mortal remains of his son until it was proved that his son was really murdered by police. Jananeethi took

up this case to the Kerala High Court as a Writ Petition and finally in the tenth year after the death of Gopi the Honorable High Court ordered the State Government to pay compensation to Gopi's parents. In 1999, the mortal remains Gopi were cremated in the presence of a large crowd according to their religious rites.

¹⁴In 1995 Jananeethi filed a Public Interest Litigation in the High Court of Kerala against the Union and State Governments in India (in O.P. No. 15435 of 1995) against an attempt by a Shillong based organization called H & Z International to export 75,000 adolescent girls to Southeast Asia for sex trade in the guise of house-maids. The Union and State Governments pleaded ignorance in the Court. The High Court, after verification of relevant documents, stayed the recruitment of girls (45,000 girls from Kerala and another 30,000 from North-East States in India).

¹⁵The interminable and complex court procedures have propelled jurists and legal personalities to search for an alternate to conventional court system. Alternate Dispute Resolution (ADR), thus conceived, was being increasingly acknowledged in the field of law and commercial sectors both at national and international levels. Its diverse methods have helped parties to resolve their disputes at their own terms cheaply and expeditiously. Justification of ADR in law lies in Section 89 of the Civil Procedure Code of India, and Article 52 (d) of the Indian Constitution.

Youth and Adult Education for Social Change in the Philippines: Linking Education with NGOs, Social Movements and Civil Society*

Rey Ty

FORMAL, INFORMAL, AND NON-FORMAL EDUCATION programs play a crucial role in the promotion of human rights and social justice that leads to sustainable peace. Transformational education challenges traditional hegemonic powers and structures to bring about social change. This article documents the modest but longitudinal contributions to social change of a human rights and peace educational program by initially facilitating interfaith, intra-faith, and inter-ethnic dialogue in Mindanao, Philippines. Lessons learned in general and best practices in particular are presented at the end of the paper. For people engaged in development or advocacy activities of non-governmental organizations in the civil society as well as social movements engaged in social change, education provides a venue for reflection to link social practice and theory.

Many education programs are forms of human rights or peace education, though called by different names. Studies indicate that these programs are given a variety of names from “NGO Development Program” and “Participatory Leadership Skills Development” (Teleki, 2007), to “Education for International Understanding” (Toh, 2005), “Education for Sustainable Development” (Toh, 2005), “Values Education” (Toh, 2005), “Citizenship Education” (Keating, Kerr, Lopes, Featherstone, & Benton, T.,

2009), “Holistic Approach” (Müller, 2009) and “Education for Citizenship” (Blümor, 2008). One such program, though not labeled as human rights or peace education program and yet deals with both, is the “Philippine Youth Leadership Program” (PYLP).

In this connection, important social issues such as power relations, class, gender, ethnicity, and religion must be addressed in youth and adult education to advance a critical pedagogy that promotes social transformation. Informal training must uphold the philosophy of social justice and peace to advance the objectives of human rights, equality and non-discrimination.

Through informal education, participants should be engaged in the formation of individual and social transformation, community empowerment, and promote just power relations at home, work, in the society at large and in the world in general. Through critical pedagogy, participants should be able to continue the struggle against racism, sexism, inequality, and all forms of discrimination, and continue working for women’s empowerment, human rights, fairness, justice for all, and peace. In short, education for justice and peace advances the objectives of human rights, equality, and non-discrimination. Clearly, our approach is not merely psychological, but social. We do not only think about solving interpersonal problems but actually seek to bring about changes in favor of social justice and human rights in order to attain just peace.

Philippine Context

The Philippines is a social context with profound socio-economic inequalities, racism, sexism, discrimination, violence, and conflicts. It is also a social context where rampant violations of civil liberties and civil rights occur.

Parliamentary Struggle. Those who form part of civil society as well as those in the public service who are actively involved in social movements demand an economic development that benefits the majority of the Filipino people. Many non-governmental organizations (NGOs) try to facilitate the establishment of structures and frameworks that help organize the people into action. Some of them are inside the “belly of the beast” and directly or indirectly engaged in activities related to the media and the legislature, including campaigning and lobbying for policy change. Some are sectoral representatives in the legislature such as those for the women sector (e.g.,

Liza Maza of the GABRIELA Women's Party) and for the masses (e.g., Satur Ocampo of the Bayan Muna party).

Extra-Parliamentary Struggle, Civil Disobedience, and Repression.

Many others resort to extra-parliamentary mass mobilization and acts of civil disobedience. Their cries for justice and against oppression were met with repression. Victims and survivors of human rights violations today include not only peasants, workers, women, students, the church workers, non-traditional politicians, and professionals, but also journalists and human rights defenders themselves. There is genuine concern for the protection of Filipinos who work for social justice against political killings, torture, enforced disappearances, and other human rights abuses. To learn more about these violations, read the reports of Amnesty International, Human Rights Watch, and Reporters without Borders, which document innumerable cases of political killings and other forms of human rights abuses.

Armed Conflict. Because of the consistent pattern of flagrant human rights abuses, many have decided to go underground and joined the revolutionary social movement. Some of the major revolutionary groups include the National Democratic Front, Cordillera People's Democratic Front, Moro National Liberation Front (MNLF), and Moro Islamic Liberation Front (MILF). The MNLF later joined the government and its armed forces were integrated into the Armed Forces of the Philippines.

The National Democratic Front, the Communist Party of the Philippines, and its armed forces, the New People's Army, have publicly declared that they abide by international humanitarian law (IHL). IHL is sometimes known as human rights in armed conflict. Hence, the rebels still respect human lives (including civilians and people placed out of combat due to their physical health conditions) and properties. The Communist Party of the Philippines/New People's Army/National Democratic Front (CPP/NPA/NDF) and the Philippine government signed in March 1998 the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHR-IHL).¹ In 2001, the Tripoli Agreement on Peace between the GRP [Government of the Republic of the Philippines] and the MILF (TAP) was signed on 22 June 2001.² The playing field is level, as the government and its forces are bound by international legal provisions, including IHL.

Peace Talks. From time to time, either the rebels or the government unilaterally declare ceasefire, including, among others, in times of religious holidays, be they Christian or Muslim. However, people in NGOs, especially

social movements, sometimes call for all parties to the conflict to have a ceasefire, particularly when the armed conflict intensifies. When ceasefire takes place, this is the time during which revolutionary leaders sit down with government representatives in peace talks. Critical reflection leads to the laying down of the agenda on the table upon which the parties to the conflict base their dialogue.

While dialogue between the parties to the conflict is necessary, it is not sufficient. Aside from reaching principled compromise, action that promotes social justice would speak louder than words. Unfortunately, social injustice until now remains as the prevailing situation. Peace based on justice, therefore, continues to remain unreachable. For this reason, the struggle for justice persists.

Educational Intervention on Human Rights and Peace

The International Training Office (ITO) of Northern Illinois University was set up in 1981 in order to serve the international development community through training programs, technical assistance, academic linkages, and professional consulting.³

It is involved in bringing participants from all over the world for all types of short-term courses, from literature to women empowerment, engineering, and law. ITO serves the international development community through training programs. It provides assistance that addresses the societal and institutional needs of different sectors in the Third World countries.

The overall program of ITO aims to strengthen the capacities of international professionals and leaders from public, non-profit, or private sector organizations to become catalysts for change in their home countries. ITO accomplishes this mission through innovative training programs and outreach activities that address institutional, professional, and societal needs.

The specific objectives of the program are the following:

- To sharpen the participants' skills in conflict resolution/transformation, inter-ethnic and intra-faith dialogue, tolerance, leadership, coalition-building, and community activism
- To enhance the participants' appreciation of their similarities and differences through various interactive activities that will serve as avenues for open dialogue

- To provide participants with tools for working collaboratively across ethnic and religious lines
- To develop in the participants an appreciation of the cultural, religious, and ethnic diversity of Midwest America, in order to learn lessons about practices of multiculturalism that might be applicable in their own local contexts.

The program revolves around several themes: (1) conflict resolution, (2) inter-ethnic understanding, (3) inter-generational understanding, (4) intra-faith understanding, (5) community activism and volunteerism, (6) U.S. institutions that promote diversity and pluralism, and (7) leadership development and transformation. Resource persons act as lecturers or workshop facilitators. Faculty members and retirees from NIU who have served as resource persons included, among others, Susan Russell, Betty La France, Wei Zheng, Laurel Jeris, LaVerne Gyant, Avi Bass, and Chris Birks. Non-NIU resource persons either hold their training sessions at NIU or in their respective institutions in Illinois or Indiana. These themes are discussed in consideration of the actual historico-economic-socio-politico-cultural contexts of the issues. Thus the discussions focus on the real human rights problems facing the people in general and the participants in particular: income inequality, extreme poverty, racism, discrimination (against people of different color, ethnicity, religion, sexual orientation, ability, age, etc.), gender gap, refugees, fundamentalism in all religions, and social injustice in other areas. As a result, the call for human rights promotion and protection becomes more concrete, being in response to actually existing societal challenges. The peace education program at NIU involves three general learning objectives: knowledge, skills, and values.

Based on the objectives of the program, the evolving curriculum is composed of the following themes: conflict resolution, inter-ethnic understanding, inter-generational understanding, intra-faith understanding, community activism and volunteerism, contemporary U.S. institutions that promote ethnic diversity and religious pluralism, as well as leadership development and transformation. Not only have the themes changed through the years, based on the general titles of the grants and the recommendations of the funding agency, but also the specific contents of each theme, based on the actual needs of the participants and the availability and skills of the facilitators.

ACCESS-PYLP Training Program

ITO implements the Access to Community and Civic Enrichment for Students - Philippine Youth Leadership Program (ACCESS-PYLP) training programs at Northern Illinois University. It has three major goals. First, it advances a dialogue and promotes greater mutual understanding among Muslim, *Lumad* (indigenous), and Christian youth from the Autonomous Region of Muslim Mindanao (ARMM) and surrounding provinces. Second, it creates a cadre of leaders that will work toward an enduring peaceful co-existence among all groups within the ARMM upon their return home. Third, it promotes a better understanding of the United States—its people, culture, values, and civic institutions.

ACCESS-PYLP has five specific objectives. First, it seeks to sharpen the participants' skills in conflict resolution and management, inter-ethnic cooperation and tolerance, leadership, coalition-building, and community activism. Second, it seeks to enhance the participants' appreciation of their similarities and differences through various interactive activities that serve as avenues for open dialogue. Third, it seeks to provide participants with tools for working collaboratively across ethnic and religious lines. Fourth, it seeks to develop in the participants an appreciation of the cultural, religious, and ethnic diversity of Midwest America by making use of NIU's proximity to Chicago, Springfield (the seat of the Illinois state government), and Indianapolis. Finally, it seeks to give participants access to community projects in DeKalb and in the Chicago areas so that they can gain first-hand experience in volunteer community work, civic participation and community leadership.

In general, both youth leaders and adult leaders have to obtain institutional endorsement as well as have character references. Both groups also need to have good English language skills, as the program is conducted in the U.S. Lastly, applicants must not have previous significant travel to the U.S. on a U.S. government-sponsored program. Upon their return to Mindanao, both the youth and adult leaders must agree to implement at least one community project and thereafter attend the follow-on activities, during which they present reports of their project implementation, reflect on the lessons learned, and concretely plan their work as a group in the immediate future.

Aside from the general selection criteria, there are separate sets of criteria specific to youth and adult leaders respectively. Youth leaders must be

students who are 15-17 years old. They must have demonstrated leadership skills. Likewise, they must have demonstrated interest in community service. Youth applicants must have strong academic and social skills as well. Furthermore, they need to have strong commitment to peace and unity.

For adults to qualify to attend the program, preferably they need to be teachers, NGO or community leaders who work with the youth and are not more than forty years old. They must be involved in peace-related or community projects actively. In addition, they must implement at least one community project.

Barefoot Facilitators

The program participants are trained to become “barefoot facilitators,” a term I coined to refer to popular educators and trainers who, depending on the historical-social contexts, use whatever resources and methodologies are available, from chalk talk to high-tech gadgets to pursue educational objectives, and build structures from below in response to the problems and needs of the poor, oppressed and deprived. Barefoot facilitators engage co-learning partners in the communities in open dialogic exchanges that help raise their consciousness as well as that of the exploited in society. Under the program, the participants use heuristic “tool kits” in holding training that encourages inter-ethnic dialogue, promotes conflict resolution and addresses issues involving justice and peace.

The tool kit of barefoot facilitators helps them organize educational and training programs for social transformation. It contains the basic ideas of the educational activities that the barefoot facilitators adapt to the specific needs of the individual and the community.

Exposure and Immersion

Aside from attending sessions during which they learn new knowledge, learn new skills, and acquire new values, the participants also see realities and are engaged in exposure and immersion trips in the U.S. Prior to their on-site visits, participants have a volunteer community service learning orientation, which provides an explanation of the reasons behind doing volunteer service, what to do, what to avoid, what to expect, and what to do after the on-site trip.

Some places where participants go for their exposure and immersion trips include, among others, the following: homeless shelter, retirement center, soup kitchen, and food banks. They do a host of volunteer work, including the following: serving food for the homeless, tutoring homeless children, playing with homeless kids, entertaining senior citizens, or packing food donations to be sent all over the U.S. and select poor countries around the world. Such exposure and immersion trips give the participants an idea and a taste of what they can do in their localities, depending upon the actual local needs. Upon completing their volunteer work, they reflect on their work and on their own community needs, they prepare and work on their plans in the U.S. in preparation for the project implementation in the Philippines.

Instructional and Learning Strategies

Both content and process are important in animating workshops. The substantive elements of workshops must focus on different issues involving human rights, social justice and sustainable peace. Participants may immensely enjoy and successfully absorb the fun processes of ice-breakers and team-building activities, but more importantly they must remember the substantive aspects of collaborative social work and inter-ethnic or multi-cultural community transformation that they have to use when they return home. Fun is important; but substance must not be sacrificed for fun. They need to be reminded about that.

The methods vary and can be used to convey different messages since they are not bound to specific contents. For instance, "Concentric Circle" is simply an approach that is used to convey the message of dialogue, negotiation, enquiry, or conciliation. While both substance and form are vital to the success of a workshop, interaction and fun are only the means and not the end in view. Fun and interactive activities are important, but with no substantive message conveyed the workshop is substantively a failure. In like manner, a boring and condescending lecture on conflict resolution by an authoritarian speaker who disrespects the participants is a dismal failure.

To ensure the success of the interactive sessions, material and the needed technical support are provided. Some resource persons use audio-visual equipments as well as training supplies such as flipcharts, marker pens, scissors, colored paper, and yellow sticky note pads.

Workshop participants are always reminded to keep in mind the situation on the ground in their own specific communities. Workshop participants can learn a lot about abstract concepts, interpersonal conflict, or the U.S. situation. But they must be grounded on the economic, political, social, and cultural contexts in which they live. Whatever the workshops are, the facilitators must make the participants keep in mind and stress how the learning experiences apply to their local situation. Resource persons and workshop participants can be active co-learners as the former conducts interactive activities, while the latter share how the lessons they learned can be applied to their local contexts. To make sure this is done, resource persons must ask questions during the Question and Answer (Q & A) session on how the participant can apply their knowledge on the ground considering their specific social contexts.

Furthermore, when workshop participants reflect on the day's activities in their journal entries, they must be reminded to write about how and what they have learned apply to their own situation. Interactive and participatory process is important; but more important is the substance (namely, human rights, social justice, and peace).

Debriefing is quite essential for a successful human rights and peace program.

Once a week for five weeks, we facilitate a study circle where all the participants share their thoughts and plans. There are no professorial lectures for students, but dialogue among participants. Discussion and debate are the main tools through which understanding emerges and critical consciousness awakened. Topics are based on the synthesis of knowledge, skills, and values learned at NIU as well as actual needs and issues with which the participants are confronted in their communities.

When everything is said and done, participants must be versed in strategic planning, organizational grassroots management, program planning, fund raising, coalition building, communications, and public relations. When participants go home, they must not just "talk" (such as re-echoing ice breakers and team-building activities) but "do" things. When they go back to their social contexts, they must do social action and concretely work to build interfaith or inter-communal coalitions, collaborate, and adopt causes that advance social justice and human rights.

Challenge

We challenge our alumni to promote peace on a daily basis. We challenge them to do a hitherto difficult act of dialoguing with people of various ethnicities, languages, religions, genders, and economic backgrounds. There is no shortcut to peace, which is a lifelong process and work. Everyone can build peace, block by block, by taking the first step of getting out of comfort zones. Taking the first step to realize social justice and act for social change erects the building blocks that bring about lasting peace. This means speaking out against anti-poor, discriminatory, racist and sexist remarks and defending people who are poor, people of all colors, and people of all genders. Yet, there are still more things to do. We should not only be exposed to people of all backgrounds but also work with them, and work for justice not at one time but as a way of life. Then and only then can we have a world where social justice and peace prevail and endure. We may not be able to witness such a world in our lifetime. But we have to start here and now. Go forth and take this challenge! That's our call to action.

Declaration of Commitment

One of the concrete outputs of the participants of each batch is a posttest instrument called Declaration. Members of each batch collaborate and collectively work on producing a post-program document. They decide on the title and content of their declaration. During their post-program theater production on the occasion of their "graduation" ceremony, participants dramatically present their declaration. Their declaration is a statement of their commitment to continue their work to promote peace based on justice. The content of each year's declaration is a testimony to the depth of their understanding of the causes of the context of armed conflict as well as their profound commitment to work for social change based on justice and peace.

As historical and social contexts change, the learning and social needs also change in response to the concrete settings. We remind our alumni that should they plan to re-echo the U.S. program in their communities, they need to modify the workshop activities to fit the social demands, gaps and needs on the ground. A barefoot facilitator is flexible, including in terms of the use of time, to meet the specific needs of different community partners and programs. Nothing is set in stone.

Peace as Content

For the first program in the academic year 2003-2004, I started to use the definition of peace used by the United Nations' University for Peace based in Costa Rica. This often-quoted framework is shared with the participants during the first couple of days of the five-week long program. "Six dimensions of a holistic framework for peace education, which—though developed in the Philippines context—[Swee-Hin Toh, UNESCO Peace Education Laureate] [is considered to have] international relevance" (Brenes, 2003, p. 6). Below is an illustration of the peace concept of the University for Peace, which in fact originated from the Philippines.

Fig. 1. United Nations Elements of Peace



Interactive activities that deal with the Universal Declaration of Human Rights are inserted in the discussion of peace to emphasize the importance of human rights. For the academic year 2008-2009, the participants cited an article of the Universal Declaration of Human Rights as a framework that guides the writing and planning of their plans for action for social change.

Evaluation

The impact of the program on the participants is gauged using different types of pretests and posttests. Quantitative tests in self-administered ques-

tionnaires generate quantitative data that show the extent of participants' new knowledge, skills and values that promote human rights, justice and peace. In addition, participants write three essays: one pretest, another mid-term and a final one. The three essays narrate their growth as well as doubts.

In addition, participants keep a daily journal. During the first couple of years of project implementation, journals were handwritten. Participants invariably end up burning the midnight oil on the eve of their departure to write all of their missing journal entries. Upon completion, the sole hard copies of their journals are submitted to the project administrators.

In the next couple of years, however, these journals will be uploaded to an online group. The required outputs include pretest, midterm, and post-test essays as well as their daily journals. Optionally, participants also upload their poems, art work, and select photos.

Upon their return to their respective communities, the participants (now the alumni of the program) also fill out online survey questionnaires to gauge changes in their knowledge, skills, and values. Invariably, evaluation results yield positive changes on the individual participants/alumni as well as on their schools, communities, and places of work, based on the impact of their interpersonal interactions as well as project implementation. On the whole, the human rights and peace education program provides outcomes that promote incremental but lasting changes. See table below for the components of the program.

Table 1. Logic Model for Human Rights and Peace Education Program

Items	Resources	Activities	Outputs	Program Outcomes	Long-term Impact
Criteria	Material, financial & human resources needed to accomplish our set of activities	Formal, informal and non-formal learning activities	Physical product or service delivery	Specific qualitative personal changes as a result of the learning experiences	General and lasting changes
Elements	Human Resources (Staff, Lecturers, Workshop Facilitators) and Material Resources (Audio-Visual Equipment, Training Supplies)	Workshops, Lectures, Field Visits, Volunteer Community Service, Theater Production and Performance	Project Proposals and Action Plans, Community Projects, Training Manual, Book, Photo Documentation, Evaluation, Reports	Increased knowledge, enhanced skills for conflict resolution, and heightened respect for human rights and justice which will lead to peace	Personal transformation and transformation in the community to which one belongs (e.g. school, office, and residence)

Initiatives for Mindanao

ITO has implemented a number of educational programs at Northern Illinois University that benefit Mindanao, linking human rights to conflict resolution (Table 2).

Table 2. ITO Mindanao Programs

Year	Academic Year	Program Title
Year 1	2003-2004	Access to Community and Civic Enrichment for Students (ACCESS) Philippines Project "Bridging the Gap: Engaging a New Generation in the Southern Philippines in Inter-Ethnic Dialogue and Conflict Resolution"
Year 2	2004-2005	
Year 3	2005-2006	
Year 4	2006-2007	Philippine Youth Leadership Program: Engaging a New Generation in the Southern Philippines in Inter-Ethnic Dialogue and Conflict Resolution
Year 5	2007-2008	
Year 6	2008-2009	
Year 7	2009-2010	Philippine Youth Leadership Program: Building a New Generation of Citizens as Catalysts for Social Change

ITO does not claim to have the capacity to solve "all the problems" in the Philippines. On the contrary, its efforts are small attempts at sowing the seeds of justice-based peace in the lives of Mindanaons who get involved in its activities. Note, however, that unless the root causes of the armed conflict are addressed and solved, peace will not be forthcoming. NIU only provides a venue in which participants from Mindanao engage in dialogue, critical reflection, envision a just and peaceful Philippines, and prepare their plans for action. Other than that, it does not claim to achieve anything more grandiose.

Project Planning

The programs in Mindanao are the result of the participation of Mindanaoan educators in the ACCESS-PYLP. The first major component of the ACCESS-PYLP, held in the U.S., includes learning new knowledge, skills, and values that promote peace based on justice in the Philippines. The second most important component is the preparation of a project plan in the U.S. that will be implemented in the Philippines. Initially, Jaya Gajanayake was the main trainer. Later, Wei Zheng took over the teaching responsibility. As with Gajanayake, Zheng is most effective in her learner-centered pedagogy. In

the span of a one-whole-day workshop sessions, participants learn hands-on how to engage in environmental scanning, SWOT analysis, strategic planning, organizational development, and action planning. Thereafter, participants create individual plans as well as regional plans. Towards the end of the five-week program, participants present their community plans and I lead in providing constructive critique, which is a very daunting task, as I have to simultaneously listen to their presentations, understand, think, and propose ways of making their projects doable, measurable, concrete, and uncomplicated.

Community Projects

At NIU, the participants present their project ideas and their plans on how to implement them in the different communities. Some have overly ambitious projects. Hence, revision or a total change of project plans is needed upon their return to Mindanao. The participants, now alumni, are involved in the implementation of various community projects. They represent a variety of projects that respond to the needs of different communities. Table 3 contains various categories of community projects, which emerged from the list of different types of volunteer work that the alumni have undertaken.

Table 3. Community Activities Undertaken upon Returning to Mindanao

Categories of Activities
Arts, Culture, and Games
Relief for Evacuees or Internally Displaced Persons due to Armed Conflict
Environmental Projects
Hygiene
Indigenous Peoples' Alternative Tour
Income Generating Projects
General Literacy-Related Projects: Basic Literacy, Books, Tutorials, Library
Neighborhood
Sports
Others

The different categories of activities listed above can be further classified into three major types of projects that promote change. They include (1) relief, (2) advocacy, and (3) development projects. In order to help victims

and survivors, relief projects need to be implemented as soon as a human-made or natural disaster happens. Human-made disasters include mass internal displacements of whole villages. Natural disasters include floods and typhoon-caused damages. The second type of projects, advocacy, includes consciousness-raising to advance equality, non-discrimination, human rights, social justice, and peace. The third type of projects, development, includes income-generating projects, environmental projects, and the production and marketing of local products. Table 4 below provides the activities being undertaken within each category.

Table 4. Relief, Advocacy and Development Projects Implemented in Mindanao through the Years

Relief	Advocacy	Development
Human-Made Disaster Relief, such as for Armed Conflict Evacuees, Internally Displaced Persons or "Internal Refugees" (in layperson's language), including teaching displaced children in situation of armed conflict (CSAC)	Popular Education on Citizenship, Human Rights, Social Justice & Peace (through Workshops & Art Work)	Alternative Tourism
		Cooperatives
	Interfaith, Inter-Ethnic, & Intergenerational Dialogue, Games, Sports & Other Forms of Interaction	Dole Outs & Donation of Books & School Supplies
		Environment: Mangrove Planting, Tree Planting, River Bank Clean Up
Natural Disaster Relief, such as for Survivors of Floods, Typhoons, and Other Calamities	Equal Rights	Income-Generating Projects
		Neighborhood Projects
	Literacy-Related Projects: Day Teaching and Games	Waste Management, Recycling, Composting, Garbage Can Production
		Production and Marketing of Products (products with peanut or coconut as base)
Formal education on human rights & peace in school curriculum		

Networking

Since the first year of the implementation of this project, the alumni have been clamoring for the establishment of a formal network. As a U.S. based institution and “outsider,” we decided not to be directly involved in setting up the network. The birthing of a network must be initiated locally, organized locally, and grown locally. At hindsight, we believe we really did the right thing in letting the “baby” grow into an independent being, not dependent on the mother institution that cultivated it. As of this writing, there are one hundred ninety-nine alumni who are part of the network; they in turn recruit local partners to get involved in their continuing network-related projects, which build and sustain a critical mass. See Table 5 below for an analysis of the network.

Table 5. Longitudinal Analysis: A Network of Partners through the Years

Year	Leaders	Sex		Religion				Sub-Total	Total
		Male	Female	Islam	Roman Catholicism	Other Christianity	Indigenous		
2003-2004	Youth	10	16	12	13	0	1	26	33
	Adults	3	4	3	4	0	0	7	
2004-2005	Youth	12	14	12	11	3	0	26	34
	Adults	6	2	4	3	1	0	8	
2005-2006	Youth	9	14	10	8	3	2	23	31
	Adults	7	1	5	3	0	0	8	
2006-2007	Youth	8	12	8	9	3	0	20	26
	Adult	4	2	2	1	2	1	6	
2007-2008	Youth	7	15	10	11	1	0	22	27
	Adults	3	2	2	2	1	0	5	

2008-2009	Youth	4	16	8	9	3	0	20	23
	Adults	1	2	1	1	1	0	3	
2009-2010	Youth	10	11	14	7	0	0	21	25
	Adults	3	1	3	1	0	0	4	
Seven Years Total	Youth	60	98	74	68	13	3	158	199
	Adults	27	14	20	15	5	1	41	
	Youth & Adults	87	112	94	83	18	4	199	

¹There are records that show that Islam arrived in 1310 with the arrival of Tuan Timhar Muqbalu in Sulu. Mr. Nelson Dino, a Tausug-Buranun Muslim Filipino from the Sulu archipelago, stated in an interview however that Islam came to Sulu in the 7th Century A.D. Muslims in Sulu and Palawan archipelago and Zamboanga include Tausug (Buranun), Sama, Yaka, Jama Mapun, Mulbug, Palawani, and Kalibugan. In mainland Mindanao, Islam arrived around the 14th Century during the reign of Sharif Alawi. Muslims in mainland Mindanao consist of Maranao, Maguindanao, Iranun, Kagan, and Sangir. Islam reached Manila in the 14th Century with the arrival of Sharif Ali Barakat from Brunei in Sulu, then Manila (Fi Amanillah). Many parts of what we now call the Philippines had been Islamized prior to the arrival of the Spaniards and Christianity. But some members of these Islamized ethnic groups converted to Roman Catholic or other Christian faiths later on. Thus, for example, some participants in the program who are ethnically full or part Tausugs (one of the ethnic groups) have self-identified as Christians. Today, some Filipinos who, for instance, are ethnically Tagalog or Kapampangan who have converted to Islam are now Muslims and are called “Balik Islam” (back to Islam).

²Some indigenous people in Mindanao have converted to Christianity and have self-identified as such, and therefore listed as Roman Catholic or Christian.

Technology and Social Networking

The participants cultivate relations with people in the U.S. of diverse ethnicities, religions, gender, and other differences through face-to-face interaction. But that is just the point of departure, a successful one at that. Upon returning to their communities as alumni, they face new challenges.

Technology helps and is a “friend” in the networking work. Participants and alumni are connected to each other through a variety of ways, all of which involve some kind of technology. Initially, all participants at NIU are connected through a web-based group. From there, they connect to one another mostly through cellular phone calls and text messaging. Alumni are likewise connected through various Internet chat rooms, on-line “phone”

conversations, Skype, Internet video chats, Facebook, Twitter, myspace, and LinkedIn, all of which are accessible free of charge. In addition, many of their activities while at NIU as well as in their communities are shared through short video clips on YouTube. While it is true that not everyone has a computer at home, more and more schools, in the remotest islands in Mindanao have computers that are connected to the Internet to which students have free yet slow access. Some alumni use the local Internet cafés to connect with PYLP folks. Ethernet communication facilitates friendly greetings as much as serious discussions about human rights violations occurring at the moment and about joint projects that promote interfaith dialogue and the like.

Lessons Learned and Best Practices

At NIU, lessons have been learned and best practices were developed during the period from academic year 2003-2004 to the present, 2009-2010. The leadership curriculum included inter-ethnic dialogue, human rights, social justice, conflict resolution methods, conflict transformation, community activism and volunteerism, as efforts to bring about peace. However, we learned that a human rights framework helps the participants organize their thoughts and make concrete plans for social change.

Actual experience in handling the program taught us first hand that teaching and learning could not be context-free. For a program to be successful, we need to start by studying the “Mindanao Situation” by way of lectures and workshops. Instead of “teaching down,” we try very hard to make sure that the participants bring their knowledge, skills and values “to the table” as starting point for discussions. The local knowledge of the Filipinos is discussed alongside the applicability to the local contexts in the Philippines of concepts, theories, and approaches in the U.S. With constant dialogue between participants and lecturers, lectures are ensured not to be too abstract and workshops not infantile. In this way, the participants can have ownership of a program whose content and methods are appropriate to their actual needs.

In terms of recruitment, in-country coordinators, especially Naga Madale, try hard to make sure that through the years we reach and recruit people from the farthest villages and islands to attend the U.S.-based program. While Muslims and “non-Muslims” are primary target participants,

we try very hard to make sure that indigenous persons take part in the program.

In addition, there is annual update and revision of the training manuals of the participants. An online group connects all—participants and training staff. All written assignments are uploaded online to this electronic group. Examples of uploaded assignments include pre-test, midterm, and post-test essays; project plans; art work; photos; and daily electronic journals (e-journals). Also, an annual book that documents the changing context, the project plans, photo essays of implemented projects, annual declarations of commitment, art gallery, and photo gallery are produced and copies sent to all participants.

As part of dissemination work, libraries of major institutions in different parts of the world receive hardcopies of these publications free of charge. In addition, all publications have electronic version. These e-books are downloadable for free by all interested parties (visit www.niu.edu/CSEAS/current_initiatives/PYLP/PYLP_Publications.shtml).

The PYLP program takes into consideration the existing conditions on the ground. Preliminary sessions deal with in-depth social investigation of the context that led to the armed conflict situation. Educational intervention in the U.S. provides an opportunity for participants to learn knowledge, skills, and values that promote social justice, human rights and peace. More importantly, the participants prepare their respective project plans that they implement in their own communities a couple of months after their return. A team of two persons from the U.S. (usually Susan Russell and another person) go to Mindanao to join the alumni in follow-on activities where the latter share stories of, and reflect on, their implemented projects in particular and on the direction of their continuing peace work in general. In 2009, Mokaram Rauf of Council of Arab-Islamic Relations (CAIR) Chicago joined Russell in attending the follow-on activities in Mindanao. Our alumni adore Lina Ong and Russell. They also like and are impressed with Rauf, as he showed his selfless devotion and genuine concern in doing volunteer community service in the villages, mingling with the common folks, and joining community work, instead of showing himself off as an expert. The program in the U.S. is tweaked annually based on the recommendations and other comments from all stakeholders, especially the alumni. The flowchart be-

low presents a holistic model of the training program grounded on actual experience.

Table 6. Grounded Model of Human Rights & Peace Education based on Actual Practice on the Macro, Meso & Micro Levels

Home or In-Country		Host Country (U.S.)		Home or In-Country			Host Country (U.S.)
Macro-Context	Selection of Micro-Participants	1 Formal & Non-Formal Educational Intervention	2 Micro-Planning for Meso-Action to Promote Social Change	3 NGO Community Projects	Evaluative Reflection on Practice	Social Impact	Program Revision
				Informal & Popular Education Interventions	Meso-Networking	Changing Context	

Birthing of Similar Programs

Under the very able administration of Ong, Northern Illinois University successfully implemented the ACCESS-PYLP since academic year 2003-2004. Due to the successes of ITO work, the ACCESS-PYLP program “gave birth” to human rights and peace programs for other parts of the world: (1) Cyprus and (2) Southeast Asia in general.

Cyprus. In 2006, Ong directed a very successful Bi-Communal Cyprus Program for Youth. I wrote the project and budget proposal that Ong copy-edited. Richard Orem was the Academic Director of the Cyprus program; Ong, the administrative director; and, myself as the Training Coordinator. In the post-colonial period of its history today, Cyprus is a divided society. The “Green Line” divides the country into two imagined communities: the Turkish Cypriots in the North and the Greek Cypriots in the South. They live in “twin solitudes.” Untold sufferings have befallen both communities. In the Cyprus program, we brought over twenty Turkish Cypriot students, twenty Greek Cypriot students, two Turkish Cypriot adult leaders, and two Greek Cypriot adult leaders to Northern Illinois University. Our Cyprus

alumni now form a loose network whose aim is to strengthen the bonds of Turkish and Greek Cypriots across the Green Line in order to foster a sense of bi-communal unity amidst diversity.

Southeast Asia. Based on the successes of the PYLP that Ong and Russell co-direct, the council members of the Center for Southeast Asian Studies (CSEAS) of Northern Illinois University decided to engage in a similar program for Southeast Asia as a whole. Ong, who is a CSEAS council member, hired Garth Katner to prepare a project proposal that principally uses her successful grant proposals as a template. As with the PYLP, the Southeast Asia Youth Leadership Program (SEAYLP) successfully competed and won funding from the U.S. Department of State. Kate Wiegele, an anthropology professor and a Filipinist, run the program. Tasked by Wiegele and upon the recommendation of Ong, I trained the newly formed SEAYLP team. Other key persons involved in the SEAYLP were Jim Collins and Deb Pierce. Based on the lessons learned and best practices of PYLP, I trained Wiegele and her four staff members on the elements and process of the preparatory work, program implementation, and post-program work. Under the helms of Wiegele and with the wise advice of Ong as consultant, the operation of SEAYLP program has been smooth sailing.

Recommendations

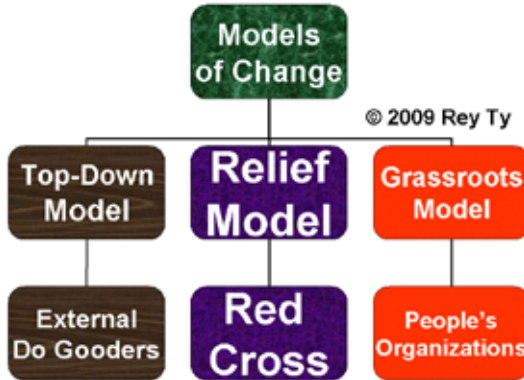
Many training organizers are tempted to keep participants tied down with numerous activities that eventually turn out to be counterproductive. Other training organizers “teach down” abstract or non-contextual materials to participants. This is another recipe for failure.

Based on ITO’s best practices, therefore, we recommend the following:

- Instead of “too heavy” programs, human rights and peace education programs should provide enough “free time” for deeper reflection and networking among participants;
- Training organizers should ensure that their programs address at the first instance the concrete contexts of the participants; they should refrain from dwelling on abstract concepts at one end and insulting the intelligence of the participants by having infantile activities at the other end. Rather, participants should be encouraged to engage in critical reflection that respects their actual experience and level of intelligence.

On a different note, there are at least three models of working for change with different impacts on the community: (1) the missionary model, (2) relief model, and (3) grassroots model. Figure 2 below illustrates the models.

Fig. 2. Working for Social Change



We recommend that human rights and peace education programs include both learning and action components, as in the ITO program. In this way, human rights and peace do not only remain on the realm of thinking, but extend to real-life action for social change. Note, however, that engagement in one model of action or another has different social impact. The top-down model is the easiest thing to do, as the outsiders themselves decide what the community insiders need. An example of a top-down model is a dole-out project where outsiders (donors) provide clothes, books, school supplies, or food to the community. The relief model involves providing help to survivors or victims of disasters, such as earthquakes, floods, and typhoons. It also involves urgently helping internally displaced persons (IDPs) who flee from armed conflict situations. The grassroots model involves empowering community members themselves. Community members learn to and engage in needs assessment, write project plans and budget proposals, implement projects that really respond to their community needs and evaluate their work.

Aside from adding an action component in the post-program phase, we recommend that participants be briefed about the social impact of each social action model. There is a great temptation to engage in projects using the

top-down model, whose impact (or euphoria) on both community outsiders and insiders lasts only during the gift-giving period. Once the bubble bursts, the community insiders are back to facing the hardship and helplessness in their daily lives.

Projects along the lines of the relief model are very necessary and important, as people afflicted with untold suffering due to natural or human-made calamities need immediate attention and help—psychological, economic and physical. And in cases government agencies are slow, corrupt or both, non-governmental organizations (NGOs) play a crucial role in providing immediate relief (such as provision of water, food, soaps, detergent, tents, boots, blankets, beddings, medical first aid, basic medicine, and sanitary supplies) to victims, survivors, and vulnerable groups. Projects involving the third type of work—grassroots empowerment model—have the longest lasting effect on communities.

Conclusion

The International Training Office of Northern Illinois University has been continuously implementing a program since 2003 up to the present known as Access to Community and Civic Enrichment for Students (ACCESS) Philippine Program and renamed it in the academic year 2006-2007 as the Philippine Youth Leadership Program (PYLP). The change in the title and annual themes reflect the changes in the program content and focus. While not known as such, as in many related programs all around the world, the PYLP program actually involves human rights and peace education.

ITO sees the value of longer lasting social change by ensuring that its alumni work for grassroots empowerment. As a Chinese proverb goes: “Give people a fish, they will eat for a day. Teach people to fish, and they will eat for the rest of their lives.”

***Disclaimer:** All views expressed in this article solely belong to the author and do not represent the views of the institutions with which he is affiliated.

Endnotes

¹The Philippine government issued on 24 January 2005 Executive Order No. 404, “Creating The Government of The Republic of The Philippines Monitoring Committee (Grp-Mc) on Human Rights and International Humanitarian Law” in order to monitor the implementation of CARHRIHL.

²The “Implementing guidelines on the humanitarian, rehabilitation and development aspects of the GRP—MILF Tripoli Agreement on Peace of 2001” provides for the application of the provisions of international instruments and covenants on International Human Rights Laws (IHRL) and International Humanitarian Laws (IHL) entered into by the Government of the Republic of the Philippines.”

³For further information on ITO, please visit: www.niu.edu/ito/aboutus/mission.shtml

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Annex A

PHILIPPINE YOUTH LEADERSHIP PROGRAM-YEAR 6 (2009)

A Statement of Commitment to
Human Rights, Justice and Peace in Mindanao
4 May 2009

We, the participants of the Philippine Youth Leadership Program (PYLP) held at Northern Illinois University, from April 4 to May 6, 2009, understand that there are many causes of the conflicts in Mindanao: historical, social, economic, political, territorial, and cultural. As with the national situation, the “Mindanao Problem” involves foreign domination, poverty, inequality, corruption, and discrimination, all of which lead to endless internal armed conflict between the Philippine government and various rebel groups, such as the National Democratic Front (NDF) and its member organizations, Moro National Liberation Front (MNLF), and Moro Islamic Liberation Front (MILF). As we work towards a just and long-lasting peace, we enjoin all parties to the armed conflict to respect the laws of war. We realize that, being the new generation in Mindanao, in the Southern Philippines, we must continue our work for promoting a culture of peace in Mindanao.

We commit ourselves to engage in interfaith, intergenerational and inter-ethnic dialogue in promoting mutual understanding and tolerance among Indigenous peoples, Muslims, and Christians. If we want peace, we must work for justice. Hence, we are committed to struggle against social injustice, inequality, poverty, and corruption in our respective communities in Mindanao. We are committed to work for economic, social, cultural, civil, and political human rights. We are committed to fight for social justice, equality, and sustainable development in places where we live, study and work. We pledge to speak out for those who are oppressed, exploited, and marginalized. We pledge to stop stereotyping and discrimination. We vow to exercise our leadership for community activism and volunteerism. We are committed to implement our community projects and strengthen our common values underpinning justice, peace and people-centered sustainable development in all our communities.

We loudly call on the Philippine government to support our peace-building efforts and the positive contributions of various non-governmental groups and social movements in civil society to the peace process in Mindanao. While we entrust all our commitments, endeavor, and dreams of a peaceful community to our almighty Creator, we ourselves take small but concrete steps to fulfill our big dreams of a just and peaceful Mindanao in particular and the Philippines in general. Civil Liberties! Equal Rights! Social Justice! Peace! Now! In Mindanao!

Engaging Non-State Armed Groups Through Human Rights Education: Experience with Youth from Southern Philippines

Ryan V. Silverio

THE Southeast Asia Coalition to Stop the Use of Child Soldiers (SEASUCS) is a regional non-governmental organization (NGO) working to promote respect and ensure compliance with international and domestic child protection standards particularly on the prohibition of the recruitment and involvement of children in armed conflict. It has member-organizations from Indonesia, Burma, Thailand and the Philippines. SEASUCS undertakes research, advocacy and human rights education targeting government actors, non-state armed groups and civil society groups. Since 2002, SEASUCS has conducted several human rights education workshops in southern Philippines involving different groups such as activists, children, youth, women, and academics.

In this article I employ the cyclical process of praxis by looking back at my first-hand experiences of conducting human rights education and reflecting on the lessons learned. I focus on the added value of human rights education in the work of SEASUCS, and the contribution of the initiative in peace-building efforts in southern Philippines. I highlight lessons that can guide the conduct of future initiatives with non-state armed groups.

Engaging Non-state Armed Groups

The term non-state armed group (NSAG) is defined as groups that have weapons, use force to achieve its political and/or quasi-political objectives, and opposed to, or autonomous from, the state. They are also commonly being referred to as “rebel groups” or “armed opposition groups.” In the context of the Philippines, NSAGs do not operate in a vacuum rather they operate with the support of communities and sectors or groups. In some cases, NSAGs are considered as “de facto” government who are given a mandate by communities to exercise influence and control over certain areas. Given this conceptual understanding of NSAGs, any engagement process with them should involve communities or groups whose members may not necessarily be part of the armed groups but directly or indirectly support their cause and activities. Engaging these communities or groups is important because they can condone or defy practices of NSAGs, or facilitate or counter the process of changing their policies and practices.

Engaging NSAGs to ensure the non-recruitment, and/or secure the release, of child soldiers largely remains a new discourse. Many of the existing studies and literature focus on engagement with armed groups in peace processes (Chhabra, n.d.; Guinard, 2002; Hottinger, 2005; Lederach, 1997; Petrasek, 2005). They provide lessons that should be considered particularly in relation to the different objectives and methods of engagement.

There are two categories of engagement based on objectives: political engagement and humanitarian engagement. Political engagement connotes “efforts to persuade armed groups to negotiate a peaceful resolution of the armed conflict, including facilitating their participation in processes to this end” (Petrasek, 2005, 44). Humanitarian engagement on the other hand intends to persuade armed groups to respect human rights and humanitarian standards (Petrasek, 2005, 44; Bessler and McHugh, 2006, 5). Humanitarian engagement is useful in achieving the following goals: secure humanitarian access to those in need, secure agreement on operational mechanisms, ensure humanitarian workers’ safety and secure protection for vulnerable persons in conflict situations (Bessler and McHugh, 2006, 12).

While there are differences in terms of objectives, the lines are blurred between political and humanitarian engagements. From the perspective of peace building, these two approaches are seen as reinforcing. Achieving a situation of peace addresses perennial humanitarian concerns. On the other

hand, the people and communities affected by armed conflict require special attention and have special needs to be addressed while the process of peace building takes place.

The engagement process cited in this article can be considered as a humanitarian engagement because of its clear objectives: to raise awareness and ensure respect for and compliance with child rights laws; to create mechanisms to ensure the non-recruitment and use of child soldiers; to ensure the release of children from the ranks of the NSAGs; and to ensure support for programs on reintegration of children into a civilian environment.

Based on the experiences of civil society groups working on the issue of child soldiers in the Philippines, engagement takes place in various yet interrelated forms, namely:

- monitoring and documentation of the number of child soldiers and their specific cases
- dialogues or negotiations (usually low profile due to the sensitivity of the issue of child soldiers) with leaders or members of a NSAG¹
- advocacy through press releases and letters of appeal as methods in reaching NSAGs that are not accessible or willing to dialogue with civil society groups.

Another form of engagement entails awareness-raising and capacity building for members or communities or groups surrounding NSAGs. Three factors require this kind of engagement: preliminary dialogue with the NSAGs; certain level of confidence and openness with it; and support from local groups affiliated directly or indirectly with it.

Children's Involvement in Armed Conflict

As a party to the on-going conflict in southern Philippines, the Moro Islamic Liberation Front (MILF) has been cited several times for violating human rights and International Humanitarian Law (IHL) standards. The involvement of children below eighteen years of age in the ranks of the MILF is one example.

According to Cagoco-Guiam (2002, 76), at least ten to thirty percent of children in a community influenced by a NSAG have volunteered or have been convinced to participate in its activities. This partly explains why children have been involved in the activities of the MILF.

A 2005 research that interviewed one hundred ninety-four current and former child soldiers from different NSAGs in the country shows a number

of reasons for the participation of children in the armed conflict. Most of their responses cited support for the political ideologies of the NSAG, religious conviction and belief, lack of options and uncertain future, and defense and protection of the family and community (PhilRights, 2005, 40). The respondents affiliated with the MILF expressed strong support for secessionist advocacy guided by the belief that the struggle for self-determination was their best offering to Allah (PhilRights, 2005, 77).

The research shows that the nature of children's involvement with NSAGs is highly voluntary. Other researches (Cagoco-Guiam, 2002 and Brett and Specht, 2004) support this claim.

Brett and Specht (2004), however, qualify their concept of voluntary involvement by questioning the degree of free choice the children have prior to their participation. They further add that the interplay of various factors such as militarization, the presence of armed conflict, poverty, lack of options, religion and culture pushed the children to be involved.

Children from Bangsamoro (Muslim) communities in Mindanao who might have voluntarily joined a NSAG also believed that doing so meant obeying Islamic teachings and fulfilling the responsibilities of a good Muslim laid down by their elders (Cagoco-Guiam, 2002, 75). Some of these children have parents who were *mujahideens* (freedom fighters) while some children believed that it was their religious and moral obligation to take part and help the adults in the community in their *jihad* or holy struggle to liberate their community from social injustices (Cagoco-Guiam 2002, 40).

In response to these researches and reports, the MILF issued a statement reiterating its policy concerning the involvement of children in armed conflict, to wit:

1. The general policy of the MILF is not to recruit children for conflict; if they are with the MILF, their roles are purely auxiliary in character;
2. The MILF is fully cognizant that the rightful place of children is in schools;
3. The MILF recognizes the right of everybody including children to self-defense especially when communities or villages are under indiscriminate military actions by the enemy; and
4. It is preferable that children, who are forsaken or those who have no reliable guardians, are taken cared of by the MILF rather than allow them to [become] misfits of society... (MILF reiterates policy on 'child soldiers,' 2006).

The Philippine government as well as various non-governmental organizations (NGOs) responded to the issue. The government established an Inter-agency Committee composed of lead government agencies such as the Department of Social Welfare and Development, the Department of National Defense, Office of the Presidential Adviser for the Peace Process, and some NGOs as well. This Committee was mandated to implement programs aimed at the demobilization, rehabilitation and reintegration of children involved in armed conflict. There were support services meant to help in the reintegration of the children into civilian life such as programs for education, livelihood, and temporary shelter for those who were separated from their families or communities or for those whose families or communities were involved in or affected by armed conflict.

On the prevention of recruitment and involvement of children, SEASUCS held low-profile dialogues with members and leaders of NSAGs. These dialogues led SEASUCS to realize that the information shared and the engagement in the dialogues was limited to the top leadership. As a result, SEASUCS modified its approach by employing human rights education as an alternative strategy.

Human Rights Education as a Strategy

On 2 to 5 May 2006, SEASUCS held a training workshop entitled “Trainer’s Training on HR and IHL for Bangsamoro Youth” at the Bangsamoro Development Academy, Cotabato City, Philippines. The workshop was organized in cooperation with international organizations such as Geneva Call and local organizations, namely, the Center for Muslim Youth Studies and the Institute for Bangsamoro Studies.

This workshop served as a follow-up activity to a previous workshop on human rights, IHL and child protection involving members of the MILF. The previous workshop took place on 12-17 November 2005 and was organized by several organizations, notably Geneva Call and the Institute of Bangsamoro Studies.²

This workshop involved twenty-five youth who were selected by the leadership of the MILF. The participants represented organizations and communities in the armed-conflict-affected provinces of Maguindanao and Cotabato.

This workshop’s overall objective was to encourage respect and compliance with international human rights standards.³ To achieve this objec-

tive, the training employed a progressive approach that started with raising awareness and critical understanding of various laws and programs, and followed by the training on developing capacities and skills to educate other youth.

This workshop had a four-day program consisting of plenary discussions and small group interactions on topics regarding basic human rights laws and principles, the Geneva Conventions and its Additional Protocols, the landmines issue including Geneva Call's *Deed of Commitment* banning anti-personnel landmines signed by the MILF,⁴ the role of young people in peace building, and child protection issues and concerns.

The sessions on child protection focused on both international and national laws, including the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. The facilitators stressed that both state and non-state armed groups have the responsibility to observe human rights laws and ensure the protection of children. The session was also designed to elicit ideas and practical measures to encourage their communities and also the MILF, as a political body exercising effective control of certain communities, to become child-friendly organizations. See Annex A for a similar training module used in the 2005 training workshop.

During the open forum, one participant asked why was it important that the youth become aware of human rights, IHL and child protection standards. One of the facilitators responded that if the youth wanted to create an independent Bangsamoro state, it would be necessary that they participate in the development of policies and laws that were consistent with international human rights standards.

The workshop introduced an innovation by including practical sessions on facilitation skills and development of training modules. After providing knowledge on human rights and IHL, the participants were challenged to develop ways of disseminating such information to their colleagues. They were divided into groups and were asked to produce modules related to the topics assigned to them. The modules were tested during the training and were critiqued by the facilitators and fellow participants.

The participants appreciated well the workshop. During the evaluation session, most of the participants said that their attendance in the workshop on human rights and IHL was a first. The knowledge gained was new and could give them an alternative view in dealing with armed conflict.

They also appreciated the methodology employed, which allowed them to clearly understand the content. With the use of simple language and par-

ticipatory methodologies the interaction and exchange of opinions became highly valued.

The issue of involvement of children in armed conflict turned out to be a sensitive matter. There were divergent and conflicting positions that surfaced during the discussions. To explain the reasons behind the voluntary involvement of children, the participants raised religious obligation and the need to respond to the injustices and oppression caused by the government. Others mentioned that child soldiers did not exist in their communities, but there were children victims of war who were in the custody of the community leaders.

While the workshop program had an explicit position on the issue, the facilitators designed the sessions in the form of a dialogue. The facilitators realized that imposing previously held views was not beneficial. Frank and open discussions grounded on respect for each other's opinions and cultural background were the prevailing norm.

The exchange of different views was a learning process for both the organizers and the participants in order to have a wider perspective and broader analyses to address the problem. Understanding the cultural foundations of their perspectives was beneficial in developing context-specific approaches in the design of future workshops. Agreements on certain critical issues were not anticipated. The underlying interest, however, was to seek a common understanding on the need for further dialogue and interaction, and a common objective to protect the rights of children.

One of the strengths of the workshop was its respect for the capacity of local partner groups. Such principle of respect inspired all members of the organizing team to mutually reinforce and support each other's interests.

The workshop was intended as a collaborative effort to establish a sense of local ownership of the project. Hence, there were close consultations with partner organizations from the project's conceptualization, to the designing of the training program, and to its implementation. The local partners who supported the workshop were the Center for Muslim Youth Studies (CMYSI), a local youth organization based in Mindanao, and the Institute of Bangsamoro Studies (IBS). These two organizations have also played a vital role in facilitating SEASUC's request for permission from the leadership of the MILF to undertake the project. Other international organizations such as Geneva Call have also given a significant contribution to the project.

Encouraged by the participants' positive feedback and interest to sustain the initiative, the workshop organizers plan to hold follow-up work-

shops. This time the focus will be on the development of skills in the areas of facilitation, creative pedagogy and module development. This is intended to equip the youth with knowledge and skills needed to systematically reach out and spread the information to other members of their community.

Apart from the follow-up workshop, the participants have also expressed their interest to organize themselves into a group that would take the lead in educating young people on human rights and IHL, and also to undertake monitoring and reporting of violations within their communities.

Reflections on the Activity

SEASUCS chose the youth as primary participants in its human rights education project given the belief that they constitute the “new blood” and can catalyze change within their community. This is probably manifested by the plan of the participants to organize their ranks as a youth-led mechanism that promotes human rights and IHL within their ranks through education, and monitors their violations.⁵ The creation of this youth-led mechanism can also be seen as similar to devising new structures of accountability, an element considered to be part of social change (Sharma 1999).

While the training did not make all participants agree to the new perspectives concerning children’s involvement in armed conflict, they nevertheless gained common understanding on the shared responsibility of protecting children.

The workshop provided several benefits to the sector. First, it provided new knowledge to the youth and built their capacities relating to human rights and IHL. The training helped them fill the gap in the education program for young people, particularly on human rights and IHL.

Second, it helped provide a positive image to armed groups such as the MILF in allowing civil society groups such as SEASUCS to conduct a human rights education activity. A positive image is necessary to mobilize support to its advantage given that the MILF is currently engaged in peace negotiations with the Philippine government.

It is important to note that the MILF used to be listed by the government of the United States of America as a terror organization. It is also listed in the United Nations Secretary General’s reports submitted to the Security Council as one of parties that recruit or use children in situations of armed conflict. (United Nations, A/59/695-S/2005/72, page 38)

In terms of strategies, the use of human rights education in engaging NSAGs serves not only the participants but also facilitates the evolution of a human rights culture. The mobilization of local civil society groups independently operating in MILF stronghold areas serves to pressure the armed group to seriously take on its responsibility of respecting human rights and humanitarian standards. In this way, local “owners” would sustain the mobilizing of local support for any advocacy.

Contribution to Peace Building

The workshop in itself is not the solution to the conflict in Mindanao but it has a contribution on the process of peace building. The contribution might not be tangible compared to the efforts of other organizations providing direct services to victims. It might not be as precise compared to close involvement in the conduct of peace negotiations.

The issue of child soldiers is a concrete manifestation of a larger problem related to the armed conflict. Addressing the issue of child soldiers through human rights education leads to the option of shifting from armed conflict to non-violent politics. The knowledge on human rights and IHL, including that of the non-usage of child soldiers, can serve as a catalyst towards greater respect for the rule of law and giving primary concern for civilians affected by war.

Addressing the long-term goal of resolving the conflict in Mindanao is a long and arduous task that would certainly involve all actors from the national level down to the grassroots level. Addressing the issue of child soldiers through human rights education can then be viewed as a two-pronged approach using Lederach’s paradigm (Lederach, 1997).

The workshop’s contribution can be characterized as a reinforcement of the peace process as it promotes a sense of obligation and accountability to all parties to the conflict to respect norms and standards to protect vulnerable groups such as children, and at the very least respond to their needs to alleviate suffering. It also seeks to minimize further violations that could either pose as a consequence of or an impetus to perpetuate the conflict.

Second, human rights education provides options. The process of resolving the conflict also needs to recognize the need for the community to sustain its post-conflict productivity. Human rights education can provide a different way of looking at social life in terms of one’s roles and contributions. The role of children and young people can be taken as one aspect.

Given the justifications for involving children in armed conflict in Bangsamoro areas as presented in existing researches, it is indeed difficult to advocate for the non-recruitment and non-use of children in armed conflict from the perspective of human rights standards. However, human rights education provides an alternative approach that can provide an understanding of the strategic role of children and young people in the development of an ideal Bangsamoro society. As articulated by the participants, allowing children and young people to participate in the armed conflict weakens the realization of the vision of having future doctors, nurses, educators, engineers and other professionals that will constitute the social capital in a post-conflict Bangsamoro society. This is probably one message that has to be communicated in order for armed groups to see the benefits of engaging with SEASUCS and other civil society institutions.

Conclusion

Engaging non-state armed groups to respect and comply with human rights and humanitarian law standards is a long and arduous process. One challenge facing any entity that wishes to engage an armed group is to identify common interests underlying conflicting positions. Human rights education is a potential tool in both extracting common interests and responding to them. Based on the experience of SEASUCS and my reflections, these common interests can be found in the following factors: the provision of benefits to the NSAG such as capacity-building and legitimacy, and the integration of efforts to the larger goal of building peace that would benefit both the NSAG and its constituency at the community level.

Endnotes

¹A concrete example of the second form of engagement is the multi-partite dialogue with the Revolutionary Proletarian Army – Alex Boncayao Brigade (RPA-ABB) that eventually led into the signing of a unilateral statement in 2005. The RPA-ABB is a leftist armed group that broke away from the Communist Party of the Philippines-National Democratic Front-New People's Army (CPP-NPA-NDF). The talks with the RPA-ABB concerning the issue of child soldiers started in 2003 by an NGO called the Philippine Human Rights Information Center (PhilRights). The author was directly involved with the talks with RPA-ABB's Commander Gen. Carapali Luallhati. The talks introduced to the group's leadership international and national child protection laws and identified ways by which the RPA-ABB could cooperate in various

aspects of child protection work. The dialogues with the RPA-ABB culminated with the signing in February 2005 of a deed of commitment on non-recruitment or non-use of child soldiers.

²See: Geneva Call, 2006, Training of Trainers Workshop, <http://www.genevacall.org/resources/conference-reports/f-conference-reports/2001-2010/gc-2005-12nov-totfim.pdf>

³These include the Optional Protocol of the CRC on the involvement of children in armed conflict, the Geneva Conventions, the ILO 182 on the worst forms of child labor as well as domestic laws such as the Republic Act 7610 on "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act."

⁴The Deed of Commitment for Adherence to the Total Ban on Anti-personnel Mines and for Cooperation in Mine Action was signed by the Moro Islamic Liberation Front (MILF) in 2002. See: <http://www.genevacall.org/resources/testi-reference-materials/testi-deed/2007-07apr-milf.pdf>.

⁵SEASUCS is currently working together with key persons from the group formed by the participants to organize a follow-up workshop focusing entirely on skills development in the areas of human rights education philosophy and pedagogy, module development, and training techniques. All these are aimed at supporting the group's function to promote human rights and international humanitarian law by educating the members of their ranks.

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Annex A

Session on Child Protection in Armed Conflict

Prepared by the Philippine Coalition to Stop the Use of Child Soldiers

Workshop Objectives: To

1. Determine the notions of the participants on children and childhood, exploring Islamic and organizational perspectives on children's rights, particularly survival, development, protection, and participation;
2. Identify the existing policies of the MILF on children, childhood, and child protection;
3. Determine the extent of knowledge and views of participants on international and national laws and instruments (such as the United Nations Convention on the Rights of the Child (CRC), the Optional Protocol on the Involvement of Children in Armed Conflict, and Republic Act 7610, Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act) and whether the group has considered these instruments in making their policies/ practices.

Workshop Flow:

1. Introductions and Expectations Check

The summary of the participants' expectations is as follows:

- Knowledge
 - Means to protect children
 - National and international laws concerning child protection
 - Understand the Optional Protocol
 - Understand the minimum age for recruitment
 - Identify ways to prevent the involvement of children in armed conflict
- Skills
 - Ways of caring [for fellow] children
 - Ways of handling children captured/ rescued during conflict
 - Skills to disseminate information concerning child protection/ rights.

2. Understanding Childhood

There was a change of module given certain factors: time-limitation, attention span of the participants, and their expectations. In the initial group (Davao/Tausug group), there was a preliminary activity to elicit the participants' childhood experiences. The

plenary was divided into four groups and instructed to complete the following phrases:

- Noong bata pa ako, ang naaalala kong masayang pangyayari ay.....
(When I was a child, one happy experience I can remember is...)
- Noong bata pa ako, ang naaalala kong malungkot na pangyayari ay.....
(When I was a child, one sad experience I can remember is...)
- Noong bata pa ako, ang turo sa akin ng tatay ko ay.....
(When I was a child, my father taught me...)
- Noong bata pa ako, ang turo sa akin ng nanay ko ay.....
(When I was a child, my mother taught me...)
- Noong bata pa ako, napagalitan ako ni tatay dahil...
(When I was a child, my father got angry at me because...)
- Noong bata pa ako, napagalitan ako ni nanay dahil...
(When I was a child, my mother got angry at me because...)
- Noong bata pa ako, natuwa sa akin si tatay dahil...
(When I was a child, my father was happy with me because...)
- Noong bata pa ako, natuwa sa akin si nanay dahil...
(When I was a child, my mother was happy with me because...)

This activity was dropped during remaining sessions. Instead, the discussion proceeded with some process questions to elicit the participants' understanding of childhood. The matrix below provides the summary of the participants' responses:

Who is a child?	When can you say that he/she is no longer a child?	What are your bases?	What is the view of the MILF on the age of the child?
<ul style="list-style-type: none"> - Someone who needs attention, care and direction - Plays unlimitedly - Neglect or ignores the parents' advice - Not more than 15 years old. 	<ul style="list-style-type: none"> - Adolescents: Girls - 13 to 14 years old; Boys - 15 to 17 - Not "balig" (A Moro term for puberty. There is no specific age indicator to determine when a person is in the stage of "balig." Ages differ between girls and boys. The signs of "balig" are the following: <ul style="list-style-type: none"> - Adams apple - Menstruation - Pubic hair - Wet dreams/ desire for sexual intercourse 	<p>Note: Initially, the question asked was "How does the Holy Qur'an define the child?" Almost all the participants responded that they need a religious leader to answer that. Hence, the trainers rephrased the question into: "Based on your understanding of the Islam, how does it define a child?"</p> <ul style="list-style-type: none"> - Understand Islam - Obligatory to do prayers during Ramadhan - All should learn and understand the Qur'an 	<p>There were various responses but the most common was "no comment." Others gave the following answers:</p> <ul style="list-style-type: none"> - Based on Qur'an - 15 years old and below - 18 years old and below

There were other process questions to surface the participants' understanding of children and their parameters of their participation in community.

What can a child do which adults cannot?

Playing such as entering small spaces, sucking mother's milk, playing naked, begging, crying out in public

What can an adult do which a child should not do?

Sex, handling firearms, driving vehicles, carry heavy equipment, travel freely

Can a child marry?

Participants' categorically said no. However, they said that there are certain cultures in Mindanao that allow such.

Can a child vote?

Participants mentioned that children are not legally allowed to vote. But there are

exceptions when they are coerced to do so.

3. Discussion on International Standards and National Laws

The trainers gave an overview of the following international laws pertaining to child protection:

- [United Nations] Convention on the Rights of the Child (CRC)
- Optional Protocol on the Involvement of Children in Armed Conflict
- ILO Convention 182 on Worst Forms of Child Labor

The national laws covered during the discussion were the following:

- Philippine Constitution
- Republic Act 7610, Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act
- Republic Act 7658, Act Prohibiting the Employment of Children Below 15 Years of Age in Public and Private Undertakings
- Republic Act 9208, Anti-trafficking in Persons Act of 2003.

The participants raised many questions and clarifications. Some shared first hand information of human rights and humanitarian law violations committed by the Philippine armed forces that they have witnessed. The trainers suggested that these incidents have to be documented properly and submitted to independent bodies such as the IMT [International Monitoring Team], the ICRC [International Committee of the Red Cross], and the UNCRC [United Nations Committee on the Rights of the Child].

Human Rights and International Humanitarian Law Violations Shared

In Sibugay, a mother and a two-year-old child were imprisoned for three months after they were caught by the police for unestablished reasons.

In Camp Abubakar, military ransacked schools in the community during the military takeover in 2000.

Some were not specific with their cases. Instead, they have repeatedly mentioned the actual conditions of Bangsamoro children where they do not have access to education and basic quality healthcare.

Clarifications/ Talking Points on the Topics Discussed

What do we mean by situations of emergency? It involved both natural disasters and human-made disasters such as armed conflict or other forms of disturbances.

Protection should include children who are in conflict with the law. What will happen to children who are caught because they are involved in the conflict?

What is the role of UNICEF? Do they have an office in the Philippines?

What are the penalties if we violate the law?

Is there any country that was already sanctioned because of their violations of the CRC? [United Nations] Security Council listed down countries where child soldiers are being used.

These included Congo, Burundi, Sudan, Sierra Leone and Rwanda. There are calls for arms embargo. There were six resolutions made already related to children in armed conflict.

- "The laws are there but what's the point?" Such was raised commonly by participants who expressed frustration on the non-implementation of the laws. (This could have been processed better by asking them also: How could the MILF contribute towards the respect and implementation of these laws?)

Recommendations by the Participants Raised during the Discussions

- Reproduce materials
- Conduct follow-up trainings particularly on the conduct of monitoring and documentation
- Need more time to discuss the laws.

4. Evaluation of the Session

The participants were asked the following questions:

- What is your dream for children?
- What can you do to make that dream a reality?

Dreams for Children	Contributions	Feelings after the Session
Education Peace Freedom Leader	Impart knowledge Provide training Provide education Help them become <ul style="list-style-type: none"> • Brave • Good fighter • Good counselor • Good father Provide security Work for peace	Happy More knowledgeable Satisfied Remembered the past Comfortable Liked everything Feel good Best

Some observations on the process:

- Time allotted is very limited given the coverage of topics.
- The participants seemed to be open to directly discuss the issue of child soldiers. It was opposite to some assumptions that bringing such topic would instigate a heated debate that might lead to discussions on religious perspectives. Should the topic of child soldiers be brought up, the discussion must be from a legal/ policy angle.
- Some groups have undergone the human rights and International Humanitarian Law session prior to the child protection session. It would be good to build on their understanding of human rights and International Humanitarian Law in discussing the issue of child soldiers.
- There is a need for more audio-visual materials such as videos and pictures.
- Using the local language makes the discussion more participatory. In fact, various stories and information were shared during the informal discussions during breaks.

Fighting Against Racism/Bullying and Promoting Diversity in Schools and Communities in Japan

Joel Assogba

A WEEK BEFORE my eldest daughter started primary school in 2002, I went to her school and talked to the principal, vice-principal and all the teachers about the importance of teaching children to respect individuality and accept others who look different as equals, but they did not take me seriously. About two weeks after school started, she came back home from school very sad, telling us that one of her classmates told her to change her natural brown skin into “normal” (*hadairo*—ochre) color. I called the teacher and the principal right away to urge them to deal honestly and democratically with the matter, calling us for a face-to-face meeting with the child and her parents, but the Principal refused. The parents did not take the matter seriously either; when my wife talked to the child’s mother on the phone, she laughed about the matter as if it wasn’t a serious problem. Finally, I went to talk to the School Board officials to ask them to do something about the problem. Again, I was disappointed. They evidently do not think racism is a serious problem in Japan and do not want to act.

My children have darker skin than the other Japanese children, and many people openly make cruel and racist comments about them: *kitanai* (dirty), *makkuro* (black and dirty), *baikin* (microbe), *unchi* (pooh), *kimo-chiwarui* (disgusting), *kurokoge* (blackburn), etc. When I go out with them,

many parents also point at us as *gaijin* (foreigners). Those people are wrong because my children are not foreigners in Japan; they are born here and are Japanese citizens just like the other Japanese children. And above all, they love Japan and the traditional Japanese culture.

I think racism is a very serious disease that Japan needs to cure. Racial discrimination in society, in public and private institutions, in senior and junior secondary schools, in primary schools, and even in kindergartens, is evidence that much needs to be done before Japan can experience multiethnic harmony. Education will certainly play an important role in curing the disease of racism. Racism here is based on the idea that the Japanese belong to a “unique ethnic group” that is totally different from all the other ethnic groups in the world. The education system must make a considerable effort to denounce this myth. To do this, schools must familiarize students with the reality of the “singleness of the human family,” and explain that all of the people in the world belong to the same human race. Because of the importance of the problem, this view should be introduced into the curriculum from kindergarten through to the 12th grade, and reflected in every course a child takes during the twelve years of schooling. This approach would help to prevent racism. Imagine all the students in Japan learning that Africans, Europeans, Americans, Asians and Australians—all races—are all related. They would be fortified against the poison of prejudice that they are exposed to in their homes and in society.

We must teach our children that all human beings come from the same ancestral stock. Every person on our planet belongs to the same species. This unity, however, does not mean uniformity, but implies a celebration of diversity, because once the reality of unity is understood, diversity becomes an asset rather than an obstacle. Imagine what life would be like if all the people in the world looked alike, thought, spoke, and felt the same way, if all flowers were the same color, if all foods tasted alike. Life would simply be monotonous. We should all understand that “variety is the spice of life” and cherish differences because they are extremely important.

Multiculturalism and ethnic diversity have become important issues in many countries around the world in recent years, and the Japanese government too must consider them seriously and provide helpful programs for developing the skills citizens need if they are to contribute to, and survive in, an ever-changing and diverse society. Diversity will be utilized to reinforce Japan’s stature among the nations of the world. It will teach the Japanese to

accept and respect diverse views, welcome debate, listen, discuss, negotiate and compromise for the common good of the world. We all know that recent advances in information technology have made international communications more important than ever. Japanese citizens who can speak many languages and understand many cultures will make it easier for Japan to participate globally in areas of education, trade and diplomacy.

Japan must make it possible for women and men of the world's many ethnic groups, religions and cultures to live together, to encourage different people to accept and respect one another, and work collaboratively to build an open, resilient, creative and thoughtful society. To set an example of honesty, I travel all over Japan to give lectures and read my self-published children's books at schools and community centers.

Objectives of the Program

I started the program in 2001. As difficult and widespread problems of bullying and racism are in Japanese schools and communities, they are also problem that can be solved. As a father of three young children and an author of children's books, I started taking actions to fight against bullying and racism, first in my neighborhood and my children's primary school, then things extended to my city, prefecture and eventually all over Japan.

In addressing the serious problems of bullying and racism, I started to promote a set of appropriate attitudes and skills under the program, namely:

a. Promote values and attitudes for a peaceful society:

1. Self-esteem (accept the intrinsic value of oneself and love oneself)
2. Respect for others
3. Empathy (love others, understand others' opinion, help others when they are bullied)
4. Belief that everyone can make positive change
5. Commitment to social justice, equality, peace, non-violence and respect for life
6. Sharpened awareness among children and adults about the problems of bullying, racism and violence in schools, communities and society.

b. Help participants develop the following skills:

1. Capability to analyze the nature and origins of bullying, racism and violence; and their effects on both victims and perpetrators
2. Capability to create frameworks for achieving non-violent, peaceful, diverse and creative schools, communities, and society
3. Capability to search for alternative non-violent skills within each person
4. Peaceful personal conflict resolution skills.

Through lectures and seminars that I plan with the collaboration of Parents-Teachers Associations (PTAs) and Education Boards, I try to get both adults and children in schools and communities involved in creating a society free of bullying and racism. I encourage teachers to make anti-bullying and anti-racism a part of their curriculum and identify bullies and racists early on, before they become set in their ways. Finally, I help children learn that by taking care of each other, speaking out against bullies and racists, and working together, they have tremendous power to make a difference in their schools, neighborhood, town and communities.

The program targets a wide range of audience including young children (pre-school), children in school (primary, junior and senior secondary), tertiary level students (college and university), their parents and educators, concerned government officials, and the general public. The program is open to all who are interested.

I use a variety of materials for the activities under the program. I use my self-published books, posters, and newspaper articles in my activities. The following is a list of such materials:

a. Children's books:

1. *The Rainbow's Kids* (Chikugo: Daddy Publishing, 2001)
2. *Wind of Freedom* (Chikugo: Daddy Publishing, 2002)
3. *What Color are Burdocks?* (Chikugo: Daddy Publishing, 2004)
4. *I am not a Foreigner* (Chikugo: Daddy Publishing, 2006)
5. *Respect for Life* (Chikugo: Daddy Publishing, 2008).

b. Book to promote peace among adults:

Peace (Chiba: Daddy Publishing, 2005)

c. Posters

1. Multicultural Japan (Chikugo: Daddy Publishing, 2003)
2. Bullying: Zero Tolerance (Chikugo: Daddy Publishing, 2007)¹.
See Annex A for this poster.

Pedagogy/Teaching Method

I employ different pedagogies for different sets of participants. For the adult participants I use the following teaching module:

1. I give a thirty-minute talk on the issue of discrimination
2. I divide the participants into small groups, and ask them to read one of my articles on the issue of racism and answer a set of comprehension questions (see below)
3. I ask the participants to discuss the problem of racism in small groups, using a set of questions for discussion (see below)
4. I ask one participant of each small group to stand up and share with the whole group the outcome of their discussion.

One of my articles on the issue of racism in Japan² is very popular among adult participants. I ask participants to read the following article, answer the comprehension questions, and exchange ideas about the problem of racism using the questions for discussion:

Unconscious racial arrogance and disdain for ethnic minorities are pronounced throughout the world. It is more evident in countries where different races live together, but I believe racism is a worldwide attitude and is perhaps strongest in areas where, because of little contact with other races, it has neither been brought to the surface nor challenged.

In Japan, the part of the world where I have been active as a human rights activist for almost a decade now, racist attitudes run strong—in my judgment far stronger than in Western countries. Japanese children who are not ethnic Japanese experience racism from a very young age and can even be subject to cruel treatment by their peers and adults. Many of them are bullied at school.

Seven years ago, a Japanese-born daughter of a Peruvian acquaintance was bullied by her classmates soon after she began attending a public elementary school in Gunma. She had been taunted and ridiculed because of her different looks. Some se-

nior students called her “strange foreigner” and raked their shoes against her heels in the schoolyard. The girl told her homeroom teacher, but no serious action was taken against the bullies.

A Japanese grade-school boy who had an American ancestor was abused by his teacher in Fukuoka about five years ago. The teacher pulled the pupil’s nose until it bled. He also told him to jump off a high-rise condominium and die because he wasn’t a pure-blooded Japanese. The confused child was quoted as asking his parents if he was “dirty” because he had foreign blood. Initially the school refused to confront the issue until the boy’s parents became vocal.

The issue of racism, although serious, is not openly discussed in Japanese-language media. Worse, the media often exaggerate crimes committed by foreigners and portray them as troublemakers. Also, it is not uncommon to hear some TV personalities and politicians making racist comments in public. Once I was watching a popular talk show on television, and I was astonished to hear a Japanese celebrity saying something like, “Japan used to be a pure-blooded nation, but unfortunately foreigners of all kinds are now mixing it with dirty blood.”

In Japan, there is a myth that says Japan is inhabited by a single race, the Japanese. But now this myth must be challenged, because the nation is increasingly becoming multiracial.

A nation in which people are discriminated against by ethnicity, which infringes on basic human rights, can never be considered a true member of the global community. The failure of politicians, educators and parents to solve the problem of racism is debasing human dignity. This issue casts the question of whether Japan is capable of being a society of coexistence.

The following are the comprehension questions after reading the article:

- What are pronounced throughout the world?
- What is more evident in countries where different races live together?
- Is racism a worldwide attitude?
- Why is racism perhaps strongest in areas where there is little contact with other races?
- What happens to Japanese children who are not ethnic Japanese in Japan?
- What happened to a Japanese-born daughter of a Peruvian’s acquaintance in Gunma?

- What happened to a Japanese grade-school boy who had an American ancestor in Fukuoka?
- Is the issue of racism serious in Japan?
- Is the issue of racism openly discussed in Japanese-language media?
- What do the media exaggerate?
- What is not uncommon to hear on TV?
- What is the myth about race in Japan?

With a certain degree of understanding of the article's main points having been achieved, I ask the participants to discuss in their small groups questions classified into several objectives:

- To analyze the situation of racism in general and in Japan,
- To help them think of concrete steps in addressing the issues, and
- To assess the activity.

For the purpose of analyzing the situation of racism in general and in Japan, I ask them to choose questions from the following list:

- Do you think that racism is a serious problem in Japan? Why (or why not)?
- Do you think Japan is really a mono-racial nation? Why (or why not)?
- Have you ever been a victim of racism? Talk about your experience.
- Why do you think some people are racists?
- Do you think racism is a "disease"? Explain.
- Do you think racism is a crime? Why (or why not)?
- Do you think racists should be punished by the law? Why (or why not)?
- How can the problem of racism be solved?
- Have you ever witnessed racism or discrimination? Talk about it.
- What do you think of being indifferent to the problem of racism? Why?
- "The world is dangerous not because of those who do harm, but because of those who look at it without doing anything." (Albert Einstein) What do you think of this quote? Explain.
- "The opposite of love is not hate, it is indifference." (Mother Teresa) What do you think of this quote? Explain.
- "Life's most urgent question is: what are you doing for others?" (Martin Luther King, Jr.) What do you think of this quote? Explain.

- “Our lives begin to end the day we become silent about things that matter.” (Martin Luther King, Jr.) What do you think of this quote? Explain.
- “Man’s nature is not essentially evil. Brute nature has been known to yield to the influence of love. You must never despair of human nature.” (Mahatma Gandhi) What do you think of this quote? Explain.
- “Human rights education is much more than a lesson in schools or a theme for a day; it is a process to equip people with the tools they need to live lives of security and dignity. On this International Human Rights Day, let us continue to work together to develop and nurture in future generations a culture of human rights, to promote freedom, security and peace in all nations.” (Kofi Annan) What do you think of this quote? Explain.
- “You can imprison a man, but not an idea. You can exile a man, but not an idea. You can kill a man, but not an idea.” (Benazir Bhutto) What do you think of this quote? Explain.
- “All human beings, whatever their cultural or historical background, suffer when they are intimidated, imprisoned or tortured . . . We must, therefore, insist on a global consensus, not only on the need to respect human rights worldwide, but also on the definition of these rights . . . for it is the inherent nature of all human beings to yearn for freedom, equality and dignity, and they have an equal right to achieve that.” (Dalai Lama) What do you think of this quote? Explain.
- “The idea of cultural relativism is nothing but an excuse to violate human rights.” (Shirin Ebadi) What do you think of this quote? Explain.
- “Human Rights for everyone is the necessary foundation upon which all of us may build a world where everybody may live in peace and serenity and plenty.” (Michael Douglas) What do you think of this quote? Explain.
- Talk about the following activists: Mahatma Gandhi, Martin Luther King, Jr., Mother Teresa, Nelson Mandela, Dalai Lama, Aung San Suu Kyi.
- Could you name more peace activists and talk about them?

In order not to limit the discussion to the knowledge level, I also ask them to respond to a number of questions that relate to ways of taking action on the issues:

- What would you do if you heard a friend or a family member make a racist comment? Why?
- What can you do to help solve the problem of racism?
- Do you ever discuss the problem of racism? Where? With whom?
- Do you think it is important to discuss the problem of racism? Why (or why not)?
- Why do you think the Japanese media don't tackle the problem of racism?
- Is promoting the concept of "one nation, one race" good or bad? Why?
- Is promoting multiculturalism good or bad? Why?
- Do you think the Japanese government should promote multiculturalism and diversity? Why (or why not)?
- How can the Japanese government promote multiculturalism and diversity?
- Do you think Japanese schools should promote multiculturalism and diversity? Why (or why not)?
- How can Japanese schools promote multiculturalism and diversity?
- Do you think the Japanese media should help fight against racism in the Japanese society? Why (or why not)?
- How can the media help fight against racism?
- Do you know that March 21 is the International Day to fight against racism?
- Have you ever taken part in any activities on March 21 to fight against racism?
- Have you ever taken part in any activities to promote human rights? Why (or why not)?
- From now on, would you like to organize any events to fight against racism, or to promote human rights? Talk about your plans.
- Do you think it is important for parents to talk about racism and human rights with their children? Why (or why not)?
- Do you think it is important for teachers to talk about racism and human rights with their students? Why (or why not)?

At the end of the activity, I ask the participants to assess the whole exercise with a general question: What do you think about today's activity? I ask them to express their responses verbally.

While participants hardly raise questions on the definition of terms that are mentioned in the questions such as multiculturalism and cultural relativism, they are free to use their own electronic dictionaries to find their meaning.

Helping Children Understand and Fight Against Racism/Bullying

Racism is certainly not a part of human nature. A new-born child does not instinctively have prejudice against others. Prejudice and racism are learned from the society that raises the child. These attitudes are derived from fear and ignorance, and it is only by combating fear and ignorance that we will ever achieve a truly multicultural society based on mutual respect.

One of the best things we, parents and educators, can do to help our children understand and fight against prejudice is to ask questions and listen to them as they talk about their bullying experiences at school, on a team, or in the community. If we, ourselves, are committed to helping end prejudice, discrimination and racism, it is also good to let our children know that. If we have taken, are taking, or want to take some actions to help eradicate these serious social problems, we must let our children know about them. It is always good to let them know that we have questions, feelings and hopes about these topics, too.

The other day, I had the opportunity to exchange ideas on bullying, discrimination and racism with a group of multicultural children and their parents. I could not hold back my tears when I heard some of them talk about their painful experiences:

When I was going to the neighborhood park with my little brother last week, a group of junior high school girls called us 'strange foreigners' and giggled," said a 10-year-old Japanese-born Brazilian girl. "I was so sad; I wish I looked like ethnic-Japanese kids to avoid rude comments."

I was playing with a friend in the schoolyard the other day, and a group of boys spat on my face," said a 13-year-old Filipino-Japanese boy. "They told me to go back to my country, or die."

My best friend invited me to his home after school. His father asked me where I was born. When I replied 'Japan,' he laughed and uttered: 'if you were born here, why are you black?'" said a 7-year-old African-Japanese boy.

How would you feel if something like this happened to you?" I asked everyone, after these kids shared their sad stories with us. The children replied:

"I would be very scared, and wouldn't go out anymore," replied a 7-year-old ethnic-Japanese boy.

"I would feel very sad, lonely and depressed," replied a 12-year-old ethnic-Japanese girl.

"I have never exchanged ideas about racism or prejudice before," replied a 14-year-old ethnic-Japanese girl. "Today, I heard painful stories from victims and I felt very sad. Now I will think about these problems a lot. It is very important to talk about bullying, discrimination and racism, instead of hiding them. We all have to stand up against these serious social problems."

Most Japanese children sympathize with victims of racism after hearing their sad stories, but the problem sometimes is with many Japanese parents and teachers who say they live in mono-cultural neighborhoods, and think talking about racism to their children is useless.

When these adults say they do not have cultural issues in their communities, they are defining "culture" in a narrow sense, thinking only of racial and language differences. Some issues are just less visible. For instance, there is discrimination against other Asian ethnic groups in Japan. One of my friends is Korean Japanese. She told her children not to tell anyone at school that they are of Korean origin because she did not want them to be teased. Most Japanese of Korean or Chinese origin having been born here and speaking no other language but Japanese; visually and often in their living habits, they cannot be distinguished from ethnic-Japanese. Still the ethnic-Japanese do their best to ostracize them. To avoid discrimination, these people often use *tsumei* ("pass name": a Japanese full name instead of a Korean or Chinese one) and hide their ethnic background. These hidden diversities can be a springboard for people to think about the need for anti-racism and multicultural education.

"I'm not racist. I treat all people with respect and dignity, and I expect my children to do the same. Why do I have to do more?" a Japanese mother once asked me after a workshop session on cultural awareness.

Of course, there are many Japanese people who are not actively racist. But the question is: how many Japanese parents and teachers are actively

anti-racist? There's no such thing as being passively anti-racist. It is not enough to set a good example. Nor can we shield children from bigotry. A society that continues to discriminate against racial and ethnic groups nurtures prejudice in each new generation. If we avoid these subjects with our children, we actually run the risk of strengthening prejudices we want them to reject. Children are barraged by images and ideas we don't control on the playground, on television, and in school. However free from prejudice we may be, our children, even very young children, can absorb the biases they encounter outside of our homes.

We must teach our children to be critical thinkers, specifically about prejudice, bullying, discrimination and racism. Critical thinking is when we strive to understand issues through examining and questioning. Young children can begin to develop these skills, to know when a word or an image is unfair or hurtful. This is also a time when children are in the process of developing empathy.

Here are some suggestions for parents and teachers to develop critical thinking in children:

- Ask children to name words that hurt feelings. Then, talk about which words are okay to use when you are angry with someone, and which ones are not.
- Teach children to express their feelings by naming offending behaviors rather than labeling people.
- Encourage children to think and talk about images they see in books, on television, and in movies. Use age-appropriate books and stories to help children begin to understand struggles for justice and equity.
- Find moments to talk about fairness and empathy: "If that happened to me, I would feel terrible. How would you feel if that happened to you?"
- Find opportunities to talk about similarities as well as differences. If children are nonverbal, observe and respond to their curiosity. For example, if a group of children are touching the head of a child whose hair is very different from theirs, you can say, "She has curly hair and you have straight hair. But you are all beautiful kids, and you all have natural beautiful hair."
- Model the behaviors and attitudes you want children to develop. Pay particular attention to situations that can either promote preju-

dice or inhibit a child's openness to diversity. Make sure your program reflects diversity in books, toys, games, puppets, music, movies, paintings, and so on.

- Create opportunities for children to interact and make friends with people who are different from them, because children learn best from concrete experiences.
- Don't let racist and prejudicial remarks go by without intervening. It's important to let children know from a very early age that name-calling of any kind; whether it's about someone's religion, race, ethnic background, or sexual orientation is hurtful and wrong. Each time we don't intervene, we are indirectly giving children permission to make prejudiced remarks.

"When do I start talking about prejudice with kids?" many parents and teachers ask me. "Earlier is better!" I always reply. Children ask questions as soon as they can talk. Even toddlers wonder about similarities and differences between people. "Your hands are black and dirty," a three-year-old Japanese boy said to me the other day. "Why don't you wash them in the sink over there?" Preschool children ask questions born of basic curiosity about the world. Simple answers delivered without upset, shock, or anger will provide them with the information they need. "My hands are black but not dirty, and my skin is a different color than yours," I said. "My skin color won't come off. Skin color is not dirt; it does not wash away. Skin color is like the different colors of your clothes. When your daddy or mommy puts your black shorts and your yellow shirt in the washing machine, they still come out black and yellow. The color doesn't wash away." Adults can use an explanation like this to help little children understand natural differences. Of course, the answers children require will change as they grow.

Post-activity Feedback

I ask the participants what they have learned in the activity. Based on my previous experiences the responses generally relate to the following:

1. Racism is a concept that will never disappear. As long as there is any way to differentiate ourselves from others there will be racism. However we must not tolerate racism in our communities. (a man in his 40s)

2. Racism is simply a result of ignorance being passed from one generation to another. Education is the only form of anti-racism. (a man in his 30s)

3. Being split 50/50 between two very different cultures (American and Japanese) I have experienced some very harsh racism throughout my life. But the key to progression for me is to remain in a state of understanding and not to allow myself to associate or retaliate to such ignorance. (a woman in her 50s)

Concluding Remarks

Many people look to politicians, or social activists to eliminate racism and discrimination. They certainly can make great contributions toward a just society, but we, parents and teachers, also have a vitally important contribution to make. We can talk openly with our children about race, ethnicity, religion, and bigotry. We can answer their questions about these complicated topics, and we can begin a dialogue that will continue throughout their lives. The quality of our children's future is at stake. In the 21st century, the ability to communicate and work with people from different racial and ethnic groups will be as essential as computer skills.

In the past, the average Japanese was not likely to have ever had contacts of any significance with an individual of different racial background; however, contemporary conditions are far different. Japan has become a diverse society. People of various ethnic backgrounds stream through Japan, and people of Japanese origin wander the globe. Individuals of Japanese background have fitted into other societies, and when their descendants come to Japan, speaking only "broken Japanese" or none at all, they have had to be regarded as outsiders. Some have even become politicians in the United States, Canada, Brazil and Peru. I believe the old Japanese concept of *shimaguni konjo* (insular mindset), which promoted Japan as a "mono-racial nation," has been shaken but not completely gone. Japanese children will inherit an even more diverse society from now on. We, parents and educators, need to help them learn to live and work closely with people whose race, religion, or culture may be different from their own.

Endnotes

¹This poster is available in www2.saganet.ne.jp/joel/Poster_Joel.pdf

²Joel Assogba, "Racism in Japan," *The Japan Times, Shukan ST* (22 February 2008), available in www.japantimes.co.jp/shukanst/english_news/essay/2008/ey20080222/ey20080222main.htm?print=noframe

Best Practices in Human Rights Education: The Case of the MMSU-INCHRE, Philippines

Marivic M. Alimbuyuguen

THE HIGHER EDUCATION INSTITUTIONS (HEIs) play an absolutely necessary role in the field of human rights education in the Philippines. The tertiary level of education plays a significant role in producing a populace with high human rights literacy, which is the level of knowledge of a person regarding basic civil, political, economic, social and cultural and environmental rights, as well as the redress system. The mandate of HEIs in human rights education is highlighted in the Philippine Constitution that stresses that “all educational institutions should foster respect for human rights, [and] ... teach the rights and duties of citizen.” (Section 3, Article XIV)

The Mariano Marcos State University (MMSU), located in the town of Batac, Ilocos Norte province, recognizes this role and gives full commitment to human rights education to ensure support for the successful nurturing of human rights ideas and values within the academe and the province through the Ilocos Norte Center for Human Rights Education (INCHRE).

For more than half a decade, the INCHRE has been undertaking human rights activities that have in one way or another impacted on the lives of the *Ilocanos* (ethnic identity of the Filipinos in Ilocos Norte province) to realize a life of peace by becoming aware of and learning to protect their human

rights, while recognizing and respecting the rights of people around them. The experiences of the INCHRE over the years are expected to radiate and serve as guide to other HEIS and government institutions that are also human rights duty-bearers in the attainment of a democratic, free, happy and peaceful society. The activities of the INCHRE evolved through the years. Finding solutions to problems, issues and other concerns strengthened the activities. INCHRE continues to realize its goal of making the province of Ilocos Norte and its academic community the center of human rights activities in this part of northern Philippines.

Establishment of INCHRE

The initiative for the establishment of INCHRE came from the regional office of the Philippine Commission on Human Rights (CHR) headed by Ms. Anita M. Chauhan, PhD. MMSU supported this initiative and inaugurated the establishment of INCHRE by signing a Memorandum of Agreement with the CHR on 21 August 2003. The then President of MMSU, Saturnino M. Ocampo, Jr., PhD, and the then Chairperson of CHR, Hon. Purificacion C. Valera-Quisumbing, signed the MOA.

The MOA provided MMSU and the CHR with a sense of responsibility to give their full commitment and cooperation to human rights education.

INCHRE envisions to create a community where people have the human rights knowledge, values, attitudes and skills necessary as rights-holders or stakeholders in maintaining a democratic society where there is freedom from all forms of exploitation; where human rights are respected; where equality, non-discrimination and justice prevail; where the potentials of the vulnerable groups are developed; and where democratic practices ensure that people live together in peace and prosperity and in harmony with nature and the environment.

It has the mission of evolving a culture of human rights, democracy and peace by institutionalizing a multi-disciplinary human rights education and by being responsive to fundamental education needs of the people.

It aims:

- a. To conduct trainings on human rights in and outside the University to enhance the knowledge and awareness on human rights concerns of the people;

- b. To mainstream human rights in the three-fold function of the university—instruction, research and extension;
- c. To encourage students and members of the faculty to conduct research on human rights;
- d. To keep people aware and informed on human rights concerns through the production and distribution of information, education and communication materials on human rights; and
- e. To provide services by linking the victims of human rights violations with the CHR and other government agencies mandated with the obligation to protect and realize human rights.

The INCHRE is operating under the Social Sciences Department of the College of Arts and Sciences, with the direct supervision of the Vice President for Academic Affairs of the MMSU. In effect, INCHRE is under the Office of the University President. The Coordinator of INCHRE comes from the Social Sciences Department. The present author, Director of the Extension Directorate of MMSU, is the current INCHRE Coordinator. The Extension Directorate is the extension arm of the University that is responsible in the dissemination of research and academic outputs by faculty and staff. Since most of the INCHRE activities are basically extension in nature, the College Extension Coordinators were also designated as Human Rights Coordinators in their respective colleges. In addition, since the Extension Director is also the INCHRE Coordinator, the activities of the INCHRE are streamlined in all the extension activities of the various colleges.

The INCHRE program implementation is linked to the units in the university that have inter-related and interdependent functions, roles and responsibilities. From the year 2008, INCHRE started to closely collaborate all its activities with the Gender and Development (GAD) Office and the Regional Center for Poverty Studies (RCPS).

The GAD, RCPS and INCHRE are university offices focused on the needs of the vulnerable groups in society. The collaboration of activities between INCHRE and GAD assured financial sustainability for the advocacy activities of INCHRE. This is particularly due to Republic Act No. 7192, otherwise known as the “Women in Development and Nation Building Act,” which promotes the role of women in national development and provides for an automatic allocation of five percent of any government agency’s budget to Gender and Development.

Being part of the GAD program, INCHRE was able to secure office equipments, supplies and materials for its activities.

The Operation of INCHRE

The then university president of MMSU signed Special Order 03-081 that created the INCHRE Working Team composed of members of the faculty and university staff. The initial team of ten members was composed of six women faculty members of the Social Sciences Department, two Extension Staff and two College Extension Coordinators.

All the members of the Working Team are “Accredited Human Rights Educators,” i.e., those who have undergone training and field practice on human rights education. The field practice included serving as resource speakers/lecturers during the Training on the Foundation of Basic Human Rights for Faculty and Student Volunteers in MMSU on 3 December 2003. This was the first human rights training held by the newly-launched INCHRE. The CHR Region I Office bestowed on the first members of the Working Team the title “Accredited Human Rights Educators” at the end of the training. Twenty-three accredited human rights educators have worked in INCHRE. (See Annex A for the profile of the Working Team members).

The University also designated the Extension Coordinators in the different colleges as Human Rights Coordinators. As Extension/Human Rights Coordinators, they are granted vacation leave. Moreover, they are entitled to a three-unit reduced workload. These small incentives have not affected the strong motivation of the Coordinators in working hard to become human rights advocates.

Mainstreaming Human Rights Education

INCHRE designed its programs based on the mandated functions of state universities in the Philippines, namely, instruction, research and extension. It implements three major programs regarding the integration of human rights into the university curriculum, research on human rights issues, and extension work on human rights.

A. Integrating Human Rights in Instruction

INCHRE started integrating human rights into the Sociology Curriculum of the Bachelor of Arts (BA) course, under the Social Sciences Department. Human rights issues and concerns are included in the following subjects:

Seminar for Behavioral Sciences Students. This is a major course/subject taken by all senior students enrolled in BA Sociology. The students are encouraged to consider human rights issues and concerns as topics for presentations in the course. Forums are organized for these presentations that are attended by other students. Students discussed various human rights topics such as the rights of indigenous peoples, women, migrant workers, religious minorities, and also housing rights and human rights violations by members of the police. See Table 1 for the list of presentation topics.

Political Science Subject. The Political Science faculty members emphasize human rights in their discussions of the subject, especially the discussion on the Philippine Constitution. The Political Science subject is a general course (GE) required for all students at the tertiary level.

The faculty members teaching these courses openly accept the integration of human rights into the university curriculum since most of them are themselves accredited human rights educators in the university.

Table 1. Human Rights Topics Presented in the Seminars for Behavioral Sciences, MMSU-INCHRE

Activity	Purpose/Objective	Date	No. of Participants
Seminar on the Filipino Migrant Workers (OFWs): Some Human Rights Issues and Concerns	To create awareness among students on issues affecting OFWs	16 August 2004	26
Human Rights Forum - Consumers' Rights - Rights of Indigenous Peoples - Rights of Religious Minorities	To increase the awareness and knowledge of participants on consumers' rights, and the rights of indigenous people and religious minorities	6 August 2005	40
The Millennium Development Goals: Some issues & concerns	To increase the awareness and knowledge of students on the Millennium Development Goals, especially on issues regarding their implementation	22 August 2006	30
Human Rights Forum - Housing Rights - Women's Rights - Malpractices of the Philippine National Police: Some Violations of Human Rights	To make the students become aware of some important rights and of malpractices of human rights duty-holders	24 August 2006	45

INCHRE also provides training for students, as part of the integration of human rights in instruction. It offers several training programs:

1. Training for National Services Training Program (NSTP) Students.

From its inception, INCHRE has been holding human rights training for NSTP students. The NSTP is a required subject for all first year students. In the training, the accredited human rights educators serve as resource speakers on the following topics:

- a. Definition and Classification of Human Rights
- b. Human Rights Principles
- c. Rights of the Child
- d. Rights of Students.

INCHRE holds an annual training on human rights (usually during the first semester) for NSTP students and for Instructors and College Extension Coordinators in nine colleges. This training is held in collaboration with the Student Services Department, College of Arts and Sciences, and NSTP. See Table 2 for the number of students trained.

Table 2. Human Rights Trainings for NSTP Students Held by INCHRE, 2004-2008

Year	Number of Colleges Covered	Number of NSTP Student-Participants
2004	8	1,452
2005	5	1,153
2006	5	493
2007	8	1,025
2008	9	1,205

2. Training for Secondary Students. This is given to junior and senior secondary students of the university. In all these trainings, the trainers or resource speakers are the Accredited Human Rights Educators in the university (Table 3).

Table 3. Number of Human Rights Trainings Held by INCHRE, 2003-2008*

Year	Number of Trainings	Number of Participants
2003	2	67 Faculty and staff
2004	1	1,452 NSTP students
2005	2	1,153 NSTP students 116 Secondary school students
2006	2	493 NSTP students 48 BA Sociology students
2007	1	1,025 NSTP students
2008	5	205 Women leaders and Barangay Chairperson 25 Faculty and staff 1,205 NSTP students 82 Barangay Human Rights Officers (BHROs) and Local Government Unit (LGU) officials and employees

* Trainings include those held with NSTP students

3. Training for Members of the Faculty and Staff. The faculty members are prepared for human rights education through trainings jointly provided by INCHRE and CHR Region 1 Office. These trainings increased the knowledge of the INCHRE Working Team and other faculty members as advocates of human rights and developed their skills as human rights trainers. See Table 4 for the list of trainings held.

Table 4. Number of Human Rights Trainings Attended by MMSU Faculty and Staff, 2003-2008

Year	Number of HR Trainings	Number of Participants
2003	2	20
2004	5	18
2005	4	4
2006	3	3
2007	4	25
2008	5	20

Note: CHR Region 1 Office held these trainings

B. Human Rights Research

INCHRE facilitates research on human rights by both students and the members of the faculty in line with the university functions.

Student Research. Senior or graduating students in the BA Sociology program who are required to prepare an undergraduate thesis in their Socio 200 subject are encouraged to consider human rights issues as study problems. Table 5 provides a list of thesis topics on human rights that have been taken up by students. Moreover, the students are encouraged to present the results of their thesis-related research in a forum by joining the annual Search for the Best Undergraduate Thesis, in the Arts and Social Sciences category, held by the Research and Development Directorate of the university. Several of these students' theses received recognition in this forum. See Table 5 for the list of students' theses. (Award winning theses are listed in Annex B.)

Table 5. Research Projects Undertaken by Students

Title	Student Researcher	Adviser	Year
1. Knowledge of OFWs on Human Rights and Their Awareness of Government Programs	Ms. Lea Malicad	Prof. Jacqueline Ugale	2004
2. Indigenous People's (Isneg) Level of Knowledge and Enjoyment of their Human Rights	Ms. Anavie Tunac	Prof. Marivic M. Alimbuyuguen, PhD	2005
3. Child Labor in Rice-based Farming Communities	Ms. Joyce Rallojay	Prof. Marivic M. Alimbuyuguen, PhD	2006
4. Level of Knowledge and Enjoyment of Human Rights of MMSU Students	Ms. Loida Bagaoisan	Prof. Marlyn Cacatian	2006
5. Level of Knowledge and Enjoyment of Human Rights of Workers	Ms. Kristine Urbi	Prof. Mayvelyn Tajon	2007
6. Level of Knowledge and Enjoyment of Human Rights of Women	Ms. Imelda Cajjgal	Prof. Dyrma I. Sabas	2007
7. Level of Knowledge and Enjoyment of Human Rights of Prisoners	Mr. Mark Anthony Ruiz	Prof. Marivic M. Alimbuyuguen, PhD	2007

Faculty Research. The accredited human rights educators of MMSU have been involved in a research on Millenium Development Goals in Ilocos Norte province. The CHR Region 1 Office implements this project.

C. Human Rights Extension Activities

From inception, the INCHRE activities have been aligned with the activities of the Extension Directorate of MMSU. Hence, most of the activities of INCHRE are geared towards extension work, such as the following:

1. Training for Various Stakeholders. As an outreach program, the INCHRE holds human rights training in various towns in the province. (Please refer to Table 4 for the trainings held.) The participants of these trainings include women, out-of-school-youth (OSY), prisoners, parents and guardians of nursery children, local government officials, employees of various government organizations (GOs), and officers and members of non-governmental organizations (NGOs).

2. Extension activity of the Social Sciences Department and Socio Guild. The Social Sciences Department and the Socio-Guild, a student organization of the BA Socio program, have adopted as extension activities the human rights training and other activities of the NSTP students. The BA Socio students, through the Socio Guild, assist in holding the training.

3. MMSU-SIFE. INCHRE takes the mandate of not only enriching and enhancing the knowledge of individuals on their human rights but also educating them on mechanisms for the protection and/or fulfillment of these rights. In line with this perspective, INCHRE has accepted the proposal of the CHR Region 1 Office to join the Pilipinas Students In Free Enterprise (SIFE) program.¹ MMSU has a SIFE team that has been participating in SIFE competitions for the past five years (see Table 6 for projects developed by MMSU SIFE team). INCHRE relates the projects under SIFE to right to food and adequate nutrition, as well as the right to work or livelihood. Thus INCHRE supports the MMSU SIFE team in developing projects that address the needs of communities. This involvement of INCHRE in SIFE had also brought laurels to the university, not only in national but also international arenas. (Please refer to Annex B for the awards received by the team).

Table 6. MMSU SIFE Activities/Projects and Beneficiaries, 2004-2008

Project	Project Objective	Beneficiaries
Improving the Ilocano Women's Lives through Shell-craft Enterprise (2004 to present)	Aims to augment the income of women folk in fishing villages through entrepreneurship, by enhancing their knowledge and skills in the production and marketing of shell-craft products.	150 fishing households
2. Improving the lives of Rural folks through Bamboo Enterprise (2007 to present)	Aims to augment the income of rural folk through the production and marketing of various engineered bamboo (e-bamboo) products.	20 women, farmers and OSY
3. Transforming the lives of the Ilocanos through Sustainable Entrepreneurial Development (2008 to present)	Brings desirable changes in the lives of rural folk with the implementation of various entrepreneurial projects.	
	3.1. "Projecting Bayanihan [Community Cooperation]"	21 Indigent Families of the Gawad Kalinga Foundation
	3.2 "Threading the Shells of Hope"	50 women folk
3.3 "Shooting the Bamboo Persistence"	20 women, farmers and OSY 23 Detainees in the Bureau of Jail and Management Penology	

D. Advocating Human Rights in Print and Media

To widen its reach and to serve more people in the Ilocos Norte province and neighboring provinces, the INCHRE utilizes both print and broadcast media for its human rights advocacy. Several articles or news items on the activities of INCHRE have come out in various publications in the university. (See Table 7 for the media materials).

Table 7. Human Rights Articles/ News Items in MMSU Publications

Article	Publication	Date Published
Jail Partners tapped from MMSU	News for the Week, vol. 11, no. 9	May 28, 2009
Livelihood training-workshop conducted in jail	News of the Week, vol. 11, no. 12	July 16, 2009
BJMP Detainees are beneficiaries of skills training	Extensionist, vol. 1, issue 1	June-July 2009
MMSU-SIFE Team to compete in the National SIFE Exposition	Extensionist, vol. 1, issue 1	July 2008
MMSU-SIFE TEAM is 3rd Runner Up in the 2008 SIFE National Competition	Extensionist, vol. 1, issue 2	August 2008
MMSU-SIFE Team off for the national expo	News for the Week, vol. 10, no. 7	August 2008
BRDC Assists Pagudpud Shellcraft Producers	Extensionist, vol. 1, issue 3	September 2008
CAS Extension Sets off Human Rights Education for NSTP Students	Extensionist, vol. 1, issue 3	September 2008
MMSU-CHR conducts BHRAO Orientation Seminar	Extensionist, vol. 1, issue 4	October 2008

The INCHRE Working Team has also been invited to join a radio program entitled *Rimat ti Ilocandia* (Light of Ilocandia), hosted by the MMSU Extension Directorate and aired every Wednesday though the radio station DWFB from 10:00 to 11:00 a.m. in Laoag City, Ilocos Norte.

Tapping all available mediums of communication within the university widens the reach of the INCHRE and serves more “human-rights-in-need” people.

Lessons Learned

The INCHRE experience provides some lessons in institutionalizing human rights education in a higher education institution or the academe as a whole. The options and strategies employed by INCHRE for this purpose constitute lessons learned.

The INCHRE took the initial step of creating a sense of responsibility among the various colleges and units in the university. INCHRE ensured that these colleges and units were able to recognize their role as duty-bearers as far as human rights were concerned.

From this initial step, INCHRE clearly and properly defined goals that should be aimed at, and on which its organizational structuring and organizing of human resources depended. Such structure and resources were bases of its program implementation.

MMSU's officially sanctioned creation of a Working Team with the primary purpose of mobilizing human resources for INCHRE was a significant move. Based on the policy of the University of using its existing resources, MMSU through the Working Team tapped the human resources of its extension program by turning them into human rights advocates. With training provided by the CHR Regional 1 Office, the extension work providers of MMSU's different colleges became important human resources of INCHRE. The members of the Working Team themselves became Accredited Human Rights Educators, who later on helped in program implementation both within and outside the university.

INCHRE basic programs consist of academic and practicum-oriented activities. These programs subscribe to the mandated functions of State Universities and Colleges (SUCs) in the Philippines. MMSU, being a state university, mainstreamed human rights education in three of these functions, namely, instruction, research and extension. INCHRE facilitated this human rights education mainstreaming in MMSU's system.

Fully aware of the major constraints in implementing human rights education programs or projects, INCHRE overcame this problem during its first years of operation through collaboration with the different colleges and units of MMSU. Since the colleges and units have funds for training, INCHRE takes the opportunity of including human rights as topics in the training activities of the colleges and units. For example, in the livelihood training for women being implemented by GAD, a topic on the rights of women is discussed. INCHRE also undertakes activities jointly with the Extension Directorate.

By integrating human rights education into the three major functions of MMSU, no additional cost was incurred in implementing INCHRE programs, and most of all, the sustainability of the INCHRE activities was ensured and institutionalized.

Finally, INCHRE established both formal and informal linkages with institutions outside the MMSU to support its program implementation. It anchored its program implementation on the principle of "participation and partnership" that involved unity of action, resource sharing and complementation between and among human rights duty-bearers and stakeholders/rights-holders. INCHRE maximized its partnership with CHR Region 1 Office, and cultivated links with local government units at the village, municipal and provincial levels. These local government units (LGUs) play im-

portant roles in the implementation of the human rights education activities within their respective jurisdictions. Their roles consisted of 1) direct involvement in getting participants to the INCHRE program activities such as human rights trainings; 2) sharing of resources by providing the training venues and other needed training resources; and 3) taking responsibility in ensuring that the INCHRE trainings will improve and transform the lives of the participants by putting in action whatever they learned in these trainings. With these links, the working relationship between MMSU and the LGUs is strengthened, as both institutions collaborate towards realizing their roles in human rights advocacy.

INCHRE also established informal links with other institutions such as the National Federation of Centers for Human Rights Education (NFCHRE)² and the Philippine Association of Extension Program Implementors (PAEPI). Both institutions have been instrumental in holding trainings for human rights volunteers and accredited human rights educators among the members of the MMSU faculty. Through these linkages, INCHRE also provided consultancy services by providing resource speakers to various training activities. See Table 8 for the list of these training activities.

Table 8. Consultancy Services Provided by MMSU-INCHRE, 2004-2008*

Year	Number of consultancy services (Resource Speakers)	Number of faculty involved
2003	2	Center Coordinator
2004	2	Center Coordinator
2006	5	Center Coordinator and INCHRE Working Team
2007	4	Center Coordinator and INCHRE Working Team
2008	5	Center Coordinator and INCHRE Working Team

* Human rights trainings for NSTP students excluded

Insights and Program Sustainability

The INCHRE experience in implementing human rights education programs using various options and strategies is a unique albeit limited experience that may not apply outright to other SUCs or HEIs in the country or even abroad. However, such experience provides invaluable lessons and insights in human rights advocacy. It can be adapted and tried in other similarly situated human rights programs and projects.

The sustainability of any program is one of the biggest and most important challenges faced by any implementing institution. More often than not, a project is sustainable when it enjoys a stable financial support. INCHRE is not an exemption to this challenge, especially since it does not enjoy a clear budget allocation.

But there are other factors that contribute to the sustainability of an institution. As earlier discussed, INCHRE collaboration with colleges and units within the university and well-established place in the university organizational structure (with well-defined direction and goals) provide sustainability in program implementation.

The integration of human rights in the MMSU curriculum ensures institutional support for INCHRE programs and likely will transcend uncertainty brought by change in the university leadership.

The commitment and support of the members of the faculty, the staff and the administration officials of MMSU brought laurels to INCHRE and the university and recognition at the national and international levels. (See Annex B for the list of awards and recognitions).

Simple and small-scale strategies and practices helped INCHRE create a niche in developing a human rights culture, not only in the academe but also in the province of Ilocos Norte and the Philippine society in general. Through these strategies, INCHRE is contributing in building a violence-free, peaceful, and orderly Philippines.

Endnotes

¹SIFE is a partnership between business and higher education institutions that prepares the next generation of entrepreneurs and business leaders to create a better world for everyone. SIFE teams develop outreach projects that specifically meet the unique needs of some communities. The projects are then presented at the regional, national and international competitions. Business executives judge the competitions and select the winners based on which teams they believe were most effective at helping others through their projects (SIFE Team Handbook, 2008-2009).

²As of 2009, the National Federation of Centers for Human Rights Education (NFCHRE) has the following members: twenty-five Higher Education Institutions (HEIs), one Non-Governmental Organization (NGO), and fourteen Division Schools of the Department of Education (DepEd).

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Annex A

Profile of the MMSU-INCHRE Working Team

Faculty	Educational Attainment	Academic Rank	Area of Specialization
Shirley Mina	Doctor of Education	Assoc. Prof. V	Education
Perla Marders	LIB/MAPA	Assoc. Prof. IV	Political Science
Marivic M. Alimbuyuguen	Doctor of Philosophy	Assoc. Prof. III	Sociology, Anthropology, Rural Development
Henedine Aguinaldo	MS Biology (CAR)	Asst. Prof. IV	Biology
Maita Ancheta*	MAEd (Social Science)	Instructor II	History
Sosima Demandante	Doctor in Philosophy (CAR)	Asst. Prof. I	Crop Science, Rural Development
Jacqueline Ugale*	BS Social Sciences	Instructor I	Sociology, Economics
Angelica Salas	BS Social Sciences	Instructor I	Sociology, Psychology
Marlyn Cacactian	BS Sociology	Instructor I	Sociology
Bella Gervacio	MAPA	Training Specialists I	Extension
Weena Guiang	BA Social Sciences	Instructor I	Sociology
Marjorie Garcia	MS Rural Development	Instructor II	Economics/Rural Development
Lorma Quibilan	BA Political Science	Instructor I	Political Science
Dyrma Sabas	BA Political Sciences	Instructor I	Sociology
Bella Ramos	MA History	Instructor II	History
Elizabeth Marfel Gagni	MAEd Guidance & Counseling	Instructor I	Psychology/Guidance & Counseling
Romel Dascil	AB Philosophy	Instructor I	Philosophy
Fides Bitanga	AB Philosophy	Instructor I	Philosophy
Mayvelyn Tajon	BS Sociology	Instructor I	Sociology
Herdy Yumul	MS Sociology (CAR)	Instructor I	Sociology
Joyce Rallojay	BA Sociology	Instructor I	Sociology
Leslie Kaye Rivera*	BS Sociology	Instructor I	Sociology/History
Cristina Coloma	Doctor of Education	Professor	Public Administration

* No longer connected with the University

Annex B

Awards and Recognitions Received by the INCHRE

Activity	Award/Recognition	Date/Place
Inter-CHRE Regional Competition	First Place – Human Rights Quiz First Place - Human Rights Logo Making Contest Second Place – Human Rights Postermaking Contest	3 December 2003, Pangasinan Colleges of Science and Technology, Urdaneta City, Pangasinan
Search for Outstanding Undergraduate Thesis (Arts and Social Science Category)	Most Outstanding Student Thesis (Knowledge of OFWs on Human Rights and Their Awareness on Government Programs)	March 2004, University Training Center (UTC)-MMSU, Batac, Ilocos Norte
Search for Outstanding Undergraduate Thesis (Arts and Social Science Category)	Most Outstanding Student Thesis (Indigenous People’s Level of Knowledge and Enjoyment of their Human Rights)	March 2005, University Training Center (UTC)-MSU, Batac, Ilocos Norte
2006 National SIFE Exposition	National Champion (Improving Women’s Lives through Shellcraft Enterprise)	15-16 June 2006, Manila
SIFE World Cup Exposition	Semi-Finalist (Improving Women’s Lives through Shellcraft Enterprise)	10-20 September 2006, Paris, France
Search for Outstanding Undergraduate Thesis (Arts and Social Science Category)	Second Place – Most Outstanding Student Thesis (Child-Labor in Rice Farming System)	March 2007, University Training Center (UTC)-MMSU, Batac, Ilocos Norte
Ilocos Agricultural Research Resources and Development Consortium (ILARRDEC) Regional Research and Development Symposium	Third Place – Most Outstanding Undergraduate Thesis (Child-Labor in Rice Farming System)	June 2007, Regional Education Learning Center (RELC), San Fernando City, La Union
2008 National SIFE Exposition	Third Runner-Up – (Improving the Lives of the Ruralfolk through Bamboo Enterprise)	2-4 August 2008, Makati, Metro Manila As an incentive, the MMSU SIFE Team was part of the SIFE Pilipinas Official Delegation to World Cup in Singapore
2009 National SIFE Exposition	National Champion (Transforming the Lives of the Ilocanos through Sustainable Entrepreneurial Development)	17 July 2009, Asian Institute of Management, Makati, Metro Manila 4-6 October 2009, MMSU SIFE Team represented the Philippines in the SIFE World CUP in Berlin, Germany
Regional Awards for Human Rights Education	INCHRE - Most Outstanding CHRE in Region 1	10 December 2009, Provincial Capitol, San Fernando, La Union
Regional Awards for Human Rights Education	Most Outstanding CHRE Coordinator	10 December 2009, Provincial Capitol, San Fernando, La Union

Right to Health Through Education: Mental Health and Human Rights*

Riikka Elina Rantala, Natalie Drew, Soumitra Pathare, and Michelle Funk

THE WORLD HEALTH ORGANIZATION (WHO) is a specialized United Nations agency responsible for providing leadership on global health matters. At the time of its creation in 1948, health was defined as being “a state of complete *physical, mental, and social* well-being and not merely the absence of disease or infirmity.” However, in reality the main focus of global health work has predominantly been on physical health with much less focus given on mental and social health. Yet there is compelling evidence that mental health problems are one of the leading causes of sickness, disability, and even premature mortality in certain age groups.¹ Indeed hundreds of millions of people worldwide are affected by mental, behavioral, neurological and substance use disorders. For example, estimates made by WHO in 2002 showed that one hundred fifty-four million people globally suffer from depression and twenty-five million people from schizophrenia; 91 million people are affected by alcohol use disorders and fifteen million by drug use disorders.² Another WHO report reveals that fifty million people suffer from epilepsy and twenty-four million from Alzheimer disease and other dementias.³ About 877,000 people die by committing suicide every year.⁴

In addition it is well known that the human rights of the poorest and most marginalized people in society are most often violated or neglected, and people with mental disabilities are certainly no exception. Indeed, all

over the world people with mental disabilities experience severe and systematic human rights violation. They are denied employment, education, housing and access to health care as well as civil liberties such as the right to vote. Even within the health care context people with mental disabilities experience wide-ranging abuses, with many people being locked away indefinitely in psychiatric institutions where they are exposed to inhuman or degrading treatment, including physical, sexual and mental abuse and neglect.⁵

Human rights education can play a significant role in reversing this situation. Human rights and health have strong linkages, and lack of information and knowledge on the former will generally have a negative affect on the latter. Unfortunately, the potential value of human rights education to public health has not yet been fully realized.

This article aims to clarify the important synergy between health and human rights, give a brief introduction to the work of WHO in this field and introduce one successful public health and education initiative in the South-East Asia region in which both mental health and human rights have been successfully brought together in the area of human rights education: The International Diploma in Mental Health Law and Human Rights, offered at the Indian Law Society (ILS) Law College, Pune, India in collaboration with the World Health Organization. The Diploma is a first of its kind in Asia and a good example of higher-level human rights education in Asia. The recent entering into force of the United Nations Convention on the Rights of Persons with Disabilities (CRPD)⁶ is a significant step forward in the promotion and protection of the rights of people with mental disabilities and will have an important impact on how relevant policies and laws are formulated in the future. The establishment of the Diploma, which aims to educate key national mental health actors on the CRPD and other international human rights standards, is therefore particularly timely.

Synergies between Health and Human Rights

The first reference to “right to health” at an international level was provided by the Constitution of the WHO. The WHO Constitution recognized in 1948 “the enjoyment of the highest attainable standard of health” as “one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.”⁷ One of the most fun-

damental sources on the right to health is Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in which the right to health is defined as “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.” Article 25 of the CRPD expands this, stating that “persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.” Several other international human rights treaties also recognize the right to health.⁸

International human rights law requires governments to ensure that legislation and policies, which will lead to accessible and affordable health care for all, are put in place in the shortest possible time. The right to health is not restricted to access to health care, but also extends to other underlying determinants of health, such as access to clean water and food, adequate sanitation and housing, healthy working conditions and access to health-related education and information.

Health and human rights interact in several different ways. Firstly, human rights violations such as torture, gender-based violence or harmful traditional practices can result in poor mental and physical health.

Secondly, the realization of human rights can reduce vulnerability to ill health. The right to information guarantees that people are aware of their health rights and can access scientifically valid health data on different health topics. The right to education also indirectly affects health as educated people are generally better informed to make health-related decisions and are more likely to be able to afford healthier lifestyles.⁹ Human rights education is very important in this context. To stand up for their right to health and the right of others, people need to know and understand what their rights are. For example, health policy guaranteeing free antiretroviral drugs to HIV-positive persons is of little use if people are not aware of this right. Likewise, a mental health law that aims to promote free and informed consent to treatment is unlikely to curb coercive treatment practices if neither mental health professionals nor service users are aware of this right.

Thirdly, health and other policies can promote or violate human rights.¹⁰ For instance, national reproductive health policies or programs that exclude certain groups of people are discriminatory. Similarly health insurance schemes that specifically exclude payment for mental health care or offer lower levels of coverage for shorter periods of time violates the right to health as it is discriminatory and creates economic barriers to access-

ing mental health services. Conversely, health or mental health policies that encourage autonomy, as well as social, health and other support services for people with mental disabilities are likely to promote a number of fundamental rights enshrined in the CRPD and other human rights instruments, such as the right to health, to liberty and security of person, to protection of physical and mental integrity, to exercise legal capacity, and to live independently and be included in the community. It is thus of utmost importance that those in the position of planning and implementing laws and policies have a profound understanding of human rights.

Work of WHO in Health and Human Rights

Although human rights are still somewhat neglected in development cooperation efforts, they have slowly started to emerge in the global development arena since the 1990s and are increasingly being integrated into programs of work of the different UN organizations. Within WHO, human rights were first integrated into HIV/AIDS work, where linkages to human rights were particularly apparent. In 2003 WHO, along with other UN organizations, signed a document entitled “UN Common Understanding on a Human Rights-based Approach to Development Cooperation”,¹¹ which states that human rights must constitute the objective and guiding principle of all development cooperation, and that the capacities of duty-bearers (governments, local authorities) to meet their obligations and of rights-holders (individuals) to claim their rights must be strengthened.

Today the human-rights-based approach is employed in a number of projects and programs within WHO headquarters, regional offices and at the country level.¹² In short, WHO aims through its human rights work to:

- Strengthen the capacity of WHO and its Member States to integrate a human-rights-based approach to health
- Advance the right to health in international law and international development processes
- Advocate for health-related human rights.

At the regional and country levels WHO supports governments in the implementation of the human-rights-based approach to national health policies and programs. WHO can, for instance, provide human rights training to ministries of health and to other stakeholders such as national human rights institutions. Health and human rights training is also offered to pub-

lic health and human rights practitioners, representatives of government ministries, national institutions, civil society and UN staff members through an e-learning course organized by WHO and InWEnt Capacity Building International Germany. Human-rights-related advocacy materials have also been produced and research conducted on specific health and human rights topics. In the South-East Asia Region, WHO human rights advocacy has focused on environmental health, HIV/AIDS and maternal and neonatal health.

WHO also has plans to support health and human rights education in secondary schools in the region, using DVD *Health - My Right* and published cartoons *Right to Health* and *HIV/AIDS, Stand up for Human Rights* as teaching materials in the classroom.

Another important initiative in the area of human rights education is the launch of the International Diploma in Mental Health Law and Human Rights at the ILS Law College in Pune. The one-year diploma course is organized with the support of the ILS in collaboration with WHO Geneva.

Legislation and Education to Pave Way for Human Rights

Although education is largely recognized as one of the key ingredients for development, the value of *human rights* education specifically as a tool for development has not yet been fully understood or utilized. Through human rights education, which raises awareness on the rights of persons with mental disabilities as well as government obligations to respect, protect and fulfill these rights under international law, we can first and foremost change people's attitudes and eradicate prejudices and ignorance that are the root cause of violations and non-realization of human rights. A fully fledged human rights approach is not just about focusing on state action or taking steps based on an understanding of human rights violations. A profound human rights approach also means addressing the actions of non-state actors, addressing cultural and social practices, gender perceptions and economic inequalities.¹³ Since education plays a significant role in handing down values and attitudes, human rights education is of utmost importance in the promotion and realization of the right to health and other human rights.

Human rights education can also ensure that national decision makers and other influential stakeholders are better equipped to draft, adopt and implement national legislation and policies that reflect international

human rights laws and principles. As noted above the presence of mental health legislation or policy in itself does not guarantee respect for human rights. In some countries, for instance, legislation is extremely outdated and violates rather than promotes or protects human rights. The *WHO 2005 Mental Health Atlas*, for example, indicates that only 16.7% of countries in the South-East Asia Region have enacted legislation since 1990.¹⁴ Against this backdrop human rights education is imperative for the formulation of human rights oriented mental health policies and laws. Indeed, progressive policies and laws can: prevent violations and discrimination and promote human rights; encourage autonomy and liberty of people with mental disabilities; promote access to mental health, social and other support services to enable people to lead fulfilling lives in the community, and; ensure that people with mental disabilities have access to legal mechanisms to exercise and protect their rights.

The entry into force of the CRPD is an important milestone for public mental health work from a human rights perspective. Its rapid and ongoing ratification by Member States points towards an increasing empathy and involvement with mental health policy and law reforms at the country level. In this context the International Diploma in Mental Health Law and Human Rights comes at a crucial time and represents an important resource for advocacy and learning.

The International Diploma in Mental Health Law and Human Rights

The International Diploma in Mental Health Law and Human Rights, launched in October 2008, is a result of collaboration between WHO headquarters and the ILS in Pune, India. In 2005, WHO published the *Resource Book on Mental Health, Human Rights and Legislation* to guide countries in amending and adopting human-rights-based mental health legislation for the promotion and protection of rights of persons with mental disabilities. Early experience suggested that while many countries found the Resource Book a useful guide for this purpose, the lack of trained professionals was a significant barrier to effectively converting guidance into action. In addition, in the light of the coming into force of the CRPD in 2008, there was an urgent need to raise awareness on the Convention and provide guidance on its implications in relation to future national mental health policy, legislation, services and practice.

The ILS Law College, affiliated to the University of Pune, is recognized as one of the premier institutions for quality legal education in India since its inception in 1924. Its prime objective is to impart socially relevant legal education in order to promote the principles of justice, liberty and equality. The College is known for the innovative teaching methods it has employed for many decades. As early as 1949, the College established its Moot Court Society which aimed to impart practical legal education to students. Mock parliamentary sessions were held to provide law students training in political leadership and parliamentary procedure. The College also initiated a program known as 'Towards Conscious Legal Education' (TCLE) with thirteen Diploma Courses such as on Human Rights and Law, Feminist Jurisprudence, as well as Child and Law. Considering the role of law and lawyers as instruments of social reform, the College lays emphasis on providing students with a first-hand experience of social realities. In 1976 it established its Legal Aid Center with a view to imparting practical training skills to students and creating awareness about social issues. The activities of the Legal Aid Center include providing advice to disadvantaged clients, legal literacy, and undertaking research on various socio-legal issues.

The purpose of the ILS's International Diploma Course on Mental Health Law and Human Rights is to build capacity of key actors in countries to promote the rights and improve the lives of people with mental disabilities. The course equips students with the knowledge and understanding of the CPRD and other international human rights standards as they relate to people with mental disabilities, enabling them to contribute to international and national advocacy efforts, create increased attention to mental health and human rights issues on the national agendas and also influence national legislative and policy reform processes to bring them in line with international human rights law.

The course is targeted at mental health professionals, law professionals, mental health service users, policy-makers and planners, government officials, lawyers, human rights defenders, and family members of people with mental disabilities.

The one-year Diploma Course includes two short residential sessions. The first residential session is at the start of the course and lasts two weeks while the second residential session is at the end of the course and lasts one week. In between residential sessions students are required to complete a series of course modules, and assignments online and also undertake a sub-

stantial project under the supervision of an assigned faculty member. The modules cover the following topics:

- Basic understanding of mental health and mental health conditions
- Basic understanding of law and legal systems
- CPRD and other key international human rights standards relating to mental health
- Policy and legislative framework for mental health
- The Right to Health—promoting access to mental health care
- Key rights of mental health service users, families and carers
- Involuntary admission and treatment in the context of the CPRD
- Criminal law and mental disability
- From exclusion to inclusion: Rights in the community
- Drafting, adopting and implementing mental health legislation.

The Diploma Course is taught by a faculty of renowned international experts in the area of mental health and human rights. Experts include mental health professionals, lawyers, mental health service users, experts in the area of disability rights and human rights defenders from around the world.

The Experience So Far

The inaugural class of 2008 comprised twenty-three students from seventeen (mainly developing) countries. Students from this first intake graduated in October 2009 at a ceremony presided by Mr. Anand Grover, UN Special Rapporteur on the Right to Health. October 2009 also marked the first residential session for the nineteen students from fifteen countries who registered for the 2009-2010 academic year of the Diploma Course. Course participants have included health and mental health professionals, government officials, lawyers, social workers, policy-makers and legislators, mental health service users/survivors and their families. The Course has enjoyed very high approval ratings from the students with 80% saying the Course exceeded their expectations and the rest stating that it fully met expectations.

Some student-graduates made the following comments on the Diploma Course:

I enjoyed, learned, thought about what I learnt, reconfirmed, discussed... It opened my vision to areas I had never seen, looked at many issues and ideas differently. I changed many of my beliefs... I am thankful to the faculty and co-coordinators for giving

me an opportunity to learn and interact with them. I learnt with the belief that I can make CHANGES even if small and change lives and help people... WE CAN DO IT.

thank you so much for this great experience, it was stressful but incredible informing (sic)

This course has exceeded my expectations. I have learnt an immense amount and made wonderful contacts and friends. Thank you for its creation - I will spread the word on its high standards and quality.

Extremely well supported program. Impressed with all aspects. Learning was interactive, high quality and fun.

The course, which receives more than seventy applications each year, has a capacity to admit thirty students per year. The majority of applications are from applicants who have the potential to make effective use of the course and act as agents of change in their own countries. The ILS runs the course on a non-profit basis and the costs of the course to date have been met entirely by student fees.

The course organizers actively encourage international agencies to fund students to attend this course. In the past two years, international agencies such as the OSI Mental Health Initiative, the Government of New Zealand, WHO Country Offices in Jordan and Palestine territory, WHO Regional Office for the Eastern Mediterranean (EMRO) and the Pan American Health Organization (PAHO) have sponsored students to attend this course.

Conclusion

In recent years, both mental health as a public health issue and human rights as a cross-cutting issue affecting public health have slowly captured the attention of many governments, donors, international institutions and civil society. The entry into force of the CRPD also represents an important step forward in the promotion and protection of people with mental disabilities.

In spite of this progress, many countries still have extremely outdated mental health legislation, and this, in addition to the general lack of awareness on human rights, has meant that the rights of persons with mental disabilities still fail to get the required attention. In order to realize human

rights for them, fundamental changes in society are needed to bring about a profound understanding and respect for the human rights of all persons. This needs to be supported and reinforced by the development and enforcement of a corpus of human rights compliant legislations and policies. While the rapid ratification by States of the CRPD certainly point to a commitment in this direction, many countries still lack trained professionals to raise awareness and provide guidance on mental health policy, legislation, services and practice.

The International Diploma on Mental Health Law and Human Rights, which is offered at the ILS College in Pune, India since 2008, is significant both because it is one of the pioneering human rights education curriculums at an advanced level in the region, and because it focuses on this much neglected area of mental health. Ultimately, there is the hope that the Diploma will help to establish an ever-increasing skilled pool of experts that are able to bring about positive and meaningful change in the area of mental disability rights in countries across the world.

The International Diploma is a good example of higher-level human rights education in the field of mental health and is one of the first of its kind to be supported by WHO in the South-East Asia Region. Recognizing the importance of human rights education, and the need to expand this to other areas of health and to all levels of society, the WHO Regional Office for South-East Asia is supportive of the efforts of its Member States in bolstering public health efforts with relevant human rights education. Health related human rights education is indispensable to public health, as health goals can only be realized if people are aware of their rights and if health professionals, policy-makers, and other influential stakeholders are able to understand and promote these rights.

*DISCLAIMER: The authors alone are solely responsible for the views expressed in this publication. The views expressed in this publication do not necessarily represent the decisions, policy or views of the World Health Organization.

Endnotes

¹Miranda JJ and Patel, V., *Achieving Millennium Development Goals: Does Mental Health Play a Role?*, www.pubmedcentral.nih.gov/articlerender.fcgi?artid=1201694

²*Revised Global Burden of Disease (GBD) 2002 estimates* (Geneva: World Health Organization, 2004), www.who.int/healthinfo/bodgbd2002revised/en/index.html

³*Neurological disorders: public health challenges* (Geneva: World Health Organization, 2006)

⁴*World Health Report 2003. Shaping the future* (Geneva, World Health Organization, 2003).

⁵*Mental Health and Development: Targeting People with Mental Health Conditions as a Vulnerable Group* (World Health Organization, available in 2010) and *Human Rights and Health, Persons with Mental Disabilities* (Washington: Pan American Health Organization, 2008)

⁶*Convention on the Rights of Persons with Disabilities*, adopted by the United Nations General Assembly in December 2006, www.un.org/disabilities/documents/convention/convoptprot-e.pdf

⁷The Constitution of WHO was approved by the International Health Conference in New York in July 1946 and ratified by a majority of UN member states on April 7, 1948. This marked the official establishment of WHO.

⁸International treaties and conventions (in chronological order) relevant to health & human rights

1. ILO Convention (No. 29) concerning Forced Labour (1930);
2. United Nations Charter (1945);
3. Convention on the Prevention and Punishment of the Crime of Genocide (1948);
4. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949);
5. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949);
6. Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949);
7. Geneva Convention relative to the Treatment of Prisoners of War (1949);
8. Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949), and the Protocol Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts (Protocol I) (1977) and the Protocol relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) (1977);
9. Convention relating to the Status of Refugees (1950) and its Protocol (1967);
10. Convention (No. 105) on Abolition of Forced Labour (1957);
11. International Convention on the Elimination of All Forms of Racial Discrimination (1963);
12. International Covenant on Economic, Social and Cultural Rights (1966);
13. International Covenant on Civil and Political Rights (1966) and its two Protocols (1966 and 1989);
14. Convention on the Elimination of All Forms of Discrimination Against Women (1979) and its Protocol (1999);
15. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984);
16. Convention on the Rights of the Child (1989);
17. Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries (1989);

18. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990);

19. Convention (No. 182) on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999);

20. Maternity Protection Convention (No. 183, 2000);

Source: *25 Questions and Answers on Health and Human Rights* (Geneva: World Health Organization, 2002), page 29.

⁹Better Health is Linked to Education, *AORN Journal*, (September 2002) http://findarticles.com/p/articles/mi_m0FSL/is_3_76/ai_91805685/

¹⁰Gostin L. "Human Rights of Persons with Mental Disabilities: The European Convention of Human Rights," *International Journal of Law and Psychiatry*. Volume 23(2), 2000/125-159 at 127.

¹¹The "UN Statement on Common Understanding on Human Rights-based Approach to Development Cooperation and Programming" was adopted by the UNDG in 2003 to ensure that all UN agencies consistently apply human rights-based approach to development work at global, regional and country levels. http://www.undp.org/governance/docs/HR_Guides_CommonUnderstanding.pdf

¹²WHO has headquarters in Geneva, Switzerland, six regional offices and 145 country offices that cover 159 Member States. In the Asia-Pacific Region there are two regional offices. The Regional Office for South-East Asia is based in New Delhi and covers eleven countries. The Regional Office for the Western Pacific is based in Manila and covers twenty-seven countries.

¹³*Claiming the Millennium Development Goals: A Human Rights Approach* (New York and Geneva: The United Nations, 2008) p. 11.

¹⁴*Mental health atlas 2005* (Geneva, World Health Organization, 2005)

Note

Admissions for the academic year 2010-11 opened in January 2010. The organizers hope to encourage more international agencies and governments to sponsor students to attend the course in the coming year.

Prospectus for the International Diploma is available online at www.mentalhealthlaw.in/content/international-diploma-mental-health-law-human-rights.

The website also has an application form which prospective students can complete online. More information can also be obtained from the course coordinator, Dr. Soumitra Pathare (incarnapune@gmail.com).

Links to publications and learning materials:

The Convention on the Rights of Persons with Disabilities www2.ohchr.org/english/law/disabilities-convention.htm

WHO MIND Mental Health and Human Rights website www.who.int/mental_health/policy/legislation/en/index.html

International Diploma in Mental Health Law and Human Rights website: www.mentalhealthlaw.in/

WHO publications on health and human rights www.who.int/hhr/activities/publications/en/index.html

The Three Phases of Health and Human Rights Education: A new cross-disciplinary opportunity in the Asia-Pacific and beyond

Emily Waller¹ and Daniel Tarantola²

IN THE NEW MILLENNIUM, public health and human development policies and programs are evolving in a context of mixed opportunities and challenges. There are currently unprecedented resources available to address persisting and emerging issues of global significance, including: HIV/AIDS economic globalization, conflicts and natural disasters, Indigenous health gaps, ageing, emerging epidemics, climate change and the widespread movements of people through labor and forced migration. However, the increased competition for attention, finances and human resources often sets one issue against the other, failing to recognize the exacerbating qualities of these global challenges. In this fast-changing environment, health and development inequalities are widening disparities among populations.

To respond to these challenges, many policymakers, practitioners, advocates, and academics in the fields of public health and international development are increasingly turning to a human rights framework to guide their actions. More recently, there is a movement to examine the interactions across all three domains of public health, human development and human

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rights in an effort to cut across the traditional disciplinary and institutional barriers isolating one issue from the others and more effectively respond to compounding challenges. As the interactions between health, development and human rights are becoming increasingly clear, there is growing recognition that a clearer understanding of their reciprocal relationships can help shape health and development policies, strategies and programs for the future using human rights as guiding principles and as a normative framework. A critical element of this evolution calls for reinforced education and training.

This paper will outline the rise of health and human rights education and recent efforts to move this field one step further to examine the interface of the three important global topics: Health, Development and Human Rights. In particular, it will describe a unique cross-disciplinary course offered in Australia, highlighting its conception, development and implementation. Finally, this paper will examine the future of health and human rights education worldwide.

The Early Phase: A Brief History of the Rise of Health and Human Rights Education

The year 1948 represents a particularly important moment in history as it marks not only the establishment of the World Health Organization, the first intergovernmental global organization focusing solely on health, but also the adoption of the Universal Declaration of Human Rights, the foundation document for human rights. Ever since, there has been increased recognition of the responsibility of governments and the international community to better respond to public health challenges, as well as uphold human rights norms, standards, principles and laws. However, despite the intrinsic links between health and human rights, stemming from but extending beyond the right to the highest attainable standard of physical and mental health as laid out in the International Covenant on Economic, Social and Cultural Rights (Article 12, UN, 1976), these two fields remained largely isolated from one another. Their mutually reinforcing nature did not become fully elucidated until the onset of the HIV/AIDS epidemic in the 1980s. Under the leadership of Jonathan Mann at the World Health Organization (WHO), the formulation of the first global strategy on HIV/AIDS launched by WHO included the creation of a supportive environment and the reduction

of the impact of HIV on individuals and communities, invoking the promotion and protection of human rights (Mann, 1987).

As the links between HIV and human rights gave rise to a broader public health and human rights agenda, two international conferences on Health and Human Rights, held in 1994 and 1996 at the Harvard School of Public Health, cemented their mutually reinforcing nature and created the foundation of what is known today as the 'Health and Human Rights Movement' (1995; Mann and Gruskin, 1997). Borne out of this Movement was a call to better define health and human rights theories, principles, approaches and methodologies and create opportunities for related education in academic settings. Accordingly, the Harvard School of Public Health hosted the first academic course on Health and Human Rights in 1996, and later formed an association with Boston University in subsequent years.

Over the course of the past two decades, health and human rights education has gained strength in academic and professional development curriculum. Such mounting interest in and demand for health and human rights education has been accompanied by a diversification of course profiles, methods and formats worldwide. In 2007, the former Special Rapporteur on the Right to the Highest Attainable Standard of Health, Prof. Paul Hunt, highlighted to the United Nations General Assembly the importance of educating health professionals about human rights and their responsibilities: "To be blunt, most health professionals whom the Special Rapporteur meets have not even heard of the right to health. If they have heard of it, they usually have no idea what it means, either conceptually or operationally. If they have heard of it, they are likely to be worried that it is something that will get them into trouble." Such statements are sobering reminders that health and human rights education and training has a long road ahead. Advocating for the inclusion of human rights within the medical school curriculum remains challenging, especially in academic settings where public health is less valued over biomedical teachings, let alone crossing rigid disciplinary boundaries often erected around Medicine and Law. It is, however, encouraging that not only have many schools of public health and law around the world embarked on health and human rights education, but more public health activists and international development organizations also continue to embrace the human rights framework and language, thus pushing the demand forward.

The Second Phase: The Intersection Between Health, Development and Human Rights—An Australian University's Experience

In July 2005, the University of New South Wales (UNSW), Sydney, Australia, sponsored five professorships designed to capture new areas of groundbreaking collaborative research by transcending traditional boundaries between disciplines. Recognizing the important links between public health and human rights and the role Australia can play in advancing this area domestically, within the Asia-Pacific Region and globally, one of these professorships was specifically created for Health and Human Rights. Around this Professorship is the UNSW Initiative for Health and Human Rights (UNSW IHHR), a unique cross faculty entity mandated to generate and facilitate multidisciplinary education and research in the field of health and human rights. Building on the premise that higher education will impact directly on how future generations approach critical global and local issues, the UNSW IHHR is committed to building capacity in this field. Its education strategy centers on an annual cross-disciplinary course it offers to postgraduate students and professionals alike: The UNSW Intensive Course on Health, Development and Human Rights (referred to here after as the 'Intensive Course'). The first course was successfully held in July 2007 and two additional iterations in December 2008 and 2009 followed suit.

The Intensive Course reflects the unique cross-faculty nature of its host institution, the UNSW IHHR, bringing together knowledge, experience and methods from the fields of social sciences, human rights law and public health to advance health, development and human rights as both an area of study and a new, composite method of research. The course aims to provide an overview on the reciprocal interaction between health, human development and human rights, enable participants to build and progressively refine their knowledge of related issues, and present structures and practical tools that can be used to incorporate a health, development and human rights framework within their work or study (see Box 1: Learning Outcomes).

Course Structure and Content

The Intensive Course is structured to build upon its strength as a cross-disciplinary learning opportunity. The lecturers, topics, teaching styles, materials and readings for this course are a compilation of the theories, methods,

Box 1: Health, Development and Human Rights Learning Outcomes

The course learning outcomes are as follows:

1. Define underlying principles and prominent approaches applied to each of the fields of health, development and human rights;
2. Describe the reciprocal interaction between health, development and human rights and how these linkages can be analyzed and applied in practice in one or more selected areas pertinent to participants interests;
3. Illustrate how international mechanisms and procedures can be applied to health, development and human rights and how they can be accessed; and
4. Identify key actions and research that is needed to further the synergy between health, development and human rights.

and research underpinning the disciplines of public health, human rights law, economic, human and/or international development, and social sciences. The course is directed by the Chair of the UNSW IHHR, and supported by members of the UNSW Faculties of Medicine, Law, and Arts and Social Science. In addition, a number of guest faculty members from other universities and research centers, health services, nongovernmental organizations, and United Nations agencies, support the delivery of this course. Notably, the co-founder of the short course on Health and Human Rights offered periodically at the Harvard School of Public Health for the past fifteen years has contributed to all three iterations of this course, which has been instrumental to its success. One of the core strengths of this course centers on the high quality and diversity of lecturers. This was reiterated by a participant in the course evaluation that “the presenters were of very high calibre and were extremely interesting, thought-provoking and gratuitous in sharing their knowledge.”

This Intensive Course is designed to be both theoretical and practical in orientation. It is structured so as to meet its stated learning outcomes and respond to specific topics of interest registered by participants (see Box 2: Course Structure). The course consists of plenary sessions which convey the theories, principles, methods and practice applicable to its content, and thematic sessions for smaller groups focus on specific populations and issues.

Box 2: Course Structure

The course structure builds on the following sequence over five days:

Day 1: Foundations: Establishing the core principles and conceptual frameworks in each of the three domains: health, development and human rights. As participants are expected to have some familiarity and experience in at least one of these domains, these sessions will be so designed as to engage participants in a debate on their interpretation of what each domain encompasses and what are the key objectives, principles, methods and mechanisms characterizing them.

Day 2: Connection: By exploring the connections between health, development and human rights, participants are provided with one or more analytical frameworks designed to recognize the reciprocal interaction between health, development and human rights.

Day 3: Application: Participants learn about applying learned methods, in particular rights-based approaches, to topics of immediate relevance at both the national and community levels.

Day 4: Action: Learning about health, development and human rights in action through topical examples and case studies of interest to the participants.

Day 5: Evaluation: The final day focuses on monitoring and evaluation, including identifying important public health, international development and human rights indicators for monitoring, and introducing the theoretical health, development and human rights impact assessment.

Group workshop sessions focus on case studies to which participants are invited to gradually apply the knowledge and skills they acquire from plenary and thematic sessions with the guidance of tutors. Lunchtime roundtables are held voluntarily during lunch breaks each day. These informal sessions create opportunities for smaller groups of participants to engage in open discussions around topics nominated by participants during the week, such as: the pharmaceutical industry and human rights, humanitarian emergencies and relief, and fear-based health promotion campaigns.

Within this structure, lectures and workshops that explore the mutually reinforcing interactions between health, development and human rights are used to analyze and address emerging issues, including: disability studies,

gender, prison systems, Indigenous health, climate change, trade agreements and globalization, cancer control, mental health, health impact assessments, and the right to development, to name a few (see Box 3: Selection of presentation topics). This course is structured to foster learning between participants and provide an opportunity to build networks which often continue long after the course has finished. One participant noted: “This course is a unique opportunity to engage in an intellectually stimulating environment with a wide range of like-minded people. It has provided me with the confidence to further engage in the field and the contacts to pursue collaborative work.” Given both the diverse and often challenging content of this course, participants are encouraged to apply a critical approach to topics of discussion to express their views in an open environment.

Box 3: Selection of plenary presentation topics

- Introduction to Public Health
- Human Rights and the Law
- Introduction to Human Development
- The Right to Development
- The Health, Development and Human Rights Triangle: Concepts to Practice
- Globalization, Health and Human Rights: Intellectual Property Rights and Access to Medicines
- Human Rights and Disabilities
- Rights-based Approaches: Incorporating Gender and Human Rights in Policy and Programming
- Climate Change and Human Health
- Mechanisms and Indicators: Monitoring & Evaluating Health & Human Rights
- Health, Development and Human Rights in Indigenous Populations
- The Interaction of Human Rights and Mental Health: Examples from post-conflict mental health
- Child and Adolescent Health: Using the Convention on the Right of the Child
- Health, Development and Human Rights Impact Assessment

Group Workshops

To encourage applied learning of knowledge and skills presented throughout the course, tutors facilitate small group workshop sessions with participants. In the 2009 course, four case studies were used to focus discussion, including: Indigenous health in Australia, malaria in Kenya, HIV in South Africa, and the construction of a dam in China. During these structured group workshops, participants brainstorm how the interventions described in the case studies impact on health, development and human rights, and to move this analysis further, how the impacts on the three domains interact positively or negatively with one another. Once participants are familiar with these general concepts, they are led through the application of a rights-based approach, using the following guiding principles: legal/policy context, participation and empowerment, non-discrimination, transparency, accountability, and other relevant rights, as well as availability, accessibility, acceptability and quality of health services, as stipulated within the right to the highest attainable standard of physical and mental health (Art. 12, UN, 1976). A 2007 course participant commented: “[I have acquired the] beginnings of a different kind of critical thinking. I am more conscious of working with principles in public health, primary health care and development that are derived from human rights.” Finally, participants examine the case study using a health, development and human rights impact assessment framework to determine anticipated impacts in the three domains, discuss information gathering methods, and begin to propose recommended solutions to mitigate against negative impacts and provide opportunities for positive ones.

Participants often find these group work sessions particularly challenging as the information provided in the case studies are purposely limited. “The workshops were very interesting but we would need some background information to work more efficiently” (2009 Course participant). The case studies are designed to provide space for participants to use their imagination and stimulate discussion. While previous course evaluations have recommended extending the time allocated to workshop sessions in order to encourage a more in-depth analysis, the challenge throughout the iterations of the course is to decide what should be cut from the course to accommodate such suggestions. Achieving the appropriate balance among session types, including group work, topics, teaching methodologies and free time

for networking has been difficult over the years. However, in 2007, a course participant stated: "On the one hand I wish we had more time to reflect and discuss with colleagues.... on the other hand I found the days long and full... and yet I would not want to leave out anything. So on balance I think you've got it right!" Despite such reassurances in course evaluations, this challenge reoccurs year after year as new ideas to improve emerge.

Target Participants

This Intensive Course welcomes postgraduate students, PhD candidates, and national and international professionals interested in continuing education or professional development. Typically, postgraduate students are enrolled in Masters programs ranging from public health, policy studies, international relations, social development, human rights law and international law, to name a few. While the course is designed for participants with a minimum qualification of a graduate university degree, some participants are accepted on the basis of their experience and professional background. The various professional backgrounds represented by participants include youth work, Indigenous populations, law, intellectual disabilities, migrant and refugee groups, social research, development, and public health, bringing a valuable set of experience and expertise to the course. The course also benefits from a rich cultural diversity as the participants come from various geographical regions and institutions, including: United Nations agencies, such as the WHO, UNAIDS, UNICEF and UNDP, national and international nongovernmental agencies, official development assistance agencies, public services and the private sector. To date, over one hundred and eighty nine students and professional participants have successfully completed the course in its short three-year history.

Course Materials

In addition to the diverse lectures from prominent faculty members, course materials drawn from the most up-to-date literature are provided to participants in the Course Reader. While much of the literature is theory-based, some readings provide practical suggestions for implementation in the field. The Course Reader also provides introductory and logistical information

for all participants, including assessment information for postgraduate students.

The Course Reader is complemented by other useful documents which are distributed throughout the course. Resource books or series papers guide the analysis during the course and thereafter (Tarantola et al, 2007; Mann et al, 1999; and Gruskin et al, 2005). Additional promotional and reference materials are provided upon request by such organizations as the WHO, Amnesty International, the Australian Human Rights Commission, and the United Nations Office of the High Commissioner of Human Rights.

Lessons Learned

Throughout the history of this course, a number of important lessons learned continually emerge. In particular, there is a shared commitment to working towards the optimal synergy between health, development and human rights and strong participant enthusiasm in making these links is evident. Individually, they are all common goals of humanity, but together, they can become more powerful and create a distinctive synergy. A participant stated: "The course has prompted me to employ a human rights approach whenever I think about questions regarding health and development and that without them, health and development cannot be achieved in any meaningful way." In addition, a strong Asia-Pacific Regional interest exists in the emerging area of Health, Development and Human Rights. Keen interest is expressed by participants from the region in taking the new knowledge and skills they learned from the course and applying them to their own country and professional experience.

The Third Phase: An Expansion of Health and Human Rights Education Worldwide

As the theoretical base underpinning health and human rights has developed and the terminology has become more widely used in public discourse, there was a natural evolution to expand health and human rights education within and beyond the university setting. In the last two decades, more institutions offer such courses globally, more instructors and facilitators have built the needed expertise and more students register in such courses. In November 2006, the Harvard School of Public Health's Program on

International Health and Human Rights and the UNSW IHHR co-convened a meeting on 'Health and Human Rights Education in Academic Settings,' attended by twenty-five prominent educators in the field to exchange information about their approaches and experiences in teaching health and human rights (Tarantola and Gruskin, 2006). A syllabi database of Health and Human Rights courses was compiled to serve as a resource for those interested in learning about this growing domain (UNSW IHHR and HSPH PIHHR, 2006).

Beyond the academic setting, a number of organizations provide training in health and human rights throughout the world. Notably, the International Federation of Health and Human Rights Organizations conduct regional training and networking meetings in Africa, Asia and Latin America on monitoring the right to health (IFHHRO, 2010). In addition, the United Nations is active in training staff and country counterparts alike. This expansion of health and human rights education is critical to ensuring a broader reach globally in this important area of study and practice.

The Future of Health and Human Rights Education

While health and human rights education has progressed significantly in its short lifespan, there are still a number of areas which demand energy, ideas and action in order to move the field forward in this new millennium. In particular, there are three areas which deserve further attention. First, critically, as demonstrated above, human rights-related curriculum and syllabi need to be adapted to specific local needs and languages. Investing in culturally and linguistically-sensitive education and training is an essential step towards ensuring individuals across the globe can claim their rights and governments are held accountable to protect, respect, and fulfill human rights. Second, while the theories, methods and frameworks underpinning health and human rights are now well-established, the emphasis in the field should focus on enhancing the application of a health, development and human rights conceptual framework in practice. It is critical to build the evidence that applying a human rights framework to health and development policies, programs and projects not only adds value, but can create a positive impact on people's lives. Case studies demonstrating such evidence will strengthen and reinforce health, development and human rights education and training. Finally, following two decades of education and training in this field, an evaluation on its effectiveness and impact is due.

The expansion of the number of health and human rights course world-wide is encouraging, and the UNSW IHHR is proud to make our own small contribution to this growth by extending the analysis to include development. A 2008 course participant noted: “I was extremely happy with the whole five day course. I feel that doors in my mind have opened when I didn’t even realize they were shut.” As long as demand for such training continues to grow, and the added-value of such approaches is recognized among public health practitioners, human rights activists, development specialists and a multitude of other professionals and students, the future of health, development and human rights looks promising.

Note:

For more information on the *UNSW Intensive Course on Health, Development and Human Rights*, please visit the following website: www.ihhr.unsw.edu.au/education/courses.html

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Graduate Programs on Human Rights: Mahidol University

Alexa Johns

THE CENTER for Human Rights Studies and Social Development (CHRSD) was established in 1996 by Mahidol University with the aim of providing education and research opportunities in the area of human rights. The CHRSD runs an international Graduate Program in Human Rights, leading to a Masters of Human Rights, and a number of research and other activities. It also offers an International PhD course in Human Rights and Peace Studies, and a Masters of Human Rights and Development in Thai language.

The Masters of Human Rights international program is the longest running masters human rights program offered in Southeast Asia. It attracts a diverse student base from around the world, with students from over twenty countries having graduated or are currently completing their research.

Objectives and Programs

The CHRSD aims to develop the ways and means by which human rights are transformed into social and political realities at the community, national and international levels. It does so primarily through educating human rights practitioners, but also through outreach programs to community and international organizations, and by conducting cutting edge research on issues of crucial importance to human rights.

In pursuit of these objectives, CHRSD implements three major programs:

1. Study Program

The CHRSD is currently running three graduate study programs, namely:

- 1) MA in Human Rights (International Program)
- 2) PhD in Human Rights and Peace Studies (International Program)
- 3) MA in Human Rights and Development (Domestic Program, in Thai language)
- 4) Asia Pacific MA in Human Rights and Democracy (Regional Program).

2. Training Program

CHRSD runs human rights training upon request to enhance academic human rights knowledge for practitioners in the region. From 2002-2006, it also ran the annual Southeast Asian Advanced Program on Human Rights and the Asian Thematic Training on Human Rights with the support from the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Lund University, Sweden.

3. Research Program

CHRSD supports research that contributes to the greater understanding and increasing reach of human rights to all levels and groups in society. Research supported by the program aims to both develop academic knowledge of critical concern to human rights, and provide practical applications of human rights activities in a wide diversity of fields.

4. Networking Program

CHRSD is an active member of human rights networks of organizations from the grassroots level, to the national and international levels. It works with non-governmental organizations (NGOs), government offices, other academic institutions and regional groups who are active in the field of human rights. It facilitates communication between students, researchers, academics, civil society and practitioners. It also works in cooperation with many organizations that share the same goals of promoting human rights and contributing to society.

Academic Programs

CHRSD runs three different human rights graduate degree programs with a fourth under development, taking a multi-disciplinary approach to the subject. Unlike the majority of human rights degrees, which are offered by Law Faculties, students at the CHRSD are taught from a variety of social science viewpoints: political, social, cultural, and philosophical in addition to legal.

International Masteral Program

The International Master of Arts (MA) in Human Rights program aims at producing graduates who are capable of applying human rights knowledge to their fields of work, be they academics, policymakers, human rights practitioners or activists. Graduates are expected to have acquired knowledge independently, a skill necessary for the advancement of academic studies and promotion of human rights in society. The program is committed to producing graduates who:

1. Have an excellent knowledge of human rights from an interdisciplinary perspective, and are knowledgeable about human rights situations relevant to their own experiences or specific interests
2. Are able to relate their knowledge of human rights with political, economic, social and cultural contexts
3. Are capable of utilizing human rights knowledge in their respective fields of work
4. Are socially aware and intend to work for the realization of human rights in society.

The program was approved by the Thai Ministry of University Affairs on 19 August 1998 and started in academic year 1999.

The program was revised in 2002, for the following reasons: the old curriculum did not support students in completing their research component, and many students were having difficulty finishing their thesis; the old curriculum was not considered coherent enough and attempted to cover too many divergent issues. The new curriculum is far more interdisciplinary, and many courses combine legal, social, and political aspects; the new curriculum also has a strengthened Asia focus. As most students come from an NGO or activist background, better balance between theory and practice was considered a need (for example through the addition of Practical Skills for Human Rights Protection; and Peace, Conflict Management and Human Rights).

The students of the international MA program have to have substantial professional work with NGOs. Some government officials and staff of national human rights institutions have also applied and been accepted. Until 2007, most applicants were from Southeast Asia, with growing applications from South Asia. Occasional applicants from East Asia (mainly Japan), and the USA have also been accepted. In the last couple of years (2008-2009), the program has begun receiving a small but significant number of students from Europe, and the Americas.

Given the fairly low number of applicants, promotion of the program is an essential area for exploration. Over the years there have also been some concerns about the readiness of some of the students for postgraduate studies, which is another reason that the pool of potential applicants needs to be widened. This will be key for program expansion and increase in the number of students accepted to the program in the future.

In 2009, the tenth year of operations for the international MA, the program received eight new students (the twelfth batch). These students reflect the diversity of the program itself, coming from a variety of backgrounds and places: Brazil, Bangladesh, Canada, Nepal, Philippines, Poland, Switzerland, and the US. Unfortunately, one student from Nepal withdrew from the program in the first month for personal reasons, and so the number of MA students was reduced to seven.

International PhD Program

The International PhD in Human Rights and Peace Studies began in 2006 and is noted for its unique and innovative content, crossing disciplinary boundaries that reflect real life situations where distinctions between the human rights and peace are often unclear. The CHRSD takes the view that without respect for human rights there can be no peace, and that without peace there cannot be full enjoyment of human rights.

The program is also unique because it is the first inter-disciplinary PhD program in Asia, and one of only a few of this nature in the world. It develops human capacity in the region by training people from the region in advanced research techniques in human rights.

The objectives of the program are to produce graduates who:

1. Have thorough knowledge of theories and concepts of human rights and peace
2. Have high quality research skills and an ability to manage complex research projects

3. Are capable of applying their knowledge of human rights and peace, in a practical way, to real life situations.

After three years of development, the first batch of students was accepted in 2006. The program is designed for an average of five students per batch. But eleven students (four on scholarship positions) applied and were accepted as the first batch of students. To avoid having this number of students in the second batch, CHRSD employed a system of offering positions in the program in several rounds. This resulted in having four students for the second batch. The third batch has three students.

For the first batch, at the end of the coursework, eight students remained, as there were two dropouts from students who were working full time outside the program and could not manage the commitment.

A total of twenty students have enrolled in the PhD program so far. In its third year, the program accepted three new promising students from the USA., Norway, and Thailand. Despite the large number of applicants to the program, intake is kept to a small select group to ensure that they have the necessary guidance and resources needed.

Masteral Program for Thailand

In response to a growing demand in Thailand for a graduate level academic program in human rights, CHRSD opened a masteral program for Thais. Many NGO workers and government officials dedicated to human rights work have been denied the opportunity to have graduate study on human rights due to lack of English language skills. The Thai language masters students are expected to have a broader reach into the Thai community than that of the English masters students.

The Thai MA program began accepting students in 2007. It is taught in Thai language and focuses on issues of specific relevance to Thailand. The program offers two different options for graduation (in addition to completion of the required coursework): 1. full MA thesis; or 2. smaller thematic paper with additional course work.

CHRSD accepted seventeen students for the first batch. The number went down to three students for the second batch due to a more rigorous selection procedure. Although all of seventeen students accepted in the first year were fully committed to the human rights discipline, many were unable to devote the time required for the rigorous requirements of an academic degree. As a result, the admissions committee decided to individually inter-

view promising applicants for the pool to ensure the candidate's full understanding of the commitment required to complete a full academic degree.

Efforts are being made to increase the pool of candidates for the third intake, with the hope that more suitable candidates can be found for the MA program. These efforts include increasing the publicity for the program, and widening the target audience, to result in a larger pool of potential candidates.

Asia Pacific Regional Masters in Human Rights and Democratization

This is a new masteral program focusing on human rights and democratization and involves the collaboration of several universities in Asia and the Pacific. It is currently under development with funding from the European Commission. It aims to accept the first twenty students in 2010. The students will spend their first semester at the University of Sydney in Australia, and the second semester will be spent at any of the following universities: Mahidol University (CHRSD), Gadjadara University in Indonesia, University of Colombo in Sri Lanka, and Katmandu School of Law in Nepal.

Other Activities

CHRSD initiated a number of projects that mobilize the academic institutions in Southeast Asia toward greater focus on human rights.

Southeast Asia Human Rights Studies Network

CHRSD and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law jointly initiated the South East Asia Human Rights Studies Network (SEAHRS). Representatives from nine academic institutions in the subregion with human rights programs gathered in Bangkok on 9-10 October 2009 to discuss areas of common interest and the possibility of future joint activities, along with representatives from the ASEAN University Network (AUN). The topics under discussion in this first meeting included an overview of the human rights expertise in each of the network institutions; the current availability of graduate level human rights education in the Southeast Asia subregion and the gaps that need to be filled; and potential short and long term SEAHRS activities. There were seventeen participants from the following institutions: Chulalongkorn University, Mahasarakham University, Mahidol University (Thailand); Islamic University of Indonesia,

Universitas Indonesia (Indonesia); University of Malaya, Universiti of Sains Malaya (Malaysia); University of the Philippines (Philippines); Vietnam National University Hanoi (Vietnam); Raoul Wallenberg Institute (Sweden); and AUN. These academic institutions have all agreed to become members of SEAHRS.

The next SEAHRS meeting, to coincide with the AUN meeting in 2010, will discuss the plan of action, including division of responsibilities for an international conference, and structure and vision for the SEAHRS network.

Research on the Legal Framework of Migration

In commemoration of the 60th Anniversary of the Universal Declaration of Human Rights (UDHR), the research team at the CHRSD was one of the eight teams chosen to investigate contemporary challenges to the enjoyment of human rights. With funding from the Swiss Department of Foreign Affairs (Government of Switzerland), the CHRSD team undertook research on the topic “Protection of People Outside their State: A Comprehensive Analysis,” using Southeast Asia as a case study.

The research was undertaken in two parts during the first half of 2009. The first component consisted of an analysis of the current legal and political framework for people outside of their own respective countries, focusing on the inter-relationships between refugees, victims of human trafficking, and migrant workers. The second component examined the role of organizations working in the field, their programs and activities, and their response (or its absence) to widespread human rights violations.

The research found that even though there existed a range of treaties in the legal framework to protect non-citizens, there were still specific groups of people left with little or no protection due to the “patchwork” nature of the current legal frameworks. A number of reasons caused the disjunction, complementarity and contradiction between the 1951 Convention Relating to the Status of Refugees, the Palermo Protocol (Protocol against the Smuggling of Migrants by Land, Sea and Air) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The sector specific mandates and program areas lead to lack of dialogue between NGOs working in refugee, migrant worker, or counter trafficking fields; uneven responses by states resulted in considerable progress in certain areas (such as refugee protection) and a lack of progress in others (such as migrant worker protection).

Conference

In October 2009 the CHRSD, in cooperation with the Faculty of Political Science, Chulalongkorn University, organized an international conference entitled “Critical Connections: Human Rights, Development Studies and the Social Sciences.” There were fifty-seven participants consisting of graduate students, PhD students, academics and human rights activists. Mr. Ramesh Singh, Chief Executive Officer of ActionAid International, delivered the keynote speech on the topic “Human Rights and Development.”

There were also panel presentations on the academic work in six sub-themes: Migration and Human Rights, Political Issues and Human Rights, Human Rights Education, Concerns in Political Economy, Current Issues in Development, Human Rights and Civil Society.

Guest Lectures/Seminars

CHRSD strives to make the academic offerings of its program as socially relevant and practice-based as possible by inviting guest lecturers from NGOs and other organizations working in the field of human rights protection and advocacy. Special lectures are also coordinated on targeted issues of interest to a wider audience. These events are often open to alumni and other interested academics and members of the public.

Students have the opportunity to learn from specialists in human rights advocacy, policymakers, and academics; benefiting from the numerous international organizations and civil society members with a presence in Bangkok. Guest lecturers are often brought in to teach students on specialized topics in human rights, such as specialists in gender studies and international humanitarian law, human rights lawyers, and NGO practitioners. In 2009, guest lecturers included Prof. Vitit Muntarbhorn from the Faculty of Law, Chulalongkorn University; Prof. Jumphot Saisoonthorn, PhD, Faculty of Law, Thammasat University; Ms. Cecilia Jimenez, Human Rights Lawyer, Consultant and Trainer; Ms. Nancy Pearson, New Tactics in Human Rights Project; Ms. Debbie Stothard, Alternative Asean Network on Burma (ALT-SEAN); Mr. Gopal Krishna Siwakoti, PhD, President, INHURED International/Pop Watch; Mr. Homayoun Alizadeh, PhD, Regional Representative Office of the United Nations High Commissioner for Human Rights (OHCHR); Mr. Pornchai Danvivathana, PhD, Deputy Director-General, Department of Treaties and Legal Affairs, Ministry of Foreign Affairs of Thailand; Mr. Teerapat Asawasungsidhi, International Committee of the Red Cross

(ICRC), Regional Delegation; and Ms. Yuyun Wahyuningrum, Asian Forum for Human Rights and Development.

Students also have the opportunity to visit organizations working at different levels and sectors in the human rights field, such as the International Committee of the Red Cross (ICRC) and the Thai-Burma Border Consortium (TBBC). In 2010, students of the International MA in Human Rights program will have the opportunity to visit one of the camps housing Burmese refugees, as well as the organizations working closely with them in the provision of assistance and services.

Feedback from Students

The CHRSD students benefit from the diversity of the programs being offered, the opportunity to live in a close knit university community, interact with Thai students as well as the local surrounding community. CHRSD students come from widely differing cultural backgrounds and experience levels which makes learning from each other enjoyable, with the stimulating debate that ensues from different world views yet united in their commitment to human rights. The strong element of camaraderie that is built up through these shared experiences lasts beyond the end of the program, with alumni of the program constituting an invaluable resource for each other and the CHRSD.

The research done by the CHRSD students creates a substantive resource in a field that has a need for quality, targeted research. After ten years of the International MA in Human Rights program, close to one hundred theses have been completed or in the process of completion. Their topics focus on current pressing issues in the field of human rights relating to a wide range of sectors, including access to justice, right to food, education, health, and the rights of groups such as migrants, children, indigenous, and other vulnerable populations. Some of the most recent topics addressed by CHRSD students include the access to justice for trafficked women in Mongolia; refugee right to work in the Netherlands; Human Rights and Peace Education in Nepal; Rights Based Approach to Health Programming in Thailand.

Challenges and Concerns

A number of challenges are involved in the creation of graduate level human rights education programs. First and foremost, the lack of formal policy on

teaching human rights within the education system constitutes a formidable barrier. This means a distinct lack of direction, support, and guidelines must be surmounted in order to start an accredited university program in human rights. Programs are often the initiative of devoted individuals with a personal interest in the field.

There is a general lack of high quality academic resources beyond the institutional level. As a discipline human rights is still nascent, and the academic study of human rights is relatively new when compared to other well-established fields of study such as law or political science. Added to this, globally the majority of human rights programs are taught from a legal perspective, thus the multi-disciplinary, social science approach of the CHRSD makes it especially challenging. The ramifications for the implementation of human rights education programs translates into the need for both quality research and teaching materials, as well as qualified teaching staff. This is especially true of the Thai program, where resources have to be translated into Thai language.

The innovation of the PhD in Human Rights and Peace Studies also poses a particular challenge in melding two related disciplines with distinct approaches into one-degree program (human rights from law, and conflict and peace studies from the social sciences). The PhD program aims to reflect the contemporary world where clear divisions between disciplines do not exist. That these two disciplines are closely linked and complementary is evident, but it also poses conceptual challenges to the curriculum and thus to the entire program. This is further complicated by the fact that to date, the students of the PhD program overwhelmingly favor the human rights strand of the study program as a choice for their own research.

Lessons Learned

CHRSD has a number of lessons learned that are relevant to other institutions endeavoring to establish their own programs. As the longest running International MA in Human Rights program in the region, it has gone through an almost continual process of refinement. This is also true, but to a lesser degree, of the international PhD program as well as the Thai MA. Students have yet to graduate from these programs.

A clear vision for CHRSD is important to maintain a unified staff and mission. CHRSD runs its activities with a limited budget and a small staff.

In addition to running the three degree programs, with a fourth currently under development, the staff members are all highly active in the field of human rights. It has been important to revisit the mission and objectives of CHRSD as a whole to ensure that its faculty and staff are all working towards a common vision, and with a common understanding on how to reach this vision.

The promotion of the programs and targeted recruitment are key to attracting a qualified student base. A delicate balance must be struck between the aims of the programs and the needs of the students. This includes the requirements for accepting candidates taking into account the capabilities of the programs. Their human resources, including the ability to provide proper supervision of thesis topics and PhD research, limit smaller programs. Given the varying education standards throughout the region, it has been found that some students from less stringent academic backgrounds, and/or non-native English speakers, were in need of extra assistance to complete the requirements of the programs. This is particularly relevant for the international MA program, as a majority of students have NGO backgrounds. More stringent requirements have been imposed for the international PhD program, with higher expectations (students are expected to pursue academic career); the intake is kept lower to ensure both the high academic quality of students and the supervisory capabilities and areas of expertise of staff.

The design of the curriculum in a field with less academic resources also poses challenges. Providing compelling and relevant subject matters that reflect the current challenges in the field of human rights is an ongoing quest. A balance between the level and depth of topics that reflect the needs of students with the differing levels of academic and practical experiences

This is an enlarged version of the report entitled *Meeting the Challenge: Proven Practices for Human Trafficking Prevention in the Greater Mekong Sub-region*, published by the International Labour Organization Regional Office for the Asia-Pacific.

Human Rights and Democracy Internship Opportunity

May 18 Memorial Foundation

THE MAY 18 MEMORIAL FOUNDATION (Foundation), a Korea-based organization, was founded by the citizens of Gwangju City (located in the southwest region of the country), sympathetic Koreans living overseas, and other individuals who believe that it is important to keep the ideas and memories of the May 18 Gwangju Democratic Uprising¹ alive. The main work of the Foundation involves research, education, cultural events, and international solidarity and exchange with other Asians striving to achieve genuine democracy in their own countries. In this spirit of commemoration, hope and solidarity, the Foundation takes on two interns working on human rights and democracy issues in Asia for a period of ten months every year. It is now on its fifth annual international internship program.

Internship Program

The international internship program was launched in 2005 in order to give interns a chance to learn about and experience the history and development of democracy and human rights in South Korea. Today the program aims to contribute to the development of democracy and human rights throughout Asia by recruiting two interns who have been working for human rights

and peace organizations in their own countries. Specifically, the aims of the program are:

- 1) To improve international solidarity and networking, and
- 2) To promote Gwangju City as Asia's Hub for the Human Rights Movement.

The Applicants

Internship applicants should be university graduates not more than thirty years of age, a minimum of three years of non-governmental organization (NGO) or social development work experience, though not necessarily in the field of human rights. Preference is given to those with degrees in human-rights-related subjects such as social sciences and communication, and those who have specialized in human rights issues within these disciplines. Applicants must be computer literate (email/internet, web page, lay-out/design, etc.) and proficient in English; working knowledge of Korean is an advantage. In addition, applicants should be working members of an organization: applicants cannot apply as individuals without the knowledge/support/recommendation of their current organization. Potential interns should be able to fully commit to living in Korea for the duration of the internship (ten months) and be dedicated to the goals of the internship program.

Since its inception in 2005, fifteen interns from across Asia have participated in the program. International interns typically work for organizations promoting human rights and democracy in their respective countries. For example, Gregoria Barbarica Kristina Ritasari, or Ria, interned with the Foundation in 2008 and has now returned to her role as program coordinator of Solidaritas Nusa Bangsa Foundation (SNB or Homeland Solidarity), an Indonesian NGO working with victims of racial discrimination and their families. Ria enjoyed her time working with the Culture and Solidarity Team and other staff of the Foundation and thanks it for having changed many of her views and her perspective in life. Thet Din also interned with the Foundation in 2008. In 2007 Thet Din was selected by Khmer Youth Association for a Youth Partners in Development Program (YPD 2007). Following his internship, Din expressed his appreciation to the Foundation for the opportunity to work with the Foundation team. He hopes that one day he can pay back all the kind favors he received during his time in Korea, particularly to the citizens of Gwangju City.

Activities and their Implementation

The relationship between the Foundation and the intern is one of mutual benefit. Interns are expected to actively engage in the realization of the goals and activities of the Foundation, specifically, the commemoration and promotion of the spirit of the Gwangju Uprising and of human rights, peace and democracy in Asia. As staff of the Culture and Solidarity Team, interns work on a diverse range of projects and events at both the national and international levels. For their part, the interns benefit by gaining a wealth of knowledge and experience and are able to develop their skills in the areas of organization, presentation and event management as well as networking and campaign strategy.

The following are some of the activities and projects undertaken by the international interns in 2009:

a. The Gwangju Prize for Human Rights

The Gwangju Prize for Human Rights (GPHR) was established in 1999 to celebrate the spirit of the May 18 Gwangju Democratic Uprising by recognizing individuals, groups and institutions in Korea and abroad that have contributed to the promotion and development of human rights, democracy and peace through their work. As international staff on the Culture and Solidarity Team, the interns are required to work closely with a team of specialists to produce detailed summaries and evaluations for each prize nominee. This task involves extensive contact and communication with nominators, referees and other individuals including activists, academic professionals and members of the media.

b. The Gwangju International Peace Forum

The Gwangju International Peace Forum (GIPF) is one of the most important events in the interns' year. The GIPF takes place in May each year in memory of the brave citizens of Gwangju City who lost their lives and loved ones in defence of their democratic rights in the 18 May 1980 Uprising. Today, the Gwangju International Peace Forum aims to strengthen international solidarity between domestic and foreign activists working for democracy, human rights and peace. The Forum consists of several workshop streams organized by various organizations working in related fields. In addition, participants are invited to take part in the annual commemorative

ceremony of the Gwangju Uprising and in the lively festival held in downtown Gwangju City in celebration of the spirit of democracy. In May 2009 the international interns played a vital role in the preparation, organization and realization of the Forum. Working closely with Korean staff and volunteers, interns were responsible for effectively communicating instructions and other information to delegates and for managing transportation, accommodation, workshop coordination and other practical arrangements.

c. Grant for Democracy and Human Rights Projects in Asia

The Grant for Democracy and Human Rights Projects in Asia (GDHRPA) supports work that contributes to promoting democracy and human rights and the building of international solidarity. Each year a number of grants are awarded to NGOs in Asia working for people's empowerment and the creation of a civil society which respects human rights and protects peace and democracy. International interns are responsible for processing grant project proposals and for evaluating these proposals according to the GDHRPA criteria. In 2009 the Foundation received an unprecedented number of proposals, each one was processed and evaluated by the interns before being submitted to the selection committee.

d. The Gwangju Asian Human Rights Folk School

This is another huge event in the interns' year. The Gwangju Asian Human Rights Folk School aims to contribute to the development of democracy and human rights throughout Asia by inviting human rights and peace activists from all over Asia to learn and experience the history and development of human rights and democracy in South Korea. Since its inception in 2004 the program has benefited more than a hundred human rights and NGO activists in Asia. Interns are involved in every aspect of the Folk School program, from participant selection and program design, to evaluation and feedback sessions following the event. The international interns maintain direct contact with participants throughout the program: they are the first port-of-call for participants with queries or problems and are responsible for the successful implementation of the entire program, including lectures, workshops, tours, and visits to Korean NGOs in Gwangju City and Seoul.

In addition to the above, interns may also have the opportunity to participate in the following activities:

a. May 18 Culture Festival for Youth: RED FESTA

This festival aims to provide an opportunity for young people to organize and participate in the cultural experience of the May 18 Gwangju Democratic Uprising. The event is growing in popularity and getting bigger every year. Participants are encouraged to think of creative ways to commemorate the Gwangju Uprising and to value and celebrate the ideals of democracy. Interns work with volunteers who are usually university students interested in the history of democracy in Korea.

b. 518 Education

The Foundation works in connection with many schools in Gwangju City in order to meet their need for the formulation and promotion of '518' education. International interns are often invited to schools to give presentations about their own cultures and personal background, and the development of democracy in their countries.

c. Guided Tours to Historic Places

In the course of the year, the Foundation is usually visited by a number of groups and individuals who wish to learn more about the May 18 Gwangju Democratic Uprising. International interns may be required to give guided tours of the 518 National Cemetery and other historical sites around Gwangju City.

d. The MAINS Summer School

The Foundation has a long history of close partnership with Sungkonghoe University near Seoul through the university's Masters of Arts in Inter-Asia NGO Studies (MAINS) program. The curriculum covers a wide range of current issues in the field of international relations from both regional and global perspectives as a major field of studies. In 2009, interns had the opportunity to attend the MAINS summer school, which featured lecturers from Japan, Korea, America and Europe. Through the summer school, interns were able to establish and foster close connections with MAINS students from across the world.

e. Research Projects

Aside from their other duties, interns have the opportunity to work on their own research projects on topics related to the May 18 Democratic Uprising or human rights and peace issues in Asia.

Challenges and Accomplishments

As with every project of this nature, the internship program is not without its challenges. Interns are expected to be one hundred per cent committed to the activities of the Foundation. During large-scale events such as the Gwangju International Peace Forum in May and the Gwangju Asian Human Rights Folk School in August/September, the interns endured long hours of work for many consecutive days without break for weekends. In addition to the demands of their working schedule, interns have to cope with the culture shock of moving to a totally new environment and all the difficulties that it entails, including the language barrier and unfamiliar working environment. However, the staffs of the Foundation work as a team, providing help and support to interns not only in terms of their professional life but personal life as well. During the course of the year interns have the opportunity to make many Korean friends and to learn about Korean culture and customs, broadening their horizons and deepening their understanding of the world.

Observations and Evaluation

Interns are assigned to work with a supervisor who is responsible for providing them with a description of duties and a work plan. Upon completion of the internship, both the supervisor and the intern are required to complete a final report describing what was achieved during the internship. Furthermore, every intern is requested to complete an evaluation questionnaire on his/her assignment and to submit it to the Foundation. In this way the internship is evaluated both from the perspective of the interns and from the point of view of the Foundation and the interns' superiors. In addition, several of the projects and programs implemented by the interns are evaluated separately. For example, in 2009 one section of the Gwangju Asia Human Rights Folk School was dedicated to staff evaluation. The majority of comments from Folk School participants were overwhelmingly positive: the interns and other staff were described as friendly, helpful, efficient, dedicated and polite. This was a great encouragement to the interns!

Views of the Interns

The interns themselves expressed their views about the internship program, providing in the process a glimpse of how they value their internship experience. An intern in the 2009 program wrote the following account:

I first heard of the May 18 Memorial Foundation international internship program through a link sent to me by a Korean friend. At that time I had been living in Korea for about a year, working with a human rights NGO in Seoul, and was looking for positions in Korea in the field of human rights and social action. In particular I wanted to broaden my knowledge of Asian human rights and democracy and to work on issues relevant to Korean society and the Asian regional community. The internship seemed like a brilliant way to contribute to the field I was most passionate about and a good opportunity to gain experience in the field of human rights.

My internship began in March 2009. The first project I worked on was the Gwangju Prize for Human Rights. My role was essentially to receive and process nominations. All the information submitted by the nominee had to be checked and summarized before being evaluated by a panel of experts. Although I was a little apprehensive about presenting my report to the panel, I really valued being involved in the process. Having been involved in the prize project from day one, I feel very honoured to have contributed in some small way to the work of the prizewinner, Burmese student activist Min Ko Naing.

The other events that stand out in my mind are the Gwangju International Peace Forum and the Gwangju Asian Human Rights Folk School. For me, these two activities were definitely the most significant events during my internship. The GIPF was a large-scale event involving hundreds of participants from all over Asia. Preparation for the event began several months before and for the duration of the Forum it took over my whole life! I was responsible for relaying information to participants and ensuring everyone was in the right place at the right time. The language barrier and the long hours made the work quite stressful, but it was all worth it. I was able to meet and learn from activists who had been working on human rights for over 30 years, and had the opportunity to interact with people from all over the world. I was constantly surprised by the participants' eagerness to share their knowledge and experience, and I am so grateful for all I learned during that period.

The Folk School was also a wonderful opportunity to make new contacts... and friends! 20 activists from across Asia participated in the Folk School. As an intern, I not only studied and worked but also lived with the participants at the venue. Over the course of the program we opened up and shared something of our lives with one another, forming special and long-lasting relationships. The Folk School was a brilliant educational opportunity, but it was also a chance to

experience the spirit of international solidarity.

Naturally, my internship experience has not been problem-free! Although my previous experience of living in Korea was useful outside the office, I had never really experienced Korean working culture before I started work at the Foundation. This was something of a culture shock! My internship has not only taught me about human rights as a concept, but also about working and living in a culture very different from my own. In my opinion, the value of this kind of experience should not be overlooked.

Overall, I am very pleased with my internship experience so far. Despite and because of its challenges, I have learned so much about myself, other people, and the world of human rights. I recommend anyone with an interest in human rights education and events to apply for this internship.

A few more comments from previous interns:

Being an intern here in the May 18 Memorial Foundation gave me a lot of opportunities to learn about the democratization process in Korea. Since I worked for a victim-based organization, what most attracted my attention was the victims' movement here in Korea that was an important lesson to be shared with Indonesian victims' community.

Through this internship I was also able to interact with people or groups working on some other issues beside those 'victims things', such as: labour, urban poor, housing rights, women, migrant worker[s], environment, lawyer[s], academe, youth, etc. Besides the learning from my Korean experiences, I also had an opportunity to share Indonesia's current issues. Like once, with the support from my co-interns and the staff of the Foundation, we conducted a signature campaign to commemorate the 1st death anniversary of Munir, an Indonesian human rights activist who was murdered on September 8, 2004. We were able to gather about 800 signatures from the citizens of Gwangju City. The collected signatures were sent to Indonesia as a show of solidarity of Korean people for the Munir case. One thing that has impressed me is that the people here have a quite high respect for the sacrifices of the people in the past. I think this custom has

influenced the process of reaffirming justice especially in case of dealing with the past human rights violations. And it has strengthened Korea as a nation.

- Agnes Gurning (IKOHI, Indonesia)

At first, most of my expectations of the internship did not match with the real program of the internship. However, the tasks I helped to implement such as Gwangju Asian Human Rights Folk School, Gwangju Forum for Asian Human Rights, Gwangju Prize for Human Rights Award 2006; and the different activities such as NGO visits and attending seminars made the internship more meaningful. Also, I became a speaker in Gwangju Human Rights Film Festival and was responsible for inviting Indonesia's famous rock band called Slank Band to the "Echo of Asia" peace concert. Since the Foundation holds several events and invites participants from other countries, I believe that The May 18 Memorial Foundation is the right organization to help and support Asian countries with their campaigns.

Mustawalad (KontraS, Indonesia)

My internship was a very unique and worthwhile experience. I always believed that traveling and living in a foreign country broadened one's horizon, so that made me want to travel some more. I particularly liked the trust I was afforded as an intern. Also, the unity and cooperation among us interns were great. Despite cultural and religious differences we were able to transcend divisions and we could say that we became more than colleagues but real friends if not brothers and sisters. I hope that I have contributed to the aims and objectives of the internship program and I am optimistic that the little accomplishments my co-interns and I have achieved have [become] a good basis for the next batch to improve on and make greater contributions for the continued success of the internship program. I wish the next batch of interns [to gain] maximum benefit both in their professional career and personal growth in this internship program.

- Pete Rahon (CO Multiversity, Philippines)

The Future of the International Internship Program

In the future, the Foundation hopes to continue the internship program in order to further aid the promotion and protection of human rights, peace and genuine democracy in the Asian region. The internship program is a

way of investing in individuals with an interest in human rights and a personal history of active participation in related fields. Education naturally constitutes a crucial part of the internship program: Folk School participants, MAINS program students, Korean university student volunteers, local secondary school students, and the interns themselves are all recipients of human rights education and learning. Effective, inclusive, accessible, practical and participant-centred education is vital to the development of an international community built upon tolerance and understanding. It is no exaggeration to say that the future of peace, human rights and democracy is in the hands of young people willing to dedicate their lives to the realization of these ideals.

Notes for Applicants

Applicants to the Internship Program should submit the following documentation:

- A completed, dated and signed internship application form
- A copy of Curriculum Vitae
- A scanned copy of valid and not yet expired passport
- A write-up detailing expectations, objectives, and interest in the human rights internship program (not more than two pages)
- An official endorsement letter from a superior or head of the organization of the applicant
- An endorsement/Referral Letter from any Alumni/Contact/Network of the Foundations in the country or abroad
- A proof of enrollment in undergraduate studies and a list of courses taken, transcripts of grades or diplomas
- A written sample of research work or an abstract of academic papers (3-10 pages maximum), if undertaken.

The closing date for applications is usually at the end of November of the year prior to the internship period. For more details and to download the application form, please see the Foundation website: www.eng.518.org/eng/
Or contact:

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Endnote:

¹The most tragic and disgraceful incident in modern Korean history took place in Gwangju in May 1980. During the uprising many citizens of Gwangju were killed by soldiers. It started with the December 12, 1979 coup by Chun Doo-hwan's military junta who occupied the Chonnam Provincial Hall with armed forces sent to Gwangju by the Martial Law Enforcement Headquarters. After the assassination of President Park Chung-hee, a group of politically minded soldiers undertook Operation Chungjung (Operation True Heart) to quell the uprising in Gwangju. In this way, the Fifth Republic came into existence. The victims of the martial law force's brutality numbered 4,369 all told: 154 killed, 74 missing, 4,141 wounded (including those who died from their wounds) and placed under arrest. (<http://eng.518.org/eng/html/main.html?TM18MF=02020000>)

Building Human Rights Communities in Education*

Human Rights Commission (New Zealand)

TWO DEVELOPMENTS have put the spotlight on the right to education in New Zealand. In 2002, Amnesty International approached human rights organizations and educators to propose a joint project to support the development of New Zealand schools as “human rights communities”, where human rights principles were reflected in both the formal and informal curriculum.¹ In 2003, *He Tāpapa Mātauranga/The Right to Education Framework*, was distributed by the Human Rights Commission as one of a series of discussion papers in the New Zealand (NZ) Action Plan for Human Rights consultation process. Submissions on the discussion document and information gathered from the national consultation process contributed to a status report on the right to education in New Zealand (2004).²

The report found that while New Zealand was successfully ensuring education was available, improvement could be made to ensure education promoted, respected and fulfilled the country’s human rights aspirations and obligations.³ As a consequence the NZ Action Plan for Human Rights (2005) proposed a series of priorities for education.

In 2006, a coalition of Amnesty International, the Development Resource Centre, the Human Rights Commission, the Office of the Children’s Commissioner, and the Peace Foundation commissioned a baseline study to

gather information about human rights education in early childhood education (ECE) centers and schools in New Zealand.

Drawing on interviews with agencies involved with human rights education, case studies of ECE centers and schools, a mail-out survey and a review of literature, the study analyzed the understanding and practice of human rights education and the extent to which centers and schools that constituted “human rights communities” understood, promoted and respected human rights.

The study found a range of government and non-government initiatives in New Zealand contributing to improved human rights for children and young people in education. It also found that these initiatives tended to address aspects of the education experience only, were relatively ad hoc, and were not consistent across the nation.

International programs in Canada, England and Ireland are relevant to New Zealand.⁴ Extensive research carried out on these initiatives has found that when human rights are central to the whole school, students show higher self-esteem, are more accepting of ethnic minority children, more optimistic about their future, show improved behavior and an increased respect for the rights of all. It also found that more time is spent on teaching, resulting in an increase in student achievement.

This article introduces the concept of human rights communities in education, highlights challenges to the realization of the right to education in New Zealand, identifies the extent to which ECE centers and schools intentionally, explicitly and systematically ensure the human rights of those involved in education, and proposes a way forward.

Human Rights Education and the Treaty of Waitangi

Much custom, lore and practice that guide *tāngata whenua* (people of the land/Maori people) are consistent with international human rights.

Te Mana i Waitangi/Human Rights and the Treaty of Waitangi traced the development of international universal human rights and the commitments contained in the Treaty of Waitangi.

It concluded that Treaty rights and human rights may be approached as complementary concepts. Both govern relationships among people in New Zealand and between peoples and the Crown. The Treaty and human rights form part of New Zealand’s constitutional framework, and affect how public

officials should conduct themselves. Neither group of rights is set in stone. Instead both have evolved over time and will continue to evolve. At times there will be conflict between rights but resolving such conflicts through negotiation is a feature of dynamic, democratic societies.⁵

Māori will often choose to refer to their Treaty rights rather than their human rights, even when both frameworks uphold the same issue. Given the autonomy to do so, *tāngata whenua* will connect human rights with a Māori world view. The Draft Charter of the Rights of the Māori Child⁶ published in 2002 by (the then) Early Childhood Development is an example. The ethos of this charter is that “the Māori child, like all other children around the world:

- has human rights which are the basis of freedom, justice and peace
- needs special care and attention
- grows up best within a loving *whānau* (extended family)
- needs legal and other protection
- will flourish in an environment that acknowledges and respects their cultural values.”

The cornerstone of the Charter is the development of a cultural context, a *whakapapa*/genealogy, for human rights. In this case the genesis is that of Te Whāriki, the Ministry of Education’s early childhood curriculum policy statement.

The Baseline Study: Summary of Findings

A baseline study was carried out during 2006 to gather information about human rights education in early childhood education centers and schools in New Zealand.⁷

In summary the research found:

- In addition to the regulation, funding and provision of ECE services and primary and secondary schooling there are a number of government and non-government initiatives in New Zealand that contribute to the realization of the right to education
- While participant early childhood education centers and schools had a general understanding of human rights based education, and while specific practices could be aligned with human rights principles, they were not articulated as such

- Of the education sectors, the early childhood sector through the national curriculum Te Whāriki reflected a more deliberate and comprehensive approach toward the creation of a human rights environment. Best practice in early childhood education centers was evidenced by those that consistently demonstrated the principles and strands of Te Whāriki

- The opportunities presented by the developing draft New Zealand Curriculum are significant

- Characteristics of participant early childhood education centers and schools that demonstrated best human rights education practice included the following:

- a whole of center/school approach—students, teachers, leaders, managers and governors model human rights
 - a positive and active relationship with the center/school community
 - members of the center/school parent and whānau community are supported to understand, and encouraged to model, human rights
 - the centrality of community and whānau to the strategic direction, priorities, planning and resourcing of the school/service, such as Playcenter, and Te Kāhanga Reo (childhood education centers)
 - participation of children and young people in decision-making
 - encouragement of children and young people to be outwardly-focused, on local, national and global issues
 - interweaving of human rights education throughout the whole curriculum
 - innovative approaches to student management such as restorative justice principles, peer mediation, student engagement initiatives, consistently reinforced across the whole school community
 - physical environment that reflected and encouraged diversity and learner-centeredness.

- There is a lack of specific human rights resources available. Most centers/schools rely on resource materials that are developed and provided centrally in order to implement the planned curriculums. Only a few of the ECE centers and schools involved in the baseline study could identify resources that could support the delivery of human rights education.

- If there was a common feature to centers/schools it was that they were driven by influential and passionate individuals.

Case Studies

The ten case studies in this report provide examples of early childhood education centers and schools that implement aspects of a human-rights-based education community. The case studies include situations where regular activities are approached creatively, and those that involve new and innovative practices that could be considered as international exemplars.

It is anticipated that most centers/schools would be able to relate to components of these case studies and be encouraged to develop their own initiatives to build human rights communities in education.

Case Study 1: Motu Kairangi Te Kohanga Reo, Wellington

Type	Roll	Student ethnicity		Last ERO report
Te Kohanga Reo	18	Maori	100%	2002

- Human rights-based education can address **communal rights**, not just individual rights
- Human rights communities create **choices** for students, staff and management
- Human rights communities are self-critical and solution-focused

In 1982 the Kōhanga Reo⁹ movement became a champion for economic, social and cultural human rights for Māori children and their whānau/family. The explicit statement of the accountability of the individual to the community gave a communal lens to human rights that was unique at that time. Te Korowai describes these human rights in five principles:¹⁰

Principle 1: It is the right of the Māori child to be raised in the Māori language within the bosom of the whānau.

Principle 2: It is the right of the whānau to nurture and care for the mopuna/children and grandchildren.

Principle 3: It is the obligation of the hapū/clan to ensure that the whānau is strengthened to carry out its responsibilities.

Principle 4: It is the obligation of the iwi/tribe to advocate, negotiate and resource the hapū and whānau.

Principle 5: It is the obligation of the government under Te Tiriti o Waitangi (Treaty of Waitangi) to fulfil the aspirations of the Māori people for its future generations.

Motu Kairangi Te Kōhanga Reo is located within a community hub that includes a playcenter, a community center and hall, an art club and a public play area. It was part of the beginnings of kōhanga reo. It opened in 1982

in borrowed rooms and after eleven years, and with assistance and support from Pākehā¹¹ community groups, Motu Kairangi moved into its own building. Motu Kairangi staff believe that human rights include the ability to make choices, and promote this by welcoming tamariki/children of all ethnicities to learn Māori language and culture. Whānau constitute the management of the kōhanga reo. Kaiako/teachers are informally and formally involved in all decision-making. Kōhanga reo are essentially whānau centered. Whānau are involved in the development and use of the curriculum through their curriculum collective.

The Kōhanga Reo movement that Motu Kairangi is part of is, at its most basic, about whānau coming together, united by a passion for their tamariki to learn Māori language and culture. Motu Kairangi has demonstrated a commitment to, and growing understanding of, the human rights of their community for over twenty-four years.

Case Study 2: St Francis Whanau Aroha Center, Rotorua

Type	Roll	Decile	Student ethnicity		Last ERO report
Education & Care Centre	27	NA	European/Pakeha	33%	2006
			Maori	59%	
			Other	7%	

- Human-rights-based education provides a **framework** to understand community needs
- Human-rights-based education relies on **good planning**
- Human-rights-based education **transforms** student, staff, management and community expectations of life
- Human rights communities **involve** and are **guided by the whole community**

Funded through the Waiapu Trust, the St Francis Whānau Aroha Center is a free early childhood education service with a family support center attached. While St Francis would not have articulated its goals in terms of human rights, it is clear that the right to education is the first consideration, with its philosophy “to provide affordable childcare to anybody”.

Referrals are regularly made to the Center from social service agencies. These children often have high needs. Programs are aimed at ensuring that all members of the Center respect and value each other. Through restorative methods of conflict resolution, children learn “how to interact peacefully with other children.” The Center works with whānau and children to ensure programs and resources, such as Wāhi Patu Kore/Smackfree Zone, are relevant and accessible.

Whānau and community involvement in the planning of programs is encouraged as is parental responsibility. Parents are encouraged to stay and be involved during the day. The Center sees this as a social needs wrap-around service to whānau.

Staff say getting the community to feel comfortable in the Center environment has been challenging, but one testimonial of their success is that “in an area of a lot of graffiti, a lot of vandalism, this place has never been touched.”

Case Study 3: Glenview Primary School, Hamilton

Type	Roll	Decile	Student ethnicity		Last ERO report
Contributing	94	1	European/Pakeha	2%	2005
			Maori	35%	
			Pacific	50%	
			Other	7%	

- Human rights-based education is for **whanau**
- Human-rights-based education can be **directive**
- Human rights communities are **consistent** in the application of their values

The focus of Glenview Primary School is “respect for ourselves; respect for others; respect for learning; and respect for the world.” It is assumed that children have the maturity to be able to take ownership for their behavior, relationships and needs. Accordingly the school values what the children bring to it, and this is considered in the planned and assessed curriculums.

Each year parents and caregivers are asked to inform Glenview of their expectations of the school. The religious affiliations of many in their local community, for example, are recognized as an important component of the school’s values program.

Priority is given to the well-being of the whole child, driven by a philosophy that in order to be successful learners children need to be “building resilience and self-efficacy.” The school acts as a locus for public health activity in the community and is committed to being a healthy school. The school is engaged with whānau, regularly giving public health and child safety advice to parents and ensuring their involvement in the school community. In 2005 the school gained support through a Pasifika Initiative that funded home-school partnerships.

The emphasis on partnership is reflected by the school. Adult role models for boys and girls are sought out and encouraged to be involved in the school. An outstanding kappa haka (Maori cultural performance) group and excellent music program give the school and community an opportunity to showcase this relationship.

Case Study 4: Otūmoetai Intermediate School, Tauranga

Type	Roll	Decile	Student ethnicity		Last ERO report
Contributing	94	1	European/Pakeha	2%	2005
			Maori	35%	
			Pacific	50%	
			Other	7%	

Human rights communities are future oriented
 Human rights communities are a leader in their whole community
 Human rights communities self-reviewing

In 2004, questionnaires were sent to over 1,300 past and present Otūmoetai Intermediate School students to gather information that would help create a school vision. This initiative was motivated by research that showed that effective schools are the ones that are galvanized around shared goals and values.

This vision was developed in consultation with students, and student expectations were discussed within the school, among students, teachers, parents, and peers. Initiatives have been developed to realize the vision such as Costa's "Habits of Mind" to develop higher level thinking, a Speak Up campaign to address bullying, an Achievement Recognition Programme recognizing citizenship along with sporting, academic and cultural achievements, and moving from a punitive to a positive discipline approach with a Redirection Programme.

Beyond the school, Otūmoetai is committed to the journey of a student through a schools' cluster that includes six contributing schools, the Intermediate school and Otūmoetai College. This cluster seeks to identify the desired character and values for a graduating Year 13 student. The college and intermediate schools are aligning their strategic plans, and aim to do so with the contributing schools.

Case Study 5: Nayland College, Nelson

Type	Roll	Decile	Student ethnicity		Last ERO report
Co-educational	1,506	7	European/Pakeha	78%	2005
			Maori	12%	
			Pacific	1%	
			Other	9%	

- Human-rights-based education **uses the opportunities** afforded by the curriculum
- Human rights communities are **safe places** for students to be themselves
- Human rights communities are **externally focused**

Students nurtured in a safe and consistent environment is known as the ‘Nayland Way’. The school considers that its major role in the community is “turning out students who are good citizens.”

The school is known as “the friendly school” and for fostering diversity and tolerance. Human rights are inherent in this approach, and are demonstrated in the range of groups that have sprung up such as a homosexual rights group, CHOGM/Youth UN,¹² SENCO,¹³ and Amnesty International groups. Human rights are also demonstrated in the strategic initiatives in the school, such as the establishment of a program for international students, and a ready access for students to management, peer mediators, and student council.

A commitment to diversity and tolerance is exemplified in the Social Studies program that is extended as an inter-disciplinary subject to Year 13. The Social Studies program offers students an opportunity to learn about and debate human rights. The discussion format allows open debate, and contributes to the flexibility of the curriculums. (Researchers observed a session, for example, in which the subject of discussion was the research focus - the extent to which the school reflected a ‘human rights community’.)

Case Study 6: Opotiki College, Easter Bay of Plenty

Type	Roll	Decile	Student ethnicity		Last ERO report
Co-educational	469	2	European/Pakeha	30%	2003
			Maori	69%	
			Pacific	0%	
			Other	1%	

- Human rights communities **learn** from other communities
- Human rights communities use **simple**, easy to understand processes
- Human rights communities seek to **restore** relationships

Ōpōtiki is a now a 'Restorative School'. In the past however, it had a high number of suspensions and stand downs, largely in response to the prevalence of drugs in the community which was having an impact on the school. By becoming involved in the 'Student Engagement Initiative' the school has committed to restorative justice principles.

Being a restorative school has involved professional development for all in the school community and consistent application of the restorative justice principles by teachers, managers, governors and students. In the first six months of the 2006 school year there were no suspensions or stand-downs. The detention system has been overturned and, more importantly, it appears that students' emotional intelligence has developed.

Up to August 2006 there were ten restoration conferences between the school, whānau and students which the previous year would have resulted in the same number of suspensions. Underpinning the new system is a school values education program called the "Cornerstone Values." Each term one value is highlighted, and becomes the key word for the school community. When the school visit was undertaken the key word was 'Responsibility', promoted in homework sheets, newsletters, displays in library and the staff room, and the local media. The promotion of common values gives a base point when behavior modification is desired.

The principal said that "without taking up too much of our time it has had quite a big impact."

Case Study 7: Pompallier Catholic School, Whangarei

Type	Roll	Decile	Student ethnicity	Last ERO report
Secondary	485	8	European/Pakeha Maori Pacific Other	2003

- Human-rights-based education is **internationally aware**
- Human-rights-based education encourages **dialogue with students**
- Human-rights-based education addresses **real life** issues
- Human rights communities **debate** differences in world view and clash of human rights, rather than avoid conflict

Pompallier Catholic College is a special character school with a reputation for good academic achievement, a family-oriented philosophy and an open door to a diverse, socially contributing student population.

Staff and management believe this is a result of explicit connections made between the school’s commitment to the Marist philosophy of good scholars, good Christians, and good citizens. They endeavor to work with students and the wider community to “live in harmony,” or more specifically, restoring and maintaining relationships between diverse individuals with differing needs.

The intersection of faith, knowledge and personal opinion is exemplified by the religious education classes which are compulsory and aim to encourage students to engage with issues of ethics, human rights, and social justice. At an observed session it appeared that an environment had been created that enabled an open space for debate, and encouraged critical reflection. The discussion reflected on the decision of Mark Inglis’ climbing party on Mount Everest in May 2006 to leave a dying climber, and required students to understand and apply human rights thinking in a specific and contemporary way. The teacher did not promote a particular answer.

The environment at Pompallier is further enhanced by a student management system that is based on a restorative justice conference system.

Case Study 8: Selwyn College, Auckland

Type	Roll	Decile	Student ethnicity	Last ERO report
Secondary	1,068	5	European/Pakeha 38% Maori 9% Pacific 11% Other 42%	2004

- Human-rights-based education can be **all encompassing**
- Human rights communities are driven by **committed and passionate** people
- Human rights communities are **open spaces** for wider communities to express themselves

The baseline study found strong elements of a human rights-based community at Selwyn College within an environment that values “individual self-determination coupled with concern for the rights of the community, personal and professional development, social equity and justice, mental and physical health, comprehensive pastoral care, a safe learning environment, a sense of community, co-operative decision making, diversity, co-operative learning, openness to challenge, restorative justice, and effective social interactions.”

These values are demonstrated at all levels, by a power-sharing management, by staff who actively guide the culture and organization of the school,

by students who have been given agency in decision-making, and by whānau who are encouraged to be regularly involved with the school.

The Universal Declaration of Human Rights underpins the school's philosophy. It is visible, regularly articulated, guides interactions, and is manifest in the emphasis on the "dignity of the person." A range of classes and activities demonstrated this commitment.

The 'Global Education Classrooms' educate Year Nine and Ten students in all areas of the curriculum with a constant focus on human rights and global issues.

A Student Mediation Team has been found to be particularly useful and necessary with helping junior students deal with bullying and harassment.

An early childhood education center on the school grounds for refugee children supports home language and culture learning, and has a free-flow approach which allows family members to visit the center throughout the day.

Case Study 9: Waimea College, Nelson

Type	Roll	Decile	Student ethnicity	Last ERO report
Co-educational	1,208	8	European/Pakeha Maori Pacific Other	2005
			88% 10% 0% 2%	

- Human-rights-based education is **action-oriented**
- Human-rights-based education leads to **measurable** changes
- Human rights communities **clearly communicate** their vision

Waimea College teaches human rights in social studies and health and has an extensive leadership program in Years 10, 12, and 13 promoting civics and values in students' personal conduct. Management is expected to be a role-model to staff and students in their class visits, school assembly addresses, seminars with senior students, and through extracurricular involvement. A comprehensive program of class placements and seminars ensures teacher trainees are well versed in the values of the school.

Christchurch College of Education offered a Mental Health Promotion contract to schools in the South Island which Waimea took up to conduct a Mental Health Promotion survey. The school went beyond the demands of the contract by basing the survey on the Mental Health Foundation's

Guidelines for Mentally Healthy Schools and by surveying student years nine and ten, management, staff, and the Board of Trustees.

Two areas of concern were teasing and bullying. This led to a Year Nine ‘teasing’ module and a zero tolerance bullying policy. A training day was undertaken with boys and girls separately. Teachers addressed the issues in the classroom and began a three step restorative process.

The impact of the new policies and modules was soon apparent. There were thirty-two reports of bullying and teasing in the first week, two in the second week, and three in the third and fourth weeks. The system became self-regulating and is consistently reinforced through role-playing, counseling, the leadership program and a social worker and nurse in the learning center.

Case Study 10: Wainuiomata High School, Wellington

Type	Roll	Decile	Student ethnicity		Last ERO report
Co-educational	937	3	European/Pakeha	53%	2003
			Maori	33%	
			Pacific	9%	
			Other	5%	

- Human rights communities are concerned with the whole person

Te Matariki is a holistic student center, located within Wainuiomata school, and houses a wide range of services to ensure that the learning environment is safe. It was initiated because of the school’s belief that educational achievement in a lower socio-economic community required a whole-student approach. Te Matariki’s services include guidance counselors, social workers, careers advisors, a medical center that supplies free medical care and prescriptions to students, peer mediation and comprehensive tracking of student attendance.

Reportedly the impact has been dramatic. When the school opened in 2002 it had “appallingly low academic results” which have risen considerably since. The center has caused some tensions with families, particularly in relation to sexual health (33 percent of referrals to the medical center are for sexual health, and about half of consultations are about sexual health) but others are very supportive of the service. Most fundamental to the school’s approach is that the needs of the young people are addressed which supports their successful participation in the school.

Survey Responses

As part of the baseline study survey questionnaires were sent to two hundred ninety seven early childhood education services and two hundred eighty seven schools. Centers and schools were asked about their understanding of human rights education, features of a service or school as a human rights community, and examples of best practice.

There was a continuum of responses within and between centers and schools. While many of the schools had contact with human-rights-based organizations and were running programs that provided a practical out-working of human rights principles (such as Cool Schools and restorative justice programs), most schools did not consider they were providing specific human rights education.

Most schools stated that they did not understand how to integrate human rights education provision into the curriculum, environment and organization of the school and structures, and that resources to support quality human rights education were lacking.

Schools with the most extensive responses identified best practice in human rights education as providing comprehensive teaching on human rights, active respect for and demonstration of human rights within the school context, participation and lobbying in human rights issues in the wider community and the world, and equality of opportunity.

ECE centers demonstrated significantly more confidence in and understanding of human rights education. The majority of responses focused on a definition of human rights education that ensured accessibility of early childhood education to all and equitable and fair treatment of all children, regardless of socio-economic, gender, ethnic, religious and cultural differences. Respondents seemed confident that human rights were integrated in the curriculum Te Whāriki.

There were several centers that believed they lacked human rights education resources, but most were able to identify general resources used in the learning environment (books, posters, puzzles, dolls, audio and video tapes) as the central means of communicating about human rights to children.

All but a couple of ECE respondents considered that their center was a human rights community. The key indicators the respondents identified were fair and equitable treatment of all children, the rights-based approach

of Te Whāriki, and the diverse range of backgrounds of the children enrolled at their services.

New Zealand Initiatives

The baseline study found that there was a range of government and non-government initiatives in New Zealand that were contributing to the realization of human rights and responsibilities in centers and schools. (Unfortunately it has not been possible to include all the initiatives in this report.)

Government Programs

Early Childhood Education: Te Whāriki

The principles, strands and goals of this curriculum meet the broad standards of acceptability, adaptability, accessibility and availability.¹⁴ Further, the responses of early childhood education services to the baseline study reflected a greater comfort with the language of human rights, and a clear understanding of what human rights education might look like, with often direct reference to Te Whāriki.

Ministry of Education: NZ Curriculum: Draft 2006-2007¹⁵

Proposed curriculum changes introduce greater alignment with the early childhood education curriculum, Te Whāriki. Although in draft form, proposals indicate that the curriculum will reflect more strongly a human rights framework such as: integral placement of the Treaty of Waitangi; recognizing the importance of te ao Māori (Maori language) to all New Zealanders; delivery of the curriculum through te Reo Māori and New Zealand Sign Language; and explicit inclusion of human rights education in learning. As this report goes to print, Te Kaupapa Marautanga o Aotearoa (Māori Medium Curriculum) for kura kaupapa Māori is under consultation.

Ministry of Education (MoE): Schooling Strategy¹⁶

The focus for the Ministry of Education is to increase student achievement through improving teaching effectiveness, increasing the engagement of families and communities, and building the quality of education providers. Examples of MoE-funded programs include the Student Engagement Initiative (SEI), the District Truancy Services (DTS), the Suspension

Reduction Initiative (SRI), and the project to promote positive behavior in schools. The SRI and the SEI, which identify schools or regions that have unusually high levels of student disengagement, sets targets for improvement, monitors change, and employs facilitators to work locally. These initiatives encourage achievement for all students by supporting teachers, enhancing support for schools with challenging students, and working across agencies to improve social services to better support specific groups, families and individuals.¹⁷

Ministry of Youth Development: The UN Convention on the Rights of the Child: Five Year Work Programme 2004-2008¹⁸

The MYD is focused on addressing education disparities, non-participation of specific ethnic groups and barriers to access, and raising awareness of the convention and children's rights.

Non-Government Programs and Independent Crown Entities

Amnesty International in schools¹⁹ has over one hundred school and youth groups nationwide. A recent survey of Amnesty International group student leaders and teacher coordinators in New Zealand schools indicated that both students and teachers derive benefits from being involved in a human rights group.

Aotearoa Global and Development Education Network²⁰ is a coalition of representatives of non-governmental organizations, educationalists, community groups, and individuals that focus on educating around such issues as poverty, violent conflict, communicable diseases, international debt and trade, environmental degradation, and human rights, and how they affect individuals, communities and societies globally.

Associated Schools Project - Net²¹ was established by UNESCO International in 1953. ASPnet today links students and teachers from over 5,000 educational institutions across the world with the aim of fostering international peace and understanding. Over sixty schools in this country are involved, including several that have been part of this baseline study.

Cool Schools²² is a restorative conferencing program run by the Peace Foundation. It focuses on the primary and secondary sectors and on the home. It introduces peer mediation into the classroom and playground, teaching children to resolve their own conflicts, trains student and staff me-

diators and encourages the reinforcement of these skills in the home. The Peace Foundation is also piloting a new program, Roots of Empathy.

Development Resource Center is a development and global issues information and education organization, that includes Dev-zone and the Global Education Center, working for 'change for a just world'.

Health Promoting School program²³ was initiated by the World Health Organization in the early 1990s and in NZ in 1993 by the New Zealand School Trustees' Association (NZSTA). It involves a framework which works in partnership with the whole school community to identify and address health issues of concern.

Human Rights Commission/Te Kāhui Tika Tangata²⁴ promotes the right to education through all its key functions—education, advocacy, mediation, policy development, monitoring and evaluation.

Mindful Schools Resource²⁵ is an online resource that includes an introduction to school mental health promotion. It is designed for teachers and student teachers in secondary education, to provide guidance on supporting the mental health of people in school communities.

Quality Public Education for the 21st Century (QPE 4 21C),²⁶ produced by NZEI Te Riu Roa, is a well-researched and evidence-based paper that sets out strategic policy and proposals for a public education service in New Zealand. Principle 1 recognizes education as a human right and public good and poses the Right to Education Framework as a strategic tool.

Many schools in New Zealand have been involved with formal and informal Restorative Justice Programs in their student management systems.²⁷ Restorative justice has been found to be a viable alternative to punitive management, provided it is used consistently with backup training for staff, management and students.²⁸

Safety in Our Schools²⁹ is an action kit with a health and wellbeing focus. Strategies are based on the health and physical well-being curriculum including the Youth Development Strategy Aotearoa, Youth Health: A Guide to Action and the New Zealand Youth Suicide Prevention Strategy and Health Promoting Schools. Connected to this, Safety in Schools for Queers (SS4Q)³⁰ was launched in 2005 to confront discrimination, harassment and bullying in schools for queer students and teachers.

*Upstart Magazine*³¹ is produced by Save the Children Fund in collaboration with *Tearaway Magazine*. It is written for and by 7-12 year olds and includes educational content about an aspect of child rights, communicates

with young people about these issues and supports the provision of educational and entertaining material for children.

UNICEF School-Room³² creates information resources teachers and students can use to build their knowledge about the important issues in children's lives around the world.

Young People's Reference Group (Office of the Children's Commissioner) is made up of ten young people from 12 to 16 years, from different parts of New Zealand. The group has been established to "help OCC make decisions about the work it does, to talk to OCC and to help them find out what's happening with children and young people in our communities, and to explore children and young people's rights and what they mean in New Zealand."³³

Programs

Building Human Rights Communities in Education

Building Human Rights Communities in Education is an initiative developed by a coalition of agencies—Amnesty International, the Development Resource Centre, the Human Rights Commission, the Office of the Children's Commissioner, and the Peace Foundation. The vision is for early childhood education centers and schools to become communities where human rights are known, lived and defended.

The initiative is working to promote the development of ECE centers and schools as human rights communities by:

1. Facilitating a rights-based approach to education that includes,
 - human rights through education: ensuring that all the components and processes of learning, including curriculums, materials, methods and training are conducive to learning about human rights
 - human rights in education: ensuring the respect and practice of the human rights of all in early childhood centers and schools
2. Supporting the Ministry of Education and others in introducing the United Nations World Programme for Human Rights Education by:
 - analyzing human rights education in early childhood centers and schools, and disseminating the results of the study
 - identifying the stakeholders that are critical to the implementation of the World Programme and engendering their support
 - facilitating discussion with key stakeholders to set national priorities and develop a strategy that involves,

- policy and legislation development and implementation
- the learning environment
- teaching and learning practices
- education and professional development of teachers and other personnel
- supporting the implementation, monitoring and evaluating of the World Programme.

International experience shows the positive impact of collaborative human rights education programs that involve both obligatory and aspirational strategies^{34 35} and that move beyond the rhetoric of children's rights to the mainstreaming of a human rights perspective into all public policy.³⁶

Initiatives implemented over the past decade indicate a move in this direction. The Schooling Strategy goal "All students achieving their potential", for example, sets out three priorities: all students experience effective teaching; children's learning is nurtured by families and whānau; and practice is evidence-based. The practice of human rights in early childhood services and schools has the potential to contribute to this public policy.

Professional development has been critical in changing educational pedagogies, and it is likely to be the key to developing an educational workforce equipped to ensure education is human-rights-based.^{37 38 39}

Recommendations

Those involved in education in New Zealand:

Recognize and act on their responsibility to ensure early childhood education centers and schools explicitly meet New Zealand's human rights obligations.

Early Childhood Education Centers and Schools:

Develop a whole center/school approach to human rights-based education in which human rights are integrated throughout the formal curriculum, the teaching and learning environment, and the school organization.

Identify those practices that contribute to the integration of human rights in their centers/schools, and submit these to the Building Human Rights Communities in Education database to be publicly available.

Ministry of Education:

Amend the National Education Guidelines to make explicit New Zealand's obligation to provide education that conforms to human rights standards.

Work with other agencies to ensure human rights concepts and practices are integrated into all aspects of education including,

- policy and legislation development and implementation
- the learning environment
- curriculum principles, values, key competencies and learning areas
- teaching and learning processes
- education and professional development of principals, teachers and other education staff.

Conclusions

The base-line study showed that some early childhood education centers and schools are involved in initiatives that contribute to the realization of New Zealand's obligation to provide education that conforms to human rights standards. The study also highlighted the ad hoc nature of these initiatives and the lack of connection between them.

This publication introduces the concept of early childhood education centers and schools as human rights communities. Rather than an added impost to an already busy center/school existence, this concept offers a framework that will weave through the day-to-day life of the center/school, and that will provide tools, an approach and a language to address issues experienced by centers and schools.

The extent to which children and young people in New Zealand are able to fully enjoy their basic rights depends on the extent to which all people in New Zealand enjoy human rights. Equally, a society that meets the basic rights of its children and young people (to freedom from discrimination, education, health, an adequate standard of living and safety from violence) is building a future in which all its members are more likely to enjoy their human rights.

Early childhood education services and schools that organize as human rights communities will confront human rights abuses against children and young people, enable young people to leave school with a strong sense of

their own value, confident in their ability to learn, live and work in a variety of settings, and able to respect, appreciate and value diversity and difference.

*This is a shorter version of the report of the same title published by the Human Rights Commission in May 2007.

Endnotes

¹See Janine Mcgruddy, "Human Rights Education in New Zealand – The Challenge of Developing "New Zealand Schools as Human Rights Communities," *Human Rights Education in Asian Schools* 8/89-92.

²*Human Rights in New Zealand Today/Ngā Tika Tangata o te Motu*, Chapter 15 (August 2005)

³Right to Education Framework He Tāpapa Mātauranga (Appendix 2)

⁴Children's Rights Centre, University College of Cape Breton, Nova Scotia, Canada <http://discovery.uccb.ns.ca/children/>

⁵Human Rights Commission/Te Kāhui Tika Tangata, Te Mana i Waitangi Human Rights and the Treaty of Waitangi, June 2003:19 <http://www.hrc.co.nz/hrc/worddocs/67479%20HUMAN%20R%85HTS%20TREATY%20BO.pdf>

⁶Early Childhood Development: A Draft Charter of the Rights of the Māori Child: Te Mana o te Tamaiti Māori, Wellington 2002.

⁷Ako Consultancy – Jo and Graham Cameron.

⁸Te Kohanga Reo (language nest); whānau (family); mokopuna (grand/child); hapū (clan)

⁹Philosophy of Te Kohanga Reo: <http://www.kohanga.ac.nz/principles.html>

¹⁰Non-Maori New Zealanders, mostly referring to European New Zealanders.

¹¹The United Nations General Assembly to the Model Youth Commonwealth Heads of Government Meeting (CHOGM).

¹²Special Educational Needs Coordinator

¹³Availability - To ensure education is available for all in accordance with human rights standards.

Accessibility - To ensure access to available education for all in accordance with human rights standards. Accessibility also includes affordability.

Acceptability - To ensure that all education provision conforms to the minimum human rights standards.

Adaptability - To ensure education is responsive to the best interests and benefit of the learner, in their current and future contexts.

HRC Right to Education: He Tāpapa Mātauranga A Discussion Document (Auckland: Human Rights Commission, 2004) pages 13-14.

¹⁴Draft NZ Curriculum: <http://www.tki.org.nz/r/nzcurriculum>

¹⁵MoE Statement of Intent, 2006 – 2011:

http://www.minedu.govt.nz/web/downloadable/dl11148_v1/ministry-of-education-statement-of-intent-2006---2.pdf

¹⁶MOE, Attendance, Absence and Truancy in New Zealand Schools in 2005 (Wellington: Ministry of Education, 2006).

¹⁷MYA, *UN Convention on the Rights of the Child: Five Year Work Programme 2004-2008* (Wellington: Ministry of Youth Development, 2004).

<http://www.myd.govt.nz/uploads/docs/1.5.7uncroc2004-08.pdf>

¹⁸AINZ School Group survey results released in 2007. <http://www.amnesty.org.nz>

¹⁹Aotearoa Global and Development Education Network: <http://www.agaden.org.nz>

²⁰UNESCO Program ASPnet: http://www.unesco.org.nz/pa_edu_aspnet.htm

²¹Peace Foundation Cool Schools Peer Mediation Programme: <http://www.peace.net.nz/coolschools.htm>

²²Health Promoting Schools: www.hps.org.nz

²³*NZ Action Plan for Human Rights*. <http://www.hrc.co.nz/report/actionplan/0foreword.html> The Right to Education Framework/He Tāpapa Mātauranga is included later in this report.

²⁴Mindful Schools: <http://www.mentalhealth.org.nz/page.php?122>

²⁵NZEI Quality Public Education for the 21st Century: presented by National President Irene Cooper to the NZEI 2006 Annual Meeting http://www.nzei.org.nz/annual_meeting/annual_meeting06/documents/QPE421C_000.pdf

²⁶The range of restorative programs have included the above programs and the AIMHI project, the New Zealand Police's Stop Bullying: Guidelines for Schools, and the Office of the Children Commissioner's restorative justice project. Where successful, restorative programs have shown to improve the school environment, academic achievement, student behavior and community relationships.

²⁷Buckley S & Maxwell G, *Restorative Practices in New Zealand Schools*, (Wellington: Victoria University of Wellington, 2005). See also Children's Issues Centre, Developing a more positive school culture to address bullying and improve school relationships: case studies from two primary schools and one intermediate school (Wellington: Ministry of Social Development, 2004).

²⁸New Zealand AIDS Foundation, *Rainbow Youth, Out There, Safety In Our Schools: Ko te Haumaru i o tatou Kura* – An action kit for Aotearoa New Zealand schools to address sexual orientation prejudice: (Wellington: New Zealand AIDS Foundation, 2004).

²⁹Out There, Safety in Schools Campaign: <http://www.outthere.org.nz/SafetyinSchoolsCampaign.htm>

³⁰*Upstart Magazine*: <http://upstartmag.co.nz>. Also *Tearaway Magazine*: <http://www.tearaway.co.nz>

³¹UNICEF, School Room: <http://www.unicef.org.nz/school-room>. The UNICEF Framework for the Development of Rights Respecting Schools is included in Annex A of this article.

³²Young Peoples Reference Group http://www.occ.org.nz/childcomm/about_us/young_people_s_reference_group,

³³Tomaševski K, "Human Rights in Education as prerequisite for Human Rights Education" *Right to Education Primers No. 4*. (Gothenburg: Novum Grafiska, 2001) page 44.

³⁴UNESCO, *The Dakar Framework for Action - Education for All: Meeting our Collective Commitments* (Paris: UNESCO, 2000) page 9.

³⁵Noonan R., "Early Childhood Education: Optional Extra, Privilege or Right?" *Australasian Education Union News* 9 (9): 2003.

³⁶Bishop R, Berryman M, Tiakiwai S & Richardson C. *Te Kōtahitanga: The experience of year 9 and 10 Māori students in Mainstream Classrooms* (Wellington: Ministry of Education, 2003) page 132.

³⁷See also UNESCO, *Overcoming Exclusion Through Inclusive Approaches in: A Challenge and a Vision, Conceptual Paper* (Paris: UNESCO, 2003) pages 24-26.

³⁸Wylie C., *Twelve Years Old and Competent* (Wellington: New Zealand Council for Education Research, 2004) page 34.

Annex A

UNICEF Framework for the Development of Rights Respecting Schools

ASPECT 1. Leadership and Management—embedding the values of the UN Convention on the Rights of the Child in the life of the school.				
The School's Provision?	What validation / evidence is required?	What is already in place?	What needs to be done? (Who? When? What?)	What evidence shows this has been done?
<p>A Rights Respecting School has the UN Convention on the Rights of the Child (CRC) at the heart of the core values of a school. The processes of developing as a Rights Respecting School:</p> <ul style="list-style-type: none"> informs the schools arrangements for planning, development and review. prepares the school community to recognise the universality of children's rights and to support the rights of others locally and globally ensures the school has strong arrangements for protecting pupils from all forms of abuse and harassment. 	The school leadership team has measures in place to ensure the values of the CRC are integrated into its policies as they are reviewed at all levels.			
	The school has a process of evaluating and sustaining its culture which is open, transparent and rights-respecting. Students contribute to this process.			
	Teachers have opportunities to improve their knowledge and understanding of local and global issues and how they relate to children and human rights.			
	Students report that there is a culture of mutual respect for the rights of others, evident in all levels of school relationships.			
	Students are empowered to work for change, aware of how the CRC is a major instrument for improvements in children's lives worldwide.			
	The school's physical environment is a feature of its rights respecting ethos.			

ASPECT 2. Teachers, other adults and students know and understand the CRC and its relevance to the school ethos and curriculum.				
The School's Provision	What validation/ evidence is required?	What is already in place?	What needs to be done? (Who? When? What?)	What evidence shows that this has been done?
<p>1. There is a broad understanding by the whole school community (including parents and carers) of the CRC and why the school is implementing it.</p> <p>2. The curriculum provides regular opportunities for students to develop their knowledge and understanding of the CRC in four contexts, with respect to each child's ability. These contexts are:</p> <ul style="list-style-type: none"> a. respecting each others rights in everyday life b. working for global justice c. valuing diversity d. environmental sustainability 	1. Parents and community demonstrate awareness of Article 42 – knowledge and some understanding of the content of the CRC - and its relevance to the whole school community, the country and globally.			
	2. The school is maximising opportunities for cross-curricular consolidation to extend pupils' knowledge and understanding of the CRC.			
	3. Students are involved in the ongoing promotion of respect for children's rights both locally and globally.			
	4. All students are knowledgeable of the content of the CRC and its relevance to themselves, the school and the wider world (appropriate to age and ability).			
	5. Students can point to rights principles and their relevance in different curriculum subjects/ areas and across the school.			
	6. Provisions of Article 29 are reflected in the school's curriculum, development plan, policies and vision Statements.			

ASPECT 3. Teaching and Learning in Rights Respecting Classrooms				
The School's Provision	What validation/ evidence is required?	What is already in place?	What needs to be done? (Who? When? What?)	What evidence shows that this has been done?
<p>The values of the CRC are reflected in the following aspects of the classroom experience:</p> <ul style="list-style-type: none"> • systematic opportunities are provided for children to participate in decisions which affect them • children can think freely about, and express their views • there is a classroom climate which allows for different perspectives and views. Opinions can be expressed without loss of dignity there is fair and equitable treatment for all children learn how to be active contributors to class, community and society. 	All teaching staff recognise the importance of modelling rights and undertake a rights-respecting approach in their classrooms.			
	All teaching staff use a wide range of teaching and learning methods, with high levels of participatory teaching and opportunities for student interaction.			
	All teaching staff give students opportunities to make choices in their learning within the framework of the required curriculum, so curriculum requirements and students' interests and concerns are met.			
	Students have opportunities to give constructive feedback to their teachers			
	All teachers include aspects of the global dimension in their lessons, as appropriate, and with a children's rights dimension. This is reflected in the schemes of work.			
	Students are using a rights-respecting approach to resolving conflict.			

ASPECT 4. Students actively participate in decision making throughout the school				
The School's Provision	What validation/ evidence is required?	What is already in place?	What needs to be done?	What evidence shows that this has been done?
<p>1. There are effective and inclusive arrangements in the school community for students actively to participate in decision-making.</p> <p>2. The school ensures that pupils have the information they need to make informed decisions. (Articles 13 and 17)</p> <p>3. The school community makes provision for students to support the rights of others, globally, nationally and locally.</p> <p>4. All members of the school community understand their responsibility to listen to students.</p>	1. School has systems and procedures that effectively engage students in the democratic running of the school, (i.e. implementing Articles 12 and 13).			
	2. Students participate in wider initiatives – local, national and global.			
	3. Students have frequent opportunities to feed opinions and suggestions to the school's governing body.			
	4. Students participate in staff recruitment process			
	5. An elected School Council / Union has a responsibility to function as ambassadors for the CRC within the school.			

Human Rights Education in Asia-Pacific: A Brief Review

Jefferson R. Plantilla

THE UNITED NATIONS in 1948 called on “every individual and every organ of society” to “strive by teaching and education to promote respect for [the] rights and freedoms” laid out by the Universal Declaration of Human Rights (UDHR). This call provided the basic foundation of human rights education as a major field of human rights work, and of the commitment of peoples and governments everywhere to undertake the task.

For a period of sixty years, so many initiatives have come and gone. Some have resulted in formal statements of governments reiterating their commitment to fulfill the call of the UDHR while many other initiatives are ground-level efforts to make human rights known and also realized. Nevertheless, there are many more tasks to do, and many issues to resolve in fulfilling the UDHR call.

Reiterating the Commitment

In 1968 in Tehran, member-states of the United Nations attending the first major global human rights conference since the end of the Second World War listed as the first of their solemn proclamations the following:

1. It is imperative that the members of the international community fulfil their solemn obligations to promote and en-

courage respect for human rights and fundamental freedoms for all without distinctions of any kind such as race, colour, sex, language, religion, political or other opinions.

This is the first major reminder to the member-states of the United Nations about their human rights education commitment, yet to be fulfilled twenty years after the UDHR has been adopted.

In 1982 in Colombo, in the first Asia-Pacific regional seminar on human rights, all represented Asia-Pacific member-states of the United Nations though unable to agree on the establishment of an Asia-Pacific human rights mechanism “agreed that consultative arrangements could be established in various areas such as education, teaching, training, research, documentation, dissemination of information and exchanges of experience.”¹ There was still much reluctance to create a regional mechanism for human rights protection in the Asia-Pacific, thirty-four years since the adoption of the UDHR. However, the promotion of human rights at the regional level was recognized as an acceptable task (as well as need) by the member-states of the United Nations in Asia-Pacific.

In 1993 in Bangkok, an even bigger number of Asia-Pacific member-states of the United Nations recognized that the “promotion of human rights should be encouraged by cooperation and consensus,” and stressed the “importance of education and training in human rights at the national, regional and international levels and the need for international cooperation aimed at overcoming the lack of public awareness of human rights.” In this regional conference, they further reiterated the need to “explore ways to generate international cooperation and financial support for education and training in the field of human rights at the national level and for the establishment of national infrastructures to promote and protect human rights if requested by States.”²

Started in 1990 in Manila as a mechanism to discuss the suggested establishment of a regional human rights mechanism in the Asia-Pacific, the United-Nations-initiated regional workshops evolved into workshops on regional cooperation on human rights.³ In 1993 in Jakarta, the Asia-Pacific member-states defined the objectives of the regional workshop, including the following:

To increase awareness among countries in the region of international human rights standards and procedures and of the role of States in implementing human rights norms.

Its so-called Tehran Framework (1998)⁴ identifies human rights education as one of the four pillars of regional cooperation.⁵ In each workshop, the represented Asian governments reiterated their commitment to human rights education.⁶

Subregional inter-governmental formations, particularly the South Asian Association for Regional Cooperation (SAARC), the Association of Southeast Asian Nations (ASEAN) and the Pacific Islands Forum adopted their respective human-rights-related documents that support human rights education.⁷ Most of these documents were adopted during the 2002-2005 period. ASEAN has the most advanced subregional human rights document that covers the establishment of the ASEAN Intergovernmental Commission on Human Rights, which has a strong human rights promotion mandate.⁸

Representatives of human rights organizations, members of the academe, and government officials have likewise held regional activities on human rights education from mid-1990s till recently. They defined the content of human rights education, the requirements for its promotion, the primary beneficiaries, the mechanisms and the supporting institutions.⁹ They represent both ideas about and experiences in making human rights education a reality in the region.

The declarations of Asian states reiterated the 1948 pledge and made human rights education an important part of their human rights commitment. They raised the expectation that they would play an active role in it at the national level. Did they fulfill their commitment?

People's Initiatives

Compelled to address situations of injustice and oppression in the three decades from 1948, non-governmental institutions undertook much of what would now be called human rights education. They invariably tried to enable communities to take action on their problems.

Many educational initiatives from the 1960s to the 1980s included human rights as content but were known by names other than human rights education. This indicates the variety of educational interventions to address particular issues, peoples and systems.¹⁰ The community conscientization, animation/organizing and mobilization programs of NGOs for the rural and urban poor have been including human rights. Many development-oriented organizations undertook the task of addressing problems faced by the poor,

and of creating systems toward people-centered development. The so-called social development organizations, with community animation/organizing as main program, fall under this category.

Democracy education among the youth in the 1960s and 1970s was much sought in the context of the then prevailing repressive and authoritarian governments in a number of Asian countries. Beyond the idealism on the part of the youth, democracy education was needed to protect the right of people to participate in their own government as much as to ensure that non-violent protest and dissent were recognized by governments as legitimate acts of people.

Among the legal professionals, legal education was a tool to counter human rights violations committed by members of the police and military forces at a time when “national security” became the excuse for repression and authoritarian rule.¹¹ Legal education became a tool to counter massive violations of civil and political rights during the era of “emergency rule,” “constitutional authoritarianism,” and “guided democracy.” It was also an important tool for socio-economic change by empowering poor communities on the use of law. Paralegal training became a popular form of developing capacity among NGOs in South and Southeast Asian countries to avoid arbitrary arrest, illegal detention, torture, and other human rights violations as much as to facilitate community empowerment.

Social action programs that included education of the workers, the urban poor and other marginalized sectors for their empowerment likely covered human rights. Social action programs of religious groups (mainly Christian organizations) are important examples in this regard.

Popular culture played a role in the informal and non-formal modes of human rights education. Traditional or old plays, poems and songs were used to express ideas to the community. They spoke of national freedom, social justice, community welfare and also personal tragedies and hopes. As much as they were used in educational activities, popular songs on ordinary aspects of life were important icebreakers and intermission numbers while traditional protest songs constituted valuable discussion materials. A number of non-governmental organizations collected these songs as part of training materials.¹² As explained by a study on the role of popular music in politics in Southeast Asia:¹³

Music was always a social tool in many traditional and colonized societies of the region (e.g., the Indonesian *wayang kulit*

and the Malay *bangsawans*), playing a crucial role in fostering community cohesion while promulgating values and spreading information.

Traditional songs and other cultural forms were used during the turbulent period from 1960s to 1980s in raising awareness and taking action on social issues including human rights violations.

In schools, teachers took the initiative of teaching about human rights. The earliest initiative of teachers took place in the 1950s with the Japanese teachers starting to work on discriminated Japanese called *Burakumin*.¹⁴ The teachers realized the need for both *Buraku* and non-*Buraku* students to not merely enjoy their right to education but also to understand the meaning and effect of discrimination. This started the anti-discrimination education (known later on as Dowa education) in Japan.¹⁵ The repressive government in South Korea in the 1960s through the 1980s led the Korean teachers to promote democracy education to make the students become aware of the problems (including human rights violations) under an authoritarian rule and to act towards a more democratic political system.¹⁶ Some Filipino teachers in the 1970s and 1980s promoted an “educational response to oppression”¹⁷ (during the period of Martial Law in the Philippines) and held consultations and seminars for teachers on various topics including human rights education.

The Sri Lanka Foundation started in 1983 a human rights education program for Sri Lankan schools, one of the first government-sanctioned programs of this kind in Asia. In the Philippines, the University of the Philippines’ Law Center started in the 1980s to train teachers on human rights and published lesson plans on human rights.¹⁸

1990s Onward

The 1990s witnessed significant developments in the field of human rights in general that made an impact on human rights education at the national and regional levels.

During this decade, the recognition of educational initiatives with human rights content broadened. The 1993 parallel non-governmental conference on human rights in Bangkok, on the occasion of the Regional Meeting for Asia of the World Conference on Human Rights, provided the venue for a variety of NGOs working on educational programs that covered vari-

ous sectors (such as women, indigenous peoples, children, workers, urban poor, peasants, fisherfolk, youth, lesbians/gays/bisexuals/transgenders), and issues (development, environment, culture, discrimination, civil and political rights) to meet under a broad human rights theme.¹⁹ The participation of varied types of NGOs indicated the broadening during the 1990s of the concept of human rights work, from civil-political-rights focus to economic-social-cultural-rights agenda. Thus also the concept of human rights education became broader to cover the wide variety of educational initiatives of NGOs.

New human rights education initiatives (focusing on particular human rights) supplemented the human-rights-related educational initiatives that started prior to the 1990s and continued at the national and community levels.²⁰

During the 1990s, some legal services organizations decided to be involved in human rights education in schools. They saw the limitation of “firefighting” (legal assistance activities) and the need to do education work in the school system. Madaripur Legal Aid Association and Ain o Salish Kendro in Bangladesh, the Movement for the Defense of Democratic Rights and the Lawyers for Human Rights and Development in Sri Lanka, People’s Watch-Tamil Nadu in India,²¹ and the Union for Civil Liberties in Thailand are good examples of such legal services organizations involved in school programs. They train teachers, develop teaching materials, and hold other school-related human rights education activities.

The series of global conferences in the 1990s on human rights, women, population, habitat, environment and development gave the NGOs the opportunity to pressure the governments to consider human rights education as a significant component in addressing the problems taken up in the global conferences.

The idea of a United Nations Decade for Human Rights Education was well supported by the Asia-Pacific NGOs by calling upon the United Nations to declare a “People’s Decade of Human Rights Education”²² or the “World Decade for Human Rights Education.”²³ They supported the implementation of the United Nations Decade for Human Rights Education that the United Nations General Assembly adopted in December 1994. This United Nations Decade became a platform for Asia-Pacific NGOs to pressure governments to fulfill their commitment not only in Vienna but also in Beijing, Istanbul, Cairo, and Rio de Janeiro.

In support of the United Nations Decade for Human Rights Education, several Asia-Pacific governments adopted their respective national action plans on human education. Some countries adopted “National Action Plan on Human Rights” with human rights education components.²⁴

Most of these governments implemented their human rights or human rights education plans through their ministries of justice and education. The latest national human rights action plan was adopted by China in 2009 with the State Council and the Ministry of Foreign Affairs as the major government agencies involved.²⁵

“Third and Fourth” Players

Prior to the 1991 United-Nations-sponsored conference in Paris on national human rights institutions (national institutions), the Pacific had two national institutions (New Zealand and Australia) while Asia had at least one such institution in the Philippines in the 1980s. The Philippine national institution was established with a constitutional mandate to establish “a continuing program of research, education, and information to enhance respect for the primacy of human rights.”²⁶ This constitutional provision reflected a standard role for national institutions in the field of human rights education. By 2009, Asia-Pacific had nineteen national institutions.

A number of Asia-Pacific national institutions drew up plans for human rights education, some of them were called “strategic plans,” that should have provided at least a guide in developing national human rights education programs, or complemented laws and national action plans on human rights or human rights education.²⁷ These plans are separate from plans of special institutions for women, children and other sectors. These special institutions also play a role in human rights education.

Another category of human rights institutions is the human rights center. There are around two hundred human rights centers²⁸ now existing in more than twenty countries in Asia-Pacific.²⁹ Over all, these centers are doing significant amount of work in their respective fields of interest. They have accumulated an enormous amount of published research work, other human rights materials, and systems for information dissemination. They also produce human rights education materials, hold seminars and workshops, and provide needed information for NGOs, national human rights institutions, relevant government agencies and the general public. But their activities are largely unknown beyond national borders or networks. This

limits the dissemination to, and use of research output by, a much wider audience.

They support human rights education in the school system. The Centre for the Study of Human Rights of the University of Colombo, for example, has been implementing for many years human rights education programs in a number of schools in Sri Lanka. It has been working with Sri Lankan NGOs and other institutions.

A regional office of the Philippine Commission on Human Rights helped establish centers for human rights education in local colleges and universities. These centers function as resource centers on human rights education not only for the members of their respective academic communities but also for people in the city or province (with the cooperation of government agencies and NGOs in the area) where they are located.³⁰

The national institutions and human rights centers in Asia-Pacific constitute the third and fourth major players respectively in the field of human rights in general and human rights education in particular. Governments carry the state obligation to fulfill international human rights commitment, while NGOs provide an important medium of addressing and expressing people's demand for the protection and realization of their human rights. There is a growing trend of cooperation among these four major human rights players (national institutions, human rights centers, NGOs and governments), particularly on human rights education.

The national institutions, human rights centers, NGOs and also governments have by and large undertaken human rights training for members of the police and military forces. The National Human Rights Commission of India has been providing training courses on human rights in police academies in various states of the country. The Philippine Commission on Human Rights produced the *Philippine Army Soldier's Handbook on Human Rights and International Humanitarian Law* and also engages in training the members of the police and military. The Centre for the Study of Human Rights (University of Colombo) has been implementing separate programs for members of the Sri Lankan police and military, while NGOs (in cooperation with human rights centers) such as the Benigno S. Aquino, Jr. Foundation in the Philippines and the Commonwealth Human Rights Initiative (CHRI) in India have been doing the same. Some initiatives on police and military training on human rights have been held with the support of institutions outside the region.

Newer initiatives

Human rights education initiatives at the tertiary and higher level of education have been developing in the region since the 1980s. The University Grants Commission (UGC) of India has been implementing its 1985 human rights education blueprint that contained ³¹

proposals for restructuring of existing syllabi, and introduction of new courses and/or foundation courses in Human Rights. This was for students of all faculties at the under-graduate, graduate and post-graduate levels for both professional and non-professional education.

This is a good example of a state-sponsored program (with a funding component) on the teaching of human rights at the tertiary and higher levels. This is likely a major reason for the introduction of human rights courses in many Indian universities.³² Universities in other countries in the Asia-Pacific also offer undergraduate, graduate and post-graduate human rights courses. Some law school curriculums³³ include human rights subjects; while some universities offer masteral programs and diploma courses on human rights for government officers and other professionals. A few universities in the Asia-Pacific offer masteral programs and diploma courses on human rights. Some universities offer international graduate courses. Mahidol University in Thailand offers the “only PhD program of its kind in Asia [PhD in Human Rights and Peace Studies (International Program)], while the MA [MA in Human Rights (International Program)] is the longest running graduate degree program in human rights in Asia.”³⁴ The Faculty of Law of the University of Hong Kong also offers a masteral program on human rights targeting Asian students. The Center for the Study of Human Rights in the University of Colombo is planning to offer an Asia-Pacific masters program on human rights and democratization by 2010.³⁵

With the support of European human rights centers (particularly the Raoul Wallenberg Institute and the Danish Institute for Human Rights), a growing number of universities in China are offering graduate courses on human rights. The European human rights centers also support human rights training of Chinese judges, lawyers, prosecutors and government officials.

The expansion of human rights work continues with the adoption of new international human rights instruments, the incorporation of human rights into issue-based or sector-based programs, and the strengthening of

movements of specific groups. The taking into effect of the Convention on the Rights of Persons with Disabilities led to the growth of regional networking among groups working on this issue, with a new perspective of using the rights-based approach in their programming. Training programs have been developed that focus on how people with disabilities would be able to lead normal lives, realizing their human rights in the process.³⁶

National and regional movements against trafficking in human beings brought together the protection and promotion efforts of governments, NGOs and international organizations.

The movement of people living with HIV/AIDS (PLWHA) has grown in recent years at both national and regional levels. The movement has been focusing on the right of PLWHA against discrimination, particularly in the health service area.

The movement for the promotion and protection of the rights of lesbians, gays, bisexuals and transgenders is getting stronger, and offers a developing area for human rights education. The *Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity* (2006), formulated by a group of human rights experts, provides “a universal guide to human rights which affirm binding international legal standards with which all States must comply.” This is a new material for human rights education as well.³⁷

The networking among Asian media practitioners provides support to those who are facing threats of human rights violation, and also supports the protection of the freedom of the media from state censorship.

The use of the new information and communication technology for human rights education has started. Websites of various types of institutions provide human rights information, while some have been created specifically for human rights education purposes. The following are examples of the latter:

- a. The Asian Human Rights Commission website (www.hrschool.org) called *Human Rights School* provides teaching modules on human rights;
- b. The Asia-Pacific Human Rights Information Center website (www.hurights.or.jp) contains information and materials related to human rights education (especially for schools).

The Asian Regional Resource Center for Human Rights Education (ARRC) website (www.rrc-hre.com) contains directories of groups in Asia and the Pacific related to human rights education work, a catalogue of existing materials on all types of human rights education activities and programs, and materials ARRC has produced. It is however not in operation at present.

The websites of some Asia-Pacific national institutions and human rights centers likewise provide human rights education materials.

Cooperation between Asia-Pacific governments and international organizations including United-Nations agencies on human and drug trafficking, HIV/AIDS, child rights, migrant workers, women's rights, environment, etc. creates opportunities for the development of more human rights education programs not only for the "victims" but also for the government officials who have to work on the issues.³⁸

Regional Efforts³⁹

With the experience on working for the protection of human rights under an authoritarian government in the 1970s to 1980s, a leading human rights organization in the Philippines initiated a training program for human rights workers in Asia. The Free Legal Assistance Group (FLAG) established the annual International Training Program on Legal Aid and Human Rights in 1987, designed to "train Asian and African lawyers and paralegals to render effective legal aid using the Philippines as an example."⁴⁰

The 1990s brought more regional training opportunities with the establishment of the Diplomacy Training Programme (DTP) focusing on "people's diplomacy", and the South Asia Forum for Human Rights (SAFHR) addressing human rights and peace issues, among others.⁴¹

The mainly NGO regional programs generally fall under the following categories:⁴²

Capacity-building for grassroots communities

The Asian Coalition on Housing Rights (ACHR), a broad regional coalition of NGOs, community-based organizations and individuals, promotes exchange of information and experiences on housing conditions and helps develop alternatives to eviction. It holds training workshops on capacity building (focusing on community organizing and survey of housing rights situation) for members of grassroots communities. It also organizes exchange visits for young students such as those taking engineering, medical and law courses in order to relate technical science to social realities. It advocates for educational curriculum change to include the housing rights issue.

General study course on human rights

The Asian Forum on Human Rights and Development (FORUM Asia), a regional membership organization, held a series of regional and national workshops on fact-finding and documentation in the 1990s. It holds workshops on economic, social and cultural rights. It started an annual human rights study session, which takes up general human rights course for NGO workers in Asia.

Seminars for journalists and judges

The Asian Human Rights Commission (AHRC), though mainly focused on mobilizing international public opinion on human rights issues, has been undertaking training activities. It holds seminars for journalists and judges.

Teacher training and teaching material development

The regional human rights education activities of HURIGHTS OSAKA, a local institution supported by the local governments and the social movement in Osaka, have concentrated since 1997 on the school system. It undertakes research and publishes experiences on human rights education in the school systems in the region.⁴³ It holds occasional training activities for schoolteachers and other educators, and develops human rights teaching materials.

The Asia-Pacific Center for Education on International Understanding (APCEIU), established by the Korean National Commission for UNESCO has been focusing on teacher training and the development of teaching material. It holds training workshops for Asia-Pacific teachers dwelling on peace, environment, sustainable development and human rights issues.

The Asia-Pacific Network for International Education and Values Education (APNIEVE), a network of educators, produces values education sourcebooks for teacher education and tertiary level education. The sourcebooks cover human rights.

Training on women's issues

The Asia-Pacific Forum on Women, Law and Development (APWLD), a network of non-governmental organizations in the region working on issues

of women and law, focuses on legal literacy for women's rights advocates. Its programs promote the importance of law and feminist perspective in the women's struggle for change. Its Beyond Law program examines various strategies in using law to protect and promote women's rights. Its program on Feminist Legal Theory and Practice focuses on law reform and litigation. It holds regional- and national-level training activities.

The Coalition Against Trafficking in Women Asia-Pacific (CATWAP) has launched a Human Rights Documentation Training on Violence Against Women (in partnership with Human Rights Information and Documentation Systems or HURIDOCs) to develop tools for documentation and information handling for human rights advocacy. It has national and regional training activities. It also supports national-level training for NGOs and urban poor communities on the issue of trafficking of women.

The Global Alliance Against Trafficking in Women (GAATW), an international organization based in Bangkok, provides training on Feminist Participatory Action Research methodology and on the use of human rights framework in dealing with trafficking in women issues.

The Center for Asia-Pacific Women in Politics (CAPWIP) develops modules and training programs for women's leadership and responsible citizenship based on the framework of transformative politics, conducts trainers' training for women's political empowerment and transformative politics. It offers three programs: a) Empowering Women for Transformative Leadership and Citizenship, b) Women in Politics Seminars, and c) Asian-Pacific Leadership Training Institute.

The Committee for Asian Women (CAW) offers its Women Workers' Leadership Training and Education Program, which builds women workers' leadership capacity on national, regional and global issues towards the strengthening of women workers' movements in Asia.

Training on children's issues

The Child Workers Asia (CWA), a regional network of grassroots organizations involved in the working children issue, provides a forum for sharing experiences among these organizations. Through field visits, it tries to expand the knowledge base of these organizations on human rights and strengthen their campaign programs. The month-long field visits involve groups from Thailand, Indonesia, Malaysia, the Philippines, Vietnam, India and Nepal. It also holds regional and national seminars and workshops.

The End Child Prostitution, Child Pornography and Trafficking in Children (ECPAT), an international network of organizations with the secretariat based in Asia, engages in activities that build awareness on child prostitution. It supports the activities of its national contact organizations in twenty-five countries worldwide through information dissemination. It holds capacity-building activities on child protection measures, and offers training for the police on handling cases of victimized children.

Training on the use of the United Nations human rights mechanisms

The Diplomacy Training Programme (DTP), one of the oldest training institutions in the region (based in the University of New South Wales, Australia), holds the Annual Training Course on human rights for NGO workers. Its training curriculum includes Various Frameworks of Analysis of Human Rights Issues (includes review of International Human Rights Law, International Humanitarian Law, human rights instruments and mechanisms, and current debates in human rights movements), Peace-Building and Resolution of Conflict and other Strategies in Human Rights Work, Socio-Economic Crisis and Strengthening Peoples' Movement for Social Change, Skills in Peoples' Diplomacy and Tools of Human Rights Education. Field visits are also part of the activities.

The Forum Asia annual training program also deals with the study of the UN human rights mechanisms.

Training on migrant workers issues

Several organizations hold regional training on migrant workers issues. Equitas (formerly the Canadian Human Rights Foundation) held (in cooperation with organizations in the region) workshops for Asian labor attaches, the Asia Monitor Resource Center (AMRC) has internship program for Asian labor organizers and activists on documentation and information management, research, publication and project- or issue-based programs.

Complementing, and in many cases in cooperation with, the NGOs are the human rights education programs of the national human rights institutions.⁴⁴ They are generally good in initiating dialogues with governments on the development of human rights education programs for government personnel, the members of the police and military, prison officials, and public school teachers. They have also produced human rights teaching/

learning materials on various issues. To further develop their human rights education programs, they send their personnel to the training programs organized by NGOs such as the Equitas (formerly the Canadian Human Rights Foundation)⁴⁵ and the Asia-Pacific Forum of National Human Rights Institutions (APF).⁴⁶

Training on domestic laws

In addition to NGOs doing training on human rights and domestic laws such as APWLD, there is also a regional initiative on legal education in general. The Pacific Regional Rights Resource Team (RRRT) runs training workshops for Community Paralegals, the judiciary, lawyers, medical practitioners, teachers and police on human rights and gender equality issues, community-based women and men on their legal rights, government departments and personnel on human rights issues and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Training for staff and members of national human rights institutions

APF offers training programs and capacity-building projects to help increase the capacities of the staff and members of national human rights institutions in carrying out their “core functions of investigating and resolving complaints, reviewing laws and policies and undertaking human rights education programs.”

Moving Forward

The existence of so many human rights education initiatives will not resolve all human rights problems or lead to full understanding, exercise, protection and realization of human rights of all peoples, especially the poor and the marginalized. There will always be a need for continuing assessment and planning on how to move the efforts to reach more people, affect more institutions particularly those of the government, and contribute more to the resolution of deeply entrenched and longstanding human rights problems.

Many of the good initiatives were project-based and thus had limited duration and impact. Many government programs suffer from changing government policies as well as inadequate personnel and budgetary support.

The 2009 national consultation on human rights in Australia provides a sobering reminder that there is no room for complacency. The human rights education work is never done.

The documents of the national consultation explain the existence of a number of measures in Australia that promote human rights:

A human rights culture in Australia is encouraged in a number of ways including:

- through the Australian Human Rights Commission (formerly known as the Human Rights and Equal Opportunity Commission) which plays a key role in providing human rights education in Australia and promoting awareness of, and respect for, human rights in the community. This includes an emphasis on human rights education programs in our schools
- a strong human rights non-government organisation sector which has a role in advocating for human rights and educating the community about human rights programs and protections available to them
- a 'Civics and Citizenship' education program which promotes school students' participation in Australia's democracy by equipping them with the knowledge, skills and values of active and informed citizenship. The program develops knowledge and understanding of Australia's democratic heritage and traditions, its political and legal institutions and the shared values of freedom, tolerance, respect, responsibility and inclusion, and
- internationally, by engaging in bilateral human rights dialogue, and through our Australian aid program which contributes to the advancement of human rights through its focus on poverty reduction and sustainable development.

But there was a recognition that these were not enough and thus a national consultation was deemed necessary to get the view of the people in deciding how Australia could further protect and promote human rights. The Australian government through the Attorney-General's Department supported the National Human Rights Consultation to ask people about the following questions:⁴⁷

- which human rights (including corresponding responsibilities) should be protected and promoted?

- are these human rights currently sufficiently protected and promoted?
- how could Australia better protect and promote human rights?

People sent submissions or attended community roundtables that were held throughout “regional and remote Australia, as well as... major cities.” This consultation process was not merely an exercise of the right to take part in the affairs of society but an educational activity as well. The public submissions, public hearings/community roundtables were important means by which people could think about, debate and learn human rights in their most practical sense.

On the other hand, the Philippine government’s 2008 operation plans for a rights-based approach to policymaking, planning and program implementation (*Human Rights Agenda 249*) has been described as “evolving” to stress the need to update and revise them based on the “current human rights situation.” *Human Rights Agenda 249* likewise supports the necessity of continuing evaluation of the adequacy of existing efforts to address human rights problems.

Moving human rights education forward requires a serious assessment of the experiences, rich and laudable as they are, in relation to the widening field of human rights as well as to the persisting human rights issues that every society in Asia and the Pacific has to contend with.

No institution can claim to have fully achieved the goals of human rights education in line with the call of the UDHR. There is a wide space to work on in terms of reaching more people, taking on more issues, creating synergies among institutions involved, and learning from the experiences so far obtained.

But we certainly need to have the primary duty bearers, the UN member-states, to take more active role in heeding the call of the UDHR. We are also very much aware that while we celebrate achievements in the human rights field in general, we also lament the changing (or even return of) situations that lead to human rights violations.

Indeed, to achieve a decent level of involvement of “every individual and every organ of society” in the human rights education call, we need every resource that we can get, every political will that exists.

Endnotes

¹Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, United Nations, ST/HR/SER.A/12, 1982, page 20.

²*Report of the Regional Meeting for Asia of the World Conference on Human Rights*, A/CONF.157/ASRM/8, A/CONF.157/PC/59, 7 April 1993, also available at www.ohchr.org/EN/AboutUs/Pages/ViennaWC.aspx.

³The workshop is officially titled “Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region.”

⁴Annex II, *Further Promotion and Encouragement of Human Rights and Fundamental Freedoms, Including the Question of the Programme and Methods of Work of the Commission* (E/CN.4/1998/50 - 12 March 1998).

⁵The other “pillars” are the following:

- National Plans of Action for the Promotion and Protection of Human Rights and the Strengthening of National Capacities
- National Institutions for the Promotion and Protection of Human Rights
- Strategies for the Realization of the Right to Development and Economic, Social and Cultural Rights.

⁶See “UN Workshops on Regional Arrangement for Human Rights in the Asia-Pacific,” *Focus Asia-Pacific*, issue 7, March 2007, also available in http://www.humanrights.or.jp/asia-pacific/no_07/07unworkshops.htm

⁷The SAARC has adopted the South Asian Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002), the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia (2002), and the Social Charter (2004) that have provision on promoting human rights. ASEAN adopted the Vientiane Action Programme (2004) with a particular provision on “[e]ducation and public awareness on human rights,” and its ASEAN Charter states that one of its purposes is “to promote and protect human rights and fundamental freedoms, with due regard to the rights and responsibilities of the Member States of ASEAN.” In the Pacific, the Pacific Islands Forum adopted the Pacific Plan for Strengthening Regional Cooperation and Integration (Pacific Plan) in 2005 that provides for steps toward regional integration. Human rights are covered in the Pacific Plan particularly in the provisions on harmonization and promotion of awareness of domestic laws with international human rights instruments, regional training courses on human rights and other issues, and as part of the Principles of Good Leadership and Accountability, in *Human Rights Education in Asian Schools* 12/185-193.

⁸See *Terms of Reference of the ASEAN Intergovernmental Commission on Human Rights* in www.aseansec.org/22769.htm

⁹See Jefferson R. Plantilla, *Asia-Pacific Regional Meetings on Human Rights Education*, originally prepared for the workshop entitled “Human Rights Education in Asia-Pacific: Defining Challenges and Strategies” held in Bangkok, Thailand on 10-12 November 2003 for a summary of the major points in the discussions of the meetings and conferences.

¹⁰For the categories of these groups involved in human rights education and the nature of their programs see Jefferson R. Plantilla, "Asian Experiences on Human Rights Education" in *A Survey of On-going Human Rights Education in Asia-Pacific*. (Bangkok: Asian Regional Resource Center for Human Rights Education, 1995).

¹¹For a discussion on the work of such Asian legal professionals see Harry M. Scoble and Laurie S. Wiseberg, *Access to Justice* (London: Zed Books, 1985).

¹²See for example *We Shall Overcome – Songs of Humanity* (1984) produced in Malaysia by Aliran Kesedaran Negara, as well as a video on action songs entitled *POP! Collection of Action Songs for Organiser-Facilitators* produced by Southeast Asia Popular Education Program (1997).

¹³Craig A. Lockard, *Dance of Life – Popular Music and Politics in Southeast Asia* (University of Hawaii Press, 1998), page 263.

¹⁴The Burakumin are Japanese who are descendants (or associated with them through marriage or residence in their communities) of people discriminated in a caste-like system that started hundreds of years ago. They live in separate buraku (community) and thus they were called Burakumin. There are many areas in Japan that are still considered Buraku areas at present.

¹⁵See Yasumasa Hirasawa and Yoshiro Nabeshima, editors, *Dowa Education: Educational Challenge Toward a Discrimination-free Japan* (Osaka: Buraku Kaiho Kenkyusho, 1995).

¹⁶Won-il Heon, "Human Rights Education in Korean Schools" and Soon-Won Kang, "Human Rights Education in South Korea," *Human Rights Education in Asian Schools* 2/61-67, 68-72

¹⁷Claude, Richard Pierre, *Educating for Human Rights: the Philippines and Beyond* (Quezon City: University of the Philippines Press, 1996), page 56.

¹⁸See Purificacion Valera-Quisumbing and Lydia Navarro-Agno, editors, *Teaching Practical Law* (Quezon City: University of the Philippines Law Complex, 1987). This lesson plan publication is part of the Popularizing the Law (POPLAW) program of UP Law Center that started in 1977 at the height of Martial Law in the Philippines.

¹⁹See *Asia Pacific NGO Conference on Human Rights, Our voice: Bangkok NGOs' declaration on human rights* (Bangkok: Asian Cultural Forum on Development, 1993).

²⁰For an example of such experiences in the Philippines see G. Sidney Silliman and Lela Garner Noble, editors, *Organizing for Democracy: NGOs, Civil Society, and the Philippine State* (Honolulu: University of Hawaii Press, 1998). For a comprehensive discussion of paralegal training see D.J. Ravindran ed., *A Handbook on Training Paralegals*, (Geneva: International Commission of Jurists, 1989).

²¹For more information on the work of these legal organizations, visit www.hurights.or.jp/archives/human_rights_education_in_asian_schools/

²²Asia Pacific NGO Conference on Human Rights, op. cit, page 49. It must be noted that the idea of a "People's Decade for Human Rights Education" was started by a non-governmental organization led by Shulamith Koenig in late 1980s. She visited Asia and initiated the discussion of this issue years before the 1993 World Conference on Human Rights.

²³See *Rethinking Human Rights Education Strategies to Challenge Present Asian Realities* (Bangkok: Asian Regional Resource Center for Human Rights Education, 1994).

²⁴Philippines (1997/2008), Lebanon (1997), Japan (1997/2000/2002), Indonesia (1998/2004), India (2001), Pakistan (2001), Mongolia (2003), Cambodia (2005), South Korea (2007), and People's Republic of China (2009).

²⁵See "National Human Rights Action Plan of China (2009-2010)," in *Human Rights* 8/3/5-20.

²⁶Section 18 (5), Article XIII (Social Justice and Human Rights), 1987 Philippine Constitution.

²⁷The following national human rights institutions have adopted their respective plans on human rights/human rights education: Philippines (1994), Mongolia (2001), Thailand (2001), Nepal (2003), Korea (2003), Jordan (2004), Maldives (2005), Afghanistan (2005 – not confirmed). Data taken from Jefferson R. Plantilla, *Creating Synergy: NGOs and NHRIs for HRE*, powerpoint presentation in the Regional Workshop on NHRIs-NGOs Cooperation, 30 November-1 December 2006, Bangkok organized by the Asian Forum for Human Rights and Development.

²⁸A human rights center, according to the definition of the *Directory of Asia-Pacific Human Rights Centers* (Osaka: Asia-Pacific Human Rights Information Center, 2008), is an institution engaged in gathering and dissemination of information related to human rights. The information refers to the international human rights instruments, documents of the United Nations human rights bodies, reports on human rights situations, analyses of human rights issues, human rights programs and activities, and other human rights-related information that are relevant to the needs of the communities in the Asia-Pacific.

²⁹See the *Directory of Asia-Pacific Human Rights Centers* (Osaka: Asia-Pacific Human Rights Information Center, 2008). The updated list and profile of these human rights centers are available in <http://hurights.pbworks.com/Center+List>

³⁰See Anita Chauhan, "Center for Human Rights Education: Philippines," in *Human Rights Education in Asian Schools* 10/107-125 for more details in the local centers. This article is also available in http://www.hurights.or.jp/pub/hreas/10_02/index.html

³¹See *Guidelines for Human Rights and Values in Education, University Grants Commission (UGC)*, in www.ugc.ac.in/financialsupport/human_rights.html

³²See the list of Indian universities with human rights courses in the website of the National Human Rights Commission of India, <http://nhrc.nic.in/HRCourses.htm>

³³For a review of the human rights content of law school curriculums in Indonesia see R. Herlambang Perdana Wiratraman, "The Dynamics of Human Rights Education in Indonesian Law Schools" in *Human Rights Education in Asian Schools* 10/89-96.

³⁴See www.humanrights-mu.org for more details on both masteral and doctoral courses.

³⁵See the Annual Report 2008 of the Centre for the Study of Human Rights, page 10. This project is the same project mentioned in the CHRSD article page 218 in this publication.

³⁶See for example the 2009 report of the Disabled Peoples' International Asia-Pacific, available in www.dpiap.org/reports.

³⁷Visit www.yogyakartaprinciples.org/principles_en.htm for more information on the Yogyakarta Principles.

³⁸See for example Lao PDR Country Briefing Guide, UNICEF - www.unicef.org/eapro/UNICEF_Lao_PDR_Country_Briefing_Guide.pdf, and ILO, *First Hand Knowledge – Voices from the Mekong*, 2005.

³⁹This section is mainly drawn from the author's submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade, Parliament of Australia, 16 May 2003.

⁴⁰Free Legal Assistance Group, *Report on the Activities of the Free Legal Assistance Group (FLAG) 1991* (Quezon city: FLAG), page 9.

⁴¹The following institutions are either previously active in implementing human rights education program or are in the position to undertake such program:

- The Asia-Pacific Regional Resource Center for Human Rights Education (ARRC) holds workshops for human rights educators. It focuses on the propagation of participant-centered educational method to support the programs of national groups in the region. It likewise collects materials on human rights education for regional information/material dissemination. It publishes a directory of groups related to human rights education work, catalogue of human rights education materials, survey of human rights education experiences in Asian countries, and human rights education handbook. It campaigned for the implementation of the UN Decade for Human Rights Education (1995-2004) in the region.

- The Child Rights Asianet, a regional network for the Convention on the Rights of the Child, held training workshops in the region for representatives of government and non-governmental organizations involved in child rights protection. It focused on the strengthening of national-level system on juvenile justice, and monitoring/reporting on progress of the implementation of the Convention on the Rights of the Child.

- The Law Association of Asia and the Pacific (LAWASIA), though with a mandate to disseminate knowledge on human rights, has not been actively doing human rights education work.

- The Jesuit Refugee Service, an international organization with an Asia office, engages in human rights education as a component of its direct services to refugee communities. It plans to have a more sustained human rights education program to complement intermittent human rights education activities along the Thai border. It collaborates with other human rights organizations on human rights education activities.

- The Asia-South Pacific Bureau on Adult Education (ASPBAE) has identified human rights education as one of its key programs. It has however not been able to develop the human rights education program, which can be offered to its members in the region.

- The Asian Cultural Forum on Development (ACFOD), a membership organization, published a book on human rights education. It tried to bring the human rights component to the programs of development NGOs. It held workshops on specific human rights and development/culture issue.

⁴²The description of the different regional programs is taken mainly from the author's article, "HRE and NGOs" in *Human Rights Education Review*, Institute of Human Rights Education, number 5 (Osaka: October 1998). The article was published in Japanese language.

⁴³See www.hurights.or.jp.

⁴⁴As of 1998, the then existing national human rights institutions had developed a number of human rights education programs. For a discussion on these programs see the author's article "National Human Rights Institutions and Human Rights Education," in *Human Rights Education Review*, Institute of Human Rights Education, number 4 (Osaka: 1998). The article was published in Japanese language.

⁴⁵CHRF held a series of training workshops for senior staff and commissioners of the national human rights commissions in Manila from 1999 to 2001. This was in cooperation with the Philippine Commission on Human Rights.

⁴⁶The APF held a number of workshops on various issues such as the use of the media, and investigation skills.

⁴⁷*Ibid.*, page 3. Visit the national consultation website for more information: www.humanrightsconsultation.gov.au/www/nhrcc/nhrcc.nsf/Page/Home

Appendix

Open Letter to United Nations Special Rapporteur Doudou Diene: Report on Education Issues of Foreign Children in the Chubu Region (Japan)

Chubu Region Multiculturalism and Gender Equality
Research Group

1. Preface

The Workshop on “Multiculturalism and Racism” at the 2005 Chuo University Global Human Security Forum recognized the importance of education issues of the children of foreign migrants. The Workshop, attended by Mr. Doudou Diene, the United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, discussed the report of the Multiculturalism and Gender Equality Research Group (Research Group), with the participation of concerned parties in the Chubu Region [central region of Japan], and debated the issue intensively. This Open Letter, made public both in English and Japanese, is based on the discussions that took place during the four meetings of the Research Group between the autumn of 2006 and spring of 2007. The Research Group offers this report to the Special Rapporteur as a reference.

2. Basic Principles

Before touching on the various education-related anxieties and insecurities experienced by the children of migrants in Japan’s Chubu Region, we outline the basic principles of education that frequently arose in the Research Group’s debates. Because clear acknowledgement by the Japanese government of these principles, which are often left ambiguous in today’s Japan, has been recognized as a fundamental prerequisite to resolving the education issues faced by migrant foreigners, it is necessary that we outline them to begin this report.

2.1 Children’s Right to Education

Japan has ratified the Convention on the Rights of the Child and recognized that all children living in Japan have the right to receive an education. The problem is that children of foreign migrants, whatever their rights under the law, are

in practice not given educational opportunities equal to those of children of Japanese nationality. It is not an exaggeration to say that all the issues touched upon in this report arise from the fact that the equal access to education principle is not actually implemented.

2.2 Revision of Japan's Education System

In this sense, while discussing the need to devise specific strategies to improve the education for the children of migrants, the Research Group confirmed that the basic problem would not be solved by piecemeal measures, and that it was necessary to revise the Japanese education system itself. Since the Meiji Era, Japanese education has been placing importance on making Japanese children become citizens useful to the Japanese nation. This principle was further emphasized in the recent revision of the Basic Law on Education. It will be impossible to close the gap in education that exists between the children of migrants and children of Japanese nationality without striving for an education system that allows all children, regardless of their nationality, to gain an independent awareness of their own rights and to reach their full potential within the conditions of their own varied environments.

2.3 Respect for Commonalities and Differences

While the Minister of Education has stated that the education of children of foreign migrants should be treated similar to that of *zainichi* Koreans (Korean residents in Japan), there are actual cases of migrant children in Western international schools getting preferential treatment from the government. On the other hand, the differences in the environments where children of so-called 'oldcomers' and 'newcomers' are raised, the requirements needed to meet these environments, and their prospects for the future, necessitate that children of migrants receive an education that considers the unique circumstances in their respective communities.

2.4 Cooperation from Localities as a Unit

In order to provide appropriately developed education, it is necessary to create a national education system based on the concept of integration of Japanese children with children of various foreign communities, and in close cooperation with the board of education, school administration, public education institutions, schools for foreigners, and the citizens and businesses in each locality. This type of cooperative structure, whereby the education of children of migrants is actively

promoted at the local level as experienced by progressive localities such as those in the Chubu Region, should be emulated by other localities.

2.5 Education in One's Native Language and Japanese Language Education

The biggest issue in the education of children of migrants revolves around the provision of Japanese language education, essential to becoming part of Japanese society while maintaining their respective identities, and how this reconciles with education in one's native language that is indispensable in case the children return to their home country. Within the Japanese education system, the primary/secondary schools and schools for foreigners are treated differently, though both continue to cope with limited financial and human resources. To be able to provide children of migrants with good educational choices, there is a need to increase the availability of educational opportunities in both mother tongues and the Japanese language, as much as possible.

3. Current Conditions

3.1 "Oldcomers" and "Newcomers"

The Korean residents comprise the highest number of foreigners in Japan at present. In Aichi prefecture, however, the Brazilians comprise a bigger community than that of the Korean residents. The foreign communities established in the prefecture the Aichi Association for Residents of Foreign Nationality. Both "oldcomers" and "newcomers" emphasize multicultural education. While in principle the education of children of *nikkei* Brazilian (Brazilians of Japanese descent) migrants and that of "oldcomers" share common grounds, their respective communities have different historical relationships with Japan. Thus treating the education of these children in the same way would be a mistake.

3.2 The Education of "Oldcomers"

Regarding the problems with the education of *zainichi* Korean children, Special Rapporteur Doudou Diene offers a correct analysis in his 2005 report on racism in Japan.¹ Acknowledging this, we take a closer look at the situation in the Chubu Region in particular. There were roughly 150,000 North Korea-affiliated *zainichi* Koreans in Aichi Prefecture at the time of Japan's defeat in World War II, most of them were first-generation migrants. But many returned to their homeland after the war, leaving a population of about 60,000. Their ethnic education can be traced to Korean language classes that started in September 1945. Later a

primary school was opened for them, but it was ordered closed by the American occupation forces in 1948. This school was closed on the eve of the Korean War in 1950.

Eight to fifteen schools ethnic schools were subsequently established, and more North Korean schools were established after the Korean War. Due in part to pressure from Japanese civic activists, these schools were recognized by the Japanese government through an order from the Ministry of Education in 1965. Then, in 1970, they began receiving private-school grants. Today these schools receive 31,000 Yen grant per student.

However, the number of students declined and today five North Korean schools in Nagoya receive eight million Yen in grants. In Aichi Prefecture, villages and towns that have no ethnic schools receive a specified amount of subsidy per person. The size of the grant to ethnic schools varies, but it is much smaller than the amount received by Japanese public and private schools. This is an undeniable gap between North Korean ethnic schools and Japanese schools. Despite this, Aichi's North Korean schools currently have 10,000 graduates. Some graduates have blended into Japanese society, with several becoming entertainers and lawyers. The schools face discrimination in many areas, such as grant payments and graduation qualifications, but they work hard and have been overcoming these barriers. Japanese citizens support their work. But while North Korean schools follow the Japanese school curriculum, they are still treated as schools separate from the Japanese education system.

In the past, graduates of North Korean schools were not qualified to take university entrance examinations. Three years ago,² the Ministry of Education decided to allow each university to decide whether or not to allow North Korean school graduates to take their exams. The inability to take the university entrance examinations due to non-recognition of educational qualification is a major obstacle faced by graduates of North Korean schools. By leaving it up to each university to decide the qualifications of potential applicants, Japan is effectively avoiding the legal steps that would give graduates of North Korean schools the same opportunities provided by the Japanese schools.

Secondly, there is the issue of subsidy gap. Despite the fact that *zainichi* North Koreans pay taxes, their educational institutions do not receive subsidies. As a result, they are forced to spend thirty to forty percent of their income on their children's education. Therefore, *zainichi* North Koreans shoulder a heavier burden because of the discrepancy in subsidies between foreign and regular schools. Because the overwhelming majority of *zainichi* Koreans are permanent

residents of Japan, they must strengthen their ethnic education in order to resist the pressure to assimilate into Japanese society. On this point, it can be said that the education issues faced by *zainichi* Koreans are different from those faced by “newcomers,” who often return to their home countries and are less likely to become permanent residents.

3.3 The Education of Newcomers: The Case of Filipino Migrants

The Research Group undertook a research on the education of so-called “newcomers” - the Filipino and Indonesian migrants and the *nikkei* Brazilians and Peruvians. The research was deemed necessary because of the wide divergence in the living conditions of these newcomers according to their immigration status. In particular, unlike the *nikkei* Brazilian migrants, the undocumented status of other newcomers directly relates to the education problems of their children.

The situation of children of Filipino migrants in Aichi Prefecture is an example. There is a fundamental difference between the schools for Brazilian and Korean children and the “International Children’s School” for children of “overstaying” Filipino migrants.

The “International Children’s School” is a school for children who are refused by Japanese schools. An “International Children’s School” was established in Nagoya city in 1998 due to the refusal of the city to accept the children of “overstayers.” The city maintained this policy until 2002. Being an easier place to live in, many Filipinos have lived in Nagoya city for fifteen to twenty years without documentation. The uncertainty of their stay in the country left many of their children in very insecure conditions.

Many of these Filipino children were born in Japan, and do not speak Tagalog and Japanese well. Their language ability is at a much lower level compared to children attending schools in Japan. The deportation of their parents would also mean their deportation to the Philippines, where the language and culture are unknown to them, and where they would end up as foreigners in their own country. This was the reason for the establishment of the “International Children’s School” in Nagoya city.

There is yet another serious problem. Japanese children play with other children living in their neighborhood after school, but children of undocumented Filipinos stay inside the house all day with only the television to keep them company. The “International Children’s School” is a place where these children can go. But tighter surveillance by the immigration authorities makes it hard for these children to go out into the open at all. Whenever a rumor circulates within

the Filipino community that someone has been deported, tension rises and the school closes. And even if the parents luckily escape arrest by immigration authorities, they face the constant risk of being dismissed from work that causes so much financial insecurity.

The problem of getting to and from school is also a serious one. The “International Children’s School”³ is located in Owari-asahi City with twenty children aged four to twelve attending it. Most children commute from Nagoya City. Commuting by train is difficult, so the teachers pick up and drop off the children by driving a bus, without which they would not be able to attend school. Space is another problem. The school will run out of space if number of students increase to thirty. At the moment, the school is run from Monday to Friday each week in an Anglican church. Despite this difficult situation, the children enjoy going to school everyday.

3.4 The Education of Newcomers: The case of Indonesian migrants

To understand the problems faced by the Indonesian migrant children, it is essential to know more about Indonesia, a country with 80% Muslim population and composed of about four hundred ethnic communities. In Indonesia, literacy includes not only the alphabet but also Arabic literacy, and the school system is composed of public and Islamic schools. Public schools teach Islam and other religions and have time for prayer. The Indonesian migrant children in Japan attend Japanese schools that do not provide the aspects of education that are indispensable in their own country. There are also problems of bullying; the Indonesian migrant children do not leave schools for that reason though.

Problems associated with religion are reflected in different situations in Nagoya. Schools serve lunches that are not *halal* (permitted in Islam) forcing the Indonesian children to bring their own lunch. Praying is also a serious problem. There is lack of time and place for prayer for Muslim grown-ups working in Japanese workplaces. The Indonesian children, on the other hand, feel embarrassed praying in the presence of their friends, making it a painful school experience. Fasting during the Ramadan is not understood, and Indonesian clothes, including the use of veil by girls, generate tension in school. There are Indonesian schools in Tokyo but none in the Chubu Region. The difference in education in Indonesia and Japan is also a serious problem – Indonesian mothers have to organize private classes to meet the educational needs of their children. The Mosques give religious education.

In this way, the most serious problem faced by Indonesian children is religion-related. As far as language is concerned, Indonesian children learn to speak Japanese fluently, before their parents do. Religious education is also the responsibility of the family, but the lack of time for prayer at school, for example, is a serious problem. The problem is common in the whole Japanese society and Muslim parents have problems about prayer and fasting in the workplace, but it is especially serious in the education of children of Muslim families.

3.5 The Education of Newcomers: The Case of *nikkei* Brazilian Migrants

The *nikkei* Brazilians comprise the biggest migrant community in the Chubu Region. Since the 1990s, when they began migrating to Japan, schools for their children came up in various places. Since 2000, the Brazilian Ministry of Education had been investigating the situation and found many problems. One problem is that the children can only speak Portuguese. Even if they enter Japanese schools, they cannot understand what is taught. Even though they are bright, they are looked down on.

Then there is the issue of culture. Since they do not understand the cultural practices in Japanese schools, they are often considered a nuisance to the school. Children who speak Japanese do well in school and in the community. In many cases, however, their parents do not speak Japanese that in turn creates the problem of communication within the family.

Children who speak the Japanese language well are rejected by their home community and considered to be Japanese upon their return to Brazil. The Brazilian government, having identified these issues, decided to license Brazilian schools in Japan to educate Brazilian children using Brazil's education guidelines. One such school, Don Bosco School, opened four years ago. There are one hundred children enrolled in the school, from nursery to high school levels.

Many problems confront the Brazilian schools, the biggest problem being the teachers. With no assistance from either Brazil or Japan, the schools must find their own teachers. School buildings with small and limited number of classrooms are another problem. Without a gymnasium, they rent Komaki City's facility for physical education classes. The city has two Brazilian schools in Komaki, whose students face the problem of commuting from homes located in different places due insufficient number of school bus drivers available. Children spend long hours at school. Their parents spend long hours at work, and get home late that they cannot look after their children. In some cases, their parents work on weekends, and the children see them only for three or four hours during that

time. Brazilian textbooks and other educational materials are also a problem because they are difficult to find.

To resolve the various issues and provide better education, cooperation from the Japanese government and citizens is essential. Although there are exceptions, there is still a general lack of full understanding of the education of children from the *nikkei* Brazilian community.

3.6 The Education of Newcomers: The Case of *nikkei* Peruvian Migrants

The problems faced by Peruvian children are similar to those of the Brazilian children. However, as far as the Chubu Region is concerned, there are no Spanish-medium schools that the children from the Peruvian community can attend. It is unfortunate that there is no civil society support for the children from the Peruvian community, unlike the wholehearted support from the Brazilian community and the Japanese civil society for Brazilian schools. If there were Peruvian schools, the children who were bullied and had left the Japanese schools could find an alternative place to continue their education. This could reduce the number of children out of school.

Nikkei Peruvian children (Peruvian children of Japanese descent) have the same face as their Japanese friends, but the latter do not accept fully the former even if they speak fluent Japanese. Most of the Peruvian children are the objects of bullying. There is a high percentage of Peruvian children who do not attend school for this reason, complicated by the lack of Spanish-medium schools. The difference in the education system in their mother country is also a serious obstacle to their full participation in Japanese schools. Even simple mathematics subject taught in Japanese schools differs from schools in Peru. Peruvian children who have stayed for a long time in Japan speak Japanese fluently but do not understand Spanish, and this creates misunderstanding between them and their parents who do not speak Japanese well. It is also important for them to be fully educated about their roots and their identity.

3.7 Common Issues and Responses to Diverse Educational Needs

We have touched on educational issues confronted by the *zainichi* Korean community, the Filipino and Indonesian communities and the *nikkei* Brazilian and Peruvian communities. While we found that each community faces its own particular set of problems, it is also clear that, at the root, these communities have a variety of issues in common. We discuss these shared issues below.

4. The Problems

We have already touched on a number of problems in Japan's education system, including its unenlightened attitude toward the right of children of the foreign community to receive an education, as reflected in its targeting only children with Japanese nationality for compulsory education, as well as the legal gap between foreign schools and Japanese public and private schools. In addition to these problems, the existence of the following issues has also been confirmed.

4.1 Guaranteeing an Education

The Research Group, in examining the issue of school enrollment among children in the foreign community, and in particular having received a report based on a detailed survey conducted in Kani City (Gifu Prefecture), has confirmed that school enrollment among foreign children is not adequately guaranteed. It is clear, based on the detailed and comprehensive survey conducted in Kani City, that the environment for school enrollment for foreign children is not in order.

Seventy percent of Kani City's foreign residents are Brazilian nationals, with the next most numerous groups being Filipinos and Koreans. As of November 2006, with a population of 100,000, Kani city had 6,400 foreigners, which meant that for every fifteen residents one is a foreigner. Within that group, children who were not attending school included not only Brazilians but also Filipinos, Indians and Koreans. The survey found that, for people without Japanese citizenship, it is not an environment in which school enrollment is guaranteed.

At the same time, the data gathered from the three visits to the children's households during the survey period (2005-2006) revealed that the ratio of children attending foreign schools was exactly the same each time. Thirty percent of all foreign children in Kani City go to foreign schools. The largest number go to Brazilian schools recognized by the Brazilian government, followed by various international schools, and then North Korean schools.

Another thirty percent of the foreign children attend Japanese public schools. Thus the percentage of foreign children attending Japanese public schools is the same as the percentage of foreign children attending foreign schools.

It is reasonable to assume that the remaining forty percent of the foreign children do not attend school. If the children are not freed from this situation they will be caught between foreign schools and Japanese public schools, attending neither and continuing to miss out on schooling. Given such conditions, Japan, having ratified the Convention on the Rights of the Child, cannot simply argue that

foreign children are not subject to compulsory education.

Another problem that deserves public attention is the fact that many children of the migrant communities refuse to proceed to secondary school and the university. There are many factors that cause this limit to the higher education of foreign children. The Japanese university entrance examination system recognizes special measures for foreign applicants such as permitting the use of dictionaries, but this does not help eliminate the handicaps of foreign children. More radical measures have to be taken to improve the present situation where the opportunity for foreign children to receive higher education is limited as compared to Japanese children.

Further, there are a variety of problems with foreign children's school enrollment, scholastic ambitions, hopes for the future, and present living conditions, even among those children who attend school. These issues became clear during the Research Group's debates.

4.2 The Home and Guardian

Firstly, children raised in foreign migrant households are affected by the fact that their parents or other guardians do not have livelihood guaranteed by the state the way Japanese citizens do. The small subsidy for foreign schools has an impact on the finances of foreign children's households, as pointed out earlier. Students of North Korean schools have been victimized by violent attacks (cutting up of their *chima chogori*, the traditional Korean dress for women). There are many cases of children with a non-Japanese parent, perhaps through an international marriage, suffer bullying. Further, it is also common to find foreign children spending very limited time with their parents or guardians due to the latter's harsh employment conditions, while children of so-called overstayers or other undocumented migrants suffer insecurity and uncertainty as to when their parents would lose their jobs or get deported.

It was also pointed out that even among *nikkei* Latin Americans and other documented migrants, the fact that they do not know if their parents will settle in Japan or return to their home country prevents them from dreaming of the future and making concrete plans.

Employment of the parents and the family environment of foreign children is another serious problem. The reason many Peruvian children cannot speak Spanish is that both of their parents work from morning till very late at night and have no time to meet and interact with their children. The labor situation of foreign migrants in Japan is a serious problem for the education of the foreign

children that deserves to be addressed more carefully by the Japanese corporate sector and civil society.

Behind the education-related issues faced by the foreign migrant community is the fact that the present and future place of foreign children in society is not assured - a problem that has no bearing on children of Japanese nationality. This is an important issue that is often overlooked.

4.3 Racist Bullying

The problem of bullying is serious, and not adequately met by teachers in the case of foreign children. The teachers should contact more frequently the parents through home visits. For the children, most problems occur at school and their only support comes from the teachers. Their parents are completely helpless in most cases of bullying. Many Japanese deny the existence of bullying of foreign children, but it exists widely and starts with the way Japanese children look at foreign children, and despise their skin color or say "those foreigners!" An atmosphere of discrimination fills the schools. Education in Japan does not take into account the different characteristics of individuals and does not stress building individuality. It aims at producing homogeneous human beings. Therefore, the only way to eliminate the bullying of foreign children is not to educate them better, but to educate Japanese children differently to understand and appreciate the foreign children, their culture and their identity.

While there is no problem at the kindergarten level, foreign children begin to refuse to go to primary school when they become the object of bullying. A reverse trend exists at the secondary school level, where foreign children sometimes join "problem" gangs, and secondary school officials call their parents to complain about their behavior. The parents, being foreigners, find it difficult to invite the Japanese friends of their children to visit their home. And their children tend to make friends with Japanese children who are also excluded from the majority and do not find their place in the society. They begin to smoke together and join the "problem" gangs. Home visit by teachers cannot solve such situations, and a more extensive policy by the Government to address the exclusion of "problem" children, Japanese or foreigner, is necessary to solve this problem.

4.4 Educational Guidelines and Scholastic Ambition

It was pointed out that children whose "place" is unclear, who cannot plan ahead or know the degree to which language ability in Japanese or their mother tongues will be necessary for their future, are likely to suffer from a

lack of scholastic ambition. It was also noted that academic evaluations use the academic performance of Japanese children as the standard and thus ignore the living condition and potential of foreign children, which tend also to reduce those children's desire to study. Because public school teachers have no means of teaching students who do not speak Japanese, foreign students are often left to practice writing *kanji* (Chinese writing) or Japanese sentence structure while Japanese children learn social studies or science. However hard these children work, their efforts can never earn proper academic evaluation.

There have been experiments in teaching in foreign children's native language, but in such cases the instruction duties are often left in the hands of teacher-interpreters. But while these teachers can translate the Japanese curriculum into Portuguese or Tagalog, they cannot compensate for the differences in the way mathematics, social studies, science and other subjects are taught in Japan and, say, Brazil and the Philippines. It is necessary to tailor lessons to the age and abilities of the children so that, for example, a 15-year-old student in the third year of middle school does not begin his or her education in Japan by studying the Hiragana and Katakana scripts. There is also a need to devise evaluation standards so that the children themselves understand that what they have learned is being recognized.

Unless foreign children have their academic efforts properly recognized in this way, they will not develop the scholastic ambition at par with the Japanese children. Until this problem is resolved, the education gap between children of the migrant community and Japanese children will remain.

4.5 Teaching Japanese Language

The question of Japanese language education is complicated, and even when foreign children can speak Japanese, their linguistic capacity is less than sufficient. There is a need to teach foreign children to distinguish correct Japanese from improper slang and socially inappropriate parlance. The language proficiency of the foreign children begins to decrease during the primary school level and a 12-year-old child often has a language proficiency level of a 9-year-old child. It is clear that they will face serious problems when they proceed to the junior secondary school level, while the introduction of volunteers to help them learn Japanese is insufficient for them to catch up. The classes for foreign children are full of such children who are then put into the special classes of children with intellectual or learning disabilities. This causes them a serious shock, and they begin to feel inferior to the Japanese children and

lose motivation to learn. This is a second shock experienced by foreign children who are already feeling unaccepted in Japanese schools. They learn to read Chinese characters but cannot grasp their full meaning, unlike their Japanese classmates. The teachers do not understand the cultural problems they face and do not know how to deal with them. The teachers and the parents should reach a common understanding about the problems faced by the children, and schools should develop a curriculum well adapted to the specific educational needs of the children. Special curriculums should be adopted in schools with many foreign children.

4.6 Problem Posed by the Japanese Educational System

Special measures for foreign children may be necessary in the Japanese schools, but treating them excessively as special cases may hamper the development of their individual capacity. The well-intentioned teachers tend to reduce the burden of work for foreign children compared to Japanese children, but this does not help their individual development. The Japanese educational system relies too much on rules and regulations. Teachers fear any disturbance of harmony in classes, so that parents are called in when Brazilian and Peruvian children quarrel in classes for foreign children. This is meaningless because the children of the two communities get more intimate with each other by quarrelling. Brazil, for example, is a multicultural country where everybody is free. Brazilian children get tired of being forced to adapt to the innumerable rules of Japanese schools. They are accustomed to an equal camaraderie with their teachers, but in Japan the teachers stay in their office and do not permit the children to come close to them. The Japanese children are also less open to foreign friends than in Brazil. The foreign children lack a place to live with a sense of security, since their parents are always at work, causing some of them to join the “problem” children gangs. Japanese teachers must try to better understand these problems of foreign children. The Japanese educational authorities should make efforts to revise the whole educational system.

4.7 The Education of Foreign Children in an Age of Decreasing Population Rate

When Japan enters the age of decreasing population, the Japanese government must realize the importance of educating foreign children as future citizens. There is a great progress made in that direction by the Japanese civil society since its support for the education of the children of the “newcomers” did not exist some fifteen years ago. Yet there are many problems left unsolved by the Japanese state and the civil society.

5. Local Cooperation Towards a Solution

5.1 General Trends

We have described the various education-related issues confronting children of the foreign community in Japan. In addition to making Special Rapporteur Doudou Diene aware that many problems exist, the Research Group wishes to emphasize that, during its discussions, it received reports of cases in which civic groups and public administrators have addressed these problems seriously and achieved a certain degree of success. By acknowledging the issues, these groups have taken a tack opposite to that of the government, which denies the existence of any problems, and are working to make things better.

It was noted many times that the gradual progress that has been seen in the system of ethnic education for *zainichi* Koreans owes much to the Japanese citizens who helped shape public opinion in favor of eliminating the education gap. The public sentiment has also started to be aroused by the education issues of newcomers, and the Research Group acknowledged the importance of further rousing public opinion on this matter.

5.2 Efforts Made at the City and Prefectural Levels

In Kani City (Gifu Prefecture), the survey of foreign families living in the city was organized with the support of the City Board of Education. The families were interviewed three times in 2005 and 2006, and asked about the education of their children. It is one of the first surveys of this kind in Japan.

Toyohashi city emphasizes support for the education of foreign children through close cooperation among the city, schools and families. Young women volunteers, like older sisters, started three “classrooms” where the children were encouraged to come for consultation and guidance. They produced a map indicating where the children should go in case of emergency. They also organized visits to the factories in Toyohashi City found to be of considerable interest to the foreign children.

Shiga Prefecture, an inland industrial prefecture, has many foreign workers employed to assemble and process materials in many factories. 13,000 Brazilians live there, followed by Koreans, Chinese, Vietnamese, and Indonesians. The only Finnish School in Japan is also in the prefecture. The education of foreign children is a serious issue for the prefecture. In Otsu City, there are many Christian missionaries who teach in many languages to children of different nationalities. The prefecture, which considers it crucial to guarantee the education

of foreign children in their respective mother tongues, has an increasing number of classes in kindergartens, primary schools and secondary schools that introduce Portuguese language. There is an increased need for government-licensed childcare workers for foreign children, who are currently taken cared of by volunteers.

Among others, a group of volunteer citizens called Tanpopo (Dandelion) organizes activities contributing to the education of foreign children. In general, the supportive activities of the citizens play an important role in supporting the education of foreign children. The support group facilitates close cooperation between the citizens and the schools particularly regarding the very important after-school activities. Also in Shiga Prefecture, the Centre for International Cooperation organizes summer sessions for guidance on the choice of secondary school for foreign primary school children. This guidance program has good interpreters and is very helpful. However, this type of guidance is better performed by the primary schools themselves rather than a center not specializing in education.

The Shiga Prefecture is considering the establishment of an international scholarship system without distinction as to nationality. Such system should replace the present national system where foreign students, once admitted in universities, have to compete on equal footing with Japanese students in getting scholarship without considering their diverse handicaps.

In Komaki City, the Ishiki Elementary School has the most number of foreign students. The Research Group has identified a number of good practices where volunteers play an important role. In general, citizen volunteers visit nine public schools and organize international classes using Portuguese and other languages to speak to foreign children who do not understand Japanese regarding different subjects so that they can return to their class somehow better equipped to catch up.

The volunteers organize, on the free afternoon of Fridays, informal meetings to assist the foreign children with their homework and play with them. This has become a place where the foreign children do not only learn but also relax, and get encouraged to face the school again. These children are encouraged to teach each other about their respective countries, by drawings and stories. Foreign children who do not like to go to school find in these meetings an occasion to play musical instruments and other activities, which help them overcome their dislike for school. Having children from different nationalities study and play together is not easy, but the volunteers persevere in their efforts to help them.

5.3 The Task Ahead

In general, though the development of the education system at the national level to improve the situation of foreign children is taking so much time, three trends have emerged at the regional level that can be seen as bringing hope to the cause.

Firstly, there is the trend towards creating cooperative structures among supporters of the foreign community to tackle the problem. An example is the “Multicultural Education Forum 2006 Aichi” where many members of the foreign communities were involved in trying to find ways of dealing with the problem, and in participating in the government-sponsored conference on prefectural “citizens” with foreign nationalities. There is a need for a system of cooperation between those involved at the national and regional levels in the future.

Secondly, while the Research Group was able to produce a detailed report on a comprehensive survey of the situation of foreigners living in Kani City, there is no accurate information about the situation of education of foreign children. But surveys are beginning to include issues such as the rate of children refusing to go to school and thus at the very least there are parts of the country that are taking steps toward solutions. It would be ideal if Kani City was used as a model, and surveys and information-gathering about the education of children of foreigners were made nationwide.

Thirdly, there are reports about the various modes of cooperation between the parents/guardians in the foreign community, schools (Japanese and foreign), educators, and the local government. Many examples were given, including inter-school soccer matches, cultural understanding classes sponsored by a Japanese school where members of the foreign community participate in the Parents-Teachers Association, and cases showing cooperation between Japanese language educators and the government. There is need for further consultation in the future regarding the relationship between education in the Japanese language and education in foreign languages in order to provide comprehensive measures, bearing in mind the needs of the children. The Research Group also reported on case studies showing boards of education and the government making earnest efforts regarding the education of the foreign children. If the progressive steps taken by some local governments spread among local governments in general, then we can expect that this will be a trigger for policy change at the national level.

These are the conclusions of The Multiculturalism and Gender Equality

Research Group for the Chubu Region after holding four study group sessions on the education of foreign children, and which had the pleasure of presenting its report to Special Rapporteur Doudou Diène. The report focuses only on the situation in the Chubu Region, but this area has a high number of migrants, so it can be considered to be a microcosm of the issue on a Japan-wide basis. We hope that Special Rapporteur Doudou Diène finds this report useful in promoting the fight against racism in Japan at the United Nations level.

Endnotes

¹For the full 2005 report of Doudou Diène see Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Doudou Diène – Mission to Japan, E/CN.4/2006/16/Add.2, 24 January 2006.

²This development likely occurred in 2003.

³This is formally known as the Ecumenical Learning Center for Children.

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