

Participatory Techniques in Human Right Education: Experience in Thailand

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MY DECADE-LONG WORK at the National Human Rights Commission of Thailand (NHRCT), during the 2005 – 2014 period, was fruitful and proved the truth of my belief: “Education is Change, Education is Growth.”

One of my responsibilities as the secretary of the Sub-Commission on Economic, Social and Cultural Rights of NHRCT was to organize activities to promote human rights awareness. The late Lady Ambhorn Meesook, then Human Rights Commissioner and Chair of the Sub-Commission, guided me and my colleagues in working on human rights cases and organizing participatory seminars on human rights.

Integrating educational theory and psychology with human rights education, we observed “change” and “growth” on the understanding of the human rights concept of our participants.

National Human Rights Commission of Thailand¹

The establishment of a national human rights institution in Thailand was originally provided in the 1997 Constitution. Two years later, in 1999, the Thai Parliament enacted the National Human Rights Commission Act,² and the NHRCT came into existence in July 2001. It is worth noting that the constitutional basis of the NHRCT is the so-called “People’s Constitution,” which was drafted with the participation of people in different parts of the country.

Section 75 of the 1997 Constitution states:

The State shall ensure compliance with the law, protect the rights and liberties of a person, provide efficient administration of justice and serve justice to the people expediently and equally and organise an efficient system of public administration and other State affairs to meet people’s demand.

The State shall allocate adequate budget for the independent administration of the Election Commission, the Ombudsmen, the National Human Rights Commission, the Constitutional Court, the Courts of Justice, the Administrative Courts, the National Counter Corruption Commission and the State Audit Commission.³

This provision makes the NHRCT an independent constitutional body. However, a new Constitution adopted in 2007 provides for two types of “Organs under the Constitution,” namely, “Independent Organs” and “Other Statutory Agencies.” The “National Human Rights Commission” is under the “Other Statutory Agencies.”⁴

The 2007 Constitution provides exactly the same provision on the human rights promotion function of the NHRCT as that found in the 1997 Constitution:

(3) To promote education, researches and the dissemination of knowledge on human rights.

However, the 2007 Constitution provides more powers and duties to the NHRCT and thus a new law has to be enacted to cover them. A draft bill⁵ on the NHRCT provides the following proposed provisions on human rights promotion:

Section 16. The Commission has the powers and duties as follows:

(1) To promote the respect for and practice in compliance with human rights principles;

xxx

xxx

xxx

(7) To promote, encourage and coordinate persons in general, government and private organizations for educational, research and the dissemination of knowledge and development of capacity on human rights.

The NHRCT has been undertaking human rights education activities since its establishment in 2001. The Sub-Commission on Human Rights Education, on one hand, has been working with the Ministry of Education in integrating human rights education into the school and university curricu-

lums. The Sub-Commission on Economic, Social and Cultural Rights (ESCR Sub-Commission) of NHRCT, on the other hand, has been implementing informal and non-formal human rights education activities for local communities, non-governmental organizations (NGOs) and government offices. A committee of the ESCR Sub-Commission implemented human rights education activities in five regions of the country. The activities emphasized the development of mechanism for sharing information on cases of human rights violations in each region, and invited the participants to join an ESCR network in each region.

Participatory Seminar

In 2006, NHRCT commissioners and staff members discussed effective educational systems that would enable people to know and exercise their rights. The discussion focused on learning techniques, human right principles and adult psychology. This was due to the fact that most of the target groups were composed of adults in the community, including community leaders, government officers and NGO workers in the five regions of the country.

The NHRCT adopted a plan to organize three-day seminars in the five regions during the 2006 – 2007 period.

The seminar, entitled “Participatory Seminar on Economic Social and Cultural Rights,” had the following objectives:

1. To organize the learning and sharing of experiences on human rights;
2. To prepare both government personnel and the public in the regions in understanding human rights and avoiding their violation;
3. To promote strong local/regional networks on economic, social and cultural rights; and
4. To jointly set guidelines on continuous coordination of the human rights promotion and protection activities with the regional networks.

In order to share experience on actual cases, the NHRCT studied the human rights situation in the country as viewed by the people in the five regions. Each region yielded different types of cases such as discrimination of minorities in the Northern region, land cases in the Northeastern region,

and conflict on natural resources in the Southern region. These human rights cases were discussed in each regional seminar.

The ESCR Sub-Commission formed a fifteen-member working group comprising of directors and staff members of the Human Right Protection and Promotion Bureau. The working group undertook the following activities:

1. Preparation stage
 - Gathered information on ESCR cases in the regions
 - Designed, developed and produced learning packages for the seminar
 - Invited, and cooperated with, the target groups
2. Seminar stage
 - Facilitated small group discussions
 - Undertook administrative work
3. Evaluation stage
 - Observed and advised participants on evaluating the seminars
 - Summarized the results of the evaluation process as input in improving future activities.

Activities in the Participatory Seminar

Each regional seminar had eighty to one hundred participants from all the provinces in each region.

The seminars start with expectation setting. The participants are asked to write on pieces of paper their expectations about the seminar. The pieces of paper, posted on a wall, are reviewed at the end of the seminar to check whether or not the seminar activities held met their expectations.

A brainstorming exercise follows with the participants exchanging experiences and learning from each other by answering the following questions:

- What are human rights?
- Have you ever violated the rights of anyone? How?
- Have your rights ever been violated by anyone? Who and how?

A highlight of the seminar is the participatory process of sharing knowledge among the participants. In learning basic human rights, six groups of participants visit six “stations,” with each station having one learning mod-

ule. In each “station,” the participants discuss the questions in the learning module. After fifteen minutes, each group moves to the next station to study another human rights concept until the six groups of participants have visited the six stations.

Modules

The six modules on the basic human rights concept are composed of the following:

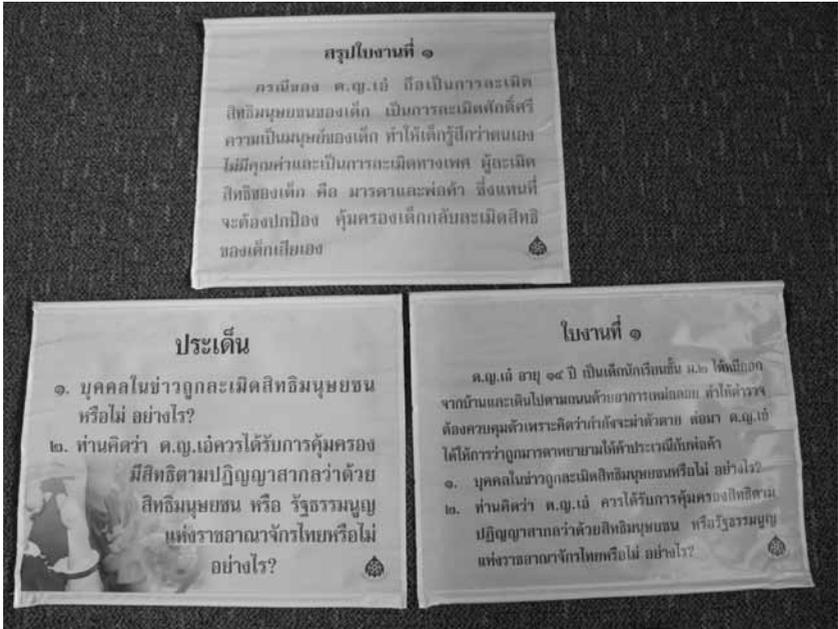
1. Human rights in our lives;
2. Human dignity;
3. Equality and non-discrimination;
4. Human rights cases;
5. Community rights; and
6. NHRCT protection mechanism.

Module 1. Human rights in our lives

Human rights mean the rights of the people; basic rights that everyone is born with.

In this module, the participants answer questionnaires, and write their answers on small pieces of paper that they post on a wall. They all help in grouping similar answers. Everyone is asked to comment on the answers. They summarize the comments together. Below are some of the questions:

1. As humans, what similarities do we have from the natural environment?
2. Which of these similarities relate to our rights?
3. What rights do we enjoy as a baby, a student, a worker, an elder, etc.?



Module 1: Charts of questions, content and activities



Participants discuss the human rights they enjoy in their daily life

The summary of the discussions may consist of the following:

- Rights from birth to death may be divided into issues or age groups: infancy, childhood, adolescence, youth, working age, etc.
- All human beings have basic human rights including the right to have the things that are essential to life, such as food, water, air, clothing, medicines, and house. They must receive medical treatment when ill, basic education at school age, and the right to choose a career at working age.

Module 2. Human Dignity

This module involves role-play on learning the concept of human dignity. It involves a set of ten cards containing signs about the status of people: 1) baby; 2) unruly person; 3) medical doctor; 4) journalist; 5) pregnant woman; 6) senior person; 7) foreigner; 8) monk/priest; 9) village leader; and 10) person with disability.



Status Cards

Ten participants are asked to do the role-play. Each participant is assigned one status as listed above.

They play the role of tourists who are traveling on a boat to go to an island. On the way to the island, the boat encounters a storm. The boat begins to sink. There is one rubber raft that can carry only five people. Those who cannot get on the rubber raft have to find a way to survive when the boat sinks. They risk being eaten by sharks. They discuss who will ride on the rubber raft and each tourist gives a reason why she/he has to survive and get on the raft. They have to quickly decide and vote to select who will be the five persons who will ride on the rubber raft and survive.

The participants who watch the roleplay are asked to quickly decide and vote to select who will be the five persons who will ride on the rubber raft and survive. Each survivor must be chosen by majority vote of the participants. The roleplay ends with the selection of five persons who will ride on the rubber raft.



A participant, as a person with disability, gives the reason to survive

The facilitator asks those who are not selected how do they felt since they all wanted to live.

The facilitator then asks the participants who watch the role play to give the reasons for deciding on each survivor. In most cases, the pregnant

woman, child and doctor are quickly selected by the group as the first three survivors, while the fourth and fifth survivors are harder to decide. The participants are asked to review the roleplay and express the lesson learned by answering the following questions::

- In real life, can we judge who will live or die?
- Are we sure about the choices we make?
- Can any doctor be selected even if the person was a murderer?
- In human terms, are the doctor and the thief equal?
- Regarding those who were not selected, do they have the right to live?

The discussions among the participants are expected to include the following:

- Human rights: the rights and liberties of the people should be protected; everyone has an equal right to survive;
- Learning process: since the participants are required to learn about abstract content, the use of role play to get everyone's participation makes the learning process more fun and natural. The participants appreciate the importance of their roles in the learning process. They see the value of having all information made available before making any judgment about other people. This means that everyone is important in every society: doctors help the patients; priests or monks help people gain peace of mind; children are the future of society; the elderly with their long experience are relied upon by the younger generation. In real life, one cannot judge who is going to live or die. Everyone is aware of human dignity.

This activity provides the participants the opportunity to be engaged in sharing and learning together. The participants in the seminars commented that they learned quickly, understood the human rights concept and would remember the ideas for a long time.

Module 3. Equality and Non-discrimination

Section 30. All persons are equal before the law and shall enjoy equal protection under the law. Men and women shall enjoy equal rights. (The Constitution of the Kingdom of Thailand, 2007)



The longer middle line

The main points of the module consist of

- Understanding the difference between the male and the female as merely in the physical sense, and both are equally talented in everything.
- Law supports the equality of the sexes, as well as of groups of people such as the poor, the sick, persons with disability. All groups should receive equal protection under the law, with equal rights for all people.

Module 4: Human rights cases

Human rights violations occur in the daily life of people, both intentionally and unintentionally (because of ignorance or lack of knowledge).

The activity deals with examples of problems that occur in society as exposed by the media. The facilitator distributes newspapers and asks the participants to select news regarding human rights violations.

The participants analyze in different groups the problems and think of ways to resolve them. The groups analyze the stories in the newspapers and think of violations/abuses that exist relating to the people involved in the news stories. They explain the violation of human rights regarding various issues, such as problems relating to labor, land, environment, that affect the lives of the people. Learning about human rights violations and finding the correct solution is essential.



Group working on the cases

Module 5. Community rights

Community rights are human rights phenomenon in Thailand. There are substantial issues in the management and use of natural resources that directly impact on the state of civil liberties and the lives of most people in the rural areas (and also the communities in large cities, which are called “urban poor”).



Reporting on group discussion

The objectives of this module are:

1. To facilitate the awareness of the participants on development issues in the communities;

2. To allow participants to exchange opinions on the participation of people in, and their right to, development.

The facilitator provides a case study regarding the development and implementation of state policies affecting local communities, especially their huge impact on the communities. The case study refers to the project to build a deep-sea pier. Two photos are compared:

1. A jetty used by the villagers for a long time, and
2. State Project: the construction of the new jetty.

Issues for discussion:

- Do you think the local communities should participate in government mega projects? Why?
- As members of the local community, do you think you should take any action or not? Why? How?

The participants are divided into two groups, one in favor and another against the project. The participants discuss the issue by giving the reasons supporting or opposing the project. The facilitator may choose images on events that happened in the community in order for the participants to get a clearer picture. The use of photos of actual incidents should encourage everyone to understand, comment and exchange with other participants the ideas involved.

The participants discuss and analyze the right of the local people to develop their own communities. They cite many reasons for the need to develop the communities: environmental problems like toxic wastewater, etc.

They also discuss the idea of participation of the local people in state programs, especially those relating to the environment. They discuss how the local community can engage in dialogue with government officials, and identify activities such as public hearings where the representatives of the community can give comments to the government officials before the construction of the public projects begin, and so on.

The participants discuss how community rights affect the lives of everyone in the community. They also discuss how each community represents a different case from other communities.



Deep-sea pier project versus the daily life of fisherfolk

The participants draft joint conclusions and proposals that the community can implement.

Module 6. NHRCT protection mechanism

The National Human Rights Commission of Thailand (NHRCT), an independent organization, is responsible for monitoring the acts and omissions by state authorities that lead to violation of human rights, and for promoting and protecting the rights and freedoms of the people.

This module aims to make the general public become aware of the human rights mechanism that serves to promote and protect human rights.

The participants put together a jigsaw puzzle on human rights mechanism. After completing the jigsaw puzzle, they discuss each step in the mechanism.



NHRCT Human Rights Mechanism

Network building

After completing the six modules, the participants are divided into several groups according to the public and human rights issues in their respective areas (such as right to education, the rights of ethnic minorities, right to natural resources, etc.) They discuss their cases and make an action plan on promoting and protecting human right issues in their respective areas. They also establish an Economic, Social and Cultural Rights (ESCR) network with both public and private organizations as members.

To strengthen networking on human rights issues in the five regions of the country, NHRCT coordinates with the government agencies, civil society organizations and communities to join the net-



Reporting on NHRCT protection mechanism

works and discuss the human rights situation in their respective areas. Since the seminar focuses on participation, the important role of participants in promoting and disseminating the concept of human rights is emphasized. As a result, people in the five regions of Thailand who join the participatory seminars are able to appropriately promote human rights in their respective areas.

Lessons Learned

Human rights work requires the cooperation of all parties involved. The seminars provide several lessons learned:

1. The varied backgrounds of the participants, in terms of knowledge, experience and career, contribute to fruitful discussions in the seminar. But there are also limitations for some of the villager-participants;
2. The learning process creates conditions that allow both the individuals and the groups to exchange ideas and to fully enjoy the seminar program;
3. Creating awareness about participation in the development process (right to development) is absolutely essential in the seminar that

- leads the participants to eagerly share ideas and show willingness to join the ESCR network in their area;
4. The seminars provide the opportunity for the National Human Rights Commission commissioners and staff to learn about the current situation in the communities and the private sector, and broaden their perspective.
 5. The participants are expected to organize human rights promotion activities with the support of the NHRCT's media and personnel resources. This is a voluntary action of hosting and strengthening the ESCR network in the area.

The evaluation of the “Participatory Seminar” in the five regions shows that most of the participants express more confidence in sharing their knowledge on the human rights situation. Their behavior has changed and they feel that they are still “growing” well. The “Participatory Seminar” confirms my belief that “Education is Change, Education is Growth.”

Endnotes

¹The discussion in this section is based on constitutional and legal provisions existing in Thailand as of July 2014. In view of the political situation in Thailand in mid-2014, the constitutional and legal provisions relating to the National Human Rights Commission of Thailand might change in the following year.

²The full text of this law is available at the NHRCT website page on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.

³Text taken from the file of the 1997 Constitution in the website of NHRCT on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.

⁴Along with the National Human Rights Commission, the Office of the Public Prosecutors and the National Economic and Social Advisory Council are listed under the “Other Statutory Agencies” provision of Chapter XI, Organs of the Constitution, 2007 Constitution. The full text of the unofficial translation of the 2007 Constitution is available at the NHRCT website page on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.

⁵The full text of the draft bill is available on the NHRCT website page on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.