



HUMAN RIGHTS EDUCATION IN ASIA-PACIFIC VOLUME TWELVE

HURIGHTS OSAKA

**HUMAN RIGHTS
EDUCATION
IN ASIA-PACIFIC
VOLUME TWELVE**

Human Rights Education in Asia-Pacific—Volume Twelve

Published by the Asia-Pacific Human Rights Information Center

8F, CE Nishihonmachi Bldg., 1-7-7 Nishihonmachi, Nishi-ku, Osaka 550-0005 Japan

Copyright © Asia-Pacific Human Rights Information Center, 2022

All rights reserved.

The views and opinions expressed by the authors in this publication do not necessarily reflect those of HURIGHTS OSAKA.

**HUMAN RIGHTS
EDUCATION
IN ASIA-PACIFIC
VOLUME TWELVE**

Acknowledgement

This publication continues to benefit from the support of people from different countries in Asia and the Pacific. They are the people who contribute articles in each volume of the publication. But there are also people who help prepare articles, or facilitate their preparation.

We have listed below all those who made this twelfth volume become another collection of meaningful documentation of human rights promotion and education practices in Asia:

KENZO TOMONAGA

Former Director

Buraku Liberation and Human Rights Research Institute

President

Public Interest Incorporated Foundation Sumiyoshi Community

Activity Promotion Association

MINORU MORI

Professor

Research Center for Teacher Education

Osaka Kyoiku University

KAZUHIRO KAWAMOTO

Former Staff Member

Buraku Liberation and Human Rights Research Institute

SARAVANAN M SINAPAN

President

Maalini Ramalo

Director of Social Protection

DHRRR Malaysia

NAI KASAUH MON

Director

Nai Aue Mon

Program Director

Human Rights Foundation of Monland - Burma [HURFOM]

GANIEV SHUKHRAT
Director
Humanitarian Legal Center

MD MAHBUL HAQUE
Secretary General
Human Rights and Development Centre

JIN HYUN AHN
Deputy-Director, Planning & Finance Division
National Human Rights Commission of Korea

NARANTUYA GANBAT, PhD
Commissioner
Sunjid Dugar, PhD
Commissioner
Mongolian Human Rights Commission

AMEERA ABOOBAKRU
Media Officer/Advocacy Department
Human Rights Commission of the Maldives

REZALYN YLAGAN
DARWIN SIMPELO
KAELA LEYRETANA
Human Rights Education and Promotion Office
Commission on Human Rights of the Philippines

DORIS TSUI
Acting Head
Chung Yan Ip
Policy, Research and Training Division (PRTD)
Equal Opportunities Commission (Hong Kong)

ENRICO GAVEGLIA
Resident Representative
Yasmeen Rasheed
Assistant Resident Representative
Integrated Governance Programme
United Nations Development Programme, Maldives

SHRI DEVENDRA KUMAR SINGH, IAS
Secretary General/Chief Executive Officer
Arun Kumar Tewari
Under Secretary (for Coordination)
National Human Rights Commission of India

SEEMA SHARMA, PhD
Department of Social Work
University of Delhi, India.

To all of them, we express our deep appreciation for supporting this publication as an initiative aimed at ensuring that diverse human rights promotion and education experiences in Asia and the Pacific are documented and, most importantly, given proper recognition.

We also express our gratitude to Fidel Rillo of Mind Guerilla for the cover design and lay-out of this volume.

Foreword

OUR WORLD has been witnessing worsening human rights conditions experienced by a large number of populations globally and, in this sense, importance of human rights education has never been bigger.

The Volume Twelve of Human Rights Education in Asia-Pacific covers a variety of initiatives and experiences of human rights education from Asia and the Pacific that encompass experiences and issues of statelessness, ethnic minorities, descent-based discrimination, among others. It is now well understood also that these issues should be addressed and tackled through intersectional perspective.

Roles and initiatives of national human rights institutions (NHRI) especially in the context of human rights education is another pillar of the Volume Twelve. Japan has not established its NHRI yet and we hope the articles of this volume contribute to inspiring readers especially of Japan to raise awareness of its importance.

Interventions to fight back climate crisis have been deeply jeopardized by the COVID-19 pandemic and the Russian invasion to Ukraine has almost toppled all the previous gains for the SDGs. Ms. Fusae Ichikawa, who pioneered women's political participation in Japan stressed "No equality without peace and no peace without equality". Human rights education would definitely play an essential role to craft that direction.

We welcome any comments and feedback on the articles of this volume from readers.

ATSUKO MIWA

Director

Asia-Pacific Human Rights Information Center

Table of Contents

<i>Acknowledgement</i>	4
<i>Foreword</i>	7
<i>Introduction</i>	11

EXPERIENCES

BLHRRI and Anti-Discrimination Education JEFFERSON R. PLANTILLA	15
Statelessness and Empowerment in Malaysia DHRRA MALAYSIA	41
Struggle for Human Rights Education for the Mon People HUMAN RIGHTS FOUNDATION OF MONLAND	63
Educating the Youth in Uzbekistan HUMANITARIAN LEGAL CENTER	85
Human Rights Education for Empowerment of Marginalized Communities HUMAN RIGHTS DEVELOPMENT CENTRE	93
Human Rights Promotion in Maldives HUMAN RIGHTS COMMISSION OF THE MALDIVES	117
National Human Rights Commission of Mongolia: Human Rights Awareness and Education Functions NATIONAL HUMAN RIGHTS COMMISSION OF MONGOLIA	135
The Enduring Challenge to Human Rights Education: Reflections from the Field in the “New Normal” FRANCIS TOM TEMPROSA	153
Human Rights Education and Promotion in Korea NATIONAL HUMAN RIGHTS COMMISSION OF KOREA	187

SURVEYS AND RESEARCH

A Territory-wide Representative Survey on Sexual Harassment
in Hong Kong 2021 205

EQUAL OPPORTUNITIES COMMISSION

Surveying Human Rights Awareness in Maldives 231

UNDP MALDIVES

Locating National Human Rights Commission within the Human Rights
Discourse at the Grassroots in Rural India 265

DEPARTMENT OF SOCIAL WORK, DELHI UNIVERSITY

SPECIAL SECTION

Human Rights Promotion and Education 297

JEFFERSON R. PLANTILLA

About the Authors 316

Introduction

THIS TWELFTH VOLUME of the publication is a collection of articles on community- and national-level educational activities undertaken mainly by non-governmental organizations (NGOs) and national human rights institutions (NHRIs) in Asia. There is unfortunately no available material from the Pacific NGOs and NHRIs for this volume.

This volume uses the phrase “human rights promotion and education” to stress the reality that many educational initiatives are not strictly “educational” in character. Many educational initiatives cover both activities that involve an organized process of teaching and learning knowledge and skill as well as informal awareness-raising and general campaigns to raise issues among the public. Both activities are undertaken as complementary and intersecting means of achieving a degree of understanding issues and the human rights relevant to them and of building capacity to act based on human rights principles on those issues.

The general trend of human rights promotion and education activities in Asia and the Pacific in recent years as presented below is reflected in the articles of this volume.

Trends

Many NGOs and NHRIs in Asia and the Pacific continue to focus on human rights promotion and education (even during the time of COVID-19 pandemic to some extent). They include

- a. grassroots programs (community-based programs such as those for marginalized communities in rural areas);
- b. grassroots-oriented programs (such as those held outside the capital cities by the NHRIs in order to reach the people in different parts of the country);
- c. programs for grassroots sectors (such as those for ethnic communities, stateless people, and other sectors).

The NGOs lead in using different means of educating the public such as street theater, film showing/festival, and art exhibition that bring out issues and point to relevant human rights that should be enjoyed and protected.

The NGOs in Sri Lanka, Bangladesh, the Philippines, Cambodia, India and Indonesia, among others, are engaged in these activities.

There are also programs for youth such as those in Burma/Myanmar and Uzbekistan, and for students and teachers such as the Model Parliament project in Jordan, the education to counter violent extremism in a number of countries including those in West Asia, and human rights education activities of teachers (such as those of the Japanese teachers' union).

The NHRIs also play a significant role in human rights promotion and education. Their programs are significant in a number of concerns:

- a. Education programs for the general public through the dissemination of information using online platforms or social media, pamphlets and other materials for different sectors of society (people with disabilities, the elderly), contests and awards, and online human rights courses (Korea, Philippines);
- b. Establishment of structures that support human rights education as seen in the online platforms including social media (Cyber Human Rights Training Center [Korea] and Human Rights Education Institute [Philippines] and the human rights library (online versions in Korea and Thailand);
- c. Training for government officials and members of the security forces – the NHRIs such as those in Bahrain, Korea, Mongolia, Philippines and Australia have shown their capacity and authority to get the support of the government and the police and military establishments in undertaking training activities for their officials, members and personnel;
- d. Support for establishment/operation of academic human rights centers (Indonesia, Korea, Thailand and the Philippines) that provide human rights education activities in their respective areas of operation (particularly in small cities and large towns). NGOs also have human rights centers that focus on specific issues;
- e. Support for the teaching of human rights in secondary schools (Malaysia) and in higher educational institutions (Thailand).

Another important work of the NHRIs is the survey of human rights awareness of the general public in partnership with relevant agencies. The surveys undertaken in the past years came out with recommendations on human rights promotion and education programs (Hong Kong, Maldives,

India, Bangladesh, and Mongolia) as well as human rights protection and policy advocacy programs.

These awareness surveys are important in at least two aspects:

- a. Assessment of extent of understanding and practice of human rights by members of society; and
- b. Provision of bases for developing educational and other interventions to promote human rights.

There are also subregional and regional level initiatives that facilitate the following:

- a. Development of materials for teaching and learning human rights;
- b. Training on human rights education;
- c. Networking among the educators.

Academic institutions play an important role in developing much needed teaching materials that suit national contexts. This is the role being played by the Southeast Asian Human Rights Network for the universities in this subregion, and supported by international initiatives such as the Global Campus of Human Rights.

The Global Citizenship Education (GCED) program of the Asia-Pacific Centre of Education for International Understanding (APCEIU) is one example that operates at the regional level. This program ensures that human rights are integrated in GCED.

Challenges

National policy on human rights promotion and education and also World Programme for Human Rights Education (WPHRE) are hardly noticed at present in many countries in Asia and the Pacific. This is part of the perceived decline in government interest on human rights education.

Related to this is the frequent complaint on the lack of government support for the development of human rights teaching and learning resources for both formal and non-formal educational systems, as well as training of teachers and school and education officials.

The COVID-19 pandemic affected most of the human rights education activities. There was, however, a clear shift to online platforms in order to hold human rights education activities. Online platforms helped reach more

people, and facilitated holding more activities. Access to such online programs, however, remains a serious challenge to people in rural areas which suffer from lack of basic facilities and services such as electricity supply, equipment and internet signal.

Highlights

The experiences in Asia-Pacific point to several significant factors supporting human rights promotion and education:

- a. Continuing implementation of human rights promotion and education programs by holding of activities offline and online;
- b. Institutionalization of human rights work including human rights education to some extent by NGOs but to a large extent by NHRIs by establishing human rights education institutes/training centers, and human rights libraries and/or information centers;
- c. Continuing development of human rights promotion and education programs and teaching and learning materials;
- d. Assessing of human rights awareness of the general public through surveys by the NHRIs.

There remains a continuing decline of interest on human rights education by governments (education ministry primarily) in the region; however, they show interest on Sustainable Development Goals (SDGs) and Global Citizenship Education (GCED). The SDGs provide the content while GCED provide the means of integrating human rights in educational programs.

Human rights promotion and education require support from government and non-government institutions as much as interest from the general public.

JEFFERSON R. PLANTILLA
Editor

Note: This is a revised version of the presentation made via zoom by the author at the Global Forum on “Human Rights Education” held on 5 December 2022 in Samarkand, Uzbekistan. The presentation was entitled “Human Rights Education in Asia-Pacific: A Brief Review of Significant Practices.”

BLHRRI and Anti-Discrimination Education*

Jefferson R. Plantilla

THE BURAKU LIBERATION RESEARCH INSTITUTE (BLRI) was established in 1968 in cooperation with the Buraku Liberation League with the aim of eliminating all forms of discrimination in Japan including *Buraku* discrimination, and strengthening human rights in society. In July 1998, it changed its name to Buraku Liberation and Human Rights Research Institute (BLHRRI).¹

Buraku Discrimination

The establishment of the BLHRRI was set against an environment of continuing discrimination against a section of the Japanese population called the *Buraku* people:²

Buraku people are a Japanese social minority group, ethnically and linguistically indistinguishable from other Japanese people. They face discrimination in Japan because of an association with work once considered impure, such as butchering animals or tanning leather. In particular, they often have trouble finding marriage partners or employment.

Present-day Buraku discrimination is primarily based on whether a person lives in a Buraku neighborhood, or whether her or his parents are from such a neighborhood. This means that it is possible for people with no connection to the Tokugawa outcaste status to be labeled as Buraku and face anti-Buraku discrimination. It is even possible for a family to unknowingly move into an historically Buraku neighborhood and, unbeknownst to them, become Buraku. The stigmatized category of Buraku, which is based first and foremost on an individual's family lin-

*This article was prepared with contribution from Kenzo Tomonaga, Minoru Mori and Kazuhiro Kawamoto who have been involved in the human rights education activities of the Buraku Liberation and Human Rights Research Institute (BLHRRI) for many years.

eage and occupation, has come also to depend on one's family address.

This discrimination against a section of the Japanese population became known as the Buraku issues (or *Dowa mondai* in Japanese, Dowa issues in English).

With pressure coming from the Buraku Liberation League and other anti-discrimination groups in the 1960s, various measures were adopted by the Japanese government in addressing the Buraku issues. The measures started with the 1965 Cabinet Dowa Policy Council proposals. The Council stated that the³

so-called Buraku issues are the most serious and important social problem, in that certain parts of the Japanese population have been placed in inferior status in economic, social, and cultural terms, because of discrimination on the basis of the hierarchical class structure that was formed in the process of the historical development of Japanese society; that they continue to be subject to extreme violations of fundamental human rights even in today's society; and that, in particular, they cannot enjoy complete protection of civil rights and freedoms, which are to be guaranteed for all as a principle of modern society.

The Council concluded that it is "the responsibility of the State" as well as a "national challenge" to ensure the "urgent solution" of Buraku issues.

This was followed by a series of legal measures starting with the 1969 Law on Special Measures for Dowa Projects for the improvement of the conditions of Buraku people's lifestyles and their communities. A five-year Regional Improvement Special Measures Law was enacted in 1982 and was extended several times, with the last extension ending in 2002.

However, "partly due to inadequate efforts for awareness-raising" among the non-Japanese communities these "projects and the services and funds they have provided have resulted in a sense of 'jealousy'" or reverse discrimination.⁴ They also gave a sense that the Buraku discrimination has disappeared.

In 2010s, further calls for action against discrimination in Japan led to the enactment of laws against discrimination⁵ including a law against Buraku discrimination.

The Act on the Promotion of the Elimination of Buraku Discrimination was enacted by the Japanese Diet (Parliament) on 9 December 2016. The law aims “to set out the basic principles for elimination of Buraku discrimination, to clarify the responsibilities of the national government and local governments, and to set out enhancement of a consultation system, thereby to promote the elimination of Buraku discrimination and to realize a society free from Buraku discrimination.” (Article 1)⁶

But this law failed to penalize acts that discriminate against Buraku people.⁷ Also, the United Nations’ Committee on the Elimination of Racial Discrimination, in its 2018 Concluding Observations on the combined tenth and eleventh periodic reports of Japan, recommended to the Japanese government to⁸

1. Adopt a clear definition of Burakumin in consultation with the Buraku people;
2. Identify discrimination against Burakumin as discrimination based on descent.

The Committee was also concerned about the absence of information on resources allocated to implement the law in the report of the Japanese government. (Paragraph 19).

Persistent Discrimination

In 2020, the Japanese government made public its study of the situation of Buraku discrimination based on Article 6 of the Act on the Promotion of the Elimination of Buraku Discrimination. The government report for the first time used the words “Dowa issue” and defined *Burakumin*:⁹

Dowa issue is a human rights problem particular in our country, whereby a particular group of Japanese nationals have been, for a long time, forced to be in a economically and socially inferior position due to the class discrimination system established in the historical process in Japanese society and discriminated against in daily life, e.g. at the time of employment or marriage, because of the fact that they are from Dowa districts, where Buraku people were forced to reside.

This government report concluded that¹⁰

[a]lthough certain progress is made in the promotion of correct understanding among population about Buraku discrimination, prejudice and discriminatory attitude still remain. There is a possibility that these prejudice and attitude are contributing to the discrimination in marriage and relationship. Furthermore, one of the characteristics of the increasing discrimination in the Internet is that certain websites are focusing on the provision of information that assist identification of Buraku people, including location of Buraku districts, as well as [slander and libel] them.

Internet-based discrimination against the Buraku people is illustrated in two cases, as explained below:¹¹

An individual using a blog site named “Tottori Loop” has been violating the right [to] privacy of a number of persons by publishing private information in the internet, in particular targeting Buraku people. In 2016, based on the information found in the records stored in the National Library, the Tottori Loop has tried to publish a book compiling location and the name of all Buraku districts, which was then suspended by Yokohama District Court following complaint filed by the Buraku Liberation League that publication of such information would violate the right of Buraku people to their privacy, whereby making them extremely vulnerable to discrimination. However, Tottori Loop made all the information public by uploading on its blog site. Against the action of the Tottori Loop, and with the lack of anti-discrimination legislation in Japan, Buraku Liberation League has filed a civil court case at Tokyo District Court in 2016 demanding ... the deletion of information from the website and compensation for the damages caused by the violation of the privacy. In 2021, the Tokyo District Court judged it as the violation of privacy and ordered for (partial) compensation for damage. However, till now, the information is still available on the Tottori Loop’s site.

xxx

xxx

xxx

In 2021, an administrative scrivener opened a website on the Internet and advertised the acquisition of family register information as his business. 55 research companies applied

for the service, and he sold 3,500 cases for over 70 million yen. One of the victims accused the police of violating the Family Registration Law because of the background checks conducted, which triggered an investigation, and the administrative scrivener was arrested and fined (September 2021). There has been no end to the practice of asking lawyers, administrative scriveners, and other professionals with national licenses to obtain family registry information. The lawyers and others have not admitted to violating the Family Registration Law, claiming that it is legitimate business.

Human Rights Education

At the national level, the Japanese government enacted in 2000 the Law on the Promotion of Human Rights Education and Human Rights Awareness-Raising (LPHREA).¹² This was followed by the adoption of the National Basic Plan in 2002. In the following year, 2003, the government created the Committee on Human Rights Education.

Regarding Japanese government efforts on human rights education in relation to racial discrimination, the 2020 report of the Japan NGO Network for the Elimination of Racial Discrimination (ERD Net) states:¹³

The national education curriculum does not have any item on the elimination of racial discrimination.

Currently, nothing is taught at school about minorities in Japan, their history, language or culture, or cases of discrimination against them (CCPR/C/JPN/7, para 29).

The awareness raising campaign of the Ministry of Justice is nothing more than merely conveying a message “Don’t allow hate speech” in general. Civil society organisations have requested the Ministry that such message should be sent out to specific cases, for example, when groundless discriminatory accusations are made after a disaster saying that “Koreans are the perpetrator”. However, the Ministry remains silent, whereby avoiding to specify cases, and therefore the impact of the campaign remains quite minimum (CCPR/C/JPN/7, para 30).

No specific training is carried out for public prosecutors, judges or police officers regarding racial discrimination in Japan including hate speech in general, or training to increase their capacity to identify cases of discrimination. There are still many police officers who are deployed at the site of hate dem-

onstrations but do not know anything about the Hate Speech Elimination Act.

Civil society organisations have been asking the government about what kind of trainings are carried out with regard to hate speech, and what kind of programme, materials and trainers are provided. However, no answer has been given so far (CCPR/C/JPN/7, paras. 31-32).

BLHRRI Support for Human Rights Education: Brief Background

In mid-1990s, BLHRRI promoted human rights education in line with the United Nations (UN) Decade for Human Rights Education (UN Decade) in Japan through various activities.¹⁴

It was the first organization to translate and publish basic documents concerning the UN Decade in Japanese language. It published, along with its associate organizations, “Japanese translations of the ‘World Plan of Action on Education for Human Rights and Democracy,’ the UN General Assembly resolution to declare the start of the UN Decade for Human Rights Education, its Plan of Action and Guidelines for National Plans of Action.”¹⁵

BLHRRI also periodically organized series of seminars on the UN Decade. In September 2000, BLHRRI made its own plan of action for the UN Decade.¹⁶

These efforts led to the formation of the “Liaison Committee for the Promotion of the Decade ... through joint efforts among Buraku Liberation League, the Japan Teachers Union, the National Dowa Education Research Council and the National Liaison Council for Rimpokan (community centers in Buraku districts) as a nation-wide non-governmental center to systematically monitor government efforts and raise opinions and proposals to the government.”¹⁷

After the UN Decade ended, the BLHRRI supported the proposal for the adoption of a second UN Decade for human rights education. The UN decided to adopt the World Programme for Human Rights Education in 2005, which the BLHRRI likewise supported.¹⁸

It started researching in 2005 on human rights and Japanese companies. The research named “Analysis of Corporations and Human Rights in CSR Reports” was also done in 2006 and 2009. In 2009, the research found weak mention of human rights in the corporate social responsibility reports of the companies. The research found, among others, that the “use of fair, non-

discriminatory staff recruitment selection process was hardly mentioned,” and the “activities promoting respect for human rights were generally weak and the companies involved were mainly small businesses.”¹⁹

The survey results echoed the discriminatory acts of companies against Buraku people in 1970s. They provided the need for BLHRRRI to further develop its human rights education program for company officers and staff.

BLHRRRI’s advocacy for the enactment of law against Buraku discrimination started in 1985 when the Buraku Liberation League initiated the campaign for the enactment of the Basic Bill for Buraku Liberation and the activities of the movement to enact municipal ordinances and declarations were undertaken nationwide.

BLHRRRI established the Anti-Discrimination Law Study Group in September 2013, the year that it became a general incorporated association. With the aim of enacting anti-discrimination laws in Japan, this study group looked into the implementation of anti-discrimination laws in other countries and sorted out issues for domestic legislation.

Programs and Activities: 2021 Plan

With the COVID-19 pandemic having a great impact on daily life, BLHRRRI launched the Research Institute Review Project in 2021 as proposed at the 2020 Annual General Meeting.

The project specifically studied (1) what the investigation and research department structure should be, (2) how the Buraku Liberation and Human Rights University course and human rights enlightenment Tokyo course should be undertaken, (3) how to hold lectures and meetings, (4) how to disseminate information, and (5) corporate management and systems.

The discussions under the review project resulted in holding various lectures and meetings in 2022 that combined face-to-face and online sessions in light of the COVID-19 pandemic situation.

In 2021, the study groups in each Division researched on a number of issues as reported at the 11th Annual General Meeting in the following year (2022):

1. Investigative Research on Buraku History - 1st Research Division (headed by Akihito Hakka)

- a. Study Group on the Life History of Kawatamura in Osaka has been working on the data conversion and analysis of the contents of the Takeda Family Documents of the Shindo Village, Ishikawa District, Kawachi Province.
 - b. The Korean Hyongpyongsa Movement History Research Group continued to transcribe papers and historical materials related to the Chosun Hyongpyongsa, which was organized by Baekjong, the discriminated people in Korea, with the aim of abolishing discrimination. In addition, a joint study group between Japan and South Korea was held online.
 - c. As a result of the Suiheisha 100 Years Study Group to verify the 100-year history of Suiheisha, *Buraku Problems in Modern and Contemporary Japan* (3 volumes) was published by Kaiho Publishing in March 2022. In addition, two public lectures were held.
2. Survey of Sexual/Gender Discrimination Structures – 2nd Research Division (headed by Mayumi Taniguchi)

The Division organized and analyzed relevant UN resolutions, statements, general opinions, concluding observations, and opinions, and related literature and materials from the viewpoint of the structure of gender discrimination.

The results of the study were published as a special feature in *Buraku Liberation Studies*, No. 216 entitled “Consideration of UN Documents and Possibilities for their Utilization.”

3. Research on Human Rights Education and Enlightenment - 3rd Research Division (headed by Minoru Mori)

The Literacy and Adult Basic Education Study Group organized the documentation of the Osaka Literacy Project (video recording of people involved in literacy classes), which started in 2015. The group considered utilization of the documentation produced.

It held a field survey of a literacy class in Wakayama City and continued the work on the serialization of “Bearers of the Literacy Movement Talk” in BLHRRI monthly magazine *Human Rights* (from January 2021 issue).

In addition, the review of the survey form and participants in the “National Literacy Class Survey” continued after a one-year postponement due to the COVID-19 pandemic.

A study session on the topic “From the Sayama New Evidence Analysis - Perceiving the Sayama Case from the Standpoint of Development of Literacy Research” was held both in person and on-line in February 2022.

The Social Work and Education Study Group held four online study sessions to discuss how school education and community education should collaborate.

4. Research on Anti-Discrimination Law - 4th Research Division (headed by Hirofumi Uchida)

This Division aims to examine comprehensive anti-discrimination bills and to follow trends and issues in individual anti-discrimination laws. It regularly held joint research meetings with discriminated people and related parties such as persons with disabilities, Lesbian-Gay-Bisexual-Transgender-Queer (LGBTQ), foreigners, Ainu, suicide survivors, Hansen disease victims, Minamata disease victims, people living with HIV, people with physical appearance problem and Buraku people.

Based on the content of the report, the “Act on the Realization of Nondiscriminatory Equality for All (Draft),” a Comprehensive Anti-Discrimination Bill was drafted and publicly disseminated, along with other relevant materials.

To promote the draft bill, members of the Division participated in lectures and meetings organized by groups of people and support-

ers related to Hansen disease, persons with disabilities, bereaved families of persons who committed suicide, and Minamata disease issues.

5. Research on Social Exclusion - 5th Research Division (headed by Hiroyuki Fukuhara)

This Division researched on how an inclusive society should be established based on the revised Social Welfare Law and the Law for Supporting the Self-Reliance of the Poor. It undertook a research that examined the role of the Rimpokan as a place of learning under a Grants-in-Aid for Scientific Research project of the Ministry of Education, Culture, Sports, Science and Technology. As part of this, a survey targeting Rimpokan and local governments nationwide was held from November to December 2021.

6. Research on Buraku Discrimination - 6th Research Division (headed by Suehiro Kitaguchi).

This Division has several study groups. The Internet and Buraku Discrimination Study Group dwells on the current status and issues of Buraku discrimination on the Internet, and organizes public study groups for the purpose of considering ways of dealing with the issues. The Monitoring Organization Network Meeting is held as a forum for information exchange among organizations conducting monitoring surveys in various regions. In addition, in November 2021, the Division undertook a “survey [of monitoring organizations] on the implementation status of deletion requests regarding any ‘indication of identification information on Dowa districts’ on the Internet.”

The Study Group on Social Security System promotes research and study on the role of Rimpokan in light of trends in social welfare, support for the needy, and other legal systems aimed at “realization of a community-based symbiotic society” promoted by the government. As part of this effort, the Division members participated in the 3rd National Exchange and Research Conference for Rimpokan

Projects and the 8th National Research and Exchange Conference on Self-Support for the Needy, both of which were held online. In conducting this study group, the Division also collaborated with the Buraku Liberation League Central Headquarters and the Rimpokan Liaison Council.

In the Research and Study of Advanced Cases of Local Autonomous Governments for the Specific Implementation of the Law for the Elimination of Buraku Discrimination section, the contents of local ordinances for the elimination of discrimination against persons with disabilities (Shiga Prefecture Ordinance for a Symbiotic Society Without Discrimination against Persons with Disabilities and Kumamoto City Ordinance for a Common Life for People With and Without Disabilities) and Buraku ordinances, etc., (Kumamoto Prefecture Ordinance for the Promotion of the Elimination of Buraku Discrimination and Yao City Basic Policy for the Elimination of Buraku Discrimination), the structure of consultation services based on these ordinances, and the trend of comprehensive ordinances for elimination of discrimination (Ordinance to Eliminate Discrimination and Create a Mie City where Human Rights are Respected), were investigated through on-site visits and online interviews.

In addition, the Division commissioned two surveys (Tottori Prefecture Survey on Problems of Buraku Residents and Yuasa Town Survey on Lifestyles Related to Buraku Discrimination [Dowa Issue]) to examine measures to eliminate Buraku discrimination in local governments, etc. For the Tottori survey, the Division analyzed and discussed the survey results together with the Buraku Liberation League Tottori Prefectural Federation.

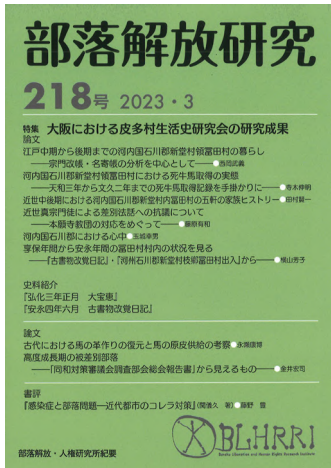
The activities of the Education and Training Division are related to the research programs of the six Divisions which provide lectures and publications.

Research Results Dissemination

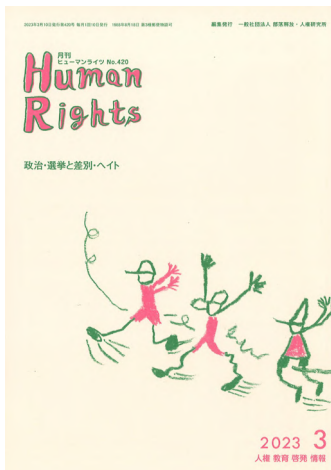
The results of research studies are disseminated as published materials. They are included in BLHRI publications such as *Buraku Liberation Studies*.

For the research studies done in 2021, the *Buraku Liberation Studies* covered the following topics:

1. No. 215 - Special Feature: "Human Rights vs. Neo-Liberalism" Regarding the Literacy Movement, Research Section: Research on Human Rights Education and Awareness;
2. No. 216-Special Feature1 "Aiming to Enact a Comprehensive Anti-Discrimination Law," Research Division 4 "Survey and Research on Anti-Discrimination Law," Special Feature 2 "Consideration of UN Documents and Possibility of Utilization," Research Division 2 "Investigative Research on the Structure of Gender Discrimination."



Buraku Liberation Studies No. 218, March 2023 (Photo taken from BLHRI website)



Human Rights, issue 420, March 2023
(Photo taken from BLHRI website)

The research results occasionally appear also in the monthly magazine called *Human Rights* (ヒューマンライツ). This publication is a human rights information magazine that features initiatives in fighting various forms of discrimination, poverty, and social exclusion, and aims to realize an inclusive society where human rights are respected.

Training Activities

BLHRI has been organizing training activities for different sectors of society since the 1970s after the enactment of the Special Measures Law in 1969.

Main Training Courses

BLHRRI organized the Buraku Liberation and Human Rights University Course (Liberation University) in 1974 with the aim of training people who can help address various human rights issues in companies, governments, and society.

Describing the learning process with the catchphrase “encounter, discovery, impression” (出会い・発見・感動), the Course provides lectures, workshops, fieldwork guided by lecturers and members of active minority groups, and self-development learning on human rights issues using small group format. Participants are also required to submit written assignments and research reports.²⁰

The Liberation University course is a twenty-four-day course spread over seven-to-nine months. In 2021, fifty-seven trainees from companies, local governments, universities, NGOs, etc., especially in Osaka prefecture joined the course.

The training course began to be held online in 2020 and 2021 due to the COVID-19 pandemic.

Since the Course started in 1974, more than 5,500 people from about four hundred organizations (local governments, companies, non-profit organizations [NPOs], etc.) have taken the Course.²¹

BLHRRI started the Human Rights Training Tokyo Course in 1989 to develop human rights leaders in companies, governments and society in response to a request for a course in Tokyo similar to the Buraku Liberation and Human Rights University Course. This is a twelve-day basic course on human rights that emphasizes experience and interaction with a diverse team of about twenty instructors who are active in the front lines of their respective fields.

A network of companies headquartered in Tokyo that focuses on human rights issues sends participants to the Course.

2021-2022 Training Courses

Because of the COVID-19 pandemic, BLHRRI held the 117th “Buraku Liberation and Human Rights University Course” (twenty four days) and the 34th “Human Rights Training Tokyo Course” (twelve days) jointly online from 30 June to 6 October in 2021 for Tokyo Course and 30 June to 17 February 2022 for University Course. Lectures were recorded and made

available online to the participants.²² Table 1 below lists the content of the joint courses.

Table 1. 117th Buraku Liberation and Human Rights University Course and 34th Human Rights Training Tokyo Course*, Joint Program in 2021.

Day	9:45~11:30	13:00~14:45	15:15~17:00
1	Workshop opening	Human rights and the Constitution	Buraku issue today
2	Businesses and human rights	Social system that eliminates discrimination	
3	Dowa and human rights administration	Privileges of majorities	
4	Buraku discrimination in daily life	Buraku history (pre-modern times)	
5	Discriminatory posthumous names	Buraku history (modern and contemporary)	
6	Dowa and human rights education	Buraku liberation movement	Buraku Issues - my experiences
7	Workplace harassment issues	Media and Human Rights in the age of SNS	
8	Persons with disabilities and work	Youth (sex education issues)	Hate speech and fake news
9	Hansen's disease and human rights	LGBT-friendly workplace	Homeless problem
10	Discrimination against Asians during COVID-19 pandemic	Human rights of children	Photographs tell the world and Japan
11	Couple's surname issue	Sex crimes and sexual violence	Physical appearance problem
12	Foreign residents in Japan including Koreans	HIV/AIDS problem	Human rights enlightenment
13	Gender and human rights	Report from the field (Suiheisha Museum)	Right to work for persons with disabilities
14	Human Rights of Migrant Workers	Report from field (IMADR UN office)	COVID-19 and Human Rights
15	Group seminar		
16	Group seminar		
17	Group seminar		
18	Information and human rights	Report from field (Buraku district)	Basics of human rights training
19	Justice and human rights	Report from field (Kamagasaki district)	Basics of human rights counseling
20	Group seminar		
21	Group seminar		
22	Group seminar		
23	Report presentation (group)	Report presentation (group)	
24	Report presentation (plenary)	Commemorative Lecture	Completion ceremony

* The Human Rights Training Tokyo Course is from Day 1 to Day 12



Workshop during the 118th Buraku Liberation and Human Rights University Course (Photo courtesy of BLHRRI)

Collaboration with Other Groups and Institutions

BLHRRI is also collaborating with other groups and institutions such as the Buraku Liberation League, its local chapters, other human rights organizations and local governments. It has been collaborating with different groups in holding the human rights courses below.

Buraku Liberation and Human Rights Koyasan Summer Course

The Buraku Liberation and Human Rights Koyasan Summer Course started in 1970. This Summer Course is held every August for three days at Mt. Koya, a mountain devoted to Buddhism 1,200 years ago. The training activities are held in the facilities of the Buddhist sect called the Shingon Esoteric Buddhism.²³

The Course offers basic study of human rights and thematic sub-courses on discriminated Buraku, people with disabilities, discrimination against foreigners, sex discrimination, Hansen disease and human rights, and structural discrimination in Okinawa, etc. See Table 2 for an example of course content.

Table 2. Program of the 52nd Koyasan Summer Course (2021)²⁴

Lecture topic	Speaker
Lecture 1 Significance and Issues of the 'National Buraku Survey' Case Trial Struggle	Akiyuki Kataoka (Executive Vice Chairperson, Buraku Liberation League Central; Federation Chairperson, Buraku Liberation League Saitama Prefecture)
Lecture 2 Let's update our knowledge of human rights!	Mayumi Taniguchi (Legal scholar, visiting associate professor, Osaka University of Arts)
Lecture 3 Introduction to Buraku Problems - A Key Point to Understanding Buraku Problems	Hitoshi Okuda (Professor Emeritus, Kinki University)
Lecture 4 Basic Medical Law - Thinking about COVID-19 disaster	Yoji Kobayashi (Lawyer, Secretary General of the Society for Creating Patient Rights Law)
Lecture 5 Aiming for an inclusive society where people with disabilities can live together - Convention on the Rights of Persons with Disabilities, Disability Discrimination Elimination Law, Barrier-Free Law	Satoshi Sato (Secretary General, DPI Japan National Assembly)
Lecture 6 Japan's Foreigner Problem -Thinking from Historical Perspective and Current Situation of Koreans in Japan	Hiroyuki Park (Chairperson, NPO Multiethnic Human Rights Education Center)
Lecture 7 What is the difficulty of men's lives? - Thinking from the Ryukyu Shimpo's gender awareness survey on the International Men's Day	Hana Kuroda (Reporter, Living News Group, Editorial Bureau, Ryukyu Shimposha) Nanase Kodashiro (Reporter, Digital Editing Group, Ryukyu Shimposha)
Lecture 8 The Hansen disease problem is not over yet	Megumi Kato (Coordinator of Hansen's Disease Recovery Person Support Center, Social Welfare Organization Saiseikai Osaka Prefectural Branch)
Eliminating discrimination and prejudice, living normally - my experience	Seikichi Miyara (Chairperson, Plaintiffs' Association of Hansen's Disease Kansai Retirees)
Lecture 9 Thinking about abuse and discrimination against persons with disabilities	Kazuhiro Nozawa (Vice President, Uekusa Gakuen University, Visiting Editor of <i>Mainichi Shimbun</i>)
Lecture 10 Resistance - Athletes Who Fought Discrimination	Koichi Yasuda (non-fiction writer)
Special project - online fieldwork History of Mt. Koya - Focusing on equality and discrimination	Hiroyoshi Kinoshita (Former Chief of the Academic Institution, Koyasan University, Joint Researcher; Historiographical Institute, The University of Tokyo)



Plenary session, 50th Buraku Liberation Human Rights Summer Lecture [Matsushita Auditorium Reimeikan] (Photo courtesy of BLHRRI)

About 1,300 people from various fields such as education, religion and governance, and companies and human rights groups participate in the Koyasan Summer Course every year in recent years. With the online course, there were 1,173 participants in 2021.

Due to the COVID-19 pandemic, the 52nd Summer Course was held as an online course from 20 August to 3 September 2021. The 2021 Koyasan Summer Course program focused on Buraku discrimination and other human rights issues in Japanese society relating to women, non-Japanese residents, persons with disabilities, people suffering from sickness (COVID-19, Hansen disease), athletes, as well as gender and medical issues.

Buraku Liberation and Human Rights Summer Course in West Japan

The Buraku Liberation and Human Rights Summer Course in West Japan started in 1976. The first Course was held in Kochi prefecture in the same year. From 1996, the Course not only focused on Buraku issues but on a wide range of human rights issues. It started to be held at different venues every year in each prefecture in western Japan. The Course has a two-day schedule in June or July each year.²⁵

BLHRRI plans the Course program and operates the secretariat of this Course, while various organizations at the venue form an executive commit-

tee for the Course. The participants are mainly government and company officials inside and outside the prefectures where the course is held.



Plenary session, 44th Buraku Liberation and Human Rights West Japan Summer Course (Kagawa) (Photo courtesy of BLHRII)

In 2021, the Course was held online with 1,712 participants.

Human Rights and Dowa Issues Corporate Awareness Course

In 1975, the first *Buraku Chimei Sokan* or Directory of Buraku Districts was found. It contained information on Buraku community locations, number of households, major occupations, etc. throughout the country. It was published by a private detective agency and sold to companies that wanted to inquire into the background of job applicants, and to people who wanted to know the background of their future spouse. Since then, ten different types of Buraku lists were found, published by private detective agencies. In atonement for purchasing the lists, some companies formed industrial federations to commit themselves to solving the Buraku and other human rights issues.

Considering the actual situation of employment discrimination in the 1970s, national organizations, local governments, economic organizations, and human rights-related organizations formed an executive committee to cooperate in holding human rights lectures. This led to the establishment

of an educational course for corporations on the theme of discrimination and human rights issues, including fair employment selection and the Dowa issue in 1980. This was called Human Rights and Dowa Issues Corporate Awareness Course.

This Course focuses on human rights issues involving companies, changes in the legal system and the Dowa issue. It is held twice every year from September to November.

The 41st Human Rights and Dowa Issues Corporate Awareness Course was held in 2020. The 42nd Human Rights and Dowa Issues Corporate Awareness Course was held on 14 October – 12 November 2021 and dealt with a number of issues including online bullying, Buraku parents-children relationship, rights of patients and health care workers, energy use and human rights, single parents and the pandemic, and employment of persons with disabilities. See Table 3 for the content of the 42nd Human Rights and Dowa Issues Corporate Awareness Course.

Table 3. 42nd Human Rights and Dowa Issues Corporate Awareness Course Program²⁶

Lecture topic	Issue	Speaker
Part 1, Lecture 1 Mechanism, data and appropriate preventive measures against online bullying	Rising cases of discrimination against people infected with COVID-19, and online bullying in 2020 exceeded 1,400 cases. Regarding this kind of internet slander, we will consider (1) the reality of who writes and why, (2) how we can prevent and deal with it, and (3) appropriate countermeasures as a society.	Shinichi Yamaguchi (Associate Professor, Global Communication Center, International University)
Part 1, Lecture 2 Mother and daughter query on Buraku discrimination	Prejudice and discriminatory consciousness learned in life may affect loved ones. Separation of people due to the pandemic shows the importance of relationships and connections.	Kaori Sakata (Chairperson, Buraku Liberation League Yonago City Council, Representative of "Taking Jinken Route")
Part 1, Lecture 3 COVID-19 Measures Based on Guarantee of Human Rights of Patients and Healthcare Professionals	The COVID-19 pandemic highlights the lack of human rights guarantee for patients and health workers in the country. There is a need to learn from the lessons of the "Leprosy Prevention Law" that caused various human rights violations for Hansen disease patients and their families, and to think together on COVID-19 measures that should be based on the human rights protection of patients and health workers.	Yukio Okada (Professor, Faculty of Humanities and Social Sciences, Kumamoto University)

Part 1, Lecture 4 Creating a future where energy use protects human rights	Energy use has a history of trampling on human rights. Exploitation and wars occur in oil-producing countries and regions, and the nuclear accident deprived people of living safely and having safe hometowns. Climate change is causing many disasters in developing countries with low carbon dioxide (CO2) emissions and is robbing the future of the next generations on the planet. It is necessary to change the way energy is used for a future in which human rights are protected.	Mayumi Fujikawa (Chairperson, NPO Ueda Citizen Energy)
Part 2, Lecture 1 I want to eliminate online bullying, while thinking of a gentle world that we have hoped for	When I lost my beloved daughter, Hana, I was in a situation where I lost my heart. Many people have said that they have to deal with online bullying, and the law is about to change little by little. I don't want anyone to become a victim or a perpetrator anymore. I want to do my best to get closer to a gentle world that my daughter, Hana, has hoped for. That is also the reason for my life.	Kyoko Kimura (NPO Remember HANA)
Part 2, Lecture 2 What I want to convey - Buraku issues and the realities	The reality of Buraku discrimination comes to light through daily consultation and support work. In the course of being involved in marriage problems of Buraku youth that are not (or cannot be) revealed, Buraku youth who are made to believe that being a Buraku is equivalent to a negative existence meet "their own important Buraku." I would like to tell you about the process and what I myself have questioned. I hope it can give you an opportunity to think about what the Buraku means to me (and what it means to you).	Norio Takahashi (Secretary General, NPO Human Rights Center Nagano)
Part 2, Lecture 3 Single mothers and their children during COVID-19 pandemic - issues of support and other measures	Single mothers and their children are seriously hit by the COVID-19 pandemic, which combined with previous problems of worsening employment, reduced income, and lack of food, clothing, and educational equipment. We will consider the current situation that has emerged from the emergency support efforts, issues related to support and other measures, and the risk of domestic violence and abuse of mothers and children, which is a concern in the legislation for co-parenting and joint custody.	Chieko Akaishi (Chairperson, NPO Single Mothers Forum)
Part 2, Lecture 4 Employment of people with disabilities amidst diverse work styles and human resources	The spread of COVID-19 brought about rapid changes not only in the medical field but also in the way we work, live, and get involved. In an era of diverse lifestyles, we focus on people with disabilities and the means of working with diverse human resources.	Hitoshi Kuroki (Section Chief, Employment Department, Peach Aviation Co., Ltd.)

Due to the COVID-19 pandemic, the 42nd Courses in 2021 were held on-line that made them accessible from anywhere in the country.²⁷ A total of eight hundred sixty-five people participated in the two sessions (four hundred thirty-two in the first session and four hundred thirty-three in the second session).

In implementing human rights education projects, BLHRRI collaborates with the Buraku Liberation League prefectural federations along with government and non-governmental institutions.

Human Rights Training and Research Assembly

BLHRRI organized the Human Rights Training and Research Assembly in 1987 with participants from different parts of Japan to exchange human rights training experiences and develop research plans. The Assembly is a forum for learning specific human rights and human rights awareness practices for a wide range of people (officials of the government offices, company officers and employees, officials of religious organizations, NPO workers, labor union officers and members, those from various organizations and discriminated parties, along with educators and citizens) with the themes of discrimination, poverty, and social exclusion.

The Assembly was first held in Osaka in 1987 and was held every year since then in different parts of the country. An average of two to three thousand people attend the Assembly each year.

The Assembly is also a two-day annual research meeting. It has been held in different venues nationwide. The BLHRRI is in charge of program planning and management of the secretariat, while various organizations at the venue of the Assembly form an executive committee for the event. It is held during January to February period each year.



33rd Human Rights Awareness Research Meeting (Niigata) (Photo courtesy of BLHRRI)

Due to the COVID-19 pandemic, the 2022 Assembly was held online with 2,016 participants.

Commissioned Projects

BLHRRI has been acting as secretariat of several human rights promotion initiatives such as the Universal Declaration of Human Rights Osaka Liaison Conference, the Tomohiko Harada Memorial Foundation, and the Citizens Action Committee which calls for the enactment of anti-discrimination laws. As secretariat, BLHRRI organizes the activities of these initiatives and disseminates their information through the social media such as Facebook.

It also organizes the “Mass Media Roundtable” and the “New Year Mass Media Human Rights Conference” and aimed at raising the awareness of human rights issues, including the Buraku issue, of members of the mass media.

Under the Meat Industry/Meat Labor Project, BLHRRI in cooperation with the Osaka City Nanko Market recruited school teachers to take part in meetings on reports about meat industry/meat industry labor and human rights, and in the market tour. The activities were aimed at eliminating discrimination and prejudice against the meat industry and meat laborers through school education.

Reactions of Participants

There is as yet no comprehensive assessment of the different human rights education courses offered by BLHRRI, including the sessions held online since 2020. However, the comments of some participants in different sessions of the Buraku Liberation and Human Rights University Course before the COVID-19 pandemic provide an indication on how the people appreciate the courses:

Before taking the course, I thought that I would rarely have the opportunity to directly encounter human rights issues. But through fieldwork and presentations of instructors, I learned that there were people around me who worried about various human rights issues beyond my imagination. I strongly recognized also that I was blessed with a variety of fellow students and advisors with a wealth of knowledge and experience, and I was able to gain a lot of understanding [of the issues] and spent

meaningful time with them. In addition to the knowledge and ideas gained from the University, I would like to continue to have a high sensitivity to the human rights issues that I have cultivated and will continue cultivating it by bringing it back to the workplace.

—oOo—

Through my studies at Liberation University, I renewed my awareness that human rights issues are not “things that have nothing to do with me” but “things that have something to do with me” in my daily life. In addition, I was able to realize that human rights issues are involved in various situations and that they manifest themselves clearly when I am aware of them. Having friends to exchange frank opinions with was also an irreplaceable source of food [for the mind] in my life. I am grateful for the valuable opportunity that made me feel from the bottom of my heart that I was really glad I took the course.

—oOo—

Many curriculums on human rights issues have given me confidence and knowledge as a human rights officer. Also, by studying in a group of people of different ages and occupations, I realized the diversity in society. In learning through self-reflection, I learned the importance of interacting with people by having time to face myself and talking with the people in the group. I feel that I have completed the course in no time. However, the exchanges continue, and we talk and exchange information heatedly as we [as participants] did back then.

—oOo—

In the course, I learned various knowledge and ideas from a wide range of fields. Every time I noticed something new, I felt that I myself changed little by little. In learning through self-reflection, I had the opportunity to face the past. Through discussions within the group, I think I was able to reconsider myself as a human being. My days at the university were a big turning point for me. I would like to continue to cherish as a fortune what I have learned there.

An evaluation of the online sessions of the BLHRRRI human rights education program can reveal other aspects about the Courses that can help improve content and process of learning human rights.

Future Plans

The 2021 Research Institute Review Project provides the future plans of the BLHRRRI on human rights education. Below are highlights of the project report regarding future plans.

In 2016, laws on the elimination of discrimination against persons with disabilities, hate speech and Buraku discrimination were enacted one after another. In addition, the Basic Law on the Hansen's Disease Issue and the Law for the Promotion of Ainu Policies were also enacted which deal with elimination of discrimination against Hansen's disease sufferers and the Ainu. However, awareness of these laws is still low, and the efforts of local governments on this task (awareness-raising) are highly uneven. The responsibility for the dissemination of information as required by law has been neglected. There are local governments that have no offices on human rights matters, consultation services on discrimination issues, or even policies and plans for human rights education and awareness-raising.

Meanwhile, discrimination against minorities, such as slander and defamation on the Internet, is getting worse with the advancement of information technology. In addition, it has become more difficult than ever to speak out against discrimination, which is met by severe online bashing.

Ten years after the adoption of the UN Guiding Principles on Business and Human Rights, the Japanese government has compiled an action plan, and in December 2021, the Japan Business Federation revised Chapter 4: Respect for Human Rights of the Charter of Corporate Behavior and produced the *Handbook for Management Respecting Human Rights*.

2022 also marked the 45th anniversary of the corporate in-house human rights training promotion system for Dowa issues and the 25th anniversary of the Fair Recruitment Selection and Human Rights Enlightenment Promotion System which were both established in the wake of the *Buraku Chimei Sokan* (Directory of Buraku Districts) discrimination case.

Since the expiration of the laws on special measures, the work on the education on and realization of human rights has weakened. Some reported the increasing number of administrative staff and teachers who never stud-

ied Dowa issues or Dowa education, and did not know how to promote the administration of Dowa issues (for government officials) and Dowa education. It is feared that the disparity between those who are involved in such efforts and those who are unable or unwilling to undertake them will continue to widen.

From the perspective of valuing the views and voices of the discriminated people and addressing the issues in the anti-discrimination laws, the Sustainable Development Goals and the UN Guiding Principles on Business and Human Rights, BLHRRI will continue to hold the human rights education activities in cooperation with the discriminated people, organizations working against discrimination, companies, religious organizations, educational institutions, government offices, and citizens working on the Dowa and human rights issues.

Endnotes

- 1 In 2013, BLHRRI became a general incorporated association under the new corporate registration system in Japan.
- 2 International Movement Against All Forms of Discrimination and Racism, www.imadr.org/sayama/buraku.html.
- What is Buraku?, BLHRRI, https://blhrri.org/old/blhrri_e/blhrri/buraku.htm.
- 3 Reality of Buraku Discrimination in Japan, https://blhrri.org/old/blhrri_e/Buraku_Reality/o2o.htm.
- 4 Reality of Buraku Discrimination in Japan, *ibid*.
- 5 One law that applies particularly to Korean residents in Japan is the Act on the Promotion of Efforts to Eliminate Unfair Discriminatory Speech and Behavior against Persons Originating from Outside Japan (Hate Speech Elimination Act) enacted in June 2016.
- 6 The Protection of Human Rights - Building a Century of Human Rights, Ministry of Justice, page 14, www.moj.go.jp/ENGLISH/HB/activities/pdf/booklet2019.pdf.
- 7 See the unofficial translation of the law into English at International Movement Against All Forms of Discrimination (IMADR), <http://imadr.net/wordpress/wp-content/uploads/2016/12/Act-on-the-Promotion-of-the-Elimination-of-Buraku-Discrimination-2.pdf>.
- 8 The Committee on the Elimination of Racial Discrimination, Concluding observations on the combined tenth and eleventh periodic reports of Japan, CERD/C/JPN/CO/10-11, 26 September 2018, www.mofa.go.jp/files/000406781.pdf.
- 9 Report prepared by the Buraku Liberation League that is incorporated in the Joint NGO Report for the Human Rights Committee in response to the List of Issues Prior to Reporting CCPR/C/JP/QPR/7, Japan NGO Network for the Elimination of Racial Discrimination (ERD Net), November 2020, pages 16-17.
- 10 ERD Net, *ibid*.
- 11 Part 3, Joint NGO Report for the Human Rights Committee in response to the List of Issues Prior to Reporting CCPR/C/JP/QPR/7, Japan NGO Network for the Elimination of Racial Discrimination (ERD Net), September 2022, pages 5-6.

- 12 The unofficial English version of the law, Act on the Promotion of Human Rights Education and Human Rights Awareness-Raising, Act No. 147” of 6 December 2000, is available at Japanese Law Translation, www.japaneselawtranslation.go.jp/en/laws/view/3097.
- 13 ERD Net, op. cit., page 13.
- 14 See Kenzo Tomonaga, “Towards the Creation of a HRs Culture in Every Field of Society. What Should We Do to Promote the ‘UN Decade (1995-2004)’?”, *Buraku Liberation News*, March 2000, No.113, https://blhrri.org/old/blhrri_e/news/new113/new11303.html.
- 15 Kenzo Tomonaga, The United Nations Decade for Human Rights Education: Challenge for the Second Decade Reflecting the Evaluations of the First Decade, Buraku Liberation and Human Rights Research Institute, September 2003, https://blhrri.org/old/blhrri_e/other/o10_e.html.
- 16 Tomonaga, The United Nations Decade for Human Rights Education: Challenge for the Second Decade Reflecting the Evaluations of the First Decade, *ibid*.
- 17 Tomonaga, “Towards the Creation of a HRs Culture in Every Field of Society,” op. cit.
- 18 Kenzo Tomonaga, The Conclusion of the UN Decade for Human Rights Education and the Launching of the World Programme: Action in Japan, World Programme for Human Rights Education, 1st Quarterly, 2006 No. 139, https://blhrri.org/old/blhrri_e/news/new139/new139-1.htm.
- 19 Summary of BLHRRI surveys cited in Jefferson R. Plantilla, editor, *Bridging Human Rights Principles and Business Realities in Northeast Asia*, Asia-Pacific Human Rights Information Center and Strategic Information and Research Development Centre, 2014, pages 150-151.
- 20 Buraku Liberation and Human Rights University Course, Buraku Liberation and Human Rights Research Institute, https://blhrri.org/about/keihatsu_daigaku.html.
- 21 Buraku Liberation and Human Rights Research Institute, https://blhrri.org/about/keihatsu_daigaku.html (in Japanese).
- 22 Text based on 4) 人権人材育成事業、人権啓発事業の推進 (Promotion of human rights human resource development projects and human rights enlightenment projects).
- 23 This Buddhist sect was founded by Kobo Daishi, also known as Kukai, in the 9th century.
- 24 52nd Buraku Liberation and Human Rights Summer Course, Buraku Liberation and Human Rights Research Institute, https://blhrri.org/lecture_event/lecture_shosai.php?event_no=267 (in Japanese).
- 25 Buraku Liberation West Japan Summer Course, Buraku Liberation and Human Rights Research Institute, https://blhrri.org/about/keihatsu_nishinihon.html (in Japanese).
- 26 Buraku Liberation and Human Rights Research Institute, https://blhrri.org/lecture_event/lecture_shosai.php?event_no=271 (in Japanese).
- 27 Buraku Liberation and Human Rights Research Institute, https://blhrri.org/about/keihatsu_kigyo.html (in Japanese).

Statelessness and Empowerment in Malaysia

DHRRR Malaysia

THE MALAYSIAN INDIAN-TAMIL COMMUNITY has faced challenges relating to identity documentation and confirmation of Malaysian citizenship for many years. Those without citizenship are commonly referred to as “Stateless Malaysians.” The origins of these challenges are partly historic and partly related to current challenges faced by the community.

During British Colonial rule, a significant number of Indian-Tamils were brought to Malaysia to work in plantations. When Malaysia regained independence, the Federal Constitution granted these Indian-Tamils and their descendants the right to acquire Malaysian citizenship.

However, many members of this community were living in remote plantations and did not acquire identity documentation because they remained unaware of its importance. In particular, they did not register their children’s birth.

When these communities subsequently moved to urban areas after the plantations were redeveloped, those without identity documentation found that their access to public services was restricted despite their strong links to Malaysia and potential entitlement to Malaysian citizenship.

Up until 2014, it was officially acknowledged that there were some 40,000 stateless persons mainly within the Indian-Tamil community in West Malaysia - namely persons not considered nationals by Malaysia or any other country.

Other Marginalized Communities in East Malaysia

There are likewise people who may be stateless or at risk of being treated as stateless in East Malaysia, particularly those who belong to the *Bajau Laut* (*Sama Dilaut*) communities on the east coast of Sabah.

They are a nomadic population living in boats or in “water villages” on Malaysian coastal waters.

Many do not have identity documents because their births are not registered and their parents have never obtained identity documentation. There are no available estimates of the overall number of *Bajau Laut* affected by statelessness in Malaysia, but the number of undocumented children in the community is considered to be high due to their nomadic lifestyle and lack of documentation. This population also resides in the Philippines and Indonesia and there are reports that many still migrate between these three countries.

Based on Malaysian law, all children born in Malaysia are allowed to be registered under universal birth registration. But the lack of identity documentation among irregular migrant parents acts as a barrier to the birth registration of their children. Complications arise in practice when migrant parents are unable to provide the Malaysian authorities with documentation to prove their identity, their link to a State, or even their connection to the child.

Further to that, abandoned children in welfare homes and unaccompanied minors or street children are widely reported to be stateless, but the number affected and the extent of statelessness amongst these children is unclear.

Development of Human Resources for Rural Areas

In 1974, the Development of the Human Rural Resources in Asia Workshop (DHRRAW) held in Swanganiwas, Thailand gathered about one hundred and twenty rural development workers and practitioners to engage in dialogues that focused on the challenges and responses to rural development. At the end of the eventful three-week workshop, a call for continuous dialogue among the participants was made. As such, a support structure, the Center for the Development of Human Resources in Rural Asia (CendHRRRA), was created to facilitate the sharing and exchanges across the Asian region. Since then, different forms of dialogue and sharing were done to strengthen the movement. In 1994, the movement which was effectively supported by CendHRRRA formally evolved into its present state, a regional network of country DHRRAs known as Asia Partnership for the Development of Human Resources in Rural Areas (AsiaDHRRA).

After more than two decades, the regional network is now composed of DHRRA from Indonesia, the Philippines, Malaysia, Thailand, Vietnam, Cambodia, Myanmar, South Korea, Taiwan, Japan and Lao PDR.

DHRRA Malaysia

The journey of building better communities in Malaysia began with the formation of DHRRA Malaysia as an affiliate of AsiaDHRRA in 1974. The journey continued with the establishment of DHRRA Network Malaysia (1999-2005), which focused on building a strong and self-reliant rural community through poverty alleviation and people's empowerment initiatives. Guided by the vision of vulnerable communities who are self-reliant and empowered to exercise their individual and collective rights, DHRRA Malaysia took over the lead in continuing the community development initiative in 2006 and had since initiated numerous programs with the communities, especially women and youth in rural areas, to support greater self-sufficiency and economic sustainability.

DHRRA Malaysia adopted the following Vision, Mission and Goal:

VISION

Vulnerable communities are self-reliant & empowered to exercise their individual and collective rights

MISSION

Enhancing self-awareness and equipping living skills among vulnerable communities to become self-reliant and empowered for them to be able to take charge of their lives

GOAL

Contribute to reducing vulnerability, marginalization, discrimination and economic exclusion in Malaysia.

DHRRA Malaysia has the following objectives:

- To strengthen social protection and use rights-based approaches to empower vulnerable members of communities in target to become self-reliant;
- To improve the standard of living and livelihoods of vulnerable communities below the poverty line and post-disaster communities;

- To develop stronger community leaders - grassroots and rural people's organizations to come together based on shared identity and needs for strategic advocacy;
- To create, lead and grow social enterprise initiatives as a form of reliable mechanism of tackling social issues and building organizational sustainability.

The fundamental method to ensure effective community development is the direct service approach – addressing the community issues at grassroots level. The activities to empower the community are shaped by problem solving, skills training and dissemination of information.

DHRRR Malaysia also strengthened its position as an effective advocate for rural community development and needs in Malaysia. Its role is not limited to uplifting vulnerable communities at the national level. Recognizing the need for a holistic and widespread approach in addressing the issues and the development needs of the communities, it is actively engaged at the Asian regional level in advocating and promoting the rights of vulnerable communities through its affiliation with AsiADHRRR and cause-based networks.

Protection

DHRRR Malaysia provides protection measures to the vulnerable and marginalized communities to ensure full respect for the rights of the individual in accordance with human rights law. For over a decade, DHRRR Malaysia has used community-based approaches to strengthen protection measures. Vulnerable populations such as the elders, women-headed families, children, specially-abled individuals, indigenous, minorities, refugees, and stateless persons often face exclusion and poverty. These communities have limited opportunity to exercise their rights. They are either not aware of their rights or due to the nature of the community have limited access to essential services and benefits. Thereby, they live in compromised condition. DHRRR Malaysia provides social protection for the vulnerable community in order to assist them to take charge of their lives by providing support and resources needed to exercise their rights. These include assisting access to government services and benefits, provision of knowledge on constitution and law involving family matters, providing financial literacy, employment, etc.

Awareness

DHRRR Malaysia organizes a range of programs and activities to raise awareness of the issues affecting the vulnerable, marginalized and stateless communities in Malaysia. The thematic essence of every awareness initiative is to make community and policymakers become aware of an issue as the first step to change: which includes dissemination of information, social media engagement, and other suitable local, national, regional and global campaigns.

Ending Statelessness

To address statelessness in the country, DHRRR Malaysia identified five goals that should be realized, namely,

Goal 1 - Advocate for policy improvements in respect of citizenship by naturalization and registration and automatic acquisition procedures and processes;

Goal 2 - Advocate for policy reform to remove gender discrimination from the Constitution;

Goal 3 - Issue documentation to those with entitlement to it (West Malaysia);

Goal 4 - Support the efforts to improve quantitative and qualitative data on statelessness in East Malaysia; and

Goal 5 - Design and deliver effective social development and integration programs targeting stateless people.

Effective policy solutions to the problem of statelessness must be based on proper understanding of the circumstances of stateless persons and accurate baseline data. DHRRR Malaysia has started working on identity documentation issues in West Malaysia in 2004, but has not had the capacity to set up the required services to identify, register and provide legal aid to stateless persons.

In June 2014, DHRRR Malaysia started the registration and paralegal aid services in West Malaysia with technical support provided by United Nations High Commissioner for Refugees (UNHCR). DHRRR Malaysia's ex-

perience on community engagement and grassroots mobilization (mainly within the Indian-Tamil community, through vocational training, youth and women empowerment projects) enabled it to reach out to and consult with affected populations so that their needs were understood and views were duly incorporated into the planning and solution delivery process.

Most community members live in remote areas of the palm oil plantation sites where they work and cannot afford to travel to town. DHRRA Malaysia mobilized sixty-four volunteers to carry out registration activities – travelling town to town, from one rubber plantation to the next, to reach out to communities who would otherwise not be able to benefit from its services. DHRRA Malaysia mobile teams consisted of eleven volunteers in each district, further divided into smaller groups to map the settlements that are scattered across the vast palm oil plantations and to register stateless persons.

During the registration process, stateless applicants were interviewed by the volunteers of mobile registration teams, and provided key details about their family situation and history, citizenship, and documentation issues. Volunteers captured the key details of stateless applicants using an application on a mobile device, and the data was then uploaded and synced into a central, secure database instantly. Volunteers would then refer the applicants to community-based paralegals to further initiate legal assistance in submitting nationality applications to the government. The online system developed with technical support from UNHCR is a critical component of this process which allows access to the registration records of stateless people for those authorized, including community-based paralegals.

DHRRA Malaysia was able to compile accurate baseline figures on statelessness in the country through its registration and community-based paralegal aid services in four states (Selangor, Perak, Kedah and Negeri Sembilan) in West Malaysia in June 2014.

The mapping exercise successfully identified over 13,000 stateless people. It was also a ground-breaking effort in overcoming the hurdle of quantifying statelessness in Malaysia. Though the initiative ended in 2015, DHRRA Malaysia continues to assist stateless persons from diverse ethnicities in Malaysia to acquire nationality documentation through its community-based paralegal aid services. Some of the initiatives were conducted with the involvement of the National Registration Department (NRD), the Ministry of Home Affairs (MOHA) and The Prime Minister's Office.

Over the years, DHRRA Malaysia has supported and assisted thousands of individuals in freeing themselves from the cycle of statelessness that had entrapped them and their families. Due to DHRRA Malaysia's continuous advocacy efforts on the issue, statelessness is no longer a concealed issue in Malaysia. It has gained attention of various stakeholders, especially the Malaysian government, which prompted them to take the necessary actions to tackle the issue.

By the end of 2016, more than 1,500 of them acquired nationality documentation. But there is still much to do to achieve the goal of ending statelessness in Malaysia.

More significantly, the initiative identified the necessary administrative or legal measures required to find a solution to the issues involved.

Community Paralegal Aid Model

DHRRA Malaysia's community paralegal aid model was developed as a means of delivering much of the legal assistance required. A detailed training program and case management system was devised to ensure the quality of any advice and assistance provided by the paralegals and that more complex cases (such as those requiring resolution by the court) were referred to the much smaller team of pro bono lawyers. As such, community members were able to deliver the required assistance, overcame the language barrier and literacy issues and also promoted stronger beneficiary acceptance of legal assistance.

Legal empowerment through community-based paralegals proved to be an immediate way for communities to acquire or confirm their nationality. The mapping component project ended at the end of 2015, but paralegals continue to serve as the link between the community and government institutions, acting as a flexible and accessible way to access justice. They use their knowledge of law, mediation, education, planning, and advocacy skills to seek concrete solutions for stateless applicants.

As a result of the progress made through the registration and paralegal aid services in West Malaysia and building on links established in 2014, DHRRA Malaysia was able to play a catalytic role in replicating and devising a project to address the statelessness of the members of the *Bajau Laut* communities in East Malaysia. In 2015, DHRRA Malaysia started lending its technical support to the grassroots community organizations in the State of Sabah in East Malaysia.

Brightly dressed in orange shirts, DHRRA Malaysia volunteers went door-to-door in neighborhoods, with the aim of locating and registering stateless people until the end of 2015. It was particularly challenging for them, as the resumption of the project in June 2014 had coincided with the beginning of the monsoon season. Volunteers had to brave torrential rainstorms on most afternoons and movement was limited. According to Manivannan, the Project Coordinator in Kedah, it was not only the weather conditions that hindered progress at the time of mapping, but also the slow process of gaining the community's trust. "People here have endured the invisibility of existing with no documentation in their entire lives. They may not see the point in registering with our project unless there is an immediate outcome," says Mani, as he is known.

In addition to assisting individual applicants, community-based paralegals form an essential component of the project as they undertake door-to-door community outreach, community meetings, and educate their own community about nationality law and application procedures.

Therefore, the work of paralegals is not limited to assisting individual applicants in obtaining documentation, but their work concerns empowering communities to have confidence as citizens. All throughout the mapping process until the end of 2015, paralegals continued to facilitate community meetings to educate the community about Malaysia's citizenship law, citizenship and birth registration application procedures.

On 30 September 2021, DHRRA Malaysia organized in cooperation with Commonwealth Foundation an online webinar entitled "Social Media

Advocacy – Raising Awareness of Stateless Persons in Malaysia." The webinar was attended by community paralegals and stateless persons and their family members.

DHRRA MALAYSIA BUILDING RESILIENT COMMUNITIES Commonwealth Foundation

**SOCIAL MEDIA ADVOCACY
RAISING AWARENESS OF
STATELESS PERSONS IN
MALAYSIA**

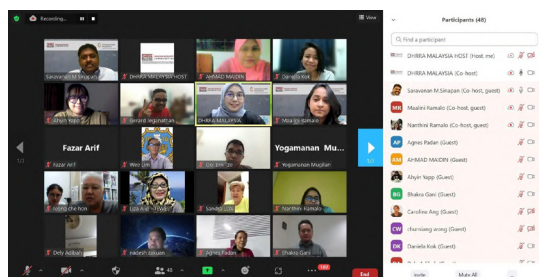
Date : 30th September 2021
Time : 8:00pm – 10:30pm
Venue : ZOOM (Scan the QR code to join)
Expected participants - Community Based Paralegals,
Stateless persons and family members

SYED AZMI
NON-GOVERNMENTAL INDIVIDUAL

DATO' DR. HAREINI ZAHUDIN
CHILD ACTIVIST

Register now by
scanning the QR
code below!

**SHARE YOUR
STORY BECAUSE
SOMEONE NEEDS
TO HEAR IT**



Online forum "Social Media Advocacy – Raising Awareness of Stateless Persons in Malaysia," 30 September 2021.

DHRRR Malaysia held the Training of Trainers for Community Paralegal Leaders on 23 - 25 November 2021 in cooperation with Commonwealth Foundation.



(This page and next page) **Training of Trainers for Community Paralegal Leaders, 23 - 25 November 2021.**



Community Leadership Initiatives

DHRRA Malaysia implements several initiatives aimed at empowering community leaders through legal literacy activities.

The community leaders are crucial link to grassroots communities. They are individuals who assume leadership role within their community and are committed to bringing positive changes to their community, including teachers, heads of apartment blocks, Imams of mosques, village heads, and heads of residential areas, among others. The community leaders act as a bridge between the community and DHRRA Malaysia in identifying the

community's emerging needs and in ensuring adequate support if made available to them, mainly in crisis situation.

Recognizing community leaders as the first point of reference for their respective community, DHRRA Malaysia has prioritized over the years the building of grassroots leadership capacity to take on leadership roles in addressing urgent issues faced by their community. Capacity-building workshops are organized to equip leaders and potential leaders within the communities with the relevant leadership knowledge and skills to improve and enhance their leadership capacity.

Community leaders are being trained to become community-based paralegals. DHRRA Malaysia continues to successfully capacitate and engage community leaders as community-based paralegals in the legal empowerment of the stateless and undocumented community in Malaysia, including in the recent initiative to empower community paralegals in engaging government agencies towards addressing and resolving statelessness caused by gender inequality practices.

DHRRA Malaysia held a meeting in August 2022 with Selangor State Community Leaders. One participant (Azrin Bin Azami, Putrajaya Entrepreneurs Club) expressed her gratitude in attending the meeting: "I am grateful to DHRRA Malaysia for holding such a program to increase knowledge and also I was able to establish relationships with other NGOs/CSOs [non-governmental organizations/civil society organizations] based in Selangor."



(Above and next page) Meeting with Selangor State Community Leaders, August 2022.



Training of Women Leaders¹

Globally, women have fewer opportunities for economic participants than men, less access to basic and higher education, greater health and safety risks, and less political representation. With the ongoing COVID-19 pandemic, even the limited progress made in the past decades is at risk of being rolled back.

While everyone is facing unprecedented challenges, women are bearing the brunt of the economic and social fallout of COVID-19.

Pre-existing inequalities and discriminatory social norms have hindered women's participation in decision-making. However, DHRRA Malaysia believes, women's awareness of their human rights is one of the first steps towards the achievement of gender equality.

Legal empowerment of women is a crucial step as the lack of women in decision-making positions in Malaysia poses a great concern as it impedes women's voices from being heard at the policy level and the inclusion of gender and women issues in the discussion and formulation of laws and policies crucial to the women's wellbeing. The advancement of the nation

and achievement of Sustainable Development Goals on gender equality and empowerment of all women and girls, will not be possible without the inclusion of women.

In collaboration with European Union, DHRRA Malaysia initiated a series of Legal Literacy Training for Grassroots CSOs and Women Political Leaders in Malaysia.

From March to May 2021, DHRRA Malaysia conducted three legal literacy training activities. These trainings were organized in Selangor, Perak and Negeri Sembilan and discussed Malaysian Constituency, Family Law, Criminal Law, Consumer Law, Shariah Law, and Employment Law. The participants took this opportunity to discuss many grassroots issues with lawyers and experts giving presentations. The participants of the program included members of civil society organizations and women political leaders.

Legal Literacy Training in Selangor²

A three-day workshop (30 March - 1 April 2021) was organized for members of CSOs and women political leaders in Selangor. Various aspects of the Malaysian legal system were explored during the program, including Fundamental Rights, Employment Law, Family & Marriage, Criminal Law, and Consumer Rights & Protection.

Legal Literacy Training in Perak³

DHRRA Malaysia conducted a Legal Literacy Training program in Ipoh, Perak on 6 – 8 April 2021. Women political leaders from various political



(Above and next page) Legal Literacy Training for Grassroots csos and Women Political Leaders in Malaysia, April 2021.



parties and members of CSOs from the state of Perak attended the workshop. Laws regarding Fundamental Rights, Employment Law, Family & Marriage, Criminal Law, Consumer Law, and Shariah Law were discussed. The participants were grateful for the knowledge shared and came up with outreach program action plans for their respective communities.

Participants' Reactions to the Training Activities

Several participants shared their view about the training activities held:

I have learnt a lot of information from this training. I hope I will use it wisely in my daily life and will make it useful for other women out there.

It's good for us, working and non-working women, to know all these things. We will be able to take care of ourselves and be prepared if something happens.

These have lots to do about my work... this knowledge is very beneficial.

I am now able to share this information, especially on Family Law, when members of my community seek support.

I am looking forward to sharing this information with my community.

The issues discussed here are [...] current and relevant. I hope everyone gets this knowledge.

I will pass on this information.

On 22 April 2021, DHRRA Malaysia organized a talk on statelessness caused by gender inequality entitled “Awareness Talk on Addressing Stateless Caused by Gender Inequality Practices and Law.”



“Awareness Talk on Statelessness Caused by Gender Inequality,” 22 April 2021.

DHRRA Malaysia held a seminar entitled “Empowerment of Grassroots Women CSOs as Agent of Development and Change in Strengthening Women’s Role in Society” in July 2022.



(Above and next page) “Empowerment of Grassroots Women csos as Agent of Development and Change in Strengthening Women’s Role in Society,” July 2022.



Other Educational Initiatives

Formal education

DHRRA Malaysia has engaged in a key advocacy initiative to integrate one or more units on statelessness into an existing course curriculum at primary school level.

The effects of exclusion and stigma can create an invisible burden for stateless children. This makes it very difficult for them to be healthy and live up to their academic potential. With an aim to break down the barriers between statelessness and social services, UNHCR developed the “Elementary School Teacher’s Guide to Teaching on Statelessness for Children” and then partnered with DHRRA Malaysia for its roll out.

The toolkit engages primary school level students between the ages of nine and thirteen in a dialogue on statelessness and the issues related to it in Malaysia. Youth volunteers developed an online webinar to accompany the toolkit which can be, through further cooperation with the Ministry of Education, introduced at national schools, and ultimately incorporated into the national curriculum.

Several law faculties have shown an interest in covering statelessness as a subject in the university’s curriculum. Joining UNHCR at various university lectures on nationality and statelessness, DHRRA Malaysia shares its knowledge with and engages the youth who look for ways to contribute to collaborative efforts in addressing statelessness in Malaysia. These include pro bono legal aid for stateless applicants by setting up legal aid clinics at law departments, education campaign with the use of the Teacher’s Toolkit targeting primary school students, and youth information sharing platforms with formerly stateless youth.

In order to reach out and engage a wider part of the Malaysian population in the effort to resolve statelessness in the country, Statelessness Awareness Campaigns are organized by DHRRA Malaysia, targeting university and college students specifically. In line with this, “I pledge my Action to address statelessness” was launched at the Cyberjaya University on 12 February 2020 to reach out, expose and increase the awareness of the students on the statelessness issue in Malaysia.

Advocacy and awareness

As part of its effort to resolve statelessness, DHRRA Malaysia continues to play an active role in creating better understanding and awareness among the policymakers and the general public on statelessness. In addition to organizing briefing sessions aiming to sensitize individual policymakers on the issue, DHRRA Malaysia has been working closely with local Members of Parliament by providing free consultations at their offices for the stateless community in the respective constituency. Invitations are also extended to government officers, members of civil society organizations and other stakeholders to participate in workshops aiming to create awareness and understanding of statelessness.

DHRRA Malaysia produced two infographic handbooks (*Awareness Handbook: Understanding Statelessness in Malaysia* and *Resolution Handbook: Resolving Statelessness in Malaysia*) to create awareness on the issue of statelessness in the country. To ensure that the information is understood by a larger segment of the society, the handbooks were translated into local languages including Bahasa Malaysia, Tamil and Chinese:

1. *Awareness Handbook: Understanding Statelessness in Malaysia (Memahami Isu TANPAKEWARGANEGARAAN di Malaysia)*⁴

Contents:

- a. Defining stateless persons and other related terms
- b. Categories of statelessness in Malaysia and causes
- c. Types of Identification Documents in Malaysia
- d. Importance of marriage, birth and death registration
- e. Provisions of nationality law in Malaysia.

2. *Resolution Handbook: Resolving Statelessness in Malaysia (Menyelesaikan Isu Tanpa Kewarganegaraan di Malaysia)*⁵

Contents:

- a. International Laws which Protect Access to Citizenship
- b. Safeguards to Prevent Statelessness in the Malaysian Federal Constitution
- c. Gaps in the Nationality Policy
- d. Quick Facts.



V. Mobile and Semi Nomadic Sama Baju



Many of us abandoned traditional marine-based income as a result of increased security and environmental restrictions in established fishing areas. We now live in stilt houses on coastal areas in Sabah in search of better lives for our families. With no legal documents to prove our identity or status our children roam the streets and remain vulnerable to arrest, abuse and exploitation.



Causes: Leading Indigenous lifestyles that span across multiple contemporary marine area bordered by the three nations Malaysia, Philippines and Indonesia with historic mobility between international borders, the Sama Baju, continue to face challenges in gaining recognition as citizens of any state due to their mobility.

TANPAKEWARGANEGARAAN di Malaysia), 2019.



Overall gaps in procedures practiced by NRD-MOHA



LONG processing period
Average of 2-3 years, with some applications exceeding 4 years

Reduce processing period to within 1 year, especially for children and youth applying under Article 15A.

Repeated rejections and re-applications will mean that children applying under Art 15A will reach 21 years of age and eventually be excluded from the Article 15A provision

The Ministry of Home Affairs (MOHA) and NRD should provide greater transparency in decision making for nationality applications if required documentation or information is lacking.

REPEATED rejections



MOHA/NRD should consider listing the reasons or missing documentation / evidence to enable applicant to improve their next nationality submission.

NO REASONS for rejections

Establish Tribunal for cases which are unable to progress under the current administrative practices. The Tribunal shall consist of representative from NRD/Home Ministry, Welfare Department and NGO/Civil Society and have power to call for witnesses and hear evidence on the applicant's status.

Overall gaps in procedures practiced by NRD-MOHA

Forms conforming (citizenship) under Art 14 (1)(b) is given out, it will ALLOW the following categories to have access to citizenship:

- Born on or Before Merdeka Day
- Born on or After Merdeka Day and before October 1962
- Born After September 1962 whose parents are at least a citizen of PR or who are not born a citizen of any other country

NO STANDARD approach to assess language proficiency (Malay)



forms for article 14(b) of The Federal Constitution - Confirmation Of Citizenship (Born in Malaysia)

NOT ISSUED

NRD should outline the minimum language proficiency standards to ensure transparency in the language assessment.

Overall gaps in procedures practiced by NRD-MOHA

INCONSISTENT PROCEDURES AT NRD District and State level

1. Late Birth Registration application to District level needs to be attached with a cover letter, whereas applications at State and NRD levels do not require cover letters.
2. Some District and State level require 'Pengkijang' (signature) to be present during the application, however other District, State and NRD offices do not require the presence of a 'Pengkijang'.

Shorten the time period of NRD search & extraction (S&E) processes to previous applications and birth registration records. Application forms should be accepted whilst S&E is in process.

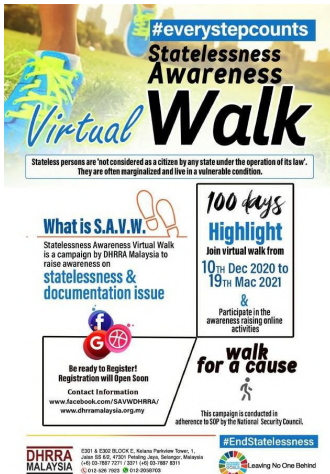
NRD branches SHOULD STANDARDIZE ADMINISTRATIVE PROCEDURES in all NRD offices, both district and state levels to ensure all persons be treated equally.

LONG S&E PROCESSES that delay citizenship application submission processes



Resolution Handbook: Resolving Statelessness in Malaysia (Menyelesaikan Isu Tanpa Kewarganegaraan di Malaysia), 2019.

DHRRMA Malaysia launched the Statelessness Awareness Virtual Walk (S.A.V.W.)—a virtual campaign to bring awareness on statelessness and documentation issues—on 10 December 2020, in conjunction with Human Rights Day. Through the campaign, DHRRMA Malaysia aimed to dedicate one hundred days, from 16 January 2021 till 25 April 2021, to enhancing understanding on statelessness, its causes, and ways to address it.



S.A.V.W. was the first of annual events planned by DHRRMA Malaysia to raise awareness on statelessness. This virtual campaign was part of DHRRMA Malaysia's ongoing efforts to localize Sustainable Development Goals 2030 principle of leaving no one behind. The campaign was endorsed and supported by more than twenty non-governmental organizations.

The one-hundred-day campaign provided participants access to exciting activities including the virtual walk as well as numerous online awareness-raising activities such as webinars, workshops, sharing and polling. There was also the opportunity for

participants to be a part of multi-stakeholder discussions in deliberating on ways to address statelessness in Malaysia.

Final Remarks

Ending statelessness requires a higher intensity of collaboration between a wide range of actors including the stateless people themselves. DHRRMA Malaysia's registration and community-based legal aid services established the full scope of this problem and will continue to drive advocacy efforts to find durable solutions for stateless persons in Malaysia.

Over the years, apart from addressing social needs and self-reliance of rural communities, DHRRMA Malaysia has also included initiatives that contribute to achievement of the larger goal of poverty eradication within the nation among vulnerable persons. DHRRMA Malaysia aims to ensure sustained improvement of the quality of life of the vulnerable population through various combinations of efforts geared to uplift the communities it

works with. In short, DHRRA Malaysia provides social protection of varied stages for community members who are in need. DHRRA Malaysia believes that a nation's progress depends profoundly on the knowledge, skills and competencies of its people.

Endnotes

1 The discussion in this section is based on Legal Literacy Training Program for Grassroots CSOs and Women Political Leaders, <https://dhrramalaysia.org.my/legal-literacy-training-program-for-grassroots-csos-and-women-political-leader/>.

2 Legal Literacy Training in Selangor, <https://dhrramalaysia.org.my/legal-literacy-training-in-selangor/>.

3 Legal Literacy Training in Perak, <https://dhrramalaysia.org.my/legal-literacy-training-in-perak/>.

4 The Awareness Handbook is available at https://dhrramalaysia.org.my/wp-content/uploads/2022/04/Understanding-Stateless-in-Malaysia_compressed.pdf.

5 The Solution Handbook is available at https://dhrramalaysia.org.my/wp-content/uploads/2022/04/Resolving-Statelessness-in-Malaysia_compressed.pdf.

Struggle for Human Rights Education for the Mon People

Human Rights Foundation of Monland

MON STATE, in southern part of Burma/Myanmar, named after the ethnic people living there, is a lowland area with over two million people. The Mon people live not only in Mon State but also in Karen State and in Tenasserim Division.

The Mon people lost their right to self-determination more than two hundred sixty years ago. The Mon people were ruled by the British colonial government followed by the Burmese leaders, after Burma regained independence from the British.

After independence, the Burmese political leaders formed a Federal Union of Burma with ethnic people in frontier areas. The Mon people requested to have their own State in southern Burma. But it was rejected and the Mon people took up arms to fight back the Burmese Army. Then, in order to lead the political movement of the people for their right to self-determination, the New Mon State Party (NMSP) was formed in 1958.

During the wars between the NMSP/Mon National Liberation Army (MNLA) and the Burmese Army, many Mon villages were burned down and were relocated in the main roads that were controlled by the government. In 1988, after the pro-democracy 8888 Uprising¹ in the country, the Burmese Army, under the State Law and Order Restoration Council (SLORC), seized power and terrorized the people again.

From 1988 to 1995, during the period of civil war between the NMSP and the military regime (SLORC), Mon people in rural villagers were initially accused of being “rebel-supporters.” Because of this accusation, the villagers suffered from abuses and violations committed by the *tatmadaw* (Burmese army), such as arbitrary arrests and killings, torture, looting, forced relocation and dislocation, and rape.

On 29 June 1995, NMSP entered into a “gentlemen’s agreement” with SLORC to have a ceasefire. Because of NMSP pressure, SLORC promised to discontinue the conscription of forced labor and arrest of civilian porters, discontinuation of illegal taxation, allowing the operation of Mon National

Schools, and no political discrimination against the Mon people. However, the SLORC later changed its name to State Peace and Development Council (SPDC) which discontinued the talks with NMSP.

During the period of SLORC/SPDC, thousands of acres of lands belonging to Mon farmers were confiscated. The Burmese Army deployed more troops in Mon State, stayed on confiscated lands and put pressure on MNLA. After the Burmese Army deployed to many parts of Mon State, the Mon people again suffered from weak domestic and foreign direct investments, illegal taxation and extortion, land and property confiscation. In 2018, the NMSP signed the Nationwide Ceasefire Agreement (NCA), and had opportunity to be involved in political talks.

In February 2021, the Burmese Army, under the name of State Administrative Council (SAC), forcibly seized power from the democratically elected government led by National League for Democracy (NLD). After the military coup, the human rights violations in Mon State continued.

Human Rights Foundation of Monland

Since the 1995 Ceasefire Agreement was not a political settlement, pro-democracy students from the 1988 uprising, activists and Mon community leaders and youth founded the Human Rights Foundation of Monland (HURFOM) on 10 December 1995 to monitor human rights violations by State authorities against the Mon and other ethnic people in southern part of Burma/Myanmar.

HURFOM primarily aims to help restore democracy, protect human rights and achieve genuine peace in the country.

It has the following specific objectives:

1. To monitor the human rights situation in southern part of Burma/Myanmar including areas where the majority Mon people are living; and
2. To empower and educate the people with human rights concepts to enable them to protect their human rights.

HURFOM focuses not only on the Mon state but also on Karen State and Tenasserim Division. It is a non-profit organization and all its members are volunteers who subscribe to the same aim.

Human rights monitoring and education constitute the major focus of the work being undertaken by HURFOM since its establishment. It developed projects on these two areas of human rights work.

Monitoring Initiative

In order to both monitor the human rights situation and promote and protect the people's human rights in Burma/Myanmar, HURFOM adopted several projects, namely:

1. Human Rights Documentation and Dissemination Project;
2. Human Rights Data Management and Advocacy Project;
3. Woman and Child Rights Project;
4. Human Rights and Civic Education Project;
5. Human Rights Defending and Community Participation Project;
and
6. Civil Society Development Project.

The Human Rights Documentation and Dissemination Project (HRD-DP) has the following objectives:

- To collect accurate information concerning human rights and fundamental democratic rights situation and disseminate information to Burma-interested groups and international organizations; and
- To raise awareness about the current human rights situation in Mon areas and southern part of Burma/Myanmar.

HURFOM human rights field workers collect information on human rights violations in both urban and rural areas in Mon State, Karen State and Tenasserim Division, such as collecting facts and SPDC orders to village leaders, taking photos of the places where human rights violations are committed and consulting with community leaders and victims. Most human rights workers reside in these villages and camps, keep contact with the main office and receive instructions from the main office about when and where to travel to document these cases.

HURFOM has documented human rights violations since 1995 such as the following:

- Conscription of forced labor in Mon areas that has continued in different ways – porters for the military offensives, guards for the

security of infrastructures (gas pipelines, bridges, road construction and other infrastructures), recruitment of militia force, etc.;

- Illegal taxation and looting by State authorities and troops of Burmese Army in many areas;
- Land and property confiscation by the military battalions of Burmese Army after 2000 following the militarization policy that caused great suffering to Mon farmers;
- After 2001, a new armed conflict broke up in southern part of Ye Township when a Mon splinter group disagreed with the cease-fire. As a result, Mon villagers in some parts of Mon State and Tenasserim Division suffered from various types of human rights violations – forced dislocation and relocation, arbitrary killing and arrest, massive arrest of civilian porters and sexual violations against women and girls.

The historical records on the SPDC and the Burmese Army take the following forms:

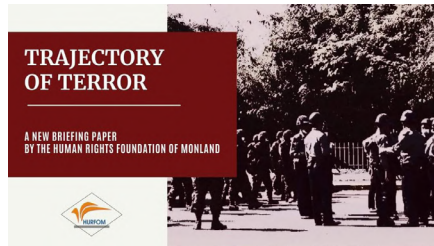
- Orders on forced labor, tax collection, extortion, etc.;
- Information and facts on human rights violations and abuses;
- Records and photos on human rights violations (conscripted of forced labor and porter service, torture and inhumane treatment, etc.);
- Records and photos related to development projects (gas pipeline construction, road construction, etc.);
- Records and photos related to militarization (land confiscation, troops deployment, forced labor in military barracks, etc.); and
- Testimonies of human rights victims.

The Burmese Army and the local State authorities continue to commit human rights violations until the present. HURFOM took the responsibility of gathering information on human rights violations, documenting them systematically in a digital system, and disseminating information to the international community – United Nations and its human rights bodies, government agencies, international donor agencies, religious groups, organizations interested on Burma/Myanmar, diplomats, international and local human rights groups and others.

Currently, HRDP has three main activities:

- Monthly Production of “The Mon Forum” publication;

- Human Rights Documentation Awareness Workshop/Training;
- Production of special reports.



Reports on specific issues in Burma/Myanmar in 2021 and 2022.

HURFOM also releases information on the human rights situation through its website (<https://rehmonnya.org/archives/category/analysis/page/2>).

This tragic history should not be repeated in Burma/Myanmar when peace and unity have been attained in the future. To ensure that such information is preserved for dissemination purposes, a data management on human rights documentation project was created. The project supports mobilization, campaign and advocacy activities domestically (in Mon communities) and internationally.

HURFOM observed that although it has been involved in advocacy activities and collaborated in campaigns with other organizations, it has not adopted a systematic data management and effectively used it in advocacy activities. Additionally, in the current Information Age, it is a serious need for HURFOM to improve Information Technology and Communication skills



Mon and Burmese versions of *The Mon Forum*

in order to systematically document all human rights situations. This became the Human Rights Data Management and Advocacy Project.

Education and Empowerment Initiative

Having been restricted from enjoying human rights and fundamental freedoms regarding expression, association and assembly, Mon people lack information and general knowledge about the concepts of human rights, peace, democracy, federal system of government and constitution, environment and community development. They do not understand well what their actual rights are according to the United Nations' Universal Declaration of Human Rights and other international instruments. Thus, it is necessary to educate the young Mon generation and community leaders to know their rights according to international human rights standards.

In September 2019, HURFOM held an awareness-raising activity for Mon politicians, community leaders, and youth in Thanbyuzayat Township, Mon State, on the topic "Transitional Justice." This is part of the "Truth Seeking & Justice" Project.



(Above and opposite page, top photos) "Transitional Justice" awareness-raising activity, Thanbyuzayat Township, Mon State, September 2019.



In celebration of the 71st International Human Rights Day, a commemorative ceremony was held in the evening of 10 December 2019 in Abo Village, Ye Township, Mon State. The celebration was organized by HURFOM along with the Mon Women's Association Model Community-Based Development Organization, Progressive Mon Youth Association Magadoo, Mon Region Community Development Association, the Mon Youth Education Association, other civil organizations. The event was held in collaboration with local youth organizations and villagers.



71st International Human Rights Day celebration, Abo Village, Ye Township, Mon State, December 10, 2019.



72nd International Human Rights Day celebration, 2020



Human Rights Documentation and Reporting Training for youth in Mon State, Mawlamyine, January 2020.



Training of Trainers for youth, January 2020.



Awareness-raising activities on human rights for the youth in Ye Township, southern Mon State, May and September 2020.

Due to the chronic lack of freedom of the press and because of the traditional and systematic racist policy of the military dictatorship, there are no books in Burma/Myanmar about today's world affairs or the global struggle for human rights, peace, democracy, nationalism, federalism and self-determination.

In order to provide human rights and civic education to Mon people especially the younger generations in the communities, HURFOM produced a "journal" comprised of articles relating to human rights and other general knowledge. To have deep understanding of human rights and other concepts, HURFOM has also conducted workshops. Participatory workshop has proven to be the most effective way of providing general knowledge to community leaders, leaders of civil society organizations, youth and women and of making them discuss their suffering under the rule of military dictatorship and share political ideas.

Human Rights and Civic Education Project

HURFOM started the Human Rights and Civic Education Project with the following objectives:

- To educate the Mon communities about concepts of human rights and general knowledge on democracy, peace, ethnic people's rights and federalism according to the Universal Declaration of Human Rights and other international human rights instruments;
- To introduce to the grassroots Mon communities the ideals behind the struggle for democracy and the important role of the international community;
- To raise the awareness of people at the grassroots Mon communities about health, education, environment, community development and other issues and to encourage them to actively participate in developing themselves and their community.

The project has several activities:

- Printing books on democracy, federal system of government, human rights (a human rights handbook and a Human Rights Defender book);
- Providing capacity-building opportunities such as Human Rights Training, Federal Study Training, Human Rights Defender Training, Human Rights Training of Trainers and Human Rights Defender Training of Trainers.

A Training of Trainers for the youth in Mon and Karen states and Tanintharyi region was held in Mawlamyine on 16 -21 January 2020. Four men and eighteen women attended the training which focused on the theme “Local youth as human rights educators.” The training course covered basic concepts of human rights and human rights violations, qualities of human rights educators, and how to design a teaching guide (module). This Training of Trainers course aimed at enabling the youth to carry out human rights education activities in their own area.

Human Rights Defending and Community Participation Project

Although the Mon communities at present have become stable and suffer less violations compared to the period before the ceasefire, the Mon people still suffer from human rights violations such as conscription of forced labor, illegal tax and extortion, restriction on their livelihood activities, restriction against the ethnic nationalities’ right to education and culture, land and property confiscation, etc.

Since ethnic and democratic politicians and the NMSP revolutionary leaders could not protect people from human rights violations, the Mon villagers acted to protect themselves. The educated persons in the community and the Buddhist monks were involved in protecting the community against human rights violations and in obtaining justice. NMSP officials have behind-the-scene support in re-establishing “Civil Society” groups in the rural areas and in increasing the capacities of the communities.

With stronger communities and more human rights defenders, the members of the communities could be involved in many ways to defend their own human rights. But they require the techniques, knowledge and networking skills with individuals or organizations working for human rights protection. HURFOM’s Coordinator for this Project collected complete and accurate information for this project then arranged meetings/small workshops in the communities to discuss the information and provided support for subsequent activities.

This led HURFOM to start its Human Rights Defending and Community Participation Project with the following objectives:

- To strengthen the community participation and coordination for the defense against human rights violations through non-violent means, by learning the Burmese government’s existing regulations, legal system, laws and orders;

- To introduce the community leaders and civil society leaders to the techniques of defending against human rights violations that happen in their community and of lessening these violations;
- To encourage them to have practical involvement in the activities or movement related to their rights and defending against human rights violations happening in the communities.

Several activities are being undertaken in this project such as:

- Providing information about laws, human rights and human rights defense techniques (to the community people);
- Creating media contact and networks among the communities;
- Holding Mon CBOs (Community-based Organizations) Seminar on Networking for Community Empowerment.



Training on constitution and election-related information, Mawlamyine, January 2020.

On 5 March 2020, HURFOM led an open discussion on human rights at the Ko Lwin Family Motel in Rye, Mon State with twenty-three local people attending.

Naichon, Program Coordinator of HURFOM, explained the conditions of human rights violations. There were discussions about women's and child rights. Advocate Nyeg San Oo from the Rama Nyam Lawyers Network gave a presentation on human rights and existing legislations and ways of solving problems using law. Mima Lamon, the person in charge of the Mon commu-

nity development group, discussed the situation of human rights violations in the township.

There was also discussion regarding land and investments. The residents said that their land was confiscated due to the railway project in the Mon State South of Ye Township, Khoza Township Subdivision. They also presented and discussed the issue of violence against women and sexual assault that occurred after the Myanmar Gold Emperor Company acquired village-owned land in order to start its operations in Bale Khvai Mountain, near the village of Mantut and (outside) Thanisudhar village.



Discussion on human rights, Ko Lwin Family Motel, Ye Township, Mon State, 5 March 2020.

Protecting and Promoting Women and Children's Rights

Woman and Child Rights Project

The military regime, SPDC, ratified the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1997, and agreed to guarantee women's rights in Burma/Myanmar. Similarly, the regime also ratified the Convention on the Rights of the Child (CRC) in 1991 and agreed to guarantee child rights in the country.

After ratifying these two conventions, the SLORC and then the SPDC propagandized that they have followed these conventions' principles and fulfilled the rights of women and children in the whole country. They also formed GONGOS (government-supported non-governmental organizations) with the name Myanmar Naing-ngan Mother and Child Care Association (MNMCCA) and Myanmar Women's Affairs Federation (MWAFF). They are not independent organizations but government-controlled agencies that caused their failure to help improve the protection of the rights of women and children according to CEDAW and CRC.

In order to have an objective monitoring of the protection and realization of the rights of women and children according to CEDAW and CRC, the regime should allow the establishment of independent women's and child rights non-governmental organizations (NGOs), which should make alternative reports to CEDAW and CRC monitoring bodies. At the same time, many women should know their rights and the rights of their children through educational workshops and publications of these NGOs.

The Burmese regimes have not allowed any independent organization to do the needed monitoring work.

The violation of women's and child rights committed by authorities and the army continued in many parts of Burma, with ethnic territories—Shan State, Kayah State, Karen State, Mon State and Tenasserim Division—suffering terribly. When local government authorities or *tatmadaw* conscripts forced labor for development projects and military purposes, they never select only able-bodied men, but take all people including women and children to the construction sites. Additionally, during the massive offensives launched by *tatmadaw*, women and children are also used as frontline civilian porters to carry ammunitions and food supplies for soldiers in the battlefields. In the rural “free fire zones” declared by *tatmadaw*, some women were raped and killed by soldiers, while many children were conscripted for porter services and forced to become soldiers.

On the other hand, women and children in both rural and urban areas have less access to proper medical care that both government and competent authorities should provide. Although the regime and its GONGOs declared that they have been taking care and improving the health conditions of women and children in many parts of the country, many women and children in remote communities still suffer from inadequate health care facilities; women especially do not receive information, counseling and service in health care, health education and family planning.

While the regime has propagandized in their controlled media about its support for educational facilities such as equipping classes with computer system and teaching materials, in reality, they collected every cost of the facilities from the students. Because parents cannot afford to pay for schooling expenses, many children lose their chance to continue their basic education in both urban and rural areas.

Due to the violations of the rights of women and children and Burmese government's failure to address the socio-economic problems of women and their families, many women and children endured many issues:

- High dropout rate of students in schools and increased hard labor employment of many underaged or school aged children as well as worst use of child labor;
- Worsening of the nutrition situation among the children and women since many families could not generate sufficient income due to lack of employment in Burma/Myanmar;
- Human rights violations and harassment against women and children created "population displacement" and hundreds of families fled from their home and faced various problems due to food shortage and insecurity during their displacement. Some families also migrated to Thailand illegally in order to seek work for their survival;
- Under the economic mismanagement by the military regime, most civilians in Burma/Myanmar have no source of income causing many of them, including young women, to migrate to Thailand for work and regular income;
- The migration to neighboring countries like Thailand and Malaysia made the women and children vulnerable to trafficking by cross-border traffickers.

Under these conditions, HURFOM created the Woman and Child Rights Project that aims:

- To monitor the situation of the rights of women and children in Mon areas and southern part of Burma/Myanmar by collecting information about their real situation with reference to CEDAW and CRC, and distribute this information to its international network;
- To empower and educate women and children in the Mon communities by providing information on their rights according to CEDAW and CRC and encourage them to participate in the struggle for the protection of their own rights.

This project has several activities such as

- Capacity-building by providing Women's Rights Training, Child Rights Training, Women's Rights Training of Trainers and Child Rights Training of Trainers;
- Women internship program;
- Joining International Women's Day, International Children's Day, Violence against Women Day celebrations;
- Collecting news on women trafficking, violence against women, trafficking of children, child soldiers.



Campaign against domestic violence, 25 November - 10 December 2020.³

HURFOM supported the campaign against domestic violence organized by the Mon Women's Organization (WMO), Mon Centana Development Foundation, Mon Women Network (MWN), Jeepyah Civil Society Organization (JCSO) and other civil society organizations from 25 November to 10 December 2020. The campaign supported the 16 Days of Activism Against Gender-based Violence, a global campaign.²

Engagement to Civil Society for Democracy and Ethnic Minority Rights

Civil Society Development Project

The people in Mon State and southern part of Burma formed non-political organizations and planned to protect their community members or organization's members from the serious oppression by the local authorities and Burmese Army's troops. The people in general avoided talking about politics; however, they gather and unite on religious, ethnic, social, cultural, livelihood, business and other concerns.

In Mon State, many organizations such as Mon literature and culture organizations, Buddhist monks associations, former students' organizations, magazine and journal production associations, (underground) labor organizations, (underground) farmers associations, trading associations and many others were formed after 1988 pro-democracy uprising. When many political parties were formed for the 1990 general elections, many types of these community organizations were also formed.

For example, many groups of Mon monks in Mon State formed "Mon Literature and Buddhist Culture Committees" and adopted the objectives of SLORC when they applied for government permission to form such committees. After receiving the permission, they mainly worked to maintain the Mon literature and culture, and teach (genuine) Buddhism (on how



(This page and next page) Human rights awareness activity focusing on land, housing and property rights with participants from Ye, Mon State, and Yebyu township, Tanintharyi Region, 10 – 13 March 2020.



Buddhism prefers peace, harmony and passion, etc.) to students in the villages. With an understanding of the genuine Buddhist concepts from the monks, the students could understand what actions of the regime were right and what were wrong.

This is just one of the many examples of civil society or people's organizations belonging to grassroots communities that have gradually been formed in Mon State. Some of these organizations approached HURFOM for capacity-building activity especially on organizational management, effective communication, networking, problem-solving and conflict resolution, etc. HURFOM coordinators and trainers, who had some of these skills, provided the leaders of civil society organizations with various types of training.

HURFOM also believes that the role of civil society organizations will become more and more important in the future and should also support the smooth democratic transition in Burma/Myanmar in the future. With more capacity, civil society organizations can operate their organizations more effectively and have less reliance on the regime.

HURFOM therefore created the Civil Society Development Project which has the following objectives:

- To build the capacities of the Mon civil society organizations regarding organizational management, strategic planning, networking and collaboration, advocacy, etc., using religious principles, literature and culture, and involving the youth and women;
- To create a network among the different communities and civil society groups to be able to share information, knowledge and technique on how they have been involved in empowering themselves at the community level.

The project has the following activities:

- Program & Organization Management School for Activists from Mon CBOs;
- English Upgrading Class for improving English language skill of the university students (youth), women, and activists;
- Management Workshop for people involved in community development movement, community leaders, religious and social activists to learn the concepts of organizational management and strategic planning, networking and cooperation, and advocacy;



Voter education held in a monastery, Mawlamyine, 12-13 July 2020.



Activity on human rights defenders held in Ye township, Mon State in March 2022.

- Alumni Meeting of training graduates to discuss and make future plans towards achieving a stronger society.

Under the Civil Society Development Project, voter education activities were held in a Monastery, Mawlamyine, Mon State, 12-13 July 2020.

HURFOM trainers held in the third week of March 2022 an activity on developing human rights defenders who can lead the local villagers in solving and arguing the issue of the high cost of electricity in their community.

Mon Media Project

The military has restricted the rights to freedom of expression, association, assembly, and prohibited accessing correct information and knowing events that happened in many parts of the country.

The suppression of political activities, freedom of expression, and access to correct information is true in Mon areas like in many parts of the country. Arrest of political activists and supporters, restriction against the freedom of expression such as printing of books and reading materials, and restrictions by the regime's military intelligence agents against the people on accessing information from independent newspapers and foreign radios have been occurring.

The main Mon political party, Mon National Democratic Front (MNDF), was banned by SLORC in March 1992 causing the silencing of political expression of the Mon people. Some party leaders were imprisoned and were released after the NMSP-SLORC ceasefire. Some of them were re-arrested in

1998 for their political views supporting the formation of Committee for Representing People's Parliament (CRPP).

Politicians and community leaders were not the only ones who led the defiance against the government policies and actions. Youths and students in the community also wanted to do the same. But they need to share information through an independent Mon newspaper, to get access to reading materials and to exercise their freedom of expression for the democratization of Burma. This is the way for the community to break the restriction on freedom of expression and access information that would aid their non-violent struggle for democracy and self-determination.

HURFOM has been printing a Mon newspaper named *Guiding Star*/*North Pole Star* (literally – *Sanong-taing* in Mon language) since 1999 in collaboration with Independent Mon News Agency (IMNA). In August and September 2007, during the Saffron Revolution in Burma/Myanmar, the Mon newspapers were full of news and photos of students' and Buddhist monks' peaceful protests and then with bloody crackdown by SPDC's riot police and soldiers.

The Mon Media Project has the following objectives:

- To break the government's restriction on freedom of expression and assist information sharing on news and events happening daily in Mon areas and the other parts of Burma/Myanmar to Mon community in Mon language and other communities with Burmese language;
- To introduce to the grassroots Mon people the domestic and international struggles for democratization of Burma/Myanmar and restoration of national reconciliation;
- To encourage the Mon people to have their voice heard by expressing their situation through an independent newspaper as practiced in many democratic countries around the world.

The Mon Media Project includes the monthly printing of *Guiding Star* newspaper in Mon and Burmese languages which are distributed to (1) Mon activists including Buddhist monks, university students, youth and community leaders who lead the activities for



Guiding Star

Mon national struggles, (2) Mon students in Mon national schools, (3) Mon students in dry season Mon literacy training, (4) general Mon civilians and government servants in Mon State, (5) NMSP members and its supporters, (6) refugees along the border, and (7) Mon migrant workers in Thailand.

The *Guiding Star* has remained as the only print media in the Mon community.

Continuing Task

Across the first two weeks of November 2022, HURFOM documented cases of murder, arbitrary arrests and abductions. Human rights violations by the junta over the last fourteen days (end of October to mid-November 2022) took place in Southeastern Burma/Myanmar. Civilians of all ages continue to be targeted by the military junta. The lack of accountability has only emboldened the *tatmadaw* to commit further acts of atrocity with impunity.

This situation emphasizes the need for appropriate human rights education and promotion activities in the country.

HURFOM has to continue undertaking educational and promotional activities in the Mon areas for human rights protection as well as enjoyment of these rights under the current difficult situation by the Mon people.

Endnotes

1 This uprising occurred on 8 August 1988, thus the name “8888.”

2 Text from Voice 21, issue number 2, December 2020, published by the Women and Child Rights Project of HURFOM.

Educating the Youth in Uzbekistan

Humanitarian Legal Center

IN 2000, Uzbek volunteers established a non-governmental organization dedicated to human rights named the Humanitarian Legal Center. It had the support of people including hundreds of young people who were eager to spread human rights awareness to the whole Bukhara region in Uzbekistan.

The Center has the main mission of fostering and strengthening a real democratic transformation in the society by promoting human rights awareness and providing assistance to victims of human rights violations.

It seeks the cooperation of different institutions to strengthen real democratic transformation in the society.

It identified several tasks to realize its mission:

- Spreading knowledge about human rights among the population of the Bukhara region;
- Carrying out monitoring and analysis of the human rights situation in the region;
- Providing legal protection and assistance to immigrant workers and other vulnerable groups (urban poor, small and medium-sized farmers);
- Prevention of human trafficking, with emphasis on prevention of women trafficking;
- Developing elements of civil society, establishing coalition of non-governmental organizations (NGOs);
- Campaigning for wider political and civil rights protection;
- Activating the young people and helping them to integrate to the society.

Human Rights Monitoring and Other Activities

The Center carries out monitoring and analysis of the human rights situation in the Bukhara region. It participates in the Third Party Monitoring



(Top) Members of staff of Humanitarian Legal Center. (Left) Mr Ganiev Shukhrat, Director, Humanitarian Legal Center, before giving speech to reporters in Washington. D.C., on the issue of forced and child labor in 2019.



with the assistance of the ILO-Geneva and the World Bank on the elimination of forced and child labor in harvesting cotton.

In 2021, the Center prepared a report on the housing situation in the region that was presented to the United Nations Special Rapporteur on the Right to Housing. On 24 February 2022, member-organizations of the Central Asia Network on the Right to Adequate Housing sent an appeal to the governments of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan with a request to take appropriate measures to ensure and implement the right to adequate housing and support the observance of human rights and freedoms recognized as the highest value.

Based on this appeal, a number of meetings were held with representatives of the Prosecutor General's Office, the Academy of Ministry of Finance and the Ombudsman of the Republic of Uzbekistan to agree on a number of initiatives in Uzbekistan together with NGOs and experts in Tashkent for the 2021-2022 period, including:

- placement of funds for needy bricklayers in banks on market conditions for a period of fifteen years;

- provision by commercial banks of mortgage loans to the population using the banks' own funds and funds allocated by the Ministry of Finance;
- mortgage loans allocated at the expense of the Ministry of Finance to be based on preferential interest rates on the loan;
- In this case, the maximum amount of the loan is set for one borrower and he is given the right to independently choose the location and area of housing;
- individuals (with a low level of income who need to improve their living conditions) are paid subsidies from the State budget to compensate for part of the down payment and/or interest on mortgage lending.

The Center also provides legal protection and assistance to immigrant workers and other vulnerable groups (urban poor, small and medium-sized farmers).

It undertakes measures to prevent human trafficking, especially those of women.

It campaigns for recognition of a wider set of political and civil rights.

As part of this direction, the Center conducts monthly trainings among target groups such as women migrants, persons with disability and minors on the topics of International law and the ratification of these documents in Uzbekistan, the feedback mechanism system and the possibilities of preventing human trafficking, especially of women.



Training for women.



Meeting with NGO activists, local authorities with the assistance of the World Bank, Nukus, December 2021.



Meeting with representatives of local authorities and NGOs, Tashkent, 2022.

It also established a coalition of NGOs in support of the development of the civil society in Bukhara region. This was the “Initiative Group - Youth for Equality” established in 2017 with Adizov Batirbek as head.



Shukhrat Ganiev, giving a monitoring report on forced and child labor, Tashkent, 2022.



Meeting of the Humanitarian Legal Center staff and representatives of international donors, Tashkent, 2022.



Meeting at the Ministry of Labor and Employment of Uzbekistan on labor rights issues, Tashkent, 2022.

Human Rights Education

Security in the region cannot exist without the contribution of human rights education and democratic participation.

The Center has a human rights education program for the population of the Bukhara region. In the framework of a Local Initiative Project, it established a School of Human Rights Education. This project is part of the Center's strategy of improving the level of legal knowledge among young people in the regions of Uzbekistan. The school provides basic knowledge on human rights and organizes special seminars for youth, workers, farmers, etc. It recruits every three months young people who want to learn more about human rights and the international human rights instruments of the

United Nations. The young people are aged up to twenty years old, and recruited with proper respect for gender balance.

It published a practical guide to planning and conducting training activities in human rights. The publication focuses on lifelong learning for adults and youth. This guide is an example of a practice-oriented tool, applicable to all stages of



Practical guide on planning and conducting training activities on human rights.

the educational process: from planning and conducting preparatory analysis, program development to direct methods of conducting classes and their subsequent evaluation.

Continuing a long tradition of involving youth in the process of social development, the Center considers work with youth an integral part of its activities. Since 2017, the Center has been conducting a project in the region called “Youth Policy and Human Rights Education.” Under this project, the Center annually conducts seminars and trainings in various areas and regions of the country. Fifteen trainings were held in seven regions of the country for one hundred twenty participants so far.

The first event for youth leaders took place in 2017, and in 2022 a youth center and a youth foundation were established. Since then, the relationship between the Center and youth has consistently developed. The youth and their organizations are important participants and partners in determining the direction of the Center itself and its work in Uzbekistan. In the processes of democratization and overcoming conflicts in conflict-ridden regions, or in the fight against racism, anti-Semitism, xenophobia and intolerance, young people and their organizations could always count on the Center, while the Center itself could also count on youth.

The goal of the educational youth program as defined by the Center is “to provide young women and men with equal opportunities and knowledge to expand their horizons, improve their skills and develop skills in order to actively participate in all aspects of society.”

The program on the role of youth, youth organizations and youth policy in realizing the right to education in the field of human rights include learning about human rights and democracy. The activities of the program focus on:

- enabling and engaging young people in the full enjoyment of human rights and human dignity;
- promoting the active participation of young people in democratic processes and structures;
- creating equal opportunities for the participation of all young people in all aspects of daily life;
- ensuring gender equality and preventing all forms of violence against women;

- involvement of young people in environmental protection and creation of prerequisites for sustainable development and education in this area; and
- facilitating access for all young people to information and counseling services.

The Center produced a series of “Freedom” Manuals that it uses in its educational activities:

- Basics of Human Rights Guide to Youth Leaders
- Economic and Social Rights
- Handbook of immigrant worker - Working abroad
- Human trafficking - Challenges and Strategies.

Future Plans

The Center remains eager in hastening the advancement of human rights and democratization process in Bukhara region. In order to do so, the Center will

- create a support center for immigrant workers and farmers;
- publish a human rights journal for the region’s population; and
- advocate for women’s empowerment and the widening of space for the exercise of political rights.

Human Rights Education for Empowerment of Marginalized Communities

Human Rights Development Centre

HUMAN RIGHTS DEVELOPMENT CENTRE (HRDC) is a non-profit, non-political, non-religious, non-governmental human rights and democracy institution in Bangladesh. It is also a research organization in the field of human rights, education, student placement for internship education, entrepreneurship development, democracy, peace, climate change resilience, water sanitation, adaptation and mitigation in partnership with networking organizations and community-based organizations (CBOs). HRDC is registered with the Department of Social Services, Ministry of Social Welfare with registration No. Dha-02853, Date: 22/12/1992 and also with the NGO Affairs Bureau under the Prime Minister Office with Registration number 1103 dated on 28 November 1996.

Role of HRDC

We should protect and promote human rights with respect, without any bias and discrimination.

—Mahbul Haque, Secretary General, HRDC

HRDC is playing a role in making people become aware of child and women's rights issues in support of the concept of participation of "every human person and all peoples" in the full development of the country. Article 1 of the United Nations (UN) Declaration on the Right to Development states:¹

The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

It is an independent, autonomous, non-governmental and non-profit institution for the promotion of human rights and for the legal education of the poor and oppressed sectoral groups.

Vision-Mission-Strategy

HRDC has the following vision, mission and strategy:

Vision: A Bangladeshi society where human rights are protected and promoted, and where democracy, good governance, peace, freedom of religion or belief, social harmony, peaceful coexistence, social democracy and religious tolerance are valued and realized.

Mission: To realize the human rights of marginalized, disadvantaged, and vulnerable groups particularly young women and children from across society by establishing social democratic principles, rule of law and justice through good governance and to enhance the power of youth in participating in democracy.

Objective and Goals

The main objective of the HRDC is to promote and protect human rights contained in the Universal Declaration of Human Rights and the fundamental rights provided for in the Constitution of Bangladesh.

Its goals are the elimination of discrimination and the establishment of torture-free Bangladesh.

HRDC focuses on the rehabilitation of victims of trauma and torture with a combination of treatment and rehabilitation support in order to allow full integration back into their communities and previous lives. It also focuses on the prevention of human rights abuses, human rights awareness-raising, human rights education, human rights advocacy or legal aid to victims of human rights violations/abuses.

Programs

HRDC implements the following main human rights violations/abuses prevention activities:

1. Capacity-building on human rights, women's rights, refugee rights;

2. Advocacy, campaigns and lobbying to ensure justice, human rights and democracy;
3. Fact-finding and urgent action on human rights violation incidents;
4. Trauma Recovery Centre for rehabilitation of torture and trauma victims;
5. Voter education and election monitoring;
6. Policy and legal reform lobby initiatives with the government;
7. Youth Parliament for Democracy;
8. Shelter for street children and youth;
9. Research and documentation;
10. National Politics Study including research on Sustainable Development Goals and National Development Plan.

Human Rights Education Program

HRDC successfully implements its Human Rights Education Program (HREP) focusing on national human rights laws, advocacy and security issues in cooperation and coordinated with non-governmental organizations (NGOs) in Dhaka and district level. It generates a unified effort in raising the awareness level of the people of Bangladesh on the rights of marginalized groups, and works at all levels to ensure the protection of fundamental human rights for the citizens of Bangladesh.

HREP covers the following topics: Human rights laws/treaty, national and international lobbying and advocacy, media advocacy, minority rights under national/international law, General Diary (GD), first information report (FIR), human rights monitoring of field situation, human rights prevention approach, and security for the human rights defenders.

The HREP trainings provide participants with theoretical and practical knowledge of international human rights and minority rights laws and norms, with a focus on human rights, women's rights, refugee rights, voter education and election monitoring, freedom of religion or belief. The trainings aim to equip participants with skills and knowledge in clearly identifying types of violations and frame them in a way that can be more effectively used for national and international advocacy.

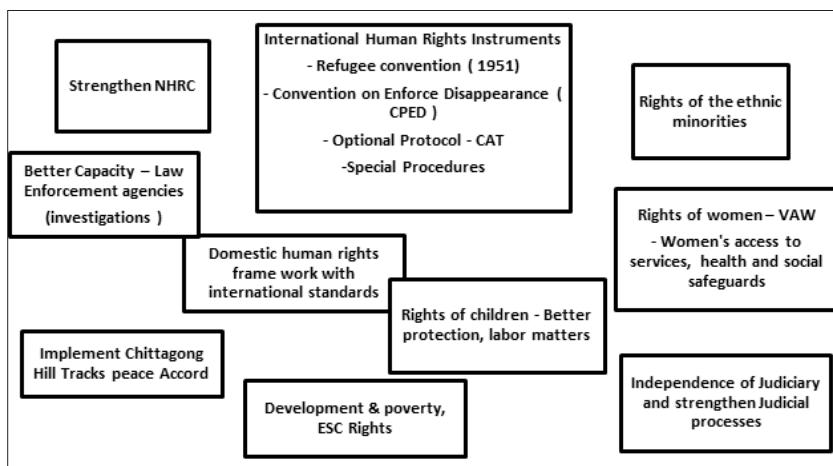
HREP is specifically designed to:

- Build technical capacity, skills and knowledge of human rights, women's rights, refugee rights, voter education and election moni-

toring of religious minority community representatives and/or activists working on freedom of religion or belief;

- Orient and train participants by enhancing knowledge on national and international human and minority rights laws and norms;
- Provide trainees with the knowledge and skills to clearly identify types of minority rights violations and frame them in a way that can be more effectively used for national and international lobbying;
- Provide participants (through sequential workshops) with theoretical and practical knowledge of the Human Rights Council, the special procedures, the UN treaty bodies and the Human Rights Council Universal Periodic Review (UPR), formation of Bangladesh UPR Coalition with a focus on national minority and the human rights report preparation mechanism for the UPR.

Trends/repeated recommendations 3rd Cycle UPR 2018



The HREP was held for ninety days in March, June, July, September, November, and December 2022 in Dhaka, Natore and Savar respectively. It was attended by human rights defenders, social workers, youth, representatives of CBOs, staff members of NGOs and journalists.

The HREP-2022 discussed child rights, women's rights, human rights, refugee rights, indigenous peoples' rights, United Nations (UN) human rights treaties, role of CBOs for promoting human rights, UN human rights mechanism, role of human rights defenders in monitoring the preparation of human rights periodic report, role of Human Rights Council (HRC), and

Universal Periodic Review (UPR). HREP aimed at ensuring that the CBOs and other relevant stakeholders would have the capacity to engage in the UPR mechanism through consultations with the HRC on UPR process, and on how to make the UPR reports.



HREP session, Savar Dhaka, 2 November 2022.



HREP session, Savar Dhaka, 21-22 September 2022.

HRDC also has several programs that address the social and educational needs of marginalized communities:

- a. Afruza Lailah Rest House (ALRH) – this is a free shelter service initiative that aims to cultivate a more compassionate and resilient humani-

tarian system by providing high quality treatment and rehabilitation of the survivors of torture in collaboration with government and private institutions. The ultimate goal of ALRH is to provide patients and survivors with a multidisciplinary treatment and rehabilitation in order to allow full integration back into their homes and communities. As part of the emergency service, a core group of staff is always in the premises, even during “crisis” or COVID-19 lockdowns.

b. Once the survivors, especially from rural areas, return to their communities, they often form or join a team of fellow survivors. HRDC initiates the formation of such a team in the community as a way for victims to continue rehabilitation at home by actively participating in a program that supports them, and to prevent future torture occurrences from happening by spreading awareness of the problem;

c. Social assistance - this includes vocational training, material assistance for basic needs such as accommodation, food, clothing and utilities, etc., on the basis of needs and vulnerability;

d. Legal assistance - this includes litigation of torture cases, filing of complaints against alleged perpetrators in order to seek prosecution and/or obtain redress, including compensation for torture victims. Indirect legal assistance includes referrals to pro-bono lawyers and documentation of torture cases for future prosecution of perpetrators. The financial support received by HRDC for legal assistance is used for, inter alia, lawyers’ fees, transportation of lawyers, victims and expert, fees for forensic and ballistic experts service, interpretation, printing of documents, investigation costs, court and legal fees and prison visits;

e. Education Program – this includes a Student International Internship Program in collaboration with the Department of Politics, College of Social Science and International Studies, University of Exeter in the United Kingdom in collaboration with HRDC. This also includes student counseling for higher education in Bangladesh and abroad.

The implementation of programs and projects is based on the following principles:

a. Participatory approach is followed throughout the project period. Proper and conducive environment is created to facilitate active participa-

tion of the parties/stakeholders involved particularly the beneficiaries. This ultimately helps the sustainability of the project activities;

b. Linkage and networking, as one of the main strategies for the successful implementation of the project activities, are established with the local administration, relevant government organizations (GOs), NGOs, civil society organizations (CSOs), community leaders, religious leaders and CBOs such as local clubs, trade unions, local market associations, local park and sport field associations, which can play an important role in making the program successful by providing needed support in the field regarding work on human rights of minorities, training, staff development and other technical assistance;

c. Proper use of mass media, local media, and community media including print, electronic and broadcast (community radio) that can play a very vital role for successful implementation of programs that require awareness build-up. This can help mold and build favorable public opinion and awareness particularly among the associated community where the program is being implemented;

d. Promotion of advocacy, campaigns and lobbying is also a very important strategy for successful implementation of the programs. This can be done through advocacy meetings involving local administration, members of the police, lawyers, community leaders, teachers of different levels, religious teachers and the stakeholders;

e. Provision of motivation and counseling services to ameliorate the stressful situation of beneficiaries. This strategy has worked effectively in cases of socially disadvantaged women, street children and adolescent girls. The victims of violence are given counselling services to overcome their problems;

f. Community-based approach is a priority strategy that requires people in the community to be oriented and trained in such a way that they can appreciate the project as belonging to the community. This sense of ownership of the project by the community helps in the effective implementation of the project as well as its sustainability;

g. Mobilization of local resource is ensured as one of the major strategies towards attaining project sustainability after the project period. This can be in the form of cash, kind, technical assistance, support services and direct involvement and participation of the community people;

h. Monitoring and evaluation are also part of the strategic planning for the implementation of any program. Different tools are developed for the purpose. Project activities are regularly monitored and evaluated to provide necessary feedback towards strengthening the project activities.

The different activities of HRDC either receive support from development partner organizations or are held in partnership with other organizations.

Promoting Peace, Human Rights and Democracy in Bangladesh

A binding component of democracy education to victims of election violence is the Door-to-Door Campaign on Democracy (DDCOD). This is a ritual that begins with an initial empowerment exercise for victims of election violence in Dhaka and continues in the communities. It consists of initial self-disclosure, education, chanting and slogans, and a focus on group support towards the goal of eradicating torture and promoting democracy in Bangladesh. This includes enhancing the knowledge on election exercises and developing the capacity of local level rights defenders to document election-related incidents at the local level.



Door-to-door campaign on democracy, Savar Dhaka, 10 May 2022.

Advocacy and Campaigns

HRDC engages in advocacy and campaign activities to highlight human rights issues affecting marginalized communities such as persons with disabilities, minority communities, human rights defenders, linguistic minorities, displaced peoples, and indigenous communities in Bangladesh.

HRDC organizes rallies and cultural programs on the occasion of International Women's Rights Day, International Human Rights Day, National Child Rights Day and International Day of World Indigenous Peoples. These international United Nations days are observed every year globally. The United Nations has been celebrating this day worldwide since 1994. For the 2022 celebration, the United Nations adopted the theme "The Role of Indigenous Women in the Preservation and Transmission of Traditional Knowledge."

Dozens of indigenous languages in the country are gradually disappearing despite efforts to preserve them. With a short supply of people who can write and speak in many of the languages, recording them is exceedingly difficult.

The loss of the languages is aggravated by members of indigenous communities neglecting their native tongue as they learned Bangla and English to thrive in mainstream society.



International Indigenous Day 2022 celebration, Natore, 9 August 2022.



International Indigenous Day 2022 celebration, Natore, 9 August 2022.

Food security in indigenous community is also threatened by several factors including displacement caused by climate crisis and environmental pollution. HRDC has supported the indigenous women associations at the grassroots level in the northern part of Bangladesh in their socio-economic development. Indigenous women associations have been developing their livelihood through indigenous knowledge.



Indigenous women working in the field, Baraigram, Bonpara, 5 December 2022.

Bangladeshis celebrated two holidays on 17 March 2022 – Sheikh Mujibur Rahman's Birthday and National Children Day.

As a heavily populated nation, the majority of the people live in poverty. Severe poverty makes most youngsters in Bangladesh unable to de-



Indigenous girls participating in a cultural program, Bonpara Natore, 9 August 2022.

velop themselves and fail to receive respect for their basic rights from society. Majority of parents assign tasks to their children to earn money for the family.

HRDC held a program to commemorate the National Child Rights Day 2022 in Dhaka. HRDC and Pother Ishkul jointly observed the National Child Rights Day on 17 March 2022 in solidarity with the Bangladesh government. More than one hundred participants attended the event. The government of Bangladesh pays much attention to the well-being of children and it annually organizes special cultural events to celebrate National Child Rights Day, which annually falls on March 17th.

Every year the Prime Minister of Bangladesh addresses children and their parents in a solemn speech, emphasizing the importance of children for the future of the nation. Currently the government of Bangladesh pays much attention to children's life and improves its level. Apart from national programs, children enjoy special events that are organized for them only. These events may include food fairs, sports competitions, cultural shows and special essay/poem/painting competitions.

HRDC organized the children's art competition and discussion program on 17 March 2022 at Motijheel Kabadi Stadium Dhaka for the celebration of National Child Rights Day 2022.



National Child Rights Day 2022, Motijheel Kabadi Stadium, Dhaka, 17 March 2022.



Mahbul Haque speaking about the child rights situation in Bangladesh during the National Child Rights Day 2022.



International Day in Support of Victims of Torture, Dhaka, 26 June 2022.



Public campaign against rape, Dhaka, 10 June 2021.



Public campaign against rape, Dhaka in 2021.



Global 16 Days Campaign, Dhaka, 2021.



Global 16 Days Campaign, Dhaka, 2021.



Observation of the International Human Rights Day 2021, at National Press in Dhaka City on 10 December 2021.



Observation of the International Human Rights day 2022, Bonpara, 10 December 2022.

HRDC also celebrates the National Child Rights Day. On 17 April 2022, it organized a cultural program to celebrate the National Child Rights Day at Arapara Savar, Dhaka.

HRDC organizes courtyard meetings with indigenous women at grass-roots level regarding the issue of indigenous people's access to social safety net programs. In one of these meetings in Dinajpur held on 10 June 2022, they discussed the social safety net program of the government like allowance for persons with disabilities and the elderly. They also discussed how to develop an indigenous women association for their empowerment.



Courtyard meeting in Dinajpur, 10 June 2022.

Specialized Services for Street Children

Thousands of children have been living on the street in the cities of Bangladesh. They suffer from torture and trauma. They have been facing the multiple problems from state and non-state actors.

They are continuously neglected and mentally and physically abused by members of the law enforcement agency and non-state actors from different classes of Bangladeshi society. They suffer rape and torture by members of the law enforcement agency. They are also used as drug handlers.

A survey conducted by Grambangla Development Committee in 2020-2022 with the support of Commonwealth Foundation and Consortium for 600 Street Children, revealed the following data:

- 31 percent of children live alone on the street
- 12 percent stay with friends
- 44 percent of children sleep at night in slums with neighbors and in public places, vehicles, footbridges, parks or sidewalks
- 11 percent of children do not know if their parents are alive or dead.

Most of the street children are involved in various types of work for their livelihood or survival. The survey results show that

- 35 percent of children meet their daily expenses by begging
- 42 percent children earn their livelihood by traveling around and selling various items.

The education of street children is very poor. 98.5 percent of street children are deprived of formal or non-formal education opportunities.

The survey results reveal that

- 76 percent of street children are victims of mental abuse
- 62 percent of children are victims of physical abuse
- 5 percent of children are reported to be victims of sexual abuse.
- However, the real picture is more dire.

The condition of street children has reached a more deplorable level during the COVID-19 epidemic. According to the survey, in 2020,

- 72 percent of children suffered from food shortages due to the lockdown caused by the COVID-19 epidemic
- 65 percent of children lost their jobs on which their livelihood depended

- 53 percent of children lost their place of residence or shelter
- 61 percent children were not aware about hygiene.

The 2021 annual report of the Directorate of Narcotics Control of the Government of Bangladesh states:

58 percent of street children take some kind of drug. And 21 percent of these children work as drug carriers. 14 percent of street children say they have been taking drugs before they turn 10.

Torture and trauma deprive street children of their rights.

But each one of them could be a star, if they are given care and assistance to find their true potential. This is a necessary step for their development and should be part of an integrated rehabilitation approach that includes access to education, health, shelter, treatment, mental health services, social services and livelihood training. Special arrangements for them and promotion of their rights have been called for by prominent people working for street connected children, and representatives of various organizations and children.

HRDC and LEEDO have been working tirelessly to protect the rights of these street children and their overall development for a long time. As a result, Leedo School Under the Sky has been providing street children with support including medical treatment, psychological support and nutritious food.² LEEDO has been working at the grassroots level for a long time and has realized that long-term rehabilitation programs are necessary to solve the problem of street children. Although a small number of organizations have long-term rehabilitation processes, engaging children in long-term rehabilitation processes from the grassroots level is difficult. Positive change in the current life of street children can happen in a concerted initiative to solve the problems. Street children will be able to join the mainstream of society and live a respectable life after undergoing long-term rehabilitation process.

On 28 December 2022, LEEDO and HRDC organized an advocacy program in Bishwo Shahitto Kendro, Dhaka named National Dialogue on the Street Child Situation: Social Context and Action. HRDC emphasized the torture experience and traumatic background of children. It identified more than twenty children who were tortured by members of the law enforcement agency, and the girls who were raped by members of the police. In this

national dialogue, representatives of different organizations and eminent persons discussed the rights and activities of children living on the street. They said street children remain socially neglected due to which they are also deprived of state opportunities.



Mahbul Haque, HRDC Secretary General, speaking at National Dialogue on the Street Child Situation, Dhaka, 28 December 2022.

The participants emphasized the need for social awareness about human rights. Speakers also said that these children would become a burden of the society if they were not given proper social status and secured life. Though they live on the street, they urged everyone in the society to be aware that the street children should grow up with a minimum sense of dignity or self-identity. A cultural program by the street-connected children followed the discussion. A drama was also played by these children that highlighted the condition of street children. Children who participated in the Qatar football from LEEDO peace home were greeted during the program.³



HRDC and Leedo Cultural Team performance on child rights issue, Dhaka, 28 December 2022.

After the cultural program, speakers in the expert panel highlighted the child rights situation emerging from their own experience and research. They stated that

Government should emphasize on specialized services for these marginalized street children. For them to grow in self-identity, the process of obtaining birth registration should be made easy and smooth. Focus should be on developing them not as a social burden but as an asset.

The children present at the dialogue called on the government and all peoples to pay special attention to their rights by considering them separately. They said,

Street children are also deprived of their basic human rights. Why can't we move forward the way the country is moving forward?

Experts in the dialogue offer several suggestions to the government, professionals and stakeholders for the development of these children. Notable among them are:

1. Ensure and invest in quality specialized services for children in street situations;
2. Ensure the specialized services that recognize the rights and needs of these children;
3. Strengthen existing laws and policies and ensure their proper implementation;
4. Increase the effective participation of street children in various public and private forums or task forces;
5. Create a cross-sector body or public-private inter-agency coalition at the national level for children in street situations involving government, law enforcement and civil society;
6. Facilitate access to birth certificates for children in vulnerable situations;
7. Promote the rights of children in vulnerable situations by highlighting the importance of specialized solutions to governments and other actors;
8. Work in inter-agency coordination rather than operate in isolation;

9. Emphasize the necessary research activities to produce accurate statistics on street children and adopt timely measures to bring them under protection.

The expert panel was attended by Professor Dr. Indiana (University School of Social Science), Hasan Reza (Executive Director of Grambangla Development Committee), A.K.M., Moniruzzaman Mukul (General Secretary, Jot Scan Bangladesh, a coalition of various organizations working with Maksud and street children). Apart from this, among the special guests present were Masuda Farooq Ratona (Executive Director of Gram Development Support Organization), Hafizur Rahman Mayna (President of Civil Rights Protection Forum), Mahbul Haque (Secretary General of Human Rights Development Center, HRDC) and development researcher and activist Mr. Aminur Rasul.

Challenges

HRDC has been facing financial challenges in carrying out the planned activities of its programs. At the same time, the space for advocating human rights has been shrinking due to political issues.

Some Reflections

The core aspiration of HRDC is to create a discrimination-free Bangladesh and to protect and promote minority rights, human rights and democracy based on the Bangladesh Constitution, UDHR, anti-torture laws, United Nations convention against torture and its optional protocol⁴ by strengthening the capacity of human rights defenders in advocating the welfare of the marginalized and minority communities as epitomized by the powerful principle of “Leave no one behind” in the United Nations Sustainable Development Goals. This principle provides a good guide to human rights defenders, policymakers, CSOs, marginalized communities and minority groups in taking action towards mainstreaming it in society through promulgation of new legal and regulatory measures, allocation of necessary financial support for safety and security programs that are more efficiently targeted to the marginalized and minority communities, and creation of space for the participation and the voice of minority and marginalized people. Such

mainstreaming effort also requires change of norms, values and mind-set in society. In that sense, addressing the vulnerability of those left behind in the traditional socio-economic growth process is a political-economic task which entails change in the balance of social forces.

HRDC offers its humble contribution towards taking everybody along in the journey towards inclusive transformation and human well-being in Bangladesh. HRDC's programs obtained the following results and achievements: a group of new generation of human rights defenders against discrimination has been trained at district level among the members of CSOs, CBOs, and social workers. A strong cross networking has developed under the networking programs with NGOs and INGOs.

A new generation of human rights defenders was trained. More than four hundred human rights defenders have been doing their activism all over Bangladesh in relation to human rights violation prevention and development of a human rights culture. Creating mass awareness is ensured by advocacy and campaign activities as much as government implementation of the United Nations' Universal Periodic Review recommendations.⁵

Concluding Statement

HRDC is a grassroots-level, non-political, non-religious, non-profit non-governmental organization (NGO) with a focus on minority rights and collaborating with social democracy movement-oriented organizations working to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples in Bangladesh. It works with youth organizations (Youth Clubs, Youth Alliance) at the community level, Girls Forums and CBOs.

This article recognizes the significant contribution of a number of people and institutions to the work of HRDC. Human rights defenders and activists provided valuable support in the capacity-building and intensive training programs of HRDC.

HRDC aims to continue its work by promoting human rights-based city governance and legislative process in the Parliament of Bangladesh by which the policymakers make laws and rules to protect the human rights of all everywhere.

Endnotes

1 See full text of the United Nations Declaration on the Right to Development, United Nations General Assembly resolution 41/128, 4 December 1986, available at www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-development.

2 For more information on School Under the Sky, visit Street Children Leedo, https://leedobd.org/?page_id=51. Watch the video on Schools Under the Sky on YouTube, www.youtube.com/watch?v=doAi-CHFg1c&t=37s.

3 See Girls Street Child World Cup Football Tournament, Street Children Leedo, https://leedobd.org/?page_id=2306.

4 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, see www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel.

5 The most recent UPR recommendations was issued on 14 May 2018 for the third cycle review at the 39th session of the United Nations Human Rights Council, see Universal Periodic Review - Bangladesh, Human Rights Council, www.ohchr.org/en/hr-bodies/upr/bd-index.

Human Rights Promotion in Maldives

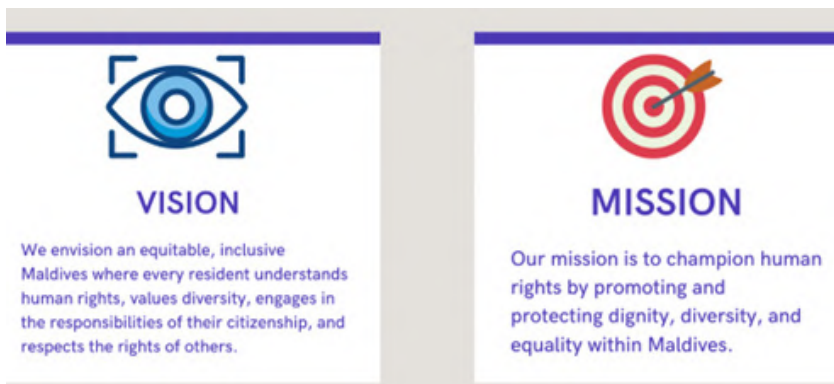
Human Rights Commission of the Maldives

THE HUMAN RIGHTS COMMISSION OF THE MALDIVES (HRCM) is an independent and autonomous statutory institution that came into force on 10th December 2003 by Presidential Decree and re-constituted in 2006 in accordance with the Human Rights Commission Act 6/2006.¹ As per the Human Rights Commission's Act, which determines powers, duties and responsibilities with a broad mandate based on universal human rights standards, it is mandated to continuously work to strive for a culture of respect for human rights in the Maldives. In addition to the enabling legislation, HRCM is also recognized as a constitutionally empowered institution, with Articles 69-72 of the Constitution of the Republic of Maldives (2008) outlining the responsibilities, functions and powers, in addition to specific details on the terms of office of its members.²

HRCM's enabling legislation (6/2006) has been amended twice, in 2014 and 2020, further clarifying the mandate, functions and powers of HRCM, and assuring its independence.³ The latest amendments to the Act in 2020, in particular, provides detailed provisions on the autonomy and independence of the Commission, responsibilities of members, code of conduct, roles, responsibilities and powers of the Commission, international relations, and accountability in relation to dispensing their responsibilities.⁴ The Whistle Blower Protection Act (16/2019) further expands HRCM's mandate to establish a Whistle Blower Protection Unit.

HRCM strives to promote human rights in the Maldives by working with the government in identifying and revising the existing laws and regulations to protect and preserve human rights for everyone residing in the country while creating awareness among citizens on the relevant laws, regulations or administrative rules. This also contributes to HRCM fulfilling its advisory role by providing recommendations as necessary, in relation to the ratification of regional and international human rights instruments. HRCM is also mandated to investigate and take appropriate remedial actions against any violations or neglect of human rights in the country.

The HRCM has the following strategic plan



Vision

We envision an equitable, inclusive Maldives where every resident understands human rights, values diversity, engages in the responsibilities of their citizenship, and respects the rights of others.

Mission

Our mission is to champion human rights by promoting and protecting dignity, diversity and equality within Maldives.

Programs

Monitoring

In order to protect and promote human rights, HRCM carries out human rights monitoring. As such HRCM monitors and documents the realization of the rights guaranteed by the Constitution of the Maldives, legislations, and international conventions that Maldives is a party to.

It also prepares Shadow Reports to United Nations (UN) human rights treaty monitoring bodies. And it follows up and documents the implementation of the recommendations put forward by HRCM and UN human rights treaty monitoring bodies and carries out constructive dialogue to urge the government to fully implement the recommendations.

In 2022, HRCM inaugurated the Maldives Human Rights Portal. This online portal was developed to ensure the establishment of a practical tool to support the present follow-up mechanism to monitor the progress of implementation of Universal Periodic Review (UPR) and treaty body recommen-

dations and National Human Rights Action Plan (NHRAP). The adoption of a unified system within the government agencies would facilitate periodic updates on the progress of the implementation of UPR and treaty body recommendations. Subsequently, it would enable government agencies to work collectively; thereby advancing competencies in compiling updated information. This web portal was developed by HRCM in partnership with the Attorney General's Office and funded by the Denmark Institute of Human Rights (DIHR).

National Preventive Mechanism

Under the Optional Protocol to the Convention against Torture (OPCAT)⁵ ratified by the Maldives on 15 February 2006, each State Party is obliged to establish a National Preventive Mechanism (NPM) to prevent in any territory under its jurisdiction torture and other cruel, inhuman or degrading treatment or punishment. As prescribed under the OPCAT, the government of the Maldives legislatively designated HRCM as the National Preventive Mechanism (NPM) through the Anti-Torture Act (13/2013). HRCM officially launched the work of NPM on 28 April 2008.

The main purpose of the NPM is to establish a system of regular visits “to places of detention in order to analyze treatment, conditions and administration of people that are or may be deprived of their liberty, either by virtue of an order given by a public authority or at its instigation or with its consent or acquiescence” as stated in OPCAT Article 4. The NPM will make recommendations for further strengthening of the protection given to people under state care in accordance with international standards, based on the information obtained during these preventive visits and its legal and other analyses. These recommendations form the backbone of a continuous constructive dialogue with the government of the Maldives to assist it in fulfilling its legal obligation to prevent any form of ill-treatment or torture.

In relation to women, the NPM has the capacity to identify and address risks faced by women in the criminal justice system including gender-based violence and other forms of discrimination based on gender. The activities include sharing good practices through face-to-face and online trainings, awareness-raising initiatives and constructive dialogues with national authorities and civil society organizations.

The NPM is supported by other departments within the Human Rights Commission, in the following manner:⁶

- Legal Department assists the NPM through comments on national legislation relevant to prevention of torture;
- NPM refers cases and complaints from victims of human rights violations received during their monitoring visits to the Complaints Department; and
- Education and Media Department conducts awareness programs for persons deprived of their liberty, and human rights training for prison officers.

Legal and Policy Review

Among the obligations specified under clause 20 (a) to (g) of Human Rights Commission Act (Act number 6/2006), HRCM is tasked with ensuring that no human rights of Maldivian citizen are hindered due to any act, regulation or policies in force and recommending amendments if any such implications exists, providing assistance and human-rights based recommendations to align the Acts, Regulations and Policies with international human rights standards, as obliged under 20 (f) of the Act, and providing recommendations in ratifying international human rights conventions and treaties as specified in 20 (h) of the Act.

In addition to this, HRCM has legal representation in litigating court cases under clause 24 of the Act, and can provide legal assistance in cases lodged before it, provide legal opinion and discuss issues to uphold human rights standards and prevent acts against human rights, and any other necessary activities.

Research

Under Article 20 of Human Rights Commission Act, one of the responsibilities of HRCM is to carry out research on human rights. Thus, HRCM undertakes various research projects to assess issues and situations of national importance from a human rights perspective each year.

The objective of most research conducted in this regard is to identify challenges for the government and other parties in respecting, protecting and fulfilling human rights in respective sectors or issues and to propose recommendations to relevant authorities on how to mitigate the situation.

Survey on Commission's Work

HRCM in partnership with the United Nations Development Programme (UNDP) has been undertaking surveys since 2005 to determine the extent of awareness among the general public about human rights; their attitudes towards human rights issues; and their awareness of the existence of HRCM, its functions and its effectiveness in performing them.

The project entitled The “Rights” Side of Life’ (RSL) is now on its third survey for 2021. An excerpt of the third survey report entitled *Reflecting 15 years: The “Rights” Side of Life (RSL3)* is available as a separate article in this publication.

Human Rights Promotion

HRCM holds several activities to promote human rights. The activities range from seminars to media programs to school and community activities.

The NPM holds information sessions on NPM, Anti-Torture Act, Convention Against Torture and the Nelson Mandela Rules for members of the police force.



HRCM NPM information session for the staff of R. Ungooaar Police Station held on 25 February 2020.

HRCM, with the support of Indira Gandhi Memorial Hospital (IGMH), conducted training on medico-legal reporting on 29th August 2022. A total of eighty-three participants took part in this training with thirty-three participants joining the training virtually from across the Maldives. Participants

included medical professionals and managerial staff of tertiary hospitals in Male', regional hospitals, Maldives Police Service, Maldives Correctional Service, Ministry of Gender, Family and Social Services, Family Protection Authority, and non-governmental organizations.



HRCM President, Miriam Muna, speaking at the training on medico-legal reporting, 29 August 2022.



The training had the objective of creating awareness of the Anti-Torture Act and the legal responsibilities of the medical professionals; and to raise awareness about gaps in medico-legal reporting. Moreover, raising awareness about the importance of reporting medical aspects of torture allegations and increasing technical knowledge of filling medico-legal form was also one of the objectives of the training.

HRCM facilitated a training of its investigators on “Investigative Skills on Human Rights Criminal Violations” on 28 November 2022. The training sessions were conducted by experts from the United States Department of Justice and United States Federal Bureau of Investigation. The trainings developed the capacity of the investigators on the best practices on human rights investigations including data collation, interviewing and multidimensional triangulation, leading to effective persecution.



This training was part of the ongoing bilateral cooperation between HRCM and the United States Department of Justice, to strengthen its institutional capacity, and facilitate exchange of knowledge and experience in the areas of civil and criminal investigations.

Radio Program

The HRCM has FalaSurukhee radio program that airs on Raajje TV and Dhivehi Channel. The radio program hosts discuss different human rights issues.



Radio program hosts discuss International Day for the Elimination of Violence against Women.



Media Appearance to discuss Human Rights Fair 2022.



Media Appearance to discuss sexual harassment.

School Activities

HRCM has a number of school-based activities in order to promote human rights among the students.

a. Human Rights Club

HRCM supports the establishment of Human Rights Clubs in schools. The first Human Rights Club was inaugurated in 2014.



Different school activities of HRCM.



Human Rights Club (HR Club) in Jamaaluddin School (JS) on 12 May 2014



b. Human Rights Contests

HRCM sponsors human rights contests for students including Inter-School Human Rights Quiz and Art Competition.

HRCM held the first Inter-School Human Rights Quiz Competition in 2015. The final match was played between Imaduddin School and Thaajudheen School. Imaduddin school won the final match.

In 2019, HRCM organized Inter-School Human Rights Quiz Competition in collaboration with PSM. Iskandhar School won the Inter-School Human Rights Quiz Competition.



Inter-School Human Rights Quiz Competition 2015.



Session at the Inter-School Human Rights Quiz Competition 2019, 5 September 2019.

HRCM has been organizing art competitions to promote human rights awareness. The artworks are also exhibited for public viewing.

In 2022, HRCM organized an art competition in collaboration with Transparency Maldives on the occasion of Children's Day. The theme for the competition was "Our Rights, Our Future, Our Demands."



"Our Rights, Our Future, Our Demands," art competition, 15-16 May 2022.



An Art Exhibition was held on 15-16 May 2022. This exhibition held in National Art Gallery showcased the artworks from ninety different students across Maldives.

In collaboration with ARC, HRCM organized a video competition for students in 2022 to



Human rights art competition and exhibition: "Our Rights, Our Future, Our Demands," art competition, 15-16 May 2022.



raise awareness on prevention of child abuse.

c. Human Rights Study Camp

HRCM organized study camps for students, Human Rights Study camp, with Transparency Maldives at Th.Madifushi with twenty-five students, and raised the human rights awareness of the students.



(This page and opposite page) Human Rights Study camp at Th.Madifushi.



d. Child Rights Forum

HRCM also holds the Child Rights Forum to discuss issues about children and their rights.



Forum held on 19 November 2019 among school students.

Human Rights Celebrations

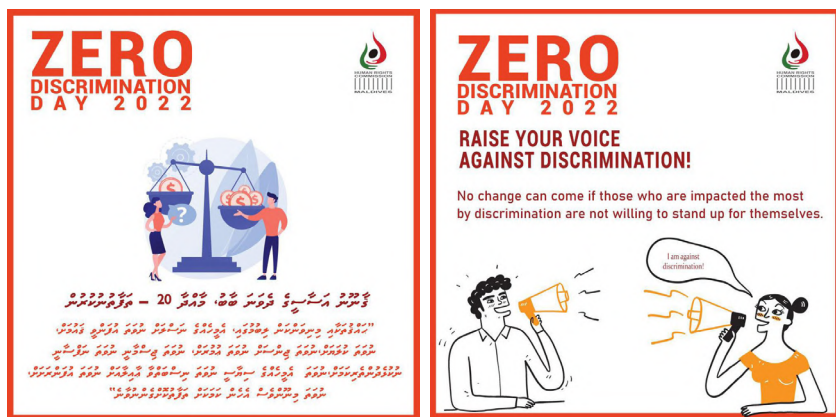
HRCM has been organizing celebration of different human rights days including Children's Day, World Press Freedom Day, International Labor Day, World Day for Safety and Health at Work, International Women's Day, Zero Discrimination Day - CERD celebration, Human Rights Day and Migrants Day.

On the occasion of International Women's Day (IWD) 2022, HRCM held a Panel Discussion with participants from different Women Development Committees (WDC) in the Maldives. The discussion focused on the "role of women in paving way for a sustainable future for everyone" with a focus on

the development of the local islands/atolls. This activity was aligned with 2022's theme for the IWD, "gender equality today for a sustainable tomorrow."

During the panel discussion HRCM launched a social media campaign named "Vaane" [We Can]. The campaign was aimed at raising awareness on the role of women in community leadership and politics, generating discussion on these topics and empowering the participation of women in political, social and economic spheres of the Maldives. The focus areas of this campaign included WDC's roles and significance in community leadership, women as leaders and their contribution to politics, raising awareness on concepts of gender equality, equity and quotas and the importance of male allyship for gender equality.

The campaign consisted of animated and interview videos, radio spots and other multimedia content. An interview video featuring women community leaders and an animated video on the role of a WDC were released during the panel discussion. Other materials were shared through the social media campaign in the months that followed.



Zero Discrimination Day celebration, 28 February 2022.

The Human Rights Day celebration, 10 December 2021, coincided with HRCM's 18th year celebration.

An official ceremony was held on 12th December to celebrate the 18th anniversary of HRCM and to mark the International Human Rights Day. His Excellency President Ibrahim Mohamed Solih was the chief guest of the ceremony. Speaking at the ceremony, President Solih assured all Maldivians

that the government would fulfill its responsibilities in realizing and protecting human rights, as hoped for by the country's young generation.

The President of HRCM, Mariyam Muna, and its Secretary General also spoke at the event. In her speech, Ms Muna stated that the HRCM would empower all Maldivians to establish a culture of respect for human rights to uphold human rights in accordance with the Constitution, laws, and international and regional human rights instruments. In this regard, she emphasized the significance of HRCM's efforts over the last year to establish a culture of respect for human rights.

The ceremony also marked the launch of HRCM's new website, and a program for Human Rights Certification of Business to promote the corporate responsibility to respect human rights.

It also awarded certificates of appreciation to parties that contributed and assisted it in 2021.



Human Rights Day celebration, 10 December 2021.

On Migrants Day 2022, HRCM took part in the event with Maldivian Red Crescent at Hulhumalé Ruhgandu to advocate the rights of migrant workers and provide them with information on remedies available for them within the community and government system.



#internationalmigrantsday 2022.

HRCM organized Human Rights Fair on 26 September 2022 at Hulhumale central park. The fair had different activities for children and for adults.



Ministry of Gender,
Family and Social Services



World Health
Organization
Maldives

International Older Person's Day

"The Journey to Age Equality"

“ ރަގަޅު ޖީވާ ފޯމު ހެއްދެވުމުގެ ޖަނާޒާ ”

Join us at the Family gathering Event on
Saturday, 12th October 2019 at Kudakudhinge Bageecha

From 1600 to 1800 hrs





International Old Persons Day celebration, October 2019.

Challenges to Human Rights Promotion

One of the biggest challenges faced by HRCM in promoting human rights has been the budget shortage for outreach and other activities, specially to islands and atolls outside greater Male' region. This is followed by lack of capacity among civil society to raise awareness and defend human rights. It has also been a challenge for HRCM to promote human rights in Maldives due to the public perceptions and misconceptions around human rights.

Concluding Remarks

Since 2023 is the presidential election year, HRCM will be intensively focusing on voters' education and monitoring throughout the year.

Alongside voter's education, HRCM will also be conducting awareness programs targeting key vulnerable groups about their rights. It will also collaborate with an institution in holding a sporting event for persons with disabilities in 2023.

An intensive one-week activity under the human rights defenders program will also be implemented in 2023 targeting the islands of Laamu atoll to build capacity of human rights defenders, duty-bearers and to increase public awareness on human rights.

HRCM will also be working on improving and strategizing its advocacy and communication as an institution.

Building the capacity of human rights defenders among civil society is one of the main targets that HRCM is working towards in order to promote human rights in different parts of the country.

It will also continue investigations into human rights violations, undertaking human rights-related research, and monitoring human rights-related situations. The National Preventive Mechanism will continue the visits to monitor facilities under state care.

HRCM will also be reviewing legal and policy drafts and provide recommendations to the government.

Endnotes

- 1 Human Rights Commission Act (6/2006) 2006.
- 2 Constitution of the Republic of Maldives 2008.
- 3 Law Amending the Human Rights Commission Act (6/2006) - 2014/3 2014.;
2nd Amendment to the Human Rights Commission Act (6/2006) - 19/2020 2020.

4 2nd Amendment to the Human Rights Commission Act (6/2006) - 19/2020 2020.

5 United Nations, 'Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) - Adopted on 18 December 2002 at the Fifty-Seventh Session of the General Assembly of the United Nations by Resolution A/RES/57/199,' (2002), [www.ohchr.org/en/professional-interest/pages/opcat.aspx](http://www.ohchr.org/en/professionalinterest/pages/opcat.aspx).

6 See Maldives - OPCAT Situation, Association for the Prevention of Torture, www.apt.ch/en/knowledge-hub/opcat-database/maldives.

National Human Rights Commission of Mongolia: Human Rights Awareness and Education Functions

National Human Rights Commission of Mongolia

ACCORDING to Article 7 of the Law on the National Human Rights Commission, the National Human Rights Commission of Mongolia (Commission) is responsible for raising awareness and promoting human rights education (sub-paragraph 7.1.5), and preparing and submitting to the State Great Hural (SGH) the annual status report on human rights and freedoms in Mongolia (sub-paragraph 7.1.12).¹ The Commission determines the situation of the human rights and freedoms in Mongolia per reporting year, submits to the SGH within the first quarter of each year the status report on human rights and freedoms in Mongolia, and the SGH issues a Resolution determining in accordance with the conclusions and recommendations of the report the measures to be taken by the Cabinet. Within its responsibilities, the Commission conducted analyses on the implementation of policies and programs on human rights education in Mongolia, incorporated into four status reports of 2007, 2008, 2015 and 2018 on human rights and freedoms in Mongolia, and delivered to the SGH the proposals and recommendations on the improvement of quality and effectiveness of the provision of human rights education in the formal and informal education systems.

The First Phase² (2005-2009) of the World Programme for Human Rights Education focuses on the primary and secondary school systems to encourage the provision of human rights education in the secondary schools, and to adopt comprehensive approaches towards rights-based quality education. Since the Programme priorities include evaluation on the provision of human rights education in the school systems for the period between 2005 and 2007, preparation of human rights education programs, and training of trainers, the Commission carried out the evaluation at the national level, and incorporated the outcomes in the 2007 and 2008 status reports on human rights and freedoms in Mongolia.

According to the survey “Child rights and protection”, conducted by the Commission in 2016, involving 4,264 children, 2,743 parents and one hundred fifty-two multi-disciplinary team members of seven districts of Ulaanbaatar and eight *aimags* (provinces³), the most common violations of child rights in Mongolia included violence against children and neglect. Therefore, policy proposals and recommendations on child rights and protection to eradicate, eliminate and prevent violation of child rights and to raise the human rights awareness and knowledge of children, adults and caretakers had been reflected in the 16th status report on human rights and freedoms in Mongolia.⁴ The report also incorporated the independent survey results,⁵ where some children had been subjected to peer harassment, discrimination and violence, and identified the needs and demands for taking certain measures against violation of child rights.

Laws and policies of Mongolia stipulate the principle of equal inclusion of children in regular schools without discrimination based on their disabilities, and parents of children with disabilities are interested in sending their children to regular schools. However, due to negative attitudes and communications of the school management and teachers, discrimination, mocking and nicknaming by peers, children with disabilities had no other choice but to go to a special school. Proposals and recommendations on taking particular measures had been reflected in the report of 2017.

In the context of the 2019 status report on human rights and freedoms, the policy on human rights education in Mongolia and its implementation had been included and evaluated as one topic. This report emphasized the role and importance of human rights education and training in the achievement of the sub-goal 4.7 of the fundamental global development document - “Transforming Our World: the 2030 Agenda for Sustainable Development,” contribution of efforts of each and every individual to the sustainable development, and facilitation of inclusiveness for everyone at all levels. According to the World Programme for Human Rights Education, the State-members are obliged to establish under the central state administrative body in charge of education a unit responsible for the implementation and coordination of human rights education and training at the national level. However, in Mongolia there is no such unit or structure to implement and coordinate this program and agenda at national level, and no reports and information on the implementation had been submitted.

After discussing the 2019 status report at the general session, the SGH adopted its Resolution No. 62, instructing the Cabinet of Mongolia to take

particular measures on promoting human rights education and training. However, the implementation of proposals and recommendations on the adoption and enforcement of state policies and programs on human rights education, incorporation of such in the accreditation criteria for higher educational institutions and universities, support for initiatives of civil society organizations (CSOs) and educational organizations and formalization of cooperation of stakeholders were inadequate, according to the official letter sent by the Commission to the Ministry of Education and Science (MES) in January 2021. Another recommendation on taking actual measures had been delivered.⁶

Review of Human Rights Education in the Formal Education System

At present, the Mongolian educational system⁷ includes formal and informal education, and comprises of pre-school, primary, secondary, vocational and higher education. The term “formal education” is defined as “educational activities organized with the aim of meeting the needs of a student to obtain general and technical education through an official educational institution,” “informal education” as “educational activities organized with the aim of providing citizens with education services which are not included in the formal education system,” and “lifelong education” as “an ongoing pursuit by individuals of all ages of ethical, aesthetical, civil, familial, scientific, and life education through formal and informal educational forms”⁸

Pre-school education

Of the four objectives of pre-school education, the following objective aligns with the human rights context:⁹

- helping the child to express himself correctly, to communicate respectfully to others, to be able to distinguish and report violence from forms of communications, and to learn about traditional custom.

Preschool education and training institutions develop their concepts according to the core curriculum of preschool education¹⁰ and six areas of study¹¹ and implement them in their daily activities. Pre-school education contents do not specifically include human rights education, but pre-schools teach particular behavioral and communications skills to children.

It is essential for pre-school teachers to raise their awareness and knowledge of human rights, plan their teaching activities using human rights-based approaches, reach every child, and make it possible for children and for themselves to grow and learn; and it is important for the government to provide support for the improvement of tools and materials for teaching human rights education, and conduct assessments on the contents and methodologies of the human rights-related core curriculum in order to increase effective human rights education in the pre-school sector.

Primary and secondary education

Of the eight objectives of primary education, the following three objectives align with the human rights educational contexts and principles:¹²

- provide knowledge and skills on aesthetics, humanities, national progressive traditions, cultural heritages, and hygienics;
- instill manners of respecting own and others' labour, and preferring honesty and cooperativeness;
- offer knowledge and communications skills of resolving conflicts in a non-violent way, and protecting oneself from any risks.

Of the five objectives of secondary education, the following three objectives align with the human rights educational contexts and principles:¹³

- nurture healthy, just, cooperative, generous, patriotic children with aesthetical and ethical culture, who are aware of their civic duties, abide by laws and rules, respect and cherish progressive national and humanity custom, and cultural heritages;
- provide basic understanding and cultural projection on healthy lifestyle and family life;
- offer knowledge and communication skills of preventing violence and resolving conflicts in a non-violent way, and protecting oneself from any risks.

Of the four objectives of complete secondary education, the following objective aligns with the human rights educational contexts and principles:¹⁴

- teach ways of maintaining physical fitness, pursuing a healthy lifestyle, leading family and home life, preventing and protecting oneself from violence, and respecting rule of law.

In this regard, the “Core Curriculum of Primary Education,”¹⁵ “Core Curriculum of Secondary Education,”¹⁶ and “Core Curriculum of Complete Secondary Education”¹⁷ were approved respectively. Human rights contents are included in the subjects such as “Human and the Society” at the primary education level, “Social Science” at the secondary education level, and “Sociology” at the secondary education level of these curriculums.

It shows that there is no independent subject of “Human Rights” in the secondary education system, but the subject of human rights is taught as a subject matter of the “Law” topic of the social studies curriculum in primary, lower secondary and upper secondary schools. Especially, educational contents to be provided to the upper secondary school students had been defined as either legal education or civic education, which is a narrow-sighted take on human rights education. Although human rights, democracy, and participation are included in the contents of the “Civic Education” course, the curriculum, textbooks, and materials are constantly changing, affecting adversely on teachers’ provision of comprehensive knowledge to the students and the improvement of their professional skills and methodologies. Teachers and students could not get sufficient knowledge and understanding on human rights, and thus they could not adopt the attitude of respecting human rights.

Therefore, it is crucial to prepare and approve the standard for teaching human rights course as core general course at secondary schools; train, specialize and advance human rights teachers, trainers and social workers; and develop human rights textbooks, training materials, methodological instructions and recommendations for students and teachers. In addition, it is important to add to the extracurricular activities the exercises and methodologies related to human rights education, to provide instructions and suggestions on implementing such activities as per the approved plan, and to provide methodological and funding support by preparing training, training tools and materials.

Higher education

According to the “Universal requirements for the curriculums of undergraduate courses of higher education,”¹⁸ the plan for implementing the Bachelor’s degree course curriculum should not be less than one hundred twenty hours, and general core courses should not exceed 30 percent, academic core courses should not exceed 25 percent, and specialized courses

should not be less than 45 percent of the total credit-hours, allowing the students to choose the contents. Of the eight general core courses, basic human rights are covered by the “Civic education” course, which is taught in three credit-hours.

Three credit-hour course “Human development and communications ethics and law (humanities courses)” is included in the list of compulsory courses of general core courses of the Bachelor’s degree program, and this course covers basic human rights, personal development, creative thinking, personal management, self-control, teamwork, participation in person in and organization of social and humanitarian activities.

Making this course as one of the compulsory general core courses has been a progress, allowing every Bachelor’s degree student to get general understanding on human rights and freedoms. Since it is limited only by providing basic understanding on human rights, it is essential to revise the curriculums for educating lawyers, legists/law specialists, teachers, social workers, physicians, healthcare workers, military staff, and journalists by enabling in-depth studies on human rights courses as specified in the World Programme for Human Rights Education. At the moment, human rights course is taught as compulsory or selective course at eleven universities and higher educational institutions. It is said that other universities and higher educational institutions teach human rights as part of any specialization course; however, they barely teach human rights subject in detail in relation to the specialization.¹⁹

Vocational education

Vocational education and training (VET) institutions teach for two and a half years to students who graduated from the 9th grade the human rights subject as part of “Life skills,” “Health” and “Social science” courses using the textbooks of 10th and 11th grades of secondary schools. Due to fewer hours and subjects of human rights classes in VET institutions, only theoretical knowledge is imparted. Also, extracurricular activities on human rights are organized as monotonous training and promotions. In few cases, human rights training on certain topics are organized in collaboration with the governmental, non-governmental and international organizations.²⁰ Since graduates from the VET institutions usually directly get jobs without enrolling in the next level training, it is important to incorporate “Human Rights” subject as an independent course in the contents of the fundamental courses of such institutions.

Lifelong education

Contents on human rights are reflected in the “Civic education” and “Familial education” of the main six areas of lifelong education.²¹ The lifelong education center and its units organize human rights training in partnership with governmental and non-governmental organizations, however it has not become a regular and on-going program.²² At the same time, it is crucial for teachers at lifelong education center and its units to specialize in human rights, improve their capacity, train with specialized human resources and increase their number.

There is still a need for reflecting human rights education in the formal and informal education systems based on the capacity of the existing educational and training institutions, and their teachers, specialists and human resources. It is important to formally incorporate human rights education in the curriculums of schools and educational institutions of all levels, and give importance to the official participation and support of other organizations in the formulation of these curriculums.

It is crucial for Mongolia to identify the comprehensive policy and concepts on human rights education that are consistent with the current situation and future perspectives of Mongolia by comparing global trends and pluralistic approaches on human rights education, and to systematically develop the structure by adopting relevant strategies, programs and standards, as well as monitoring of their implementation regularly.

Review of Human Rights Education in the Informal Education System

As stated in paragraph 37 of the Plan of Action for the Second Phase of the World Programme for Human Rights Education, professionals who have specific responsibility to respect and protect human rights include a) civil servants who, depending on national laws and governmental structures, may include officials and policymakers from government ministries and departments, diplomats, employees of local governments and municipalities as well as fiscal and economic agencies, teachers, public health professionals and social workers; (b) law enforcement officials, i.e., police, prison personnel and border patrols, as well as security forces and the military, when they are given police functions; and (c) the military.

Independent operations and efforts of the governmental organizations in the informal human rights education sector would play an important role

in the prevention of human rights violations. Upon enrollment in human rights training, public servants could change their attitude, and increase their knowledge on human rights and freedoms, and contribute substantially to the protection of and respect for human rights, prevention of violations, and restoration of the infringed rights when performing their duties.

The World Programme for Human Rights Education calls on state-members to raise awareness on human rights in every sector through informal education systems. The Government of Mongolia received one hundred sixty-four recommendations during the United Nations universal periodic review on the human rights situation in the country. The recommendations include the acceleration of the provision of human rights education to members of law enforcement, judicial and armed force organizations, training of the trainers, adoption of necessary budgets, and inclusion of human rights-based methods in the training and curricula of the law enforcement university.

The general plan of action to implement these recommendations in the years 2016-2019 was approved under Government Resolution No. 204, issued on 11 April 2016. According to the report on the implementation of the recommendations on promoting human rights education, the subject “Police work-Human rights” had been included to the curriculum of the Law Enforcement University and is taught to sophomore students for two credits or fifty-six hours. In 2018, the curriculum for the Bachelor’s degree course named “Safety of detention facilities-Law enforcement” was revised, and a compulsory course of “Human rights” of ninety-six hours or two credits had been added to the curriculum.

Participation and Initiatives of Civil Society Organizations

The role and participation of civil society organizations (CSOs)²³ in the promotion of human rights education is still important. For instance, according to the data received at the Commission in 2018, CSOs such as Amnesty International Mongolia, Mongolian Red Cross Society, Center for Human Rights and Development, Globe International Center, “All for Education” National Civil Society Coalition, National Center Against Violence, Mongolian Women’s Fund, Men for Health Center, “Tegsh niigem kholboo” (Equal society), Mongolian Bar Association, Mongolian Attorney Association, Center for Civic Education, MONFEMNET-National Network, Open Society Forum, International Labour Organization, United Nations

Children's Fund in Mongolia, Save the Children and Good Neighbors organized extensive activities to raise awareness and provide education on human rights, involving 42,629 individuals. The Civil Society Council supports cooperation on human rights education and provides human rights trainers. The Charter of this Council, with nineteen members, was revised in 2020.

Review of Human Rights Education of Media Outlets and Journalists

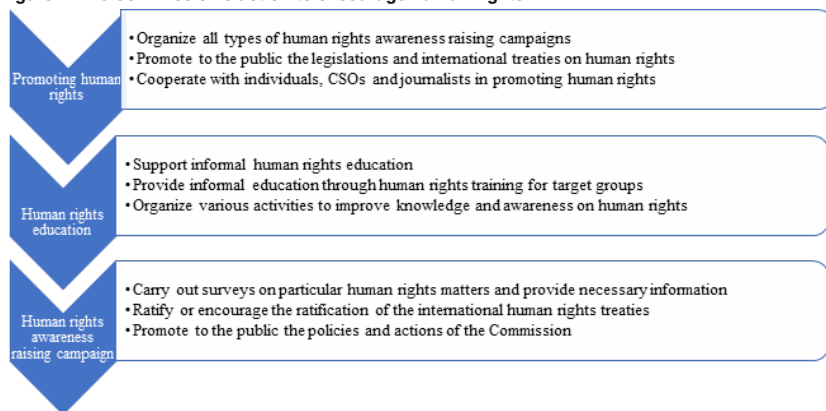
Print and broadcast journalists and media outlets play an important role in the protection and encouragement of exercise of human rights. A media outlet is a structure with special role in raising public awareness on human rights, instilling human rights-based culture, and bringing positive changes to the society.

The Commission formed the "Journalists for Human Rights" club in April 2012, organizing every month a specialized training on raising awareness on human rights for twenty-six journalists of nineteen media outlets.

Human Rights Promotion

As an institution charged with monitoring the implementation of the provisions on human rights and freedoms as provided for in the Constitution of Mongolia, laws and international treaties to which Mongolia is a party and mandated with the protection and promotion of human rights,²⁴ the Commission carries out the following activities to promote and encourage human rights:

Figure 1. The Commission's action to encourage human rights

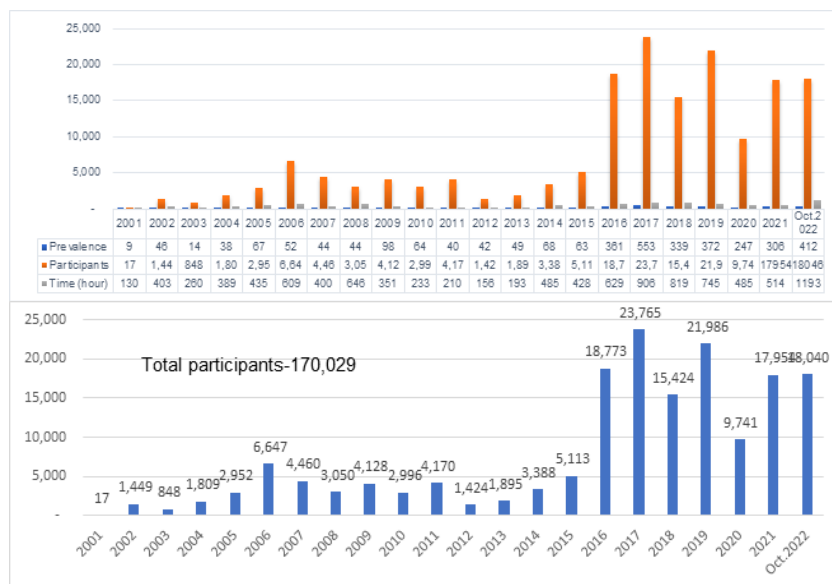


In the framework of its function to promote and disseminate human rights education,²⁵ the Commission is committed to continued strengthening of the national system for providing human rights education for all. Human rights training had been organized in numerous ways and forms. For instance, three hundred thirty-nine human rights training activities consisting of 818.5 hours had been organized in 2018 involving 15,424 individuals, secondary school students, university students, physicians and healthcare staff, journalists, lawyers, attorneys, public servants and representatives of the private sector.

The Commission had been training about one thousand human rights trainers since 2016, including four hundred twenty officers of government institutions in twenty-one *aimags*, forty-eight police officers, thirty-eight officers of the court decision execution agency, forty-five officers of the armed forces, twenty-two officers of the *Tegsh niigem kholboo* (Equal society) non-governmental organization, sixteen officers of the “Umbrella association of micro mining,” and four hundred twenty local government officers.

The Commission prepared in the years 2017 and 2018 the nine credit-hour curriculums comprising of subjects such as “The Constitution and human rights and freedoms,” “Child rights and protection,” “Applying international human rights treaties,” “Human rights and the detention facilities,” “Gender and human rights,” “International humanitarian law,” “Domestic violence and human rights,” “HIV/AIDS and human rights” and “Freedom of conscience,” which had been approved and accredited by the functions committee of the Mongolian Bar Association. In this regard, the Commission started organizing a credit-hour human rights training for the members of the Mongolian Bar Association and Mongolian Attorney Association since 2018.

The Commission approved a credit-hour short term post-graduate training program, which is accredited by the Health Development Center, with added subjects such as “Human Rights-based Approach and Public service,” “Right to health protection, healthcare and services,” “Right to work,” “Right of certain groups,” “Rights of persons with disabilities” and “Information transparency and the right to information,” and successfully organized training activities in 2018 and 2022.

Table 1. Number of training participants, 2001-Oct. 2022

The Commission organized a two-day training of trainers on human rights for those who were responsible for training activity within the police institution. The participants came from different units such as the central office, local office from Capital city and also the provinces. The Commission will organize more training of trainers next year with updated program and content.



Dr. Sunjid Dugar, Human Rights Commissioner, giving a presentation at the human rights training of trainers for Police Officers, 7 November 2022.



(This page and opposite page) Human rights training of trainers for local civil servants, April and November 2022.



With United Nations Development Programme (UNDP) support and in collaboration with the Civil Service Council, the Commission carried out in the framework of Output 3 “Enhanced gender equality in public administration” of the project “Towards a professional and citizen-centered civil service in Mongolia” the inspection and monitoring in a total of two hundred ten state administrative organizations in twenty-one *aimags* (ten organizations from each *aimag*) in 2018-2020 for the purpose of monitoring the implementation of the Law on Promotion of Gender Equality, and preventing gender inequality and discrimination in civil service and labor relations, and human rights violations such as sexual harassment in the world of work. In addition, four hundred twenty human resource officers of state administrative organizations of twenty-one *aimags* were trained as “Gender trainers”.

Cooperation with Government Institutions

Each governmental organization is obliged to disseminate human rights education to its subsidiary agencies and their officials and officers. This obligation can be fulfilled more effectively if it is done in collaboration with other organizations such as the following:

- State Great *Hural* and its standing committees;
- Local administrative and self-governing bodies;
- National Human Rights Commission;
- Educational institution for training public servants;
- Non-governmental organizations;
- Trade unions, etc.

Government organizations, for instance, Judicial research, information and training institute of the Judicial General Council, National Coordination Council for Crime Prevention in Mongolia, Authority for Family, Child and Youth Development, National Committee on Gender Equality, National Legal Institute, Training and Research Center of the State Prosecutor General's Office enrolled over 10,731 officers in human rights training in 2018. Among local administrative bodies, the Office of the Songinokhairkhan District Governor organized training to provide legal and human rights education to the citizens, involving two hundred sixty-three residents of twenty-four *khoroos*²⁶ (administrative subdivisions of Ulaanbaatar) in 2018.

National Academy of Governance included one credit-hour or twenty-hour subject "Human rights and the Administration" to the Diploma programs of "Public administration and management" and "Public management", and one credit-hour or twenty-hour subject "Human rights and the business" to the Diploma program of "Business management." In 2021, the Academy approved "Gender and Human rights" as a compulsory course.

Within the framework of the Public Legal Education Programme, adopted by the Government of Mongolia in 2018, public servants at primary units or *soum*²⁷ and *khoroos* levels or civil society officers are trained as legal guides. Legal guides are responsible for providing initial legal counseling to citizens on their concerns. The Commission contributes to the training of legal guides by teaching four courses on human rights.

In 2022, the Research Institute for the Constitutional Law, the Asia Foundation, Secretariat of the State Great Hural and the Commission prepared and piloted jointly the program titled "the Constitution –in our school" with eight subjects for students at secondary schools. This program will be extended and expanded in the future.

Strategy of the Commission

The goal for strengthening the national system for human rights culture and education had been set out in three directions as part of the sub-topic of the 2022-2025 strategic document:

- 1/ In the framework of the objective to contribute to the improvement of public human rights education and the development of human rights-based culture:

- Carry out activities to increase awareness on human rights theories, legal frameworks, national structure and the international mechanisms for human rights protection;
- Organize training and awareness-raising campaigns explaining the contents and the nature of regulations that prohibit the incurring of harm to the national security, rights and freedoms of others, as well as causing public disorder when exercising one's rights and freedoms.

2/ In the framework of the objective to promote human rights education in the formal and informal education systems:

- Revise training modules in the curriculum of all levels of formal education by aligning human rights contents with the specifics of some subjects;
- Provide support for activities to raise target groups' awareness on human rights, to increase their capacity and knowledge;
- Influence public officials and law-makers to get policies and decisions made on providing human rights education;
- Encourage informal human rights education for all, and cooperate with such initiatives.

3/ In framework of the objective to improve the quality and accessibility of training and research on human rights education:

- Prepare and adopt sub-program for human rights education under the National Programme for Human Rights Education;
- Establish training and research institute for providing human rights education.

In partnership with the Ministry of Education and Science, the Commission evaluated the situation of human rights in preschools and secondary schools in 2022.

With reference to coming into force of the Labour Code, revised in 2021, the Commission plans to produce new training modules such as "Prohibiting harassment and violence in the world of work" for the informal education system, "Keeping personal data" in relation to the ratification of the Law on Personal Data, delegating particular responsibilities to the Commission, "Human rights defenders" in relation to the adoption of the Law on Human Rights Defenders, and "Preventing torture" with regard

to the commencement of work of the Commissioner in charge of Torture Prevention, and to prepare handbooks and to train the trainers.

Conclusion

The 2021 survey on public attitude on human rights shows that people were aware of human rights, but less aware of how to solve the current problems in reality, and their understanding varies. As the ages of survey respondents get younger and their educational levels go up, they seem to be well aware of human rights, while as they get older and their educational levels go down, they seem to be less aware of human rights. In general, it can be concluded that public awareness on human rights is not at the knowledge level but at the information level.

Change of attitude is a long-term on-going process. Lack of reinforcement of the human rights education system in the policy planning and legal documents of the Mongolian education sector and non-clarity of values and priorities of the sector create a challenge to making the youth and the next generation adopt human rights-based culture and attitude that respect human dignity and values, and recognize and apply in their lives the human rights principles and standards.

Although people are aware of the significance of human rights education, their understanding, knowledge and capacity are not comprehensive and adequate to protect their rights and freedoms in social interactions and relations. In addition, no significant progress is made in terms of human rights education in the formal and informal education sector because of ineffective and non-systemized formal and informal human rights training activities, and non-existence of state policy on human rights education.

The present society needs and demands the strengthening of human rights education in the formal and informal education systems by using the existing educational and training institutions, their teachers, specialists and human resources. It is essential to formalize human rights education as part of the curriculums of schools and educational institutions of all levels, and to give importance to the official support and participation of other organizations in preparing and implementing such curriculums.

Endnotes

1 See Law on National Human Rights Commission of Mongolia, <https://en.nhrm.gov.mn/news/national-human-rights-commission-mongolia-act/>.

2 Resolution (A/59/525/Rev.10) of the United Nations General Assembly, 14 July 2005 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/No5/253/74/PDF/No525374.pdf?OpenElement>

3 Officially, Mongolia is divided into three administrative tiers, with different types of administrative unit on each tier: a) *Aimag* (Province), which is divided into *Soums* (Regions), and each *Soum* is further divided into *Bag* (Hamlet); b) Capital city (Ulaanbaatar), which is subdivided into Districts, and each District is subdivided into *Khoroos* (Municipal subdivision).

4 The 16th status report on human rights and freedoms in Mongolia, 2017.

5 Report on “Young voices” survey, conducted by Save the Children in Mongolia, Mongolia, 2017.

6 Official letter No.1/155 of the NHRM, 9 February 2021.

7 Paragraph 7.1 of Article 7 of the Law on Education .

8 Sub-paragraphs 3.1.6, 3.1.7 and 3.1.20 of Article 3 of the Law on Education.

9 Paragraph 5.1 of Article 5 of the Law on Pre-school education.

10 Order No.A/301, issued by the Minister of Education, Culture and Science on 10 July 2015.

11 “Movement, health”, “Behavior, communications”, “Speech”, “Nature, social environment”, “Simple mathematical projection”, “Music, arts.”

12 Paragraph 4.1 of Article 4 of the Law on Primary and Secondary Education.

13 Paragraph 5.1 of Article 5 of the Law on Primary and Secondary Education.

14 Paragraph 6.1 of Article 6 of the Law on Primary and Secondary Education.

15 Order No.A/240, issued by the Minister of Education, Culture and Science on 3 June 2014.

16 Order No.A/302, issued by the Minister of Education, Culture and Science on 10 July 2016.

17 Order No.A/277, issued by the Minister of Education, Culture and Science on 27 June 2016.

18 Order No.A/174, issued by the Minister of Education, Culture and Science on 28 April 2014.

19 The 14th status report on human rights and freedoms in Mongolia, 2015.

20 Official letter No.11/2733 of the Ministry of Labour and Social Protection, dated 18 September 2018.

21 “Life skills”, “Familial education”, “Civic education”, “Ethics education”, “Aesthetics education”, “Scientific education.”

22 Official letter No.79/18 of the National Center for Lifelong Education, dated 14 September 2018.

23 According to the data on state registration of legal entities, there were 18,000 non-governmental organizations in 2018. As of 2017, according to the Immigration Agency, there were ninety branches and representative offices of international organizations and foreign NGOs operating in Mongolia. As mentioned in the 2017 data of the National Statistics Office, 48.5 percent or 8,578 organizations of the total of

17,685 NGOs run their activities. In other words, majority of NGOs registered at the state registration level were inactive, where 5,437 NGOs had not operated at all, 3,340 had suspended their operations temporarily, two hundred sixty-seven had stopped their operations completely, and sixty-three had no definite address or had been inactive due to other reasons.

24 Paragraph 3.1 of Article 3 of the Law on National Human Rights Commission of Mongolia.

25 Paragraph 7.1.5 of Article 7 of the Law on National Human Rights Commission of Mongolia.

26 See Note 3, *op. cit.*

27 See Note 3, *ibid.*

The Enduring Challenge to Human Rights Education: Reflections from the Field in the “New Normal”^{1*}

Francis Tom Temprosa

WHEN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR) was adopted almost seventy-five years ago, its framers understood the tremendous power of human rights education. The UDHR has a powerful statement about human rights education in its preamble. As a common standard of achievement for all peoples and states, it implored “every individual and every organ of society” to “strive by teaching and education to promote respect for [human] rights and freedoms and by progressive measures, national and international.”¹ Article 26 of the UDHR also posits that education should be directed to the full development of the human personality and to the strengthening of respect for human rights.² When people are educated and know their fundamental rights and freedoms, they tap into entitlements that pertain to them as human beings. Education unlocks rights and provides people opportunities to become meaningful holders of rights and to exercise them. State agents, on the other hand, as bearers of human rights obligations, are called out to abide by human rights obligations. Education on human rights, even for a short period of time, improves knowledge, positive attitudes, and commitment.³

In recent years, however, the COVID-19 pandemic has surfaced many human rights issues—the imposition of restrictions and limitations on rights and freedoms, the enjoyment of the right to health, as well as other systematic issues—and exposed the vulnerabilities of certain groups to human rights violations, including women and persons of diverse sexual orientation, gender identity and expression, and sex characteristics, children, the poor, and indigenous peoples. The right to “human rights education” or “training, dissemination, and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes”⁴ was one such right that the COVID-19 pandemic heavily impacted. While human rights education is a continuous learning process with dimensions of knowledge and skills, values and at-

titudes, and behavior and action,⁵ it became more arduous, and in certain cases, unavailable.

The COVID-19 pandemic has been a watershed moment. Although as a movement, human rights education dates back to at least the 1970s,⁶ the “new normal” that the COVID-19 pandemic ushered in became an awakening. The means and methods to educate people about, through, and for human rights⁷ indeed demand changes and flexibility, and need to be effective as times and circumstances change. When people have had to adjust to new norms, including health protocols and reduced mobility, once commonplace face-to-face interactions—the usual way of conducting human rights education—shifted to virtual environments. Adapting to these changes, human rights learning and teaching had to be online also, with the rise of tools like virtual classrooms and online learning management systems. Blended, hybrid, or hyflex learning was deployed. Yet changes to the means and methods of human rights education did not happen uniformly in the world; and in different countries, human rights education does not exist in all places where it should.

Despite restrictions related to the COVID-19 pandemic having been lifted in many places, there is no indication that the world would go back to how it was. The “new normal” changed people’s lives, and along with it, provoked a re-imagination and co-creation of human rights education. I reflect on that as a challenge to human rights education in this article and use the example of the Philippines as a case for reflection. The “new normal” resulted in relatively new challenges to human rights education. It also exposed the enduring limiting challenge to human rights education, one which all human rights educators have to confront head on and deal with if human rights education were to live up to its full potential of empowering people through the education of rights.

“New Normal” Challenges to the Right to Human Rights Education

Some people were unable to continue with their education because they lacked access to the internet, digital equipment, or other tools and resources to cope with the changes, despite the widespread perception that online courses were beneficial and easy.⁸ COVID-19 infection outbreaks affecting human rights educators and learners and health protocols halted certain

educational programs. All of these and more were the hallmark effects of the "new normal."

This situation threatened and still threatens the realization of everyone's basic rights, the rights of disadvantaged, marginalized, and vulnerable groups, and of course, the right to human rights education. States were also in between the twilights of coping with the demands of human rights education as a right amidst a framework of human rights education that grapples with change and continuity because of the COVID-19 pandemic.

The "new normal" presented and continues to present challenges to the right to human rights education at two levels. One deals with the content or substance of human rights education; the other on pedagogy or means and methods of the delivery of human rights education. It is easy to overlook the significance of the subject matter (substance or content) while considering the difficulties associated with undertaking human rights education, yet it is just as significant. Substance may be compromised, rendered meaningless, if the pedagogical implements of education were ineffectual or simply lacking.

The first is the *substance challenge* to human rights education. Human rights education has to be relevant to the human condition and contextualized at the personal level. The right to health, an economic, social, and cultural right, took prominence during the COVID-19 pandemic. Where people's right to health has been imperiled, human rights education has to respond with interventions that address the right to health. Where other rights associated with quarantine restrictions and lockdowns have been affected, so too must human rights education address them. This is aside from the tried and tested content of human rights education highlighting empathy and intersectionality.

The second level is the *pedagogical challenge* to human rights education. At the onset of the COVID-19 pandemic, amidst heavy and strict lockdowns, the provision of education on human rights was more difficult. The traditional mode of the provision of human rights education through face-to-face interactions was rendered impractical and unsafe. It was a challenge to ensure that human rights education efforts continued, especially since it was also at this time that human rights violations were rampant in certain settings and largely unchecked. Resort to measures of human rights education that may depart from face-to-face interactions became necessary.

Rising to the “New Normal” Challenges

Foundations and Model of Human Rights Education in the Philippines

The Philippines presents an interesting case study for human rights education especially in the midst of the COVID-19 pandemic. It is one of the few countries in the world that has a constitutional mandate on human rights education. The 1987 Philippine Constitution mandates the Commission of Human Rights (Commission) to establish “a continuing program of research, education, and information to enhance respect for the primacy of human rights”⁹ and encourages all educational institutions to include “respect for human rights” in the curriculums.¹⁰ Several laws require the government to undertake human rights education activities.¹¹ The Anti-Torture Act of 2009, for example, require authorities to “ensure that education and information regarding prohibition against torture and other cruel, inhuman and degrading treatment or punishment shall be fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment.”¹² The Department of Education and the Commission on Higher Education should also “ensure the integration of human rights education courses in all primary, secondary and tertiary level academic institutions nationwide.”¹³ The Good Manners and Right Conduct (GMRC) and Values Education law requires Values Education to be an integral and essential part of the K to 12 basic education curriculum.¹⁴ Values Education should “encompass universal human, ethical, and moral values, among others”¹⁵ and should emphasize human dignity.¹⁶

Regulations complement the legal framework, e.g., Executive Order No. 27, series of 1987, was issued for education that “maximizes” respect for human rights and became the basis for an earlier order to include the study of human rights and accompanying responsibilities in the school curriculums at all levels of basic education.¹⁷ The Commission on Higher Education’s Memorandum Order No. 31, series of 1996, encourages “all higher education institutions to initiate human rights education and training projects including the integration of human rights concepts in all their curricular offerings.”¹⁸ Agencies and institutions likewise entered into formal agreements for joint human rights education activities. For example,

the Commission on Human Rights has signed memoranda of agreement with education-related agencies of the government for this purpose.

In 1988, complying with its constitutional mandate, the Commission established a Human Rights Education and Training Program (HRETP).¹⁹ This was in line with its Short-Term Human Rights Education Program Plan to "lay the groundwork for the continuous improvement of the human rights situation in the country and in raising the Philippine human rights standards by promoting the people's rights through a continuing program of education, training and research."²⁰ In August 1994, acting on the 1993 Vienna Declaration and Programme of Action, which affirmed the importance of national institutions for human rights education,²¹ and the call for support for human rights education by the first United Nations High Commissioner for Human Rights, the Commission submitted to the High Commissioner its Recommended Plan of Action for the United Nations Decade of Human Rights Education.²² The Philippines also adheres to and implements the World Programme for Human Rights Education, which stresses that human rights knowledge and skills are not the only target areas of competency for human rights education, but also attitudes and behavior.²³ The country is a party to almost all the core international human rights treaties. Thus, the education of rights also draws on them and other soft law human rights instruments.

Aligning with international goals, human rights education in the Philippines is based on the two general objectives of "learning for human rights" and "learning about human rights."²⁴ Because of its constitutional mandate, the Commission on Human Rights occupies a key position, providing direct and indirect human rights education interventions. The central office of the Commission, primarily through the Human Rights Education and Promotion Office, performs oversight functions over all the direct and indirect human rights education projects and activities of the constitutional body. The office also implements nationwide interventions. In different parts of the country, the regional offices of the Commission carry out the crucial task of human rights education. Such projects and activities include, but are not limited to, trainings, seminars, and workshops on human rights and different allied topics.

Illustrated below is the human rights education operations framework (pre-"new normal") with identified actors as channel of promotion efforts and target audiences.

Table 1. Human Rights Education Operations Framework²⁵

Channel of Promotion Efforts	Target Audience
Print and broadcast media; non-governmental, civic and religious organizations	General public
Department of Education	General public Teachers, in-school youth, and students (P2)
Civil Service Commission; government agencies	Civil servants, government employees, local government units (P3)
Departments of Labor and Employment, Foreign Affairs, and Trade and Industry; Securities and Exchange Commission	Workers, foreign governments
Professional Regulation Commission	Professionals
Department of Justice, Supreme Court, Philippine Judicial Academy	Judges, prosecutors, investigators (P1A)
Philippine National Police, Armed Forces of the Philippines, Departments of National Defense and Interior and Local Government, Police and military academies	Police, paramilitary, military, law enforcers (P1B)
Peace panel, Non-governmental organizations	Others

Note: P refers to priority number

The Commission provides education to different duty-bearers and rights-holders on human rights concepts and principles, as well as those required by domestic law to be taught. Other entities, aside from the Commission, are also engaged and are therefore involved in human rights education in the Philippines, i.e., various government agencies, civil society, members of the academe, and faith-based organizations.

The framework above depicts the various institutional channels for human rights education and their corresponding audiences. Each institution works towards the goals of “upholding, respecting, promoting, defending, and fulfilling human rights” through the education of their respective constituents. The institutional bodies are actors in the human rights education process.

The Commission engages the actors through joint and inter-agency efforts, including agencies in the committee designated to celebrate the National Human Rights Consciousness Week (December 4 to 10 of every year) under Republic Act No. 9201 or the National Human Rights Consciousness Week Act of 2002. As an example, the Commission spearheaded the 20th National Human Rights Consciousness Week (NHRCW) Kick-Off Ceremony on 5 December 2022 with the theme, “*Pagtataguyod at Pagsusulong ng mga Karapatang Pantao Tungo sa Matatag na Pundasyon*

ng Kapayapaan, Katarungan, Kalikasan, Kaunlaran at Bayanihan” (Promotion and Advocacy of Human Rights Toward the Foundation of Peace, Justice, Nature, Development and Working Together) aligned with the global slogan of Human Rights Day, “Dignity, Freedom, and Justice for All”. Twenty years since the first Human Rights Week was celebrated by virtue of Republic Act No. 9201, the Commission, along with a number of government agencies and civil society organizations comprising the NHRCW Committee, reaffirmed their commitment to performing mandates to uphold dignity, freedom, and justice for all.



(This page and next page, top photo) Kick-Off Ceremony of the 2022 National Human Rights Consciousness Week.



The Commission's activities for the 2022 National Human Rights Consciousness Week celebration done through art discourse included the following:

- Inter-Law School Human Rights Debate Tournament;
- Human Rights Spoken Word Poetry Contest;
- Human Rights Singing Contest;
- Human Rights Declamation Contest; and
- Human Rights Extemporaneous Contest.



Announcement of activities during the 2022 Human Rights Week celebration.

Art discourse is the prescription of meanings and insights to artistic performances. In the case of the human rights in the arts discourse, the National Human Rights Consciousness Week ensured that the entries provided by participants in the Spoken Word Poetry Contest, Singing Contest, and Declamation Contest touched on human rights. Questions provided for extemporaneous contests and the inter-law school human rights debate tournament should also be relevant and about contemporary human rights issues.

Inter-Law School Human Rights Debate Tournament

In celebration of the 2022 NHRCW, CHR organized a human rights debate tournament for law students. The debate



First inter-law school human rights debate.

tournament was designed to allow law students to learn and engage with human rights issues, hone their critical thinking skills, and be inspired to love and know their rights. It was also meant to reinvigorate the debate scene in the country about human rights.

In the 2022 debate tournament, law students from several law schools debated on the importance of human rights and its inherent, universal and irrevocable nature regardless of one's social standing, gender orientation or religious beliefs. Twenty-two teams from seventeen law schools from different parts of the country participated in the debate.

The law students debated on rights issues in education (mandatory Reserve Officers' Training Corps [ROTC], hybrid vs. face-to-face classes, banning of books), labor (closed shop unions, right to strike for government employees, commercial sex work), religion (tax exemptions for religious institutions and organizations of "other beliefs," strict separation of church and state vs. benevolent neutrality, freedom of religion and freedom to offend religion) and the environment (taxing carbon emissions, idle lands, climate change).

The debate tournament also helped educate people about their human rights and how to assert, defend and realize them. The final round of the tournament was live-streamed using the Human Rights Institute Facebook page. There was a high engagement in the comment section while the debate was ongoing manifesting the involvement and interest of the viewers in the discourse. Important points that were raised by debaters during the tournament were turned into social media cards as part of the learning experience not only by those who joined the debate but also for the online supporters and viewers of the tournament.

The judges for the debate consisted of members of the bench (Judge SJ Torres, Judge Carlo Villarama, Judge Joeven Dellosa), law professors (Ted Te, Mike Tiu, Lee Edson Yarcia), law practitioners (Atty Anmau Manigbas, Atty. Jenin Velasquez, Atty. Kiko Corpuz, Atty. Roni Lucas Barrios, Atty. Carl Vincent Quitoriano), and seasoned debate organizers (Elaiza Usisa, Timothy Bautista, and Kyle Angelo Walsh Atega).

CHR partnered with the University of the Philippines College of Law, Philippine Association of Law Schools, San Beda Law Debate Circle, San Beda Human Rights Advocates, and the United Nations Joint Programme on Human Rights in organizing the debate tournament.



Scenes from the first inter-law school human rights debate tournament on human rights.

The winning teams in the 2022 Inter-Law School Human Rights Debate Tournament were from the University of the Philippines College of Law, San Beda College Alabang, Saint Louis University School of Law, and San Beda University College of Law.

YSpeak

The CHR holds webinars called YSpeak Learning Snippets on various topics.²⁶ As part of the 2022 National Human Rights Consciousness Celebration, webinars on the Universal Declaration of Human Rights (UDHR) and the Basics of Human Rights for Students and Teachers were organized on 9 December 2022 via Zoom and streamed live in the Human Rights Institute Facebook page.



Special Citation Awards

The CHR gives Special Citation Awards to individuals and institutions that show exemplary commitment to elevating human rights engagement in their respective fields. These institutions and individuals are recognized for commendable contributions and accomplishments in human rights promotion, prevention, and policy beyond their mandates.

The Special Citation Awards consist of several Gawad Karapatang Pantao categories:

- Gawad Sulong Karapatan – Award for Programs, Projects and

Activities that promote human rights through education, training, advocacy and research;

- Gawad Gabay Karapatan - Award for Programs, Projects and Activities that further human rights through policymaking;
- Gawad Bantay Karapatan – Award for Programs, Projects and Activities that prevent human rights violations in jails, detention centers, confinement and other similar facilities.

The 2022 Special Citation Awardees are the following:

- Gawad Sulong Karapatan Winner
Liliw National High School (Laguna province)
- Gawad Gabay Karapatan Winner
Guagua District Jail Male Dormitory (Pampanga province)
- Gawad Bantay Karapatan Winner
Jail Superintendent Roque Constantino A. Sison III.



2022 Special Citation Awardees.

Human Rights Education Training Program

Since the inception of the Human Rights Education Training Program (HRETP), the Commission has implemented tiers of prioritization in terms of target audiences through multiple channels. Prioritization is accorded to judges, prosecutors, and investigators (Priority 1A); police, paramilitary, military, and law enforcers (Priority 1B); teachers and in-school youth and students (Priority 2); and civil servants, government employees, and local government units (Priority 3).²⁷ While the internet and social media had been utilized for human rights education before the COVID-19 pandemic, they are used in a different way now.

The theory for prioritization is that duty-bearers of rights, including the academe, have to learn human rights concepts and principles for their effective compliance with human rights obligations and for the prevention of human rights violations, and essentially, for the respect, protection, and fulfillment of rights. The long-term investment in the human rights education of duty-bearers would result in better human rights compliance. The Commission advocates for and participates in work aimed at the continuous

integration of human rights in basic, higher, and technical education, as well as the education of the security sector and other priority sectors, i.e., teacher education. The security sector has notably designated human rights offices to promote human rights: Center for the Law of Armed Conflict and the different human rights offices of the major services of the Armed Forces of the Philippines and the Philippine National Police Human Rights Affairs Office.



Blood donation drives attended by the security sector during the COVID-19 pandemic (December 2020, 2021, and 2022) not only saved lives, but also became avenues to teach and promote human rights and the right to health. Traditional face-to-face sessions with them were still conducted (although limited). There were many Zoom training sessions for the security sector on human rights topics.

Importantly, the Commission carries out advocacy and information campaigns for rights-holders. The campaigns are decided according to the needs of the time, e.g., right to life (sustaining the prohibition of the death penalty), right to political participation (encouraging voters to register and vote), digital rights (spreading the word that rights offline are also rights online), and right to mental health (popularizing the right and linking rights-holders to services available to them as service-users). Each campaign comes with campaign tag-lines and calls to action and messages attuned to the respect, protection, and fulfillment of those rights, plus a set of related projects and activities. This involves building alliances with several groups and proponents so they can be readily tapped as force multipliers and pro-

viders of valuable feedback on the effectiveness of human rights education on the ground.

The Advocacy and Information Campaign Division (AICD) of the Human Rights Education and Promotion Office launched the Human Rights through Arts and Culture project in 2022. The project primarily focuses on reaching out to different communities and institutions through various outreach programs, immersion activities, partnerships, and collaborations with the different stakeholders of the AICD campaigns. Under this project, AICD organizes Human Rights Art Workshops to help the youth, youth with disabilities, marginalized communities, indigenous peoples, and the poor develop their skills, talents, and passion for arts, and help them exercise their rights fully and freely, particularly their freedom of expression.

AICD held its first activity for an indigenous community on 27 November 2022 in an Aeta community in Tarlac province. It held a workshop that aimed to train the members of the community on assuming active role in preserving their tradition and culture through the use of arts and uphold the concept of equality, equity and human rights.



Art workshop for indigenous children, Tarlac province, 27 November 2022.

Modules, Curriculums, Teaching Exemplars

The Commission produces modules, curriculums, teaching exemplars, and other information, education, and campaign materials (knowledge products) to support all the efforts above. Examples are collateral materials—t-shirts, backpacks, tumblers, stickers, calendars, and the like—that teach the importance of human rights. There is, for example, a material on mental health as a basic human right due to the mental health issues that surfaced during the COVID-19 pandemic.

The materials are distributed through its regional offices and civil society partners, for instance, to target communities. Human rights education teaching exemplars to primary school teachers provide models on how to include human rights lessons into curriculums.²⁸ Procedures are in place to ensure the appropriateness of the content and its delivery. Consultative workshops and other similar activities are quality control checks.



Example of an information, education, and campaign material on human rights.



Covers of some of the materials on different human rights topics (produced during the COVID-19 pandemic).



Right to mental health training modules.

With these, the Commission implements an integrated and incorporated model of human rights education.

Innovations and Initiatives

1. Highlighting COVID-19-Related Rights in Human Rights Education

The Commission launched multiple series of webinars that educate people about the right to health, the rights of people arrested due to quarantine and other health restrictions, and the rights of people under custodial investigation, including concerns of torture and enforced disappearances. People were informed about derogations and limitations or restrictions to rights and their safeguards. The rights of those most affected by the COVID-19 pandemic, different groups of people such as those with co-morbidities, frontliners, women, children, persons with disabilities, and indigenous peoples, had to be addressed. The disparate impact of the COVID-19 pandemic on them and on communities was not neglected. Vaccine hesitancy, prompting the Commission to include in its information campaign on the right to health a call for vaccine equity, had to be focused on. The availability, accessibility, acceptability, and especially, the adaptability of the right to education became rallying causes. Accompanying COVID-19 was the rise of mental illness brought about by anxiety, fear, isolation, absence of social contact, and loss (of loved ones, of one's way of life, and of livelihood). The Commission conducted a series of webinars on mental health as a human right in order to provide guidance and a venue for discussion for both duty-bearers and rights-holders.

2. Communicating Social and Behavioral Change

The Commission adopted the Social and Behavior Change Communication (SBCC) approach in using communication tactics based on behavioral science to positively change knowledge, attitudes, and social norms among individuals, institutions, and communities. It differs from more conventional forms of communication in that it involves two-way exchanges of ideas and information with groups of people, organizations, and

even entire societies as part of a larger effort to spread knowledge, inspire action, and solve problems.²⁹ SBCC is built on the three pillars of communication, social change, and behavior change.

The SBCC approach supports the World Programme for Human Rights Education, which stresses that human rights education is ultimately for attitudinal and behavioral change.

This approach has been used in campaigns to raise awareness of human rights violations, dispel myths and prejudice, and motivate audiences to advocate for equality and social justice. Several SBCC campaigns and projects have been launched to tackle various human rights issues. For example, a number of Filipino digital creators crafted documentary miniseries and multimedia campaigns to raise awareness of the struggles of domestic workers and manufacturing workers who are regularly exploited and mistreated.³⁰ The Commission has used it to tackle disinformation and misinformation.

Further, the Commission established a number of programs which seek to boost awareness and shape perspectives on human rights that are relevant to the COVID-19 pandemic, such as *YSPEAK* and *Know Your Rights*. The “YSpeak Learning Snippet on the Universal Declaration of Human Rights and the Basics of Human Rights for Students and Teachers” was held online, for example, through Zoom, in December 2022 as part of the NHRCW celebration. The *YSPEAK* program aims to educate a broad audience on their human rights at different levels and sectors through accessible online means. Through *YSPEAK*, various educational topics have been tackled, such as sexual orientation, gender identity and expression, and sex characteristics, women empowerment and breaking biases, and mainstreaming human rights in elections.

3. Digitalizing Human Rights Education



YSPEAK Session on Women Empowerment: Breaking Biases Promotional Material



YSPEAK Learning Snippet on the UDHR and Basics of Human Rights Promotional Material

Filipino students and educators could take advantage of Zoom classes and other online classrooms, study printed modules or offline digital media, or combine the two in what are called hybrid modalities.³¹ In line with these, the *Online Human Rights Academy*, an online learning management system on human rights, was launched. It is the first of its kind among nationally-based platforms. Amidst the limitations brought by the COVID-19 pandemic, education—specifically, human rights education—was made possible. The Academy offers open online courses on human rights. There are general courses, specialized courses, and professional and executive courses. The general certificate courses present an introduction to human rights (also the right to health because of the COVID-19 pandemic). It offers courses designed to help one learn the basic concepts and principles of human rights. It is equipped with various videos and quizzes that complement the entire learning experience. The specialized certificate courses are on highly specialized topics developed by experts from their respective fields and sectors. These courses aim to promote awareness and promote societal involvement. They provide thorough human rights discussions complementing the basic concepts and principles of human rights that are discussed in the general certificate courses. The professional and executive certificate courses aim to provide an in-depth discussion of the most talked-about human rights issues developed for the professionals, executives, members of the security sector, and advanced students wishing to complete and further their knowledge and understanding of human rights.

Free Online Certificate Course

The 2022 Online Certificate Course entitled “Pagtatanggol ng mga Karapatang Pantao” (Protecting Human Rights) held on 21-25 November 2022 was a specialized certificate course involving five technical training hours. Participants must have completed either the Certificate Course on Human Rights 101 or the Certificate Course on Right to Health to qualify for the course.

This free online course is conducted through the asynchronous mode of learning. It allows enrollees to learn using their own schedule within the given course duration. There are three (3) modules included in the certificate course:

Module 1: Human Rights Concepts and Principles

Module 2: Civil and Political Rights

Module 3: Economic, Social, and Cultural Rights.

Each module has an assessment page. Assessment in every module has five items, for a total of fifteen assessment questions for the whole Course. An enrollee must have correct answers on at least ten questions out of the fifteen questions to be eligible for a Certificate of Completion.

Representing the digital shift in educational strategies, the Online Human Rights Academy has strengthened its efforts in making human rights education accessible, flexible, and convenient despite physical limitations in learning. It offers a storehouse of digitalized information, education, and campaign materials on human rights that also consist of on-demand recordings of webinars and other online collateral materials. Facebook and other social media sites to spread the word about human rights have also gained popularity. The graduates of these courses include those from the general public, teachers/educators, students, and members of the security sector.

A Zoom session with the graduates of a certificate course on human rights

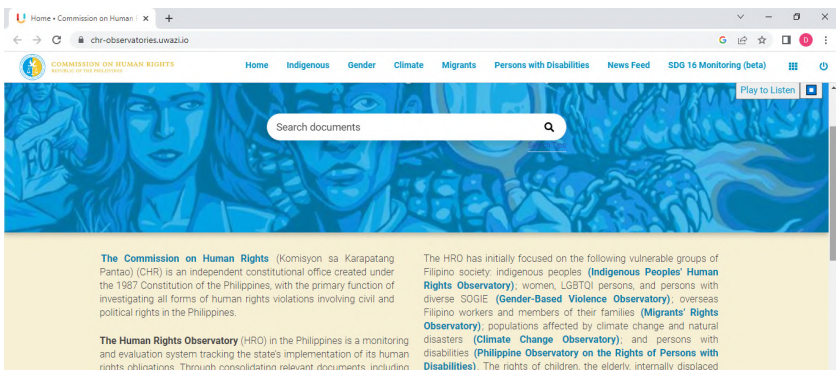


As digital and online media become even more pervasive in the era of the COVID-19 pandemic and beyond, they were also used to advance human rights awareness among a broader target audience via digital campaigns.

One innovation brought about by the use of technology was the distribution of photos depicting scenes of daily Filipino struggles, which triggered online discussions on human rights and allowed netizens the exercise of their right to free speech and expression. The Commission produced a series of videos and social media posts on Instagram through and with social media influencers in a project called *Know Your Rights*. Social listening was employed to track and monitor progress.

Digital Monitoring of Human Rights

Digitalizing human rights education is part of a series of digital human rights work. Previously, for instance, the Commission launched the digital monitoring of human rights situations among the different vulnerable sectors in the country, and for storing information and data related to human rights. It established the *Human Rights Observatory* as a monitoring and evaluation system to track the state's implementation of human rights obligations. In consolidating relevant documents, including laws, bills, ordinances, treaties as well as the documentation of Supreme Court cases on human rights, human rights violation cases reported to the Commission, and situational reports, the observatory uses a human rights-based approach to data analysis. The observatory consists of different systems for various vulnerable groups in the country—such as indigenous peoples, women, populations affected by climate change, overseas Filipino workers and members of their families, and persons with disabilities.³²



The Human Rights Observatory webpage.

The Human Rights Observatory webpage is a monitoring and evaluation system used and maintained by the policy cluster of the Commission. There are five observatories at the moment. They respectively focus on gender, climate change, persons with disabilities, migrant workers, and indigenous peoples. See Appendix A for a short description of the observatories for these issues.

Another digital initiative is the *Digital Archive: KIBO*, a repository of the Commission’s collection of digital assets such as video, images, audio files, among others, with the intention of providing long-term access to information with varying evidential, legal, or contextual value.³³ The word KIBO is a shortened version of the Filipino word ‘arkibo’ which means archive. These are all in addition to the existing website and Facebook page of the Commission.



KIBO webpage

4. Engaging Traditional Actors, Involving “New” Actors and Audiences

Human rights education and promotion efforts have historically focused on formal education audiences like schools and government agencies, the police and the armed forces, and non-formal education audiences like legal groups, faith-based organizations, and communities. It has been these groups that have occasionally taken the lead in also disseminating human rights information. The security sector is responsible, to illustrate, for pre-service and in-service education and training on human rights, while the education sector is tasked with spreading human rights education through

curricular (such as academic courses, research, and trainings) and co-curricular and extra-curricular (such as student organizations) activities.

The Commission launched the “[#NaritoAngCHR](#)” (CHR is Here) program in 2022 to reach out to the different regions of the Philippines. This program is implemented by the regional offices of the Commission. Several sessions under “[#NaritoAngCHR](#)” program were held in 2022 and first quarter of 2023.

The Region XII Office of the Commission in collaboration with the National Irrigation Administration held a one-day seminar on the “Use of Gender-Fair Language and Rights Against All Forms of Harassment in a Workplace” on 25 November 2022 in Isulan, Sultan Kudarat in commemoration of the 18-Day Campaign to [#EndViolenceAgainstWomen](#). The officers of the Region XII Office served as trainers in this seminar.



Miguel Peñaloza served as a trainer of the Region XII Office of the Commission in the Criminal Investigation Course conducted by Philippine National Police Region XII in Koronadal city on 6 January 2023. He discussed “Human Rights Issues in the Context of Investigation Procedures with Case Analysis.”

The Region XI Office of the Commission held an orientation session on several topics including the Basic Concepts of Human Rights, the Universal Declaration of Human Rights, and the International Bill of Rights during the Focused Reformation/Reorientation and Moral Enhancement for Police Officers in Line with Internal Cleansing Efforts of PNP XI held on 11 January 2023 at Montevista, Davao de Oro.



#NaritoAngCHR



The Region I Office of the Commission held a *Kabataan Karapatan* (Youth Rights) Caravan at Saint Augustine’s School, Tagudin, Ilocos Sur on 17 January 2023.

The Region XII Office of the Commission discussed Human Rights-based Policing during the Public Safety Basic Recruit Course on



25-26 January 2023 by PNPTI-Bangsa Moro Autonomous Region Training Center in Parang, Maguindanao de Norte.

On the same date (25-26 January 2023), the Region IV-A Office of the Commission held an online Human Rights Training for the Public Safety Basic Recruit Course focusing on a number of topics including Human Rights-based Policing, constitutional and legal bases of human rights promotion, Philippine National Police (PNP) Doctrine, Policies and Issuances on Human Rights, and several relevant laws.

During the COVID-19 pandemic, the academe was engaged in establishing *Centers for Human Rights Education*, dedicated centers in schools and universities that integrate human rights in school curriculum, research on human rights issues and concerns, and conduct extension work on human rights. There are now more than sixty different Centers in provinces in the country. Their representatives joined the first *Human Rights Educators Forum* in 2021. These Centers have pioneering role in disseminating information on human rights in their respective local areas.

The Ateneo de Zamboanga University (AdZU), through the Youth Alliance for Human Rights Ateneo - YAHRA and Social Awareness and Community Service Involvement Office - AdZU, serves as the Center for Human Rights Education in Region IX.³⁴ Presently, YAHRA is the only organization in Region IX that is dedicated to promoting human rights awareness through educational programs and activities.

As a result of the COVID-19 pandemic's impacts on the country's social and educational landscape, new actors and audiences have surfaced, and they proved to be effective vehicles for receiving and disseminating human rights education and awareness.

The Commission also works with legal groups, faith-based organizations, media groups, and other special interest groups considered to be “human rights organizations,” albeit, in a nontraditional capacity.

5. Institutionalizing Human Rights Education through the Human Rights Institute

The Human Rights Institute was established to materialize the vision and necessity to strategically educate and promote human rights in the Philippines and of Filipinos around the globe. The Institute is considered a milestone. It offers free online certificate courses on human rights along three strands: general, specialized, and executive. The general courses are on the basics of human rights and the right to health. The specialized courses are over twenty courses on specific human rights topics and on the rights of vulnerable groups in society. The executive courses are designed for human rights duty-bearers and other pre-identified audiences.

With this, a new strategy was formulated, guided by the purposes of human rights education. The Institute was envisioned to be the fit-for-purpose structure that would enable the strategies to succeed, and it is expected to evolve over time. Because of the Institute, which now uses the *Online Human Rights Academy* as its online platform and the “Human Rights Institute” on Facebook as one of its promotional channels, thousands of people have been able to learn human rights even during the COVID-19 pandemic.

The Institute is able to establish partnership with educational institutions and other organizations.



Partnership agreements with different institutions

One of the partnerships forged was with Lagro High School. On 16 September 2022, the Human Rights Education and Promotion Office signed a Partnership Accord with the Lagro High School. The latter shall utilize the human rights audio-visual instructional materials of the Commission in partnership with the Embassy of the Kingdom of the Netherlands in the Philippines to integrate human rights concepts into the *Edukasyon sa Pagpapakatao* or Values Education Curriculum of Grades 7-10. Another

is with IDEALS, Inc., which will mutually develop and implement with the Commission social and behavior change communication by reviewing and improving learning and training materials that can be used by educators to effectively teach human rights-related topics.

The Institute became an avenue that encouraged more human rights education efforts in and with schools and with education-focused civil society organizations.

Reflections, Realizations, and Possible Future Directions

The first realization is that human rights education in the Philippines, and indeed in the world, has changed or has been forced to change and adapt because of the COVID-19 pandemic. Operational frameworks of human rights education have been rewritten. Old frameworks needed to be adapted to the modern times and to the present-day demands of the world where aside from COVID-19 pandemic, there are also the phenomena of misinformation and disinformation around rights, the vilification of human rights defenders, the so-called “backsliding” of commitments to human rights by some states, and the global rise of social media and even artificial intelligence. While all of the earlier mentioned initiatives and efforts of the Commission during the COVID-19 pandemic contributed to a greater understanding of human rights, more however needs to be done in this regard.

The global operational framework of human rights education also badly needs more clarity. The global community could and should advocate for a human rights treaty that directly addresses and mandates states to educate about, for, and through human rights. The Universal Declaration of Human Rights (UDHR) and the United Nations Declaration on Human Rights Education are not enough to push the further development of human rights education. The world needs to have a clearly binding set of norms that dictate human rights education as a right and guides human rights education as a movement. At present, there is none. It was the aspiration of the framers of the UDHR that it be followed through with a binding treaty (or treaties). The UDHR itself states that progressive means have to be adopted to meet the needs of the times when it comes to human rights education.

The second is that digitalization is a pressing concern and an inevitable need for human rights education. Not only old frameworks need revisiting, but also old ways of doing things. Amidst steadily increasing digitalization

both globally and locally, along with increasing web connectivity, especially its rise in demand during the COVID-19 pandemic, knowledge producers are now shifting their education and training models from traditional brick-and-mortar methods to those that use modern technology—such as online education using various learning applications. Online education disseminates information and education over the internet. It includes the sharing of information and ideas among individuals all over the world, as well as the expansion of educational opportunities to wider audiences. The public now has access to a variety of learning resources, including formal and informal educational tools built into popular social media sites and specialized apps designed to facilitate learning. Online human rights education is one mechanism to create greater awareness with just one click.

Experience in this regard shows that in the Philippines, which is the social media capital of the world, the digitalization of human rights education holds much promise and potential to fulfill the goals of human rights education. The use of mobile devices and the prevalence of smartphones with internet access are both on steady rise. One of the most discussed topics in the field of education is also the concept of “personalized learning,” in which people have more say over their education and become more than passive recipients of information; they actively generate new knowledge through group work and the sharing of information made possible by the widespread use of smartphone applications. The advantages of online learning include flexible learning time, comfort, self-paced learning and lower costs, as well as greater incentive in taking online courses for professional development.³⁵ It can reach more people and more places in an instant especially in a diverse space and an archipelago like the Philippines.

Online learning of human rights, however, may be affected by the digital divide, the North-South divide and other intersectional factors. Students who do not have access to digital educational resources are disadvantaged, especially with the shift of education from physical to virtual or hybrid. This is a larger education issue that also affects the learning of rights. Lack of financial resources to purchase electronic gadgets and internet service, and poor internet signal remains an issue to Filipino students especially in far-flung areas.³⁶ In a country of around one hundred ten million people, less than a fifth have internet access, and most lack access to digital gadgets.³⁷ The problem of the digital divide is not only limited to students, but also affects teachers, especially in public schools. Whereas students struggle with

limited internet connectivity and frequent distractions at home, teachers face the challenge of navigating the complex and unfamiliar mechanisms of digital teaching platforms.

Thus, the accessibility of digital learning systems must be improved through, among others, the provision of support and resources, especially for the marginalized, and the reach of human rights education programs must be boosted to include disadvantaged learners (and educators) through heightened initiatives. Human rights education addresses existing inequalities; but it can also re-assert and reinforce inequalities and inequities, thereby becoming the very tool of discrimination. Since human rights education does not only involve learning about human rights and the mechanisms that respect, protect, and fulfill them, skills on how to spread human rights protection and promotion messages the fastest, the farthest, and the most equitable way possible must be developed.

The third is recognizing that human rights education requires the contribution of many actors and voices. For this, it is important to cultivate networks of traditional and nontraditional partners who can serve as force multipliers in the dissemination of human rights messages. They should be provided with, and also be an essential part of, the production of materials, such as modules, and localized and popular information packets.

There are outstanding pitfalls and opportunities for improvement that should still be considered and addressed. For one, human rights knowledge may stagnate at the appreciation level only. In the Philippines, studies show that the level of human rights education has largely been at the appreciation level. In recent years, the Social Weather Stations published reports containing the results of public polls measuring attitudes and sentiments to prevalent human rights issues. People have substantial awareness of human rights and human rights violations which plague the country, specifically in the areas of the right to life, freedom of speech, and trust in the police. This finding entails implications on the necessary improvements made in the security and judicial systems of the country. However, many Filipinos have a hard time choosing "human rights-linked" attitudes and behaviors. These results confirm the findings of earlier studies. Necessarily, human rights education at the "community" or "people level" requires that it be made more appealing or even attractive, to those who are not inclined to give it attention.

Moreover, a lot needs to be done to empower the duty-bearers and educators of human rights. The education of the security sector on human rights and international humanitarian law, for instance, should continue. Regarding teachers' knowledge and attitudes towards human rights, a study in 2000 found that out of twenty-nine teacher-respondents from Nueva Ecija province in the Philippines, only one claimed to have attended a training workshop on human rights education. When asked to rate themselves in terms of their knowledge on human rights, there was an equal number of teachers who had much knowledge about human rights versus those who did not. A great majority of the teachers from the sample believed that the government grants people's human rights rather than protects them.³⁸ This and other findings indicate the need for stronger efforts in human rights education capacity-building and training among educators—not also only among those in the academe.

Also, human rights should be taught in schools globally and there are smart ways of doing so. In the Philippines, although human rights issues and concerns are generally incorporated in various subjects taught in schools, the integration of human rights values in basic education (primary and secondary levels) needs to be intensified and not limited to *Araling Panlipunan* (Social Studies). A 2008 study conducted by Maricel Fernandez and Alex Brillantes showed that while the operational framework for human rights education in the country is in place and human rights are somehow integrated into classroom curriculums, the implementation is lacking, possibly due to limitations in time and resources, and teachers do not see it as a priority. Since human rights are merely integrated rather than highlighted, not enough time is allotted to their teaching, amounting to a meager two minutes of inclusion at the end of the course.³⁹

To be sure, a lot of developments have been made at this front, including the recent requirement for GMRC and Values Education to include the teaching of human rights in basic education. Labor rights also have to be now taught in college. However, continuing changes in the curriculums need to ensure that human rights are not lost, but meaningfully and effectively integrated, and are actually taught in schools. In higher education in the Philippines, human rights (i.e., the Bill of Rights) are currently integrated in the curriculum, occasionally in the National Service Training Program, and in several Social Sciences courses in the form of educating students about the 1987 Philippine Constitution. Other opportunities where educators may

incorporate human rights teachings include subjects related to Gender and Development (GAD) and Violence Against Women and Children (VAWC). The promotion and inclusion of human rights in teaching content may be further enhanced and developed in higher education.

A most salient issue of human rights education globally are the myths surrounding human rights. They continue to pervade. Human rights may be seen, for example, as 'anti-government' or a 'threat' to societal values. Disinformation and misinformation solidify the myths. These mythical blocks prevent states from further cultivating a culture of human rights and conducting human rights education in the first place. This calls for an all-out push to dispel the myths about human rights even inside the academe and among human rights educators. A lot can be done in this regard. One is addressing the incongruence between the demand and the available financial and material resources for human rights teaching. Human rights education interventions have to be monitored and evaluated also to ensure effectiveness in battling shifting narratives that vilify human rights. Part of it is capacity-building, but also finding out and using effective means for human rights education. Monitoring awareness, knowledge, values/attitudes, and behaviors related to human rights is a must. Monitoring the state of human rights awareness can paint a clearer picture of how states and people regard human rights, and can help aim for well-informed human rights education program. It is also crucial to the survival and resurgence of the human rights movement as a whole. Finally, stronger monitoring initiatives must track the quality of human rights education resources. Earlier white papers have recommended the creation of monitoring and evaluation schemes for human rights education programs in the academe to be developed by government education agencies, especially for in-service teacher training.

Yet the prevalence of myths around human rights and all other factors discussed above have called into question the effectiveness of the gains and successes of human rights education as a movement that has begun in the 1970s. The "new normal" is but an awakening for the movement. Human rights education has faced challenges regarding its effectiveness, and the "new normal" has resurfaced the underbelly of the issues. The means and methods of human rights education require a re-examination, particularly on adaptability to or flexibility with the changing times. Criteria for best practices/models in the area of human rights education must be developed for imitation and adaptation by all concerned, and more scientific and data-

driven ways to improve the effectiveness of human rights education. In view of the COVID-19 pandemic, human rights education necessitated a paradigm shift. This has resulted in the ongoing re-drawing of the framework of human rights education in the world.

Endnotes

- 1 Universal Declaration of Human Rights, Preamble.
- 2 Ibid., Article 26.
- 3 See Jost Stellmacher and Gert Sommer, Human Rights Education: An Evaluation of University Seminars, *Social Psychology*, Vol. 39, pages 70-80 (2008).
- 4 Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004: Human Rights Education - Lessons for Life (1996).
- 5 United Nations Office of the High Commissioner for Human Rights, available at: www.ohchr.org/en/resources/educators/human-rights-education-training/right-human-rights-education (last accessed 3 January 2023).
- 6 See David F. Suarez, "The Institutionalization of Human Rights Education," in David P. Beker and Alexander W. Wiseman (eds.), *The Impact of Comparative Education Research on Institutional Theory* (International Perspectives on Education and Society, Vol. 7), pages 95-120 (2006).
- 7 United Nations Declaration on Human Rights Education and Training, Article 2, para. 2.
- 8 UNICEF Philippines, Filipino children continue missing education opportunities in another year of school closure (August 25, 2021), available at www.unicef.org/philippines/press-releases/filipino-children-continue-missing-education-opportunities-another-year-school (last accessed 3 January 2023).
- 9 1987 Philippine Constitution, Article XIII, Section 18(5). Reiterated in Executive Order No. 163, series of 1987, Section 3(5).
- 10 Ibid., Article XIV, Section 3(2).
- 11 The following laws have provisions on human rights education:
 Republic Act No. 11648 or an "Act providing for stronger protection against rape and sexual exploitation and abuse, increasing the age for determining the commission of statutory rape," enacted in March 2022;
 Republic Act No. 11596 or an "Act prohibiting the practice of child marriage and imposing penalties for violations thereof," enacted in December 2021; and
 Anti-Violence against Women and their Children Act (RA 9262).
- 12 Republic Act No. 9745, Anti-Torture Act of 2009, Section 21.
- 13 Ibid.
- 14 An Act Institutionalizing Good Manners and Right Conduct and Values Education in the K to 12 Curriculum, Appropriating Funds Therefor, and for Other Purposes (GMRC and Values Education Act), Republic Act No. 11476, Official Gazette, www.officialgazette.gov.ph/downloads/2020/06jun/20200625-RA-NO-11476-RRD.pdf.
- 15 Republic Act No. 11476, Good Manners and Right Conduct and Values Education Act, Section 5.

16 Ibid., Section 2, 3(b).

17 Nerissa Lansangan-Losaria, “The Human Rights Education Program of the Department of Education, Culture and Sports (DECS) of the Philippines,” *Human Rights Education in Asian Schools*, volume 1, available at: www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/1998/03/the-human-rights-education-program-of-the-department-of-education-culture-and-sports-decs-of-the-phi.html (last accessed 3 January 2023).

18 Ana Elzy E. Ofreneo, “Philippine Commission on Human Rights: More than Two Decades of Promoting Human Rights in Schools,” *Human Rights Education in Asian Schools*, volume 12, available at www.hurights.or.jp/archives/pdf/education12/hreas-12-04-philippines.pdf (last accessed 3 January 2023).

19 Ibid.

20 Ibid.

21 Vienna Declaration and Programme of Action, para. 36 (1993).

22 The general Philippine experience on human rights education has received recognition from the international community. In 1994, the Commission was awarded the 1994 UNESCO Prize for the Teaching of Human Rights. The citation noted CHRP’s human rights education program for the police and the military establishment during the 1987-1994 period.

23 Office of the United Nations Secretary-General’s Envoy on Youth, United Nations Educational, Scientific and Cultural Organization and Office of the United Nations High Commissioner for Human Rights, World Programme for Human Rights Education: Fourth Phase Plan of Action, page 17 (2022).

24 Commission on Human Rights, Human Rights Education System: Final Report and User’s Guide (2013), page 1, available at www.ombudsman.gov.ph/UNDP4/wp-content/uploads/2013/01/hr-education-system.pdf (last accessed 3 January 2023).

25 Adopted and modified from Ofreneo (note 18) page 29.

26 YSpeak Webinars are accessible in the following links:

YSpeak: Understanding International Humanitarian Law (IHL) for Teachers and Students <https://fb.watch/j1cC86Nu5/>

Bawal Bastos Law: Ligtas na Espasyo Para sa Lahat, <https://fb.watch/j1coMAAg5s/>

Nanay, Lola, Mamita at iba pa. Ang Kanilang Katatagan, Karapatan at Kontribusyon sa ating Lipunan! The Resilience and Contributions of Older Women, <https://fb.watch/j1cMaPoAdR/>

YSpeak: WOMEN EMPOWERMENT: Breaking Biases!, <https://fb.watch/j1cOEeuJug/>

YSpeak: Mainstreaming Human Rights in Elections!, <https://fb.watch/j1cTNc6r65/>

SOGIE 101 for Teachers and Students

<https://fb.watch/j1cV9DrWke/>

27 Ibid.

28 See generally Ofreneo (note 18).

29 See Centre for Social and Behaviour Change Communication, What is SBCC?, available at: www.centreforsbcc.org/what-is-sbcc/ (last accessed 3 January 2023).

30 See USAID, Social and Behavior Change in Democracy, Human Rights, and Governance: A Primer, available at: https://pdf.usaid.gov/pdf_docs/PAooXWX4.pdf (last accessed 3 January 2023).

31 ChildHope Philippines, Alternative Education: Online Learning Under the New Normal (21 October 2021), available at <https://childhope.org.ph/alternative-learning-online-education/> (last accessed 3 January 2023).

32 See Commission on Human Rights, Human Rights Observatory, available at: <https://chr-observatories.uwazi.io/> (last accessed 3 January 2023).

33 See Commission on Human Rights, KIBO: Commission on Human Rights Digital Archive, available at: <http://www.kibo.chr.gov.ph> (last accessed 3 January 2023).

34 Region 9 is in western Mindanao covering the provinces of Zamboanga del Norte, Zamboanga del Sur, and Zamboanga Sibugay, a highly urbanized city (Zamboanga City) and a component city of Isabela. The regional center is in Pagadian City.

35 Stephanie Norman, 5 Advantages of Online Learning: Education Without Leaving Home (10 March 2016), available at: <https://elearningindustry.com/5-advantages-of-online-learning-education-without-leaving-home> (last accessed 3 January 2023).

36 ChildHope Philippines, The Current Education Issues in the Philippines — and How Childhope Rises to the Challenge (25 August 2021), available at <https://childhope.org.ph/education-issues-in-the-philippines/> (last accessed January 3, 2023).

37 Alfredo M. Esteban, Jr. and Mar Joy P. Cruz, “Digital Divide in Times of Pandemic among Teacher Education Students,” Open Access Library Journal, Vol. 8, No. 4, April 2021, available at www.scirp.org/journal/paperinformation.aspx?paperid=108423#ref25 (last accessed 3 January 2023).

38 See Anita Magbitang-Chauhan, Marites Dalangin, Lolita Santos, and Lasila Reyes, “Philippines: Human Rights Education in Nueva Ecija,” *Human Rights Education in Asian Schools*, volume 3, available at www.hurights.or.jp/archives/pdf/asia-s-ed/v03/o7chauhan.pdf (last accessed 3 January 2023).

39 See Maricel T. Fernandez and Alex B. Brillantes, “The State of Human Rights Education in the Philippines: Issues, Concerns and Directions,” paper presented at the 7th National Congress on Good Citizenship Forming the Youth into Good Citizens: Contemplating, Articulating, Operationalizing Values, 8 December 2012, available at www.ombudsman.gov.ph/UNDP4/wp-content/uploads/2013/07/The-state-of-Human-Rights.pdf (last accessed 3 January 2023).

Annex A. Human Rights Observatory

The Human Rights Observatory (HRO) has initially focused on the following vulnerable groups of Filipino society: indigenous peoples (Indigenous Peoples’ Human Rights Observatory); women, LGBTQI persons, and persons with diverse SOGIE (Gender-Based Violence Observatory); overseas Filipino workers and members of their families (Migrants’ Rights Observatory); populations affected by climate change and natural disasters (Climate Change Observatory); and persons with disabilities (Philippine Observatory on the Rights of Persons with Disabilities). The rights of children, the elderly, internally displaced persons (IDPs) and the situation of extrajudicial killings (EJKs) in the Philippines may eventually be included as future observatories as well.

Accessible files in HRO consist of government issuances, treaties and laws, legislative bills, advocacy videos and Commission issuances.

Indigenous Peoples’ Human Rights Observatory

The Indigenous Peoples’ Human Rights Observatory (IPHRO) was conceptualized during the National Inquiry on the Human Rights Situation of Indigenous Peoples in the Philippines, which the CHR spearheaded in 2017 in accordance with its mandates as provided in Article XIII, Section 18 of the 1987 Constitution. Pursuant to the CHR’s strategic objective to strengthen human rights mechanisms, the IPHRO is designed to serve both as a monitoring platform and repository of data under the auspices of CHR, in collaboration with stakeholders, for a unified advocacy towards full realization of human rights of the Indigenous Peoples.

Gender-Based Violence Observatory

The Gender-Based Violence (GBV) Observatory aims to make GBV visible and to facilitate access to resources on GBV. It is a repository of data on GBV, not only of treaties, laws and jurisprudence, but also of women’s lived experiences. It aims to make data work for women, girls, and LGBTQI’s human rights.

Migrants Rights Observatory

The Migrants Rights Observatory develops tools and resources to monitor compliance of the Philippine government with international and national human rights mechanisms, which particularly protect migrants’ rights, including the rights of overseas Filipino workers, the Filipino diaspora, members of their families and migrants in the Philippines.

This current database houses the Supreme Court cases from 1996 to present concerning labor migration. By identifying the nature of the cases, types and locations

of rights violations, the Commission 1) analyzes where the challenges lie in fully implementing laws and policies that aim to protect the rights and welfare of Overseas Filipino Workers (OFWs) and their families, 2) discerns gaps in State initiatives, and 3) advocates for human rights-based approaches to labor migration.

Philippine Observatory on the Rights of Persons with Disabilities

In 2020, against the backdrop of uncertainty brought about by the COVID-19 pandemic, the Commission initiated the development of the Philippine Observatory on the Rights of Persons with Disabilities (PhORPD), in active collaboration with six disability rights specialists, who represented the children with disabilities, persons with chronic/psychosocial disability, deaf/hard of hearing, with orthopedic impairment, speech impaired, and visual impaired. Due to the COVID-19 pandemic, rapid digital transformation has become even more necessary to keep track of the human rights situation of persons with disabilities in the Philippines. The PhORPD manifests an interactive and reliable information center for, by and with persons with disabilities. It is intended to be continually improved, as it is being utilized, by all stakeholders in pursuit of the principle of universal design as proclaimed in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Human Rights Education and Promotion in Korea*

National Human Rights Commission of Korea

AN INDEPENDENT national institution dedicated to human rights issues, the National Human Rights Commission of Korea (Commission) was established on November 25, 2001 in accordance with the National Human Rights Commission of Korea Act (hereinafter referred to as the “NHRCK Act”) to uphold the right to and respect for human dignity, and contribute to reinforcing the foundation of democracy by safeguarding and promoting inherent, inviolable human rights.

The Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles) were laid out at a time when newly democratized nations were beginning to establish national human rights institutions in the late 1980s. The Paris Principles were adopted by the United Nations Human Rights Council Resolution (1992/54) in 1992 and the United Nations General Assembly in 1993.

Discussions to establish a national human rights institution in Korea were first sparked when a joint committee of private entities took part in the World Conference on Human Rights in Vienna, Austria, in June 1993. With human rights and civil society organizations continuously voicing the need for a national institution dedicated to human rights issues, these private entities called for enabling laws of an independent national human rights institution responsible for research, study, education, and promotion of human rights protection and improvement pursuant to the United Nations Commission on Human Rights Resolution (1992/54)¹ and the Paris Principles.² Based on related discussions at home and abroad, presidential candidate Kim Dae-jung included the establishment of a human rights institution in his presidential election pledge in 1997. In April 1999, the Joint Task Force of Private Organizations for the Realization of a National Human Rights Institution was established by seventy-one human rights and civil

*This is an excerpt of the Annual Report 2021 of the National Human Rights Commission of Korea focusing on human rights promotion and education. The full Annual Report is available at www.humanrights.go.kr/site/program/board/basicboard/view?menuid=002003003001&pagesize=10&boardtypeid=7017&boardid=7608294.

society organizations. After three years of hard work by the task force, on 24 May 2001 and during the Kim Daejung Administration, the NHRCK Act was enacted. Six months later on 25 November 2001, the Commission was established as an independent national institution.

The Commission is a national institution dedicated to protecting and promoting the rights of the socially disadvantaged and the minorities as mandated by the Constitution and other laws, and as recognized by international common laws and human rights conventions joined and ratified by Korea. It is an independent institution that is not affiliated with any of the legislative, judicial, or executive branches of the government. The Commission is a quasi-judicial organization whose procedures for investigating and redressing cases of human rights violations and discriminations complement the existing remedial procedures of other judicial agencies. It is also a quasi-international organization in the sense that it implements international human rights standards in the nation and supports the authorities, responsibilities, organizational structure, and operation specified in the Paris Principles.

With a view to protecting and promoting human rights for all, the Commission assumes four key functions, which are policy, investigations and remedies, education and promotion, and cooperation at home and abroad. In the realm of policy, the Commission makes recommendations and presents opinions on matters that warrant study, research, and improvement of human rights related laws and regulations, institutions, policies, and practices. It also submits opinions regarding proceedings that have significant implications on human rights.

The Commission's investigations and remedies target human rights violations and discrimination in national institutions, local governments, schools, public service-related organizations, and detention and protection facilities, as well as discrimination by corporate bodies, organizations, and private persons without justifiable reasons. The human rights education and promotion function is aimed at raising public awareness on human rights, and the exchanges and cooperation function is to cooperate with various human rights and civil society organizations and individuals in Korea, as well as relevant international organizations and human rights institutions abroad.

Human Rights Education and Promotional Activities³

In view of raising and enhancing public awareness of human rights, the Commission carries out human rights education and promotional activities in accordance with subparagraph 5 of Article 19 and Article 26 of the NHRCK Act.

Human rights are values that are not limited to certain times and spaces; they are universal values that must be enjoyed across the society. Education and promotion are essential for spreading the values of human rights. In 2021, the Commission was tasked to make institutional arrangements and shape conditions for increased human rights education, enhance professionalism and competence for human rights education, increase exchanges and cooperation for systematic, specialized human rights education, foster a culture that is conducive to respect for human rights by developing and providing human rights content, increase exchanges and cooperation with human rights and civil society groups, and strengthen safeguards at the local level.

To this end, the Commission focused its efforts on the establishment of the Human Rights Training Institute, improvement of institutions and policies for human rights education, and effective cooperation for human rights education, development and distribution of timely and relevant human rights educational content, development and distribution of easily accessible human rights content, increased cooperation with human rights advocacy entities, laying the foundation to facilitate human rights safeguards at the local level, and effective support of promotional activities by human rights and civil society groups. Amid the spread of the COVID-19 pandemic, it strove to provide quality training through diverse training programs and remote learning opportunities.

Human Rights Education

For the purpose of examining and improving laws, regulations, institutions, policies, and practices, the Commission recommended institutional improvements for human rights education of police officers, and conducted a survey of human rights education in the National Assembly, a survey of human rights education of teachers in elementary, middle, and high schools, a survey of human rights education of local government public officials, and a study of parent education to prevent child abuse.

For more specialized human rights education, the Commission developed a guide to human rights education for teachers, human rights learning through playful activities (translation of ‘Play it Fair’ toolkit developed by Equitas), video content to promote human rights practices in schools (six types), human rights in care services, human rights of older persons, human rights educational programs for people working in children welfare facilities, produced video content on combatting hate and discrimination, and distributed several content developed in 2020, including online and offline shared content (fourteen types).

The Commission managed the Special Human Rights Education Committee and the Korea Human Rights Education Forum to promote more systematic human rights education. It also consulted closely with the Local Government Human Rights Education Council, Military Human Rights Education Council, School Human Rights Education Council, and University Human Rights Center Council, and facilitated day-to-day cooperation using a new online communication system.

Despite the spread of COVID-19, the Commission managed its human rights training programs as planned by area and by target audience, including public institutions, schools, and civil society, in contactless form. By developing and distributing a guidebook on online human rights education, it ensured that its online programs are as effective as face-to-face programs in terms of participation and communication.

To secure a space dedicated to systematic and specialized human rights education, the Commission made progress with the establishment of the Human Rights Training Institute. In consultation with the Committee for Establishment of Human Rights Training Institute, it drafted an architectural design, went through the public construction procedures, and completed the basic design. Once construction is complete, the Human Rights Training Institute will be used to service everyone’s right to be trained in human rights and foster personnel specialized in human rights education.

Human Rights Promotion

The Commission continued to use various media and newsletter for online promotion, while looking for new media forms to enhance understanding of and sensitivity to human rights.

It produced “Teaming,” a web drama on human rights issues online, and made it available on YouTube. It produced the video series “Wise Human

Rights Life,” while working with the Byeolbyeol Reporters, a group of on-line supporters, to upload various content on new media forms like Naver’s Together N. It organized the Human Rights Contest in two categories (poster and poem/essay), produced content to change public perception of hate and discrimination speech, and organized a diversity campaign using content on various family compositions.

In 2021, the Commission distributed two hundred fourteen press releases to the press and posted them on its website. Press releases covered factual survey results, policy recommendations and opinions, results of investigations on human rights violations and discrimination, and statements and commentaries on major issues. They helped raise public understanding of human rights issues and shape public consensus.

On the 73rd anniversary of the Universal Declaration of Human Rights on December 10, the Commission organized the 2021 Human Rights Day to celebrate the significance of the Universal Declaration of Human Rights, commit to its international obligations, and present the Korea Human Rights Award to ten institutions and persons.

Major Achievements

1. Institutionalizing and Shaping Conditions for Human Rights Education

A. Instituting human rights education

The Commission recommended to the National Police Agency to establish regulations as basis for human rights education, build an integrated education management system and cooperation channels for more systematic and effective human rights training of the police force. This is in light of the police assuming greater responsibility for human rights protection as the partial amendment to the Criminal Procedure Act and the Prosecutors’ Office Act on 4 February 2020 resulted in greater police authorities’ involvement in every aspect of the criminal procedures following adjustment of investigative authorities between the police and the prosecution.

Through a study in 2020, the Commission presented ways to apply human rights perspectives in the school curricula so that human rights can be respected in all school activities. It held discussions on how to promote more systematic human rights education in schools and conducted human rights education for school textbook authors. Moving forward, it will continue to ensure that human rights perspectives are incorporated in the new curri-

cula, including developing human rights-friendly textbooks and supporting the enhancement of teachers' competence in human rights education.

In addition, to get a better sense of human rights education delivered, the Commission carried out a survey of human rights in the National Assembly, a survey of human rights education for local government public officials, a survey of human rights education of teachers in elementary, middle, and high schools, and a study of parent education to prevent child abuse. The findings will be used to inform proposals for improved laws, institutions, policies, and practices related to human rights education.

B. Fostering and appointing human rights instructors

With more human rights education and training becoming available in various sectors of the society, an emphasis was placed on the role of human rights instructors. Since its inception, the Commission managed human rights instructor development program to make human rights education more widely available across the society; since 2015, it managed instructor appointment program. Efforts are made to enhance the competence and capacity of human rights instructors, including capacity-building programs for appointed instructors and an instructor appraisal process where instructors are initially appointed for a year, and then for two years after evaluation.

Applications for instructor development program are received through the Cyber Human Rights Training Center⁴ in early March every year. Candidates are selected based on area-specific demand. In 2021, human



Cyber Human Rights Training Center website

rights instructors were fostered in the areas of child abuse, which was pronounced by the prolonged COVID-19 situation, and migrant rights.

Particularly, the Commission introduced contactless full-day distance education for the first time, and made maximum use of small meeting rooms and online learning tools to ensure continuity of the instructor development program amidst the spread of COVID-19. It also conducted a study on ways to qualitatively improve the human rights instructor development program. The Commission plans to continue study to enhance the competence of human rights instructors.

C. Establishment of the Human Rights Training Institute

The Human Rights Training Institute is an educational space designed to foster instructors and trainers, and guarantee the right to human rights education for all. The Institute will play a key role in ensuring quality human rights education and promoting a culture that is favorable to human rights, by capturing the Commission's expertise and sense of current topics in the curricula.

The Commission was cleared by the Ministry of Economy and Finance to use the old Customs Clearance Center site and building in Yongin, Gyeonggi-do Province. A draft basic design was developed in consultation with the Committee for Establishment of Human Rights Training Institute, and the basic plan was completed based on public building procedures. Once the working design is out, the Commission will work to ensure smooth construction and supervision.

2. Establishing Networks of Cooperation for Education

The Local Government Human Rights Education Council discussed the current state of human rights education and tasks at the local government level, and ways for the Commission and local governments to cooperate on human rights education, and coordination needed for a survey of human rights education of government officials. Further to discussions on building an online communications channel, the Council opened a group chat room to facilitate daily communications with local governments.

The human rights leadership course for local government managers and the capacity-building courses for human rights officers and human rights guards in local governments were designed to be readily applied to human rights education and investigation activities at the local government level.

The scope of participants was also expanded to include primary local government officials, so that human rights education can be facilitated at this level and a network of cooperation can be built among participants.

In May and December, the Commission held the Military Human Rights Education Council with representatives of the Ministry of National Defense, Army, Navy, Air Force, and Marine Corps, to discuss ways to cooperate on human rights education. The Commission and the Ministry of National Defense jointly updated the Human Rights Education Textbook of the ROK Armed Forces, setting a basis for standardized human rights education in the military. It was agreed to expand the Military Human Rights Education Council to include external human rights education experts, so that the lack of expertise in the planning and operation of human rights education can be addressed. Various cooperation tasks were identified to facilitate human rights education in the military, including organizing human rights instructors and leveraging a pool of instructors, and developing human rights educational content.

At the 15th session of the School Human Rights Education Council comprising the Commission, Ministry of Education, and metropolitan and provincial offices of education, the Commission facilitated discussions on ways to promote human rights and human rights education in schools, including sharing the results of a study to promote more systematic human rights education content for schools and incorporate them into the new curricula. It maintained good working relations with schools and supported their human rights capacity-building efforts, including training of principals and vice-principals on human rights leadership and training of teachers on school labor rights.

In October 2019, the Commission established the College Human Rights Center Council with sixty-two colleges to support their capacity-building efforts and help create an environment where human rights are respected. The third council meeting held in 2021 was attended by eighty-five representatives from the Commission, the Ministry of Education, and college human rights centers. Discussions were held on how the Enforcement Decree of the Higher Education Act should be amended prior to developing criteria for establishment and operation of college human rights centers as the latter became mandatory. Also, a Regional College Human Rights Center Council was organized, comprising the Human Rights Education Division and the human rights offices in Busan, Gwangju, Daegu, and Daejeon. The regional

councils are expected to help strengthen regional networks and enable college human rights centers to contribute to the promotion of human rights in local communities.

The 2021 College Human Rights Center Capacity-Building Workshop was attended by sixty-two representatives from the Commission and college human rights centers to discuss the proposed standard regulations for college human rights centers and ways to facilitate human rights education in colleges. The online community established in May 2019 to facilitate sharing of experiences and best practices among staff of college human rights centers now has about two hundred twenty members. It is used for day-to-day communication online, including Q-&As and sharing of useful information.

In cooperation with the Korea Human Resource Development Institute for Health & Welfare, which is responsible for human rights education of personnel working in senior welfare facilities and long-term nursing homes, the Commission offered two capacity-building sessions for instructors appointed by the Center Senior Protection Institute and those appointed by the Commission. To this end, the Commission had a meeting with educational institutions in the first half of the year (May). And in the second half of the year, the capacity-building sessions were held with success thanks to the educational institutions helping to promote the program and increase program attendance.

Organized by the Commission since 2007, the Human Rights Education Forum is designed to find reasonable solutions to pending issues in human rights education and identify new ones.

Held on 7 July, the 2020 forum offered a venue for the Commission to engage with human rights education experts, teachers, and education college students on ways to incorporate human rights perspectives in the revised 2022 curricula and ways to promote human rights education in schools.

Participants made various suggestions, including the need to promote a culture that is conducive to respect for human rights and enables student autonomy and involvement in human rights education, and the need for college students who are trained to become teachers to take human rights classes, as it is important for them to have the appropriate mindset when they get involved in human rights education. The discussion results helped shape the business plan for 2022 and will also inform the mid- to long-term implementation plan.

On 30 November, the Commission held a session of the Human Rights Education Committee to discuss progress made and an architectural design for the Human Rights Training Institute and directions for the Commission's human rights education portfolio. Various opinions were collected and incorporated in the business plan. The Commission cooperates with the committee on a day-to-day basis to identify tasks, develop business plans, discuss options in response to key emerging issues, and evaluate performance.

3. Expanding Education through Human Rights Education Centers

In response to sustained increased demand for human rights education, the Commission upgraded the Cyber Human Rights Training Center,⁵ established a system for distance learning, and made space available for education in the human rights offices. It also appointed human rights instructors through the instructor development program.

In 2021, amidst the spread of COVID-19, the Commission contributed to raising human rights awareness by introducing contactless remote education and training, and facilitating online learning.

Overall, the Commission organized 4,599 specialized sessions, visiting programs, cyber training, and lectures for as many as 351,463 persons. The number of persons who completed the program was down from the previous year due to a suspension of mandatory human rights training of nursing home operators and staff due to the spread of COVID-19. However, thanks to the Commission's efforts to expand the use of its educational content, the number of public organizations using the content increased from thirty in 2019 to eighty-seven in 2021, making human rights education and training more accessible.

Table 1. Implementation Status of Human Rights Education in the Last Five Years
(in number of sessions and persons)

Classification	Total		Educational course		Visiting education		Cyber education		Special lecture		Government's e-learning platform	
	Session	Participant	Session	Participant	Session	Participant	Session	Participant	Session	Participant	Session	Participant
Cumulative sum	42,115	3,095,482	4,218	188,783	3,718	79,736	8,224	1,196,535	18,877	1,195,363	7,078	435,065
2021	4,607	351,463	257	6,279	322	4,332	1,677	205,738	1,012	33,669	1,339	101,445
2020	3,443	362,459	150	5,011	163	2,700	1,131	220,392	733	29,846	1,266	104,510
2019	6,282	445,807	330	12,527	556	10,694	1,363	261,505	2,699	107,372	1,334	53,709
2018	5,189	344,562	427	19,957	484	8,542	1,133	166,183	2,116	106,189	1,029	43,691
2017	4,447	249,428	494	28,916	533	10,974	915	79,799	1,968	101,482	537	28,257

* The cumulative sum is the total from 25 November 2001 (the date of the establishment of the Commission), to 31 December 2021.

4. Development and Distribution of Educational and Promotional Content

A. Educational content

Educational content helps communicate the key concept and values of human rights. Education and training can become more effective when highly usable content on on-going issues are made available. Recognizing the importance of human rights educational content from the start, the Commission has remained committed to publishing and distributing content.

So far, the Commission has developed a total of two hundred thirty-two human rights educational content (fifty-two for public organizations, thirty-five for schools, seventy-eight for civil society, and sixty-seven for general use) to meet the varying demands and needs for human rights education, and in line with the changing environment and specific request from educators and trainees. The content is available for immediate use, as it is provided and disseminated to relevant organizations, associations, human rights lecturers and educators, public libraries, and online websites.

In 2021, to ensure more specialized human rights education, the Commission developed a guide to human rights education for teachers, human rights learning through playful activities (translation of 'Play it Fair' toolkit developed by Equitas), video content to promote human rights practices in schools (six types), human rights in care services, human rights of older persons, human rights educational programs for people working in children welfare facilities, developed video content on combatting hate and discrimination, and distributed several content developed in 2020, including online and offline content (fourteen types).

B. Promotional content

1) Web Dramas

The Commission produced web dramas to help viewers better relate themselves to human rights issues, and gain a better understanding of and prevent discrimination in everyday life.

The Commission produced "Calm Down" in 2018, which depicts the day-to-day activities of NHRCK investigators to illustrate the role that the Commission is playing and give viewers food for thought on human rights; "The Secret of Secret" in 2019, which addresses human rights in sports, the rights of multi-cultural families and student rights in a high school setting;

and “Chatagongin” in 2020, which is about prejudices that young people who live in facilities face, gender discrimination in everyday life, and human rights in sports. In 2021, the Commission produced “Teaming,” which depicts online human rights issues under the COVID-19 pandemic situation. A four-part series available on Youtube, “Teaming” deals with information rights, invasion of privacy, and digital piracy.

2) Human Rights Contests

Every year, the Commission organizes several contests to promote to the public that human rights are universal values that must be preserved in every aspect of life.

The themes for the 2021 human rights contest were expanded to include any topics related to human rights, i.e., human rights violation and discrimination in everyday life, hatred, and fostering of culture conducive to respect for human rights. The contest was divided into two categories—the poster category and the poetry and essay category—to increase participation and popular appeal.

By splitting the junior group and the elementary student group, the contest saw a higher rate of participation compared to the previous year, with one hundred forty entries made in the adult group, sixty in the junior group, and six hundred sixty-seven in the elementary student group in the poster category, and two hundred eighty-nine entries in the adult group, seventy-eight in the junior group, and ninety-two in the elementary student group in the poem and essay category. The total of 1,326 entries represented an overall increase of 24 percent from the previous year, of which thirty-six works were selected, covering a wide range of human rights issues such as hatred, migrant rights, and re-married families. The selected works in the poster category were used to design postcards and the 2022 Commission calendar for distribution to the human rights library, human rights offices, and the general public. They were also posted on the Commission’s YouTube channel and other new media for use as educational and promotional materials.

5. Operation of the Human Rights Library

The only library dedicated to human rights in Korea, the Human Rights Library was, based on Article 27 of the NHRCK Act, initially established as the Human Rights Reference Library in 2002, and was renamed Human Rights Library in 2012.

The library facilitates research, collection, analysis, and preservation of human rights-related information and materials; offers reading and loan services; documents, manages, and preserves Commission's publications; and engages in exchange and cooperation with other libraries in Korea and abroad. A variety of human rights information is available on the library's website.

In addition to recommendations from international organizations on the need for a national-level human rights archive for historic and social use of human rights records, some researchers and human rights groups at home and abroad have also raised their views on such a need. In 2021, the Commission commissioned a study for a basic plan to establish a human rights archive, to understand the status of archival records, and study ways to preserve, build and use them from a professional standpoint, and establish the basis to build a human rights archive and use as reference material.

6 Promotional Activities to Raise Public Awareness

A. Promotion through media reports

In 2021, the Commission distributed two hundred fourteen press releases and posted them on its website. Press releases covered factual survey results, policy recommendations and opinions, results of investigations on human rights violations and discriminations, statements and commentaries on major current issues, and other activities at home and abroad. Based on a weekly distribution plan established in consultation with the office of primary responsibility, press releases were disclosed through newspapers, broadcast programs, online portal services, and various other media channels, contributing to raising public understanding of human rights issues and shaping public consensus.

The Commission was active in getting special media coverage on its activities on the occasion of its 20th anniversary. Before and after its anniversary, its staff collaborated with media outlets, and human rights and civil society groups, getting special reports on *Kyunghyang Shinmun* (three series; first page top, sixth page front), *The Hankyoreh* (social issue page, side top), *The Law Times* (social issue page, seven-column article), Yonhap News, and Catholic Peace Broadcasting Company. The Commission extended active support in that process, especially in terms of interviews with petitioners, statistical analysis, and interviews with in-house and external experts.

It also engaged actively with accredited reporters, raising their understanding of activities and policies, and key decisions, and encouraging timely reporting on a range of issues, including hate and discrimination against transgenders, discriminations based on medical history, unlawful use of protective gear in immigration detention centers, and climate crisis and human rights.

The Commission continued to service press coverage and interview requests. Notably, when announcing certain key recommendations (on Naval Academy's prohibiting relationships among cadets, provision of convenience for persons with disabilities, survey of hate speech online, monitoring of hate speech on government promotional materials), it actively sought opportunities for interviews, news articles, or TV news, in consultation with the offices of primary responsibility.

It also engaged closely with the media to address negative reporting on its investigation of a petition related to women-only library.

Also, by engaging regularly with accredited reporters and building rapport with them, the Commission increased their understanding of its roles and activities. It also took the lead in raising awareness among media personnel, by promoting the human rights reporting standards and other programs to enhance human rights sensitivity in the media. The Commission also strengthened internal communication through press monitoring, using news clipping and weekly media trend briefs.

B. Promotion through other forms of media

While continuing online promotional activities using a variety of media and the newsletter, the Commission also explored new media forms to enhance understanding of human rights culture and promote human rights sensitivity.

The Commission sent out the Human Letter, an online monthly newsletter, to 40,000 or so subscribers, informing them of key decisions made and news.

Notably, in 2021, the Commission explored various new avenues to communicate with the public. In addition to running its own media channel, it collaborated with EBS Jisik Channel e Team to produce a video on persons with mental disabilities based on its National Report on Persons with Mental Disabilities. The program was aired on television to raise public awareness.

Given rising incidents of hatred and discrimination, it also produced and distributed videos on hate speech and discrimination for timely broadcasting on the International Transgender Day of Visibility (March 31).

Also, given the increasingly diversified family structures and changes in how family is perceived, with seven out of ten persons viewing that “people are in a family if they share housing and livelihood, even if there are no formal blood or marriage ties,” the Commission produced content on diverse family structures and used it in its Diversity Campaign during the Chuseok holiday in September.

The Commission stepped up its promotional activities on YouTube and other online media.

The production of “A Wise Life of Human Rights” helped shed light on key human rights issues such as bullying in the workplace, human rights of older persons, cultural diversity, democracy in Myanmar, and child rights on YouTube. Working with the Byeolbyeol Reporters, a group of online citizen reporters, it uploaded the content Who’s Who in Human Rights (Stories of Rosa Parks, Louis Braille and others), Recommended Human Rights Film (The Journals of Musan, etc.), Persistent Racial Discrimination amid the COVID-19 Crisis, and For Alternative Text and Barrier-Free Online Environment on Internet portal site Naver’s Together N.

C. Human Rights Day Ceremony

On the occasion of the 73rd anniversary of the Universal Declaration of Human Rights, the Commission celebrated the 2021 Human Rights Day on December 10. Organized as a simple gathering due to COVID-19 concerns, the event was broadcast live on the Commission’s YouTube channel and highlighted the meaning of the Universal Declaration of Human Rights and Korea’s international obligations. Congratulatory remarks were delivered by the Speaker of the National Assembly, President of the Constitutional Court, Prime Minister, former United Nations Secretary-General Ban Ki-moon, APF Chairperson Rosalind Croucher,⁶ underlining the spirit of the Universal Declaration of Human Rights.

The celebratory event was held alongside the 2021 Korea Human Rights Awards. The Order of Service Merit (Red Stripes) went to Choi Young-mi, the President of the Korean Association of Domestic Workers, for her contribution to improving the rights of domestic workers, including establishing an enterprise organization immediately after the 1997 foreign

exchange crisis to help women household heads find caregiver jobs, conducting the nation's first survey on domestic workers in 2006, her work in the Solidarity for Legal Protection of Caregiver Workers in 2010, and her involvement in the legislation of the Act on the Employment Improvement of Domestic Workers in 2021. The ROK President commendation was presented to Rainbow Solidarity for LGBT President Bae Jin-gyo for her contribution to enhancing public awareness about gender minorities, including organizing the first regional Queer Cultural Festival in 2009 and launching the Rainbow Solidarity for LGBT. The NHRCK Chairperson commendations went to Director Roh Kyung-su of the Disabled Persons Independent Living Center in Sasang-gu District, Guide Hong Chun-ho of the Jeju Provincial Government, and Director Sin In-su of the Bomun Disabled Persons Independent Living Center in the individual category. In the group category, awards went to Corporation Duroo, Uljin Social Policy Research Institute, Facebook community 'Information from Army Boot Camp,' Citizen group for a society where educational background does not matter, and Civic Network for Justice in Sport.

D. The Human Rights Magazine

The Commission publishes the bimonthly magazine *Human Rights* to raise human rights awareness and prevent discrimination. The magazine carries prose, photos, illustrations, and cartoons to make human rights stories easy to read, as readers may otherwise find them abstract and distant. The magazine is available in webzine format and some articles are processed as card news or newsletters for digital publication. It is also made into a braille book once a year.

Each publication features a themed topic for in-depth coverage of key human rights issues, and introduces key decisions made by the Commission.

E. Human Rights Reporting Awards

In 2021, to sustain continued media interest in human rights issues and encourage voluntary reporting as the media can play a significant role in protecting and promoting human rights, the Commission developed the Human Rights Reporting Standards and organized the Human Rights Reporting Awards together with the Journalists Association of Korea.

The jury for the 10th Human Rights Reporting Awards in 2021 comprised of nine members, including six external members (from academia,

media, and civil society) and three internal members (Director of the Public Relations Division, Chief of the Human Rights Counseling Coordination Center, and Chief of the Gender Discrimination Remedy Team). Thanks to active promotion in the media, media human rights groups, and academia, a total of eighty entries were received (thirty-two in 2020, and eighty in 2021), including thirty-one daily news articles, twenty-five television programs, two news agency articles, nineteen Internet reports, and two magazine articles. Six winning entries were selected following two rounds of screening.

F. Videos introducing Key Decisions

Since 2014, the Commission produced and distributed videos on key decisions taken with respect to petitions that led to recommendations or opinions expressed. The videos are designed to communicate to the public how the decisions were made and their significance. From 2020, video production moved away from the format of series based on true events to a dialogue format, with a focused theme of ‘crossing the line.’ In 2021, two videos were made, which are ‘persons with mental disabilities,’ and ‘children and youths, their freedom of privacy.’ The videos are uploaded on YouTube and other online sites, and are also available in CD format for distribution to schools, welfare facilities, and public organizations.

Regional Human Rights Offices⁷

The Commission operates six regional human rights offices in Busan, Gwangju, Daegu, Daejeon, Gangwon, and Jeju to enhance and protect the human rights of local residents and facilitate prompt remedies. Starting with the launching of the Busan and Gwangju offices in October 2005, the Daegu office opened in July 2007, followed by the Daejeon office in October 2014, the Gangwon office in June 2017, and the Jeju office in October 2019.

Human Rights Education

The regional offices organized human rights instructor training courses, human rights sensitivity training courses, visiting education, and special human rights lectures at their education centers.

In 2021, the regional offices organized a total of 1,197 human rights education sessions for 29,955 persons, which is four hundred sixty-three more sessions (63.1 percent) and 5,262 more beneficiaries (21.3 percent) compared

to the previous year. By type, thirty-one sessions (five hundred nine persons) were for human rights instructor training, one hundred three sessions (2,996 persons) for human rights sensitivity training, three hundred twenty-two sessions (4,332 persons) for visiting education, and seven hundred forty-one sessions (22,128 persons) for special lectures.⁶ The largest number of education and training was in the form of special lectures.

Table 2. Human Rights Education Conducted by Human Rights Offices in 2021
(in number of sessions and persons)

Regional Human Rights Offices	Total		Instructor cultivation		Sensitivity improvement		Mandatory education		Visiting education	
	Session	Participant	Session	Participant	Session	Participant	Session	Participant	Session	Participant
Total	1,197	29,955	31	509	103	2,996	322	4,332	741	22,128
Busan	463	12,538	6	125	40	1,259	19	371	398	10,783
Gwangju	155	3,980	7	116	16	665	69	1,189	63	2,020
Daegu	183	4,316	6	83	15	359	65	888	97	2,986
Daejeon	250	4,905	5	79	15	248	113	1,195	117	3,383
Gangwon	98	2,090	4	65	14	318	51	639	29	1,068
Jeju	48	2,126	3	41	3	147	5	50	37	1,888

Endnotes

1 United Nations Commission on Human Rights, National institutions for the promotion and protection of human rights, 3 March 1992, E/CN.4/RES/1992/54, full text of this document and the Paris Principles are available at: www.refworld.org/docid/3boof22a70.html.

2 Principles relating to the Status of National Institutions (The Paris Principles), United Nations General Assembly resolution 48/134, 20 December 1993.

3 This and the other sections are taken from Chapter 3 of the Annual Report 2021.

4 Cyber Human Rights Training Center, <http://edu.humanrights.go.kr>.

5 Cyber Human Rights Training Center, *ibid*.

6 APF refers to the Asia-Pacific Forum of National Human Rights Institutions.

7 This section is taken from Chapter 5 of the Annual Report 2021.

8 Editor's note: The numbers in sessions and participants for Mandatory education and Visiting Education in the text and in Table 2 are different, likely an error on either text or table.

A Territory-wide Representative Survey on Sexual Harassment in Hong Kong 2021

Equal Opportunities Commission

THE EQUAL OPPORTUNITIES COMMISSION (EOC) has the statutory responsibility to work towards the elimination of sex discrimination and sexual harassment, and promote equal opportunities between men and women. The Sex Discrimination Ordinance (SDO) was passed in 1995. Discrimination on the basis of sex, marital status, pregnancy and breastfeeding, as well as harassment on the grounds of breastfeeding and sexual harassment are unlawful under this ordinance.

In the past years, the #MeToo Movement has not only raised public awareness across the world, but also motivated people to take more concrete actions to fight against sexual harassment. Since the enactment of the SDO, anti-sexual harassment has always been one of the top work priorities of the EOC. During the past two decades, policy advocacy and empirical research related to sexual harassment in workplaces, school environment, and other sectors done by the EOC have facilitated the Government's consideration of expanding the scope of protection against sexual harassment. In 2014, provisions to protect providers of goods, services, or facilities against sexual harassment by customers were added, while further amendments were made to outlaw sexual harassment between workplace participants in common workplaces in 2020.

Local Legislation against Sexual Harassment

Protection from sexual harassment is a specific form of prohibited conduct under the Sex Discrimination Ordinance (SDO) Cap. 480. There are

This is an edited excerpt of the report produced by the Equal Opportunities Commission of Hong Kong: Ip, Chung Yan. 2022. *A Territory-wide Representative Survey on Sexual Harassment in Hong Kong 2021: Report*. Hong Kong: Equal Opportunities Commission. Full report available at www.eoc.org.hk/en/policy-advocacy-and-research/research-reports/2022-1.

two forms of sexual harassment: The first limb of the definition states that a person sexually harasses another person if the person makes an unwelcome sexual advance, an unwelcome request for sexual favors, to another person, or engages in other unwelcome conduct of a sexual nature in relation to that person, where a reasonable person, have regard to all the circumstances, would have anticipated that the person would be offended, humiliated or intimidated. This could include asking a person to engage in sexual activity or making sexual comments about a person's private parts. Under the second limb of the definition, more commonly referred to as "sexually hostile environment", sexual harassment occurs when a person engages (alone or together with others) in conduct of a sexual nature which creates a sexually hostile or intimidating environment for a person. This could include the display of pornographic material and the making of derogatory sexual remarks in the workplace.

In terms of the sectors in which sexual harassment is prohibited, the SDO currently covers many areas of public life. Relevant to the current study, there is protection from sexual harassment in relation to employment and related work relationships such as contract workers, partnerships and commission agents, trade unions, qualifying bodies, and employment agencies. In June 2020, protection from sexual harassment was extended to cover common workplaces where no employment relationship exists between the parties, but they do work in the same place. Importantly, this also includes coverage of volunteers and interns.

It should be reiterated that while every employee will be held personally liable for his/ her illegal acts of sexual harassment, employers may be held vicariously liable for their employees' act of sexual harassment in the course of employment, whether or not it was done with the employer's knowledge or approval. The court will consider exempting employers from their liability only if they could bring up a defense that reasonably practicable steps have been taken to prevent workplace sexual harassment. In other words, in Hong Kong, there is no positive duty which requires employers to take proactive measures against workplace sexual harassment. Examples of reasonably practicable measures to be taken by employers include developing anti-sexual harassment policy, establishing complaint mechanisms, training and communication, handling complaints properly, implementing appropriate disciplinary actions and improvement measures, and reviewing related policies, procedures, and measures regularly.

Current Laws Related to Online Sexual Harassment in Hong Kong

In Hong Kong, there is a clear evidence of image-based sexual violence (IBSV) that occurred via electronic communications and online sexual harassment.¹

However, legal gaps are identified in protecting individuals from sexual harassment and IBSV via electronic communications and in the Internet. On the one hand, some of the acts of sexual harassment that occur in the context of electronic communications are covered by the Sex Discrimination Ordinance (SDO), such as employment and related work, education and where there is a situation of the provision of goods, services, or facilities. For example, if an employee sexually harasses a fellow employee in the context of their work relationship, the fact that it is done via electronic communications such as social media or a mobile phone application would still constitute unlawful sexual harassment. On the other hand, where there is no relationship between the parties under the SDO, there will be no protection from sexual harassment. For example, where in a chat group or social media account a person makes sexual advances or creates a hostile and intimidating environment for another person and there is no relationship between them under the SDO (e.g., employment or education), a person would not be able to pursue a claim under the SDO.

Under the Crimes (Amendment) Bill 2021, which was passed on 30 September 2021, among other amendments, publication or threatened publication of intimate image without consent becomes unlawful. Accordingly, posting someone's indecent image(s) or video(s) online or via other forms of electronic communications (such as phone apps) without consent of the persons concerned is a criminal offence. However, this amended bill does not deal with some situations (including in relation to electronic communications) where a person is subjected to other forms of sexual harassment and there is no use of images or videos. For instance, if a person subjects another person on social media to repeated sexual advances, or repeatedly sends them naked images of unidentified persons, currently there is no criminal offence for such conduct.

EOC Complaint Statistics, 2017-2021

Indeed, among complaints received under the SDO, a significant proportion has been sexual harassment allegations. Many of these complaints of

sexual harassment were related to employment. As shown in Table 1, during the past five years, over two-fifths of complaints made under the SDO were on sexual harassment. In 2021, out of one hundred eighty-three allegations of sexual harassment, 80.9 percent (one hundred forty-eight cases) were employment-related.

Table 1. Complaints Under the SDO and Related to Sexual Harassment Received by the EOC (2017-2021)

	2017	2018	2019	2020	2021
Total Number of Complaints Received under the SDO.	190	320	336	314	302
Number of Complaints Related to Sexual Harassment (percent out of all complaints made under the SDO) (45.5 %)	87 (45.8%)	136 (42.5%)	153 (45.5%)	143 (45.5%)	183 (60.6%)
Employment related (percent out of all complaints of sexual harassment)	75 (86.2%)	110 (80.9%)	123 (80.4%)	94 (65.7%)	148 (80.9%)
Non-employment related (percent out of all complaints of sexual harassment)	12 (13.8%)	26 (19.1%)	30 (19.6%)	49 (34.3%)	35 (19.1%)

Research Objectives

Although the EOC has conducted a number of questionnaire surveys related to sexual harassment in various sectors of the society,² so far no population survey on sexual harassment has been carried out. Lacking a territory-wide and representative survey, no empirical data is available on the prevalence and forms of sexual harassment, its impact on individuals, and how victims respond and cope with it. We also lack information on the socio-demographic characteristics of individuals who are most vulnerable to sexual harassment and the characteristics of settings that are most prone to sexual harassment. A more complete picture and a better understanding of the issue are essential for the Government and the EOC to join hands to tackle observed problems.

After successfully completing a small-scale survey with three hundred thirty-two Hong Kong residents aged 18-64 in early August 2020,³ EOC carried out a larger-scale telephone survey with a sample of more than 5,000 respondents in the second quarter of 2021. In the current survey, while a couple of more sub-themes were covered, live-in foreign domestic helpers were included to be interviewed.

Specific objectives of this first-ever territory-wide representative survey are as follows:

- a. To gauge the public's awareness of sexual harassment;
- b. To examine the prevalence and nature of online sexual harassment and sexual harassment in the course of employment among the general public;
- c. To study the characteristics of those who were sexually harassed online and in the course of employment;
- d. To identify the job and organizational factors associated with experiences of being sexually harassed in the workplace;
- e. To analyze the actions taken (i) after being sexually harassed and (ii) when witnessed or heard about incidents of sexual harassment during the course of employment and the reasons behind for taking such actions/inaction; and
- f. To provide recommendations for the Government, employers, and other stakeholders on enhancing public understanding of and knowledge about sexual harassment and to identify measures in redressing sexual harassment.



Survey on Sexual Harassment in Hong Kong 2021



Sample Coverage, Survey Design and Data Collection

The target population of this telephone survey was Hong Kong residents (including foreign domestic helpers) aged 18 to 64, who were Cantonese,

Putonghua, or English speakers. Given a declining rate of fixed-line telephones in Hong Kong households, a dual frame survey approach was adopted with half of the respondents drawn from fixed-line telephones and the other half from mobile phones. Interviewed respondents were randomly drawn from edited databases of landline and mobile phone numbers which were obtained from the Numbering Plans provided by the Office of the Communications Authority. For the database of landline numbers, after making successful contact with a household, the “Next Birthday Rule” method was employed to select the eligible respondent whose birthday came soonest if there was more than one member at home who was eligible for an interview. Owners of the mobile numbers, if aged 18-64, became the eligible respondents. A team of interviewers were recruited to conduct this territory-wide representative telephone survey via a Computer-Assisted Telephone Interviewing (CATI) system.⁴

Interviewers read out each question of a structured questionnaire displayed on the monitor and entered respondents’ answers directly into the computer. This facilitated a greater control over the quality of an entire data collection process and had an advantage of a higher level of standardization.

A pilot test of this large scale telephone survey was launched in mid-March 2021. A total of forty-two respondents were interviewed. A primary purpose of this pilot survey was to fully test the questionnaire and, thus, to ensure that respondents in the main survey could comprehend each question and give meaningful answers. Modifications to the questionnaire were made accordingly.

Main telephone interviews were carried out at 6.30 pm – 10.30 pm between 22 March and 10 June 2021, successfully interviewing a total of 5,027 target respondents (2,515 respondents from fixed-line telephones and 2,512 respondents from mobile telephones) with a response rate of 40 percent. At a 95 percent confidence level, the sampling error is within +/- 1.4 percentage points. Thus, the achieved survey sample size could be considered to generally produce survey findings with acceptable levels of precision.

Overall, the average length of the telephone interview was 11.60 minutes (standard deviation (SD) =4.17). Compared with those who did not report to be sexually harassed in the workplace (including those who had not been employed over the past twenty-four months before the survey) (mean=10.95 minutes [SD=3.57]), the average interview length of victims of workplace sexual harassment was significantly longer (mean=18.02 min-

utes [SD=4.22]). Also, a statistically significant difference in duration of interviews was found between respondents drawn from landline telephones (mean=11.37 minutes) and those from mobile phones (mean=11.83 minutes).

Given the sensitive nature of the topics of sexual harassment, it is worthwhile to report the details of the breakoff cases. In total, nine hundred fifty-eight eligible respondents did not complete the telephone interviews. Owing to data limitations, only few characteristics of these breakoff cases could be presented. First, among all of these cases, more women did not complete the interviews (53.7 percent). Second, 62.0 percent of the breakoff cases were drawn from mobile phones and 38.0 percent were from fixed line telephones. While three-fifths of these nine hundred fifty-eight breakoff cases (60.2 percent) completed the items concerning awareness of sexual harassment which was the first part of the interviews, only a quarter of the eligible respondents (27.8 percent) continued to participate in the second part of the telephone interviews on experience of online sexual harassment and 18.0 percent of these nine hundred fifty-eight breakoff cases moved onto the third part on workplace sexual harassment. It should be noted that breakoff cases were not included in any analyses for this report.

Key Findings

Awareness of sexual harassment

Each of the respondents was given a set of 16-scenario-statements, and asked to assess whether these scenarios constituted sexual harassment. (See Appendix A for the scenario statements and the responses.) Conducts that were considered as sexual harassment by most respondents included “in your company, a colleague keeps making sexual advances to you regardless of your rejection” (98.0 percent), “in your company, a colleague has inappropriate physical contact with you, such as forced kiss, touching or brushing up against your bottom” (97.6 percent), and “in your company, a colleague sexually assaults or attempts to sexually assault you” (97.3 percent).

Fewer than half of the respondents were able to identify two sexual harassment scenarios, i.e., “when you are shopping in a store, a shop assistant makes sexually suggestive comments or jokes to other customers in front of you, making you feel uncomfortable” (45.0 percent) and “in your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended” (44.7 percent).

A “Sexual Harassment Awareness Index” (SHA Index) was created to examine the overall level of awareness among the general public in Hong Kong and to make sub-group comparisons. From zero to 100, a higher score indicated that the respondent has a greater ability to identify sexual harassment behaviors accurately.

The mean of this SHA Index for all respondents was 80.26, with a standard deviation of 16.89. This average score suggested a rather high level of awareness of sexual harassment among people in Hong Kong.

Men scored significantly lower than women (mean SHA Index scores are 77.11 and 82.74 respectively). Also, the younger the respondents, the higher the SHA Index score (respondents aged 18-34 scored in average 83.35 and those aged 50-64 scored 78.23).

Respondents who received sexuality education in primary and secondary schools showed a higher level of awareness of sexual harassment than those who did not. In particular, respondents who had been taught topics about (a) courtship and dating, sexual harassment, sexual assault, and sexual violence, as well as those who had been taught about (b) gender roles and societal and cultural influences on sex, attained a higher mean score of SHA Index. They scored 82.79 and 82.80 respectively, both higher than the overall average score of the respondents (80.26).

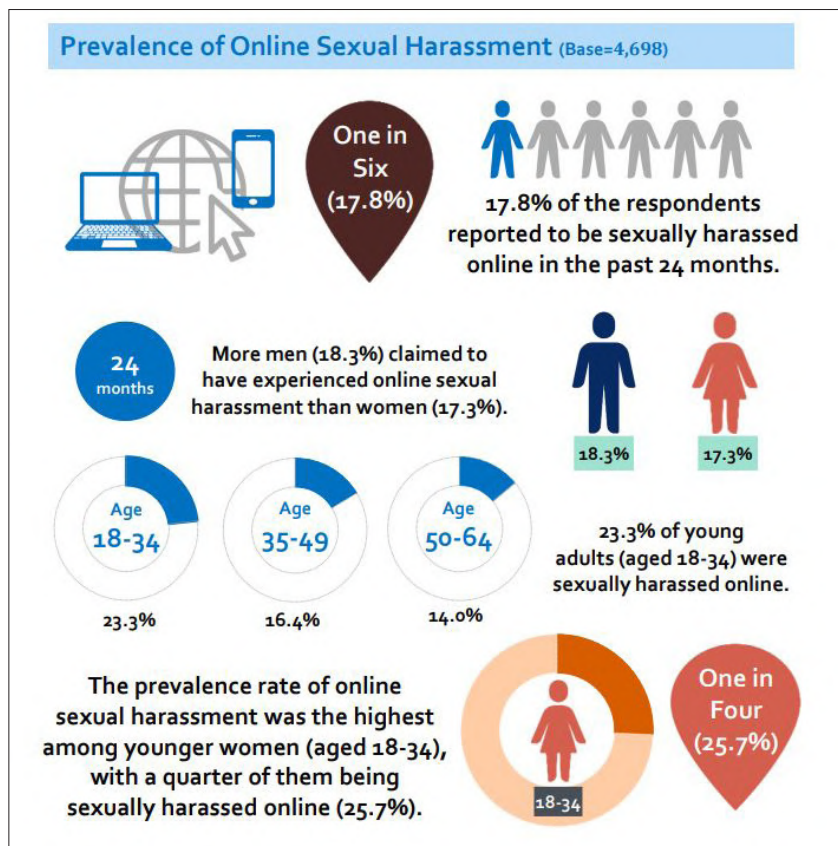
Prevalence and nature of online sexual harassment

In the telephone interviews, respondents who surfed the Internet in the past twenty-four months were asked if they had experienced any of the eight listed forms of online sexual harassment. (See Appendix B for the forms of online sexual harassment.) Around one in six of the 4,689 respondents (17.8 percent; $n=832$) reported to have been sexually harassed online in the past twenty-four months.

A greater proportion of men (18.3 percent) claimed to have experienced online sexual harassment than women (17.3 percent), though this sex difference was not statistically significant. Significant age differences existed with a decreasing age gradient in experiencing online sexual harassment. While nearly one in four (23.3 percent) young adults (age 18-34) had been sexually harassed online, the respective figures for those aged 35-49 and 50-64 were 16.4 percent and 14.0 percent respectively.

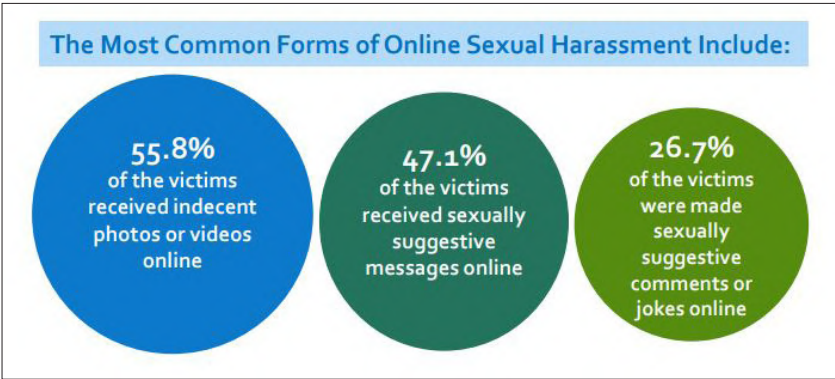
When data was disaggregated by both sex and age, young women aged 18-34 were the sub-group of respondents that had the highest prevalence

rate of experiencing online sexual harassment. A quarter of this sub-group (25.7 percent) had been sexually harassed online in the past two years prior to the survey.



The most common forms of online sexual harassment included “receiving indecent photos or videos online, making you feel offended” (55.8 percent) and “receiving sexually suggestive messages online, making you feel offended” (47.1 percent), followed by “someone made sexually suggestive comments or jokes to you online, making you feel offended” (26.7 percent).

More in-depth analyses revealed that out of eight hundred-thirty-two respondents who experienced online sexual harassment, over two-fifths (42.0



percent) encountered more than one form of online sexual harassment in the past twenty-four months.

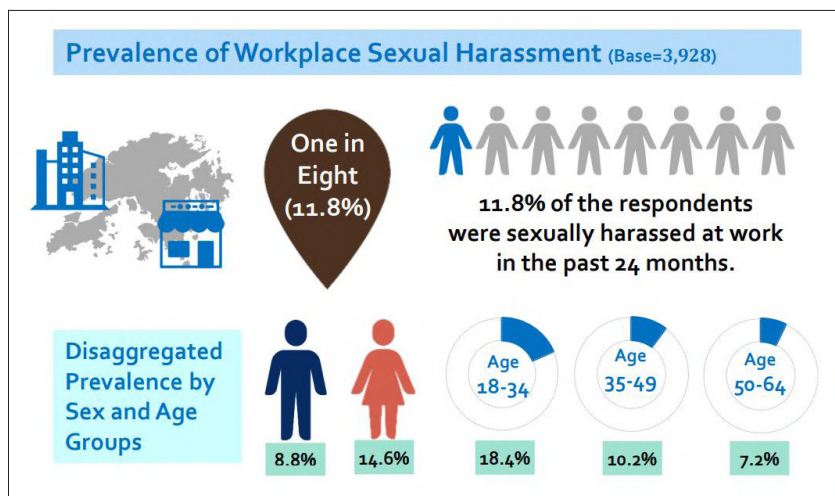
Prevalence and characteristics of victims of workplace sexual harassment

A behavioral definition of workplace sexual harassment was adopted to gauge the related experience of our respondents. Specifically, respondents who had worked in the past twenty-four months were asked if they experienced any of the twelve listed forms of workplace sexual harassment.

In total, four hundred sixty-three out of 3,928 respondents (11.8 percent) reported to have been sexually harassed at work (including while attending job interviews, meeting with clients, carrying out internal work, and taking work-related trips) and by co-workers in non-work activities in Hong Kong over the past twenty-four months prior to the interviews. In other words, nearly one in eight respondents had experienced workplace sexual harassment.

Women were significantly more likely to have been sexually harassed at work in the past two years before the survey. While one in seven women (14.6 percent of women) reported to have experienced sexual harassment at work, 8.8 percent of men said they had such experience.

Workplace sexual harassment was experienced by respondents across all ages. Having said that, the younger the age, the higher the chance of experiencing workplace sexual harassment. While nearly one in five (18.4 percent) young adults (age 18-34) reported to have experienced sexual harassment



at work in the past twenty-four months, the figures for those aged 35-49 and 50-64 were 10.2 percent and 7.2 percent respectively.

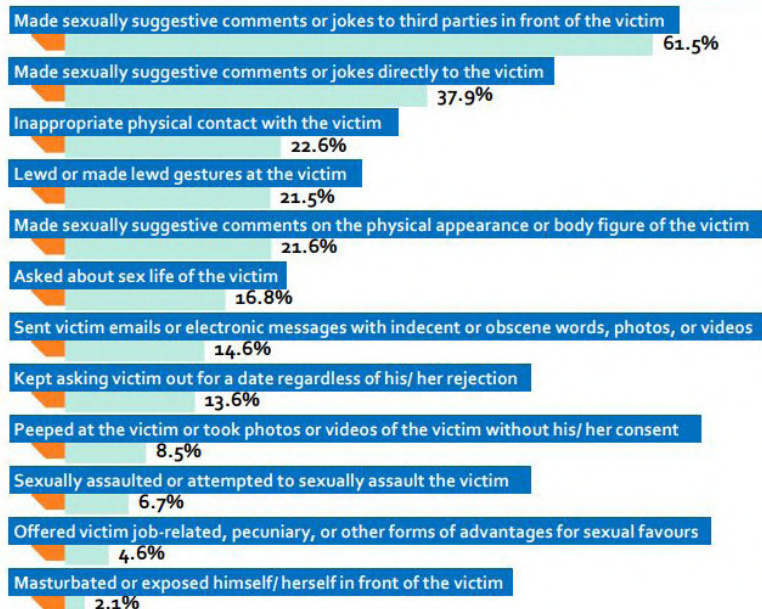
In particular, the chance of younger women (age 18-34) being sexually harassed at the workplace was significantly higher. Younger women were almost twice as likely to be sexually harassed at work (22.5 percent), compared to 11.8 percent of the overall average. The corresponding rate of their younger male counterparts was 13.6 percent. In addition, it was not uncommon for middle-aged women to have encountered sexual harassment at the workplace. 12.9 percent of women aged 35-49 and 9.1 percent of women aged 50-64 were victims.

Findings from additional sub-group analyses showed that respondents with higher educational attainment, who were non-Chinese, and who had never been married, were significantly more likely to experience sexual harassment at work.

Forms of workplace sexual harassment

The most common form of workplace sexual harassment was sexually suggestive comments or jokes. Among four hundred sixty-three victims of workplace sexual harassment, over three-fifths (61.5 percent) said that “someone at work made sexually suggestive comments or jokes to others in their presence, making them feel uncomfortable,” while nearly two-fifths (37.9 percent) reported that those offensive comments and jokes were made directly to them.

Nature of Workplace Sexual Harassment



More than half of the victims of workplace sexual harassment experienced more than one form of sexual harassment at work in the past twenty-four months (55.7 percent overall; 58.0 percent of female victims and 51.8 percent of male victims).

More in-depth analyses showed that older respondents were more likely to experience verbal form of workplace sexual harassment (i.e., sexually suggestive comments or jokes made to others in their presence/made directly at them in the workplace). Also, compared to their younger counterparts, a higher proportion of more mature respondents received indecent or obscene words, photos, or videos via email or other technology.

Prevalence of workplace sexual harassment by occupations and nature of job contract

Analyzing the data by type of occupations, the prevalence of workplace sexual harassment was significantly higher among craft and related workers (16.2 percent), clerical support workers (13.8 percent), and service and sales workers (13.4 percent).

In terms of the nature of job contract, workers in contract/casual work/temporary positions (including summer job workers and interns) faced a higher risk of being sexually harassed at workplace than those holding permanent positions. Interns (25.5 percent) and summer job workers (25.0 percent) were more likely to be sexually harassed in the workplace, followed by contract workers (15.9 percent) and casual workers (15.9 percent). The corresponding rate for those in permanent positions was relatively low, at 11.4 percent. No statistically significant difference was found between full-timers and part-timers.

Findings from additional sub-group analyses showed that respondents with higher educational attainment, who were non-Chinese, and who had never been married, were significantly more likely to experience sexual harassment at work.

Prevalence of workplace sexual harassment by type of industry, size, and sex ratio of the companies/organizations

The prevalence of workplace sexual harassment varied across industries. Compared to the overall rate of 11.8 percent, workplace sexual harassment was significantly more prevalent in accommodation and food services (16.5 percent), real estate, professional and business services (14.9 percent), and information and communication (13.2 percent) sectors.

In terms of the size of companies or organizations, no clear pattern of the pervasiveness of workplace sexual harassment was found. That said, respondents working in medium size companies or organizations with fifty to ninety-nine employees were significantly more likely to have experienced sexual harassment than those working in small and large companies or organizations.

Workplace sexual harassment was more likely to occur in companies or organizations with a roughly equal mix of male and female workers. Contrary to the results of overseas research studies, in the current survey, workplace sexual harassment was significantly less prevalent in companies or organizations which were comprised of mostly men (8.0 percent).

Who was more vulnerable to workplace sexual harassment: Results from binary logistics regression

Results from binary logistic regression analysis revealed that women and younger respondents were more likely to be sexually harassed at work. Compared to their counterparts in permanent job positions, the

chance of experiencing workplace sexual harassment was higher among contract workers, casual workers, and interns.

Those working in the accommodation and food services, real estate, professional and business services, and manufacturing sectors were more likely to experience sexual harassment at work than their counterparts in public administration, education, human health and social work activities.

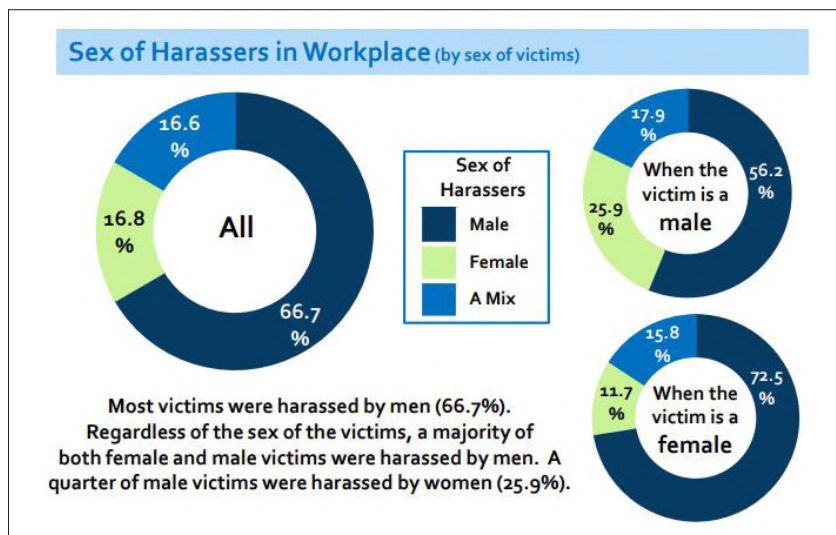
Similar to the results from studies of workplace sexual harassment conducted elsewhere, workplace policy was of paramount importance. The current study found that, after holding other factors constant, working in a company or organization with no anti-sexual harassment policy or measures significantly increased one's likelihood of being sexually harassed at work.

When and where workplace sexual harassment occurred

When asked about the physical location where, and the circumstances under which, the most recent incidents of workplace sexual harassment that they encountered occurred, three-quarters of the victims indicated that they experienced workplace sexual harassment within the area of their company or organization (76.4 percent). A quarter of the incidents occurred outside the company or organization in different situations, such as during private or recreational activities with colleagues (12.7 percent), during work-related activities (5.5 percent), during social activities organized by their company or organization (2.8 percent), and during other occasions (2.7 percent). Apart from those incidents that occurred during private activities and other occasions, nearly 85 percent of these reported incidents of sexual harassment happened during the course of employment, i.e., they were covered by the sexual harassment provisions under the Sex Discrimination Ordinance.

One-fifth (20.6 percent) of the victims reported that they experienced the most recent incident of workplace sexual harassment via online communication or electronic messages.

Men were significantly more likely to have experienced workplace sexual harassment outside their company/organization (33.5 percent for men and 17.9 percent for women) and technology-related forms of sexual harassment (27.4 percent for men and 16.8 percent for women) than their female counterparts.

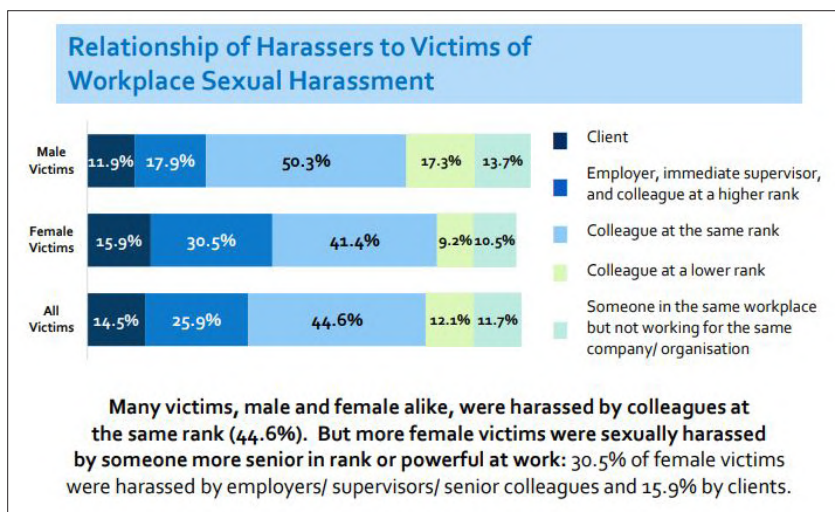


Characteristics of harassers of workplace sexual harassment

A majority of the most recent incidents of workplace sexual harassment in the past twenty-four months involved a single perpetrator. Three-fifths (59.9 percent) of workplace sexual harassment incidents were carried out by a single perpetrator.

Consistent with the conventional belief, in this survey, perpetrators of workplace sexual harassment were overwhelmingly men. Specifically, two-thirds (66.7 percent) of the most recent incidents of workplace sexual harassment were committed by male harasser(s) and 16.8 percent by female harasser(s), while 16.6 percent involved a mix of male and female harassers. Regardless of the sex of the victims, a majority of both female (72.5 percent) and male (56.2 percent) victims were harassed by men alone. A quarter of male victims (25.9 percent) were harassed by female harasser alone, and the respective figure for female victims was 11.7 percent.

The most recent incidents of workplace sexual harassment that occurred in the past twenty-four months were more often perpetrated by colleague at the same rank as the victim (44.6 percent), followed by colleague at a higher rank as the victim (17.2 percent), and clients (14.5 percent). Over one-tenth of the workplace sexual harassment was carried out by someone working in the same workplace but not for the same company or organization (11.7 percent).



Results of more in-depth analyses concerning the relationship of perpetrator to victim indicated that sex differences existed. On the one hand, compared with their male counterparts, more female victims were sexually harassed by someone who were more senior and powerful than them at work (including employer, immediate supervisor, and colleague at a higher rank) (30.5 percent for female victims, compared to 17.9 percent for male victims) and clients (15.9 percent for female victims and 11.9 percent for male victims). On the other hand, a greater proportion of male victims were sexually harassed in the workplace by colleague at the same rank (50.3 percent for male victims and 41.4 percent for female victims) and by colleague at a lower rank (17.3 percent for male victims and 9.2 percent for female victims).

Reporting incidents of workplace sexual harassment

Out of four hundred sixty-three victims of workplace sexual harassment, 79.5 percent (n=367) took action(s) in response to the most recent incident. In other words, one-fifth of the victims did not take any action following the incident. Female victims were significantly more likely to take action after being sexually harassed in the workplace (84.1 percent of women and 71.1 percent of men).

The most common action taken by victims of workplace sexual harassment was avoiding the harassers (60.9 percent), followed by telling the ha-

rassers off (49.4 percent). Similar to what has been found in overseas research studies, formal reporting was also not common in Hong Kong. In total, 14.7 percent ($n=68$ out of four hundred sixty-two⁵) made a formal report to either the Police, the EOC, or supervisors or management of related departments within their companies or organizations. Compared with their male counterparts, female victims of workplace sexual harassment were significantly more likely to avoid the harassers or make a formal report.

The most common types of outcomes of taking action were: “the harassers stopped doing the sexual harassment acts” (80.2 percent) and “someone showed support to my action” (61.4 percent). While these outcomes could be categorized as positive, a minority of victims faced negative outcomes after taking action, including being regarded as a troublemaker (8.6 percent) or being retaliated or socially excluded (6.5 percent).

Among the sixty-eight victims who reported formally to the Police, the EOC, or their company, nearly one-fifth faced retaliation or social exclusion, or were regarded as a troublemaker (17.2 percent). Compared with men, female victims who made formal report were more likely to have faced these negative outcomes (6.7 percent for men and 20.8 percent for women), though no statistically significant difference between sexes was observed.

Among four hundred sixty-three victims of workplace sexual harassment, 20.5 percent ($n=95$) did not take any actions after experiencing their most recent incident of workplace sexual harassment. An overwhelming majority of these ninety-five victims thought that “the incident was not serious” (97.1 percent). Around half of these ninety-five victims reasoned their inaction by saying that “sexual harassment was prevalent in their company or organization” (54.9 percent) and “the actions would be useless” (46.1 percent). Moreover, in total, 26.1 percent of these ninety-five respondents mentioned reasons concerning the complaint system or procedures (i.e., “the complaint mechanisms were ineffective or complaint processes were protracted” and “did not know the channels for lodging complaints”). This might suggest that sexual harassment complaint mechanism available in the workplace or elsewhere might not be perceived to be user-friendly.

Impact of workplace sexual harassment on victims

Victims of workplace sexual harassment were asked to rate how humiliated and how intimidated the most recent incident had made them feel. On a scale from one to five, where one indicated “not feeling humiliated”/“not

feeling intimidated” and five denoted “feeling very humiliated”/ “feeling very intimidated”, the mean rating for the level of humiliation felt by victims of workplace sexual harassment was 2.64 and that of intimidation was 1.62.

Female victims felt significantly higher levels of humiliation and intimidation than men (feelings of humiliation: mean rating for women was 2.84 versus that for men being 2.29; feelings of intimidation: mean rating for women was 1.74 versus that of men being 1.40).

Witnesses to workplace sexual harassment

Two-fifths of the most recent incidents of workplace sexual harassment were witnessed or known by someone else in the workplace (41.4 percent; $n=191$).

The most common type of witness was colleague(s) at the same rank as the victim (66.3 percent), followed by colleague(s) at a higher rank (21.3 percent) and at a lower rank (16.9 percent). Among these witnessed incidents, 14.5 percent were witnessed or learnt by the immediate supervisor of the victim.

Out of these one hundred ninety-one witnessed incidents of workplace sexual harassment, a majority of witnesses (69.7 percent) did not attempt to intervene in or stop the incident. Overall, among all victims, only 11.9 percent ($n=55$) of the most recent incidents of workplace sexual harassment were intervened or stopped by a third party.

Statistically significant sex differences were observed in terms of whether the incident was witnessed or revealed, and whether it was intervened or stopped. Compared with their male counterparts, a greater proportion of female victims reported that someone witnessed or learnt about the incident of workplace sexual harassment (47.6 percent for female victims versus 30.1 percent for male victims). While 34.1 percent of female victims claimed that someone attempted to intervene in or stop the incident, the figure for men was 18.8 percent.

The role of bystanders in workplace sexual harassment

Among 3,460 respondents who claimed they had not been sexually harassed at workplace for the past two years, only 2.3 percent witnessed or subsequently heard about incidents of sexual harassment occurring in their company or organization ($n=79$) in the past two years. No statistically significant difference between sexes was observed.

A majority of bystanders (73.7 percent) attempted to intervene in the incidents of workplace sexual harassment they witnessed. Sex and age differences were not found in terms of taking action or not. Out of these fifty-eight “proactive bystanders”, 43.0 percent told the harassers off, while nearly half assisted the victims of workplace sexual harassment to report the incident or lodge a complaint (47.6 percent). Over four-fifths of the bystanders who took action after witnessing or hearing about workplace sexual harassment reported that their actions were well-received (83.4 percent).

A quarter of bystanders did not take action after witnessing or hearing about workplace sexual harassment (26.3 percent; $n=21$). The most common reason cited for not taking action was that other people were handling the sexual harassment incident (69.3 percent). Almost half of these “passive bystanders” did not take action because they did not know what to do (49.7 percent) and one-third said that they did not know whether the incident constituted sexual harassment at that time (35.6 percent).

Conclusions and Recommendations

Since the EOC launched its Anti-Sexual Harassment Campaign in 2013, we have conducted surveys in a number of sectors. Those sector-based surveys provided us with useful but piecemeal information about the prevalence of sexual harassment in Hong Kong and the prevalence of anti-sexual harassment policy in specific sectors of the society. This territory-wide representative survey is the first of its kind in terms of its sample size and its coverage of the general population of Hong Kong.

The current survey on workplace sexual harassment and online sexual harassment tells us the hard facts. Sexual harassment is prevalent, regardless of sex and age.

The survey findings, on the one hand, confirm the traditional belief that more women than men are victims of workplace sexual harassment, and that the harassers are very often men. On the other hand, this survey provides solid evidence that it is not uncommon for men to be harassed and that women can be the harassers.

More importantly, this research tells us more than the cliché that women need to be protected from the harassers. Workplace sexual harassment is not only a kind of gender-based violence, but also a power-based violence.

The survey findings illustrate that those with less power, i.e. the younger adults, in particular younger women, and those who took up temporary or short-term positions were more likely to face sexual harassment at work.

This research also debunks the myth that sexual harassment is difficult to prove, for the reason that it often involves no more than one's word against that of another. In fact, in this survey, 40 percent of those reported to have been sexually harassed at work said that a third party had either witnessed or had been told about the incident, albeit that only a fraction of the bystanders tried to intervene in or stop the incident.

The findings further show that most incidents of sexual harassment committed by co-workers or clients occurred during the course of employment. However, the incidents of workplace sexual harassment did not only happen in the physical or online office space, but also during work-related or after-work activities, including those organized by the company or organization concerned.

Based on the findings of the current study on sexual harassment in Hong Kong, the related evidence documented in overseas literature and previous studies, and the good practices adopted by and legal requirements imposed on various stakeholders in other places, this report provides ten recommendations in four directions: (a) Transforming Workplace Culture: Employers, the Hong Kong Exchanges and Clearing Limited (HKEX), and the Government, (b) Increasing Awareness and Strengthening Protection in Client-facing industries, (c) Reforming Sexuality Education and Providing Practical Knowledge to Students, and (d) Identifying and Monitoring Risks of Sexual Harassment. Specifically, the ten recommendations are listed below.

Recommendation 1

Employers, regardless of the size of their company or organization, are strongly encouraged to: (a) develop a clear corporate anti-sexual harassment policy; (b) establish an effective system to handle complaints; (c) take disciplinary or appropriate actions; (d) implement timely improvement measures; and (e) provide awareness training to staff regularly.

Recommendation 2

The Hong Kong Exchanges and Clearing Limited (HKEX) should consider reviewing the Environmental, Social and Governance (ESG) Reporting Guide of the Listing Rules to include the adoption of an anti-sexual harass-

ment policy as one of the key gender equality strategies that issuers of listed companies should disclose in their ESG report.

Recommendation 3

The Government might explore the feasibility of introducing a positive duty on employers to take reasonable and proportionate steps to prevent and respond to workplace sexual harassment.

Recommendation 4

Every staff can be a potential victim or bystander at the workplace. Potential victims or bystanders should be engaged so that they become part of the solutions to the problem of workplace sexual harassment. Employers should encourage potential victims to be assertive and adopt a bystander intervention approach in delivering staff training programs.

Recommendation 5

Employers should explicitly show its commitment to countering sexual harassment in their companies or organizations by enhancing communication and transparency. Appointing a top-level managerial staff member to oversee matters related to anti-sexual harassment conveys a clear message that the company or organization takes sexual harassment seriously. Employers should communicate to every staff, including summer job workers and interns, at the start of employment about the redress channels and regularly remind staff not to commit acts of sexual harassment via meetings, staff notices, or emails.

Recommendation 6

Companies or organizations from client-facing industries can raise awareness among their clients or workplace participants by providing knowledge about the recent legal changes in anti-sexual harassment provisions under the Sex Discrimination Ordinance. They are also strongly encouraged to send a clear message that staff complaints against clients' or workplace participants' inappropriate behavior(s) would be properly dealt with.

Recommendation 7

The Government should consider amending the Sex Discrimination Ordinance to make employers legally liable for third party harassment, when participants in common workplaces, customers, or clients are found to have sexually harassed their employees, unless employers have taken reasonably practicable steps to prevent the sexual harassment and unless they have no knowledge of the sexual harassment or allegation(s) of sexual harassment.

Recommendation 8

The Education Bureau should consider thoroughly reforming the sexuality education in primary and secondary schools as soon as possible to give more emphasis on gender equality and relationship education, including sexual harassment in digital contexts and image-based sexual violence.

Recommendation 9

Secondary schools, school-sponsoring bodies, and institutes of higher education should provide training to students on awareness of sexual harassment and equip them with skills and knowledge to respond to experiences of sexual harassment.

Recommendation 10

The EOC and the Census and Statistics Department should collaborate and conduct territory-wide representative household surveys regularly to identify and monitor risks of sexual harassment in different spheres of public life, including the digital space.

Endnotes

¹ For example, in 2019, Rainlily, a non-governmental organization based in Hong Kong, conducted a survey of 206 individuals which had experienced image-based sexual violence (IBSV) in the last three years. The most common forms IBSV reported were: someone took intimate images of them without their consent (n=151); someone observed their private acts without their consent (n=82); someone threatened or blackmailed to distribute intimate images of them (n=62); and intimate images were distributed without their consent (n=60). It is worthwhile to note that many instances of the IBSV occurred via electronic communications such as an instant messaging application (n=52), a social media website (n=33), and online fo-

rum (n=18). It is also significant that most perpetrators were strangers (n=116). For more information about this survey, see: <https://rainlily.org.hk/publication/2020/ibsvsurvey#eng>.

2 Reports of these surveys could be found by visiting: www.eoc.org.hk/en/policy-advocacy-and-research/research-reports.

3 The major purpose of this small-scale survey is to assess the feasibility of carrying out a survey on sexual harassment, in which questions are often regarded as sensitive and private, via telephone interviews in a larger scale in terms of sample size. Attitudes of most respondents towards this small-scale survey are positive. While over 95 percent of the respondents said that they supported EOC to conduct more sexual harassment related surveys and the questions of this survey were easy to understand, over four-fifths of all respondents found the time required to complete the telephone interviews acceptable. Overall, the average length of the telephone interviews was 10.17 minutes (standard deviation=3.07).

4 While The Centre for Communication and Public Opinion Survey, The Chinese University of Hong Kong was commissioned to collect survey data via telephone interviews, EOC was in charge of designing the survey questionnaire, conducting data analyses, and preparing this research report.

5 Although four hundred sixty-three victims of workplace sexual harassment were identified in the survey, only four hundred sixty-two of them gave valid answers on whether or not they had given a formal report.

Annex A

Sixteen Sexual Harassment Scenario Statements and Responses

Sexual Harassment Scenarios	Yes	No	Don't know
In your company, a colleague keeps making sexual advances to you regardless of your rejection.	98.0	1.7	0.4
In your company, a colleague has inappropriate physical contact with you, such as forced kiss, touching or brushing up against your bottom.	97.6	1.8	0.6
In your company, a colleague sexually assaults or attempts to sexually assault you.	97.3	2.4	0.3
In your company, a colleague masturbates or exposes himself/herself in your presence, making you feel offended.	96.7	2.7	0.6
In your company, a colleague sends you emails or electronic messages with indecent or obscene words, photos, or videos, making you feel offended.	90.8	8.0	1.2
In a company, a male colleague leers at, makes lewd/sexual gestures at a female colleague, making her feel offended.	89.4	9.0	1.6
In your company, a colleague peeps at you or takes photos or videos of you, making you feel offended.	86.8	11.9	1.3
In a company, a female colleague leers at, makes lewd/sexual gestures at a male colleague, making him feel offended.	83.9	14.2	1.9
In a company, a male colleague leers at, makes lewd/sexual gestures at another male colleague, making him feel offended.	80.6	16.7	2.6
In your company, a colleague asks about your sex life, making you feel offended.	79.9	18.3	1.8
In your company, a colleague makes sexually suggestive comments on your physical appearance or body figure, making you feel offended.	78.0	20.3	1.7
In a company, a female colleague leers at, makes lewd/sexual gestures at another female colleague, making her feel offended.	76.1	21.0	2.9
Someone puts up obscene posters in the pantry of your workplace, making you feel uncomfortable.	71.6	26.5	1.9
In an activity hosted by a community organization, a volunteer plays sexually suggestively games with other participants in front of you, making you feel uncomfortable.	66.8	30.4	2.9
When you are shopping in a store, a shop assistant makes sexually suggestive comments or jokes to other customers in front of you, making you feel uncomfortable.	45.0	52.6	2.3
In your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended.	44.7	54.2	1.1

Annex B

Eight Forms of Online Sexual Harassment

1. Someone posted indecent images or videos of you on the Internet without your consent.
2. Someone made sexual comments on you or spread rumors of a sexual nature concerning you on the Internet, such as commenting on your body figure or spreading rumors about you having a sexual relationship with someone.
3. You received sexually suggestive messages online, making you feel offended.
4. You received indecent photos or videos online, making you feel offended.
5. Someone made sexually suggestive comments or jokes to you online, making you feel offended.
6. Someone kept making sexual advances to you online regardless of your rejection.
7. Someone requested you online to post nude photos or videos of yourself, making you feel offended.
8. Someone called you by a sexually suggestive name online, making you feel offended.

Annex C

Twelve Forms of Sexual Harassment Experience During the Course of Employment or When Seeking Jobs in Hong Kong

1. Someone at work kept asking you out for a date regardless of your rejection, making you feel offended.
2. Someone at work offered you job-related, pecuniary, or other forms of advantages in exchange for sexual favors.
3. Someone at work sent you emails or electronic messages with indecent or obscene words, photos or videos, making you feel offended.
4. Someone at work peeped at you or took photos or videos of you without your consent, making you feel offended.
5. Someone at work masturbated or exposed himself/herself in your presence, making you feel offended.
6. Someone at work had inappropriate physical contact with you, such as forced kiss, touching, or brushing up against your bottom.
7. Someone at work made sexually suggestive comments on your physical appearance or body figure, making you feel offended.
8. Someone at work sexually assaulted or attempted to sexually assault you.
9. Someone at work asked about your sex life, making you feel offended.
10. Someone at work leered at you, or made lewd/sexual gestures at you, making you feel offended.
11. Someone at work made sexually suggestive comments or jokes to you, making you feel offended.
12. Someone at work made sexually suggestive comments or jokes to others in front of your presence, making you feel uncomfortable.

Surveying Human Rights Awareness in Maldives*

UNDP Maldives

THE “RIGHTS” SIDE OF LIFE: A Baseline Human Rights Survey (RSL) was first conducted in 2005 by the Human Rights Commission of the Maldives (HRCM) in partnership with the United Nations Development Programme (UNDP) to determine the extent of awareness among the general public about human rights; their attitudes towards human rights issues; and their awareness of the existence of HRCM, its functions and its effectiveness in performing them. The survey revealed that Maldivians remained largely unaware of what human rights were despite promotion by various authorities and the inclusion of individual rights of all persons residing in the Republic of Maldives in the second chapter of the Constitution of the Maldives. The results also indicated that even though HRCM is the primary state authority mandated to protect, promote and sustain human rights, only a few people were aware of the role of HRCM.

It was decided that this survey will be longitudinal in nature and be repeated every five years. Hence, the second baseline Human Rights Survey, *Six years on The “Rights” Side of Life’* (RSL2), was carried out by the HRCM in 2011 to assess the level of human rights awareness of the general public and to compare the differences, if any, that could be observed between the results of the first and the second survey.

Based on the lessons learned in the first cycle, the survey instrument was modified by the HRCM for the 2011 iteration to cater for the new developments and changes in the society. *RSL2* revealed that although the approval rating of HRCM had declined, there was a remarkable improvement and increase in the knowledge and awareness of human rights.

Reflecting 15 years: The “Rights” Side of Life (RSL3) was the first time a chapter focusing solely on the issue of domestic violence had been included in *The “Rights” Side of Life*.

*This is an edited excerpt of the report entitled *Reflecting 15 years: The “Rights” Side of Life 2020* on the survey jointly undertaken by the Human Rights Commission of the Maldives, Family Protection Authority and the United Nations Development Programme in the Maldives. Full survey report is available at www.undp.org/maldives/publications/reflecting-15-years-rights-side-life-survey-2020.

This study focused in empirically gauging the attitudes and awareness of the general public on a range of human rights issues and also recognizes and integrates domestic violence as a human rights issue. The study collected data on human rights and domestic violence to understand the current situation in the country and provide insights on the extent of the additional work required to address any shortcomings. The information obtained further helps prioritize future directions for human rights promotion, prevention of domestic violence and assists in identifying areas for more research.

Research Objectives

The overall objective of the research was to understand attitudes, awareness and perceptions of the public on a range of human rights issues in the Maldives.

The more specific objectives include:

1. To examine the level of knowledge on human rights and awareness on HRCM among the public;
2. To examine the changes in the public's attitudes and perceptions on human rights and the performance of HRCM over the years;
3. To compare the difference in the knowledge, awareness and perceptions between individuals across regions, between locals and migrants and other demographic categories;
4. To examine the knowledge, perception and prevalence of domestic violence.

Research Design

The success of the initial 2005 survey, *The "Rights" Side of Life*, and its robust conclusions, resulted in the decision to use the same sampling design of 2005 survey, with slight adjustments in 2011 and 2019.

Sampling

This study adopted the same design and sampling methodology of the two previous surveys. The research involved a randomized sample of 1,160 (seven hundred and thirteen females and three hundred and eighty-four

males) individuals selected from households on twenty islands. A total of thirteen islands and the urban centers of Malé and Addu, were included in the sample. While RSL2 surveyed two resorts, RSL3 enumerated four resorts with a sample of twenty-five from each, which reflects a wider representation of the resorts as their number has increased since RSL2. The exact resorts surveyed have been revised for convenience. Thilafushi Island was selected to represent an industrial island.

Multistage sampling was adopted, and the country was stratified into seven regions, with one atoll randomly selected from each. Two islands were then chosen from the atoll, one being the administrative island and one other island was chosen at random. Sampling was carried out in two urban clusters (Malé and Addu) and in four resorts (randomly selected) and one industrial island (Thilafushi). Enumeration blocks were selected from these selected islands and all households in the block were enumerated until a pre-determined number of households was achieved. The respondents selected for the interview from the households were persons aged 16 or over.

The sampling design of RSL2 has been largely adopted in the methodology and the sampling frame of RSL3. The same atolls were followed with slight modifications to the island selection. Subject to the revised numbers available from census data from 2014, population and household numbers were aligned to RSL2. With the updated population figure, the sample size was drawn using a sampling software with 95 percent confidence interval, with 5 percent error and 50 percent response distribution. To this figure, a 10 percent non-response was added. Based on this, a total of 1,160 individuals were included as the sample.

The Primary Sampling Units (PSUs) were selected using house lists obtained from the island councils. The respondents were persons aged 16 and above on his or her last birthday, living in the selected PSU. Where the selected sample was not available on the island for any reason, a replacement was taken from the household itself, provided they were over 16 years of age. The PSUs for the islands in the sample were selected using a block list obtained from the National Bureau of Statistics (NBS). As for the resorts, the sample was agreed in consultation with the Ministry of Tourism, and for Thilafushi Island, it was decided in consultation with Thilafushi Corporation Limited.

Enumerators' Training

The survey was undertaken by Riyan Pvt Ltd, a Maldivian consultancy firm. The survey instrument initially developed by the international consultant for the 2005 report was used with minor modifications. The approval to conduct the survey was obtained from the National Bureau of Statistics (NBS) and the questionnaire was finalized and digitized using ‘latin’ in the local language. The topics in the enumerator training included familiarity with using the tablets, the questionnaire and terminology; the laws and regulations attached to the subject in question, and the conventions the country has signed and ratified with international bodies. Training was conducted to equip the enumerators with the supervisory skills designed to assist the Riyan team handling the survey. While the Riyan team conducted the training sessions in Malé and the Atolls, representatives from HRCM and the FPA actively participated in facilitating sessions. A supervisor from the Riyan team was assigned to each selected island and to Malé. He/she was present in the field for overall coordination of the data collection process. Prior to travelling to the sites, enumerators were sought from the selected islands using online advertisements. The final recruitment took place on site, and gender representation was emphasized. All of the selected enumerators had completed their education to at least GCE Ordinary Level (lower secondary exam). The enumerators underwent a half-day training session, focusing largely on the questionnaire. The training also included a session on human rights, the role of HRCM, the Domestic Violence Act and other key documents.

Some basic details of the samples are shared in the following table.

Table 1. Summary of sample

Total sample size	1,160
Malé	394
All Atolls	610
Industrial/Thilafushi	50
Resorts	106
Total number of locations surveyed	20
Total number of islands (excluding cities, resorts and industrial islands)	13
Cities (Male & Addu)	2
Resorts	4
Industrial/Thilafushi	1

Data Collection

The survey data collection was carried out from 16 July – 10 September 2019. Data collection was initiated after the enumerators had been trained. The length of the data collection period, the number of enumerators, and other details of the process are shared in the following table.

Table 2. Data collection schedule

Islands	Travel (DD/MM)	Dates	Days	No. of Enumerators	Sample size
Total					1,160
Malé	15/7	3/9	48	20	394
Fuvahmulah	20/7	22/7	2	10	25
Addu	25/7	29/7	4	10	61
AA. Atoll					
Aa. Rasdhoo	27/7	28/7	1	8	45
Aa. Thoddoo	29/7	30/7	2	4	45
Ha. Atoll					
Ha. Utheemu	2/8	5/8	3	10	66
Ha. Dhidoo	2/8	5/8	3	8	66
R. Atoll					
R. Rasmaadhoo	2/8	3/8	1	9	65
R. Ungoofaaru	4/8	6/8	2	8	65
Feafu Atoll					
F. Nilandhoo	7/8	9/8	2	8	22
F. Bilehdhoo	8/8	8/8	1	6	22
Th. Atoll					
Th. Veymandhoo	23/8	24/8	2	8	32
Th. Gaadhifushi	24/8	26/8	2	8	32
Gdh. Atoll					
Gdh. Thinadhoo	23/8	24/8	2	8	32
Gdh. Madaveli	25/8	26/8	2	8	32
Resorts	26/7	10/9	6	26	106
Industrial	4/8	24/8	10	4	50

Response Rate

The overall response rate for the survey was 95 percent. A more detailed breakdown is shared in the table below.

Table 3. Response rate

	Total Sample	Total Responses	Response rate
Outer islands	549	546	99.45%
Urban	455	422	92.75%
Resorts	106	94	88.68%
Industrial	50	39	78.00%
Total	1,160	1,101	94.91%

Although the total response rate is high, the response rate to questions in different sections of the questionnaire varied. Generally, refusals were received for different parts of questions 66 and 72, focusing on women’s rights.

Limitations

Survey instrument

The size of the questionnaire proved to be a challenge in obtaining information from the respondents. In total, there were one hundred and twenty-seven broad questions with two hundred and forty-eight sub-questions. On average, a minimum of thirty to forty-five minutes were spent conducting one full interview.

Timing of the survey

Several public holidays fell into the survey period creating challenges in getting access to households, especially in Malé. This resulted in an extension of the data collection period, and burnout of the enumerators in the capital .

Furthermore, there was a considerable gender disparity among the respondents. This occurred because the surveys were conducted on weekdays, from 9 a.m. to 5 p.m., leading to more responses from women. Men were unavailable at home during these times and this is during weekdays and during office hours; a general phenomenon observed throughout the country and reflected in almost all the surveys.

In addition, the weather conditions deteriorated during the survey period, and travel was postponed occasionally, impacting on the fieldwork.

Availability of enumerators

One of the main challenges lay in recruiting enumerators and retaining them throughout the survey period, especially in Malé. Recruitment and training had to be conducted more than once. Initially, each Atoll/Island

Council was asked to assist the team in recruiting enumerators, however, in some islands, the interest level was low. Hence, enumerators had to be hired from other, nearby islands.

Some questions in this survey were designed to be administered by female enumerators with female respondents, and by male enumerators with male respondents, in order to increase the responses. But finding enumerators from both genders in some locations was a challenge, and this may have impacted on the responses to some gender-based questions.

Challenges were also encountered in finding enumerators from different age groups. The majority were below the age of 25, and hence difficulties were faced with questions which required probing and maturity in handling the responses.

Other

Challenges in communicating with migrant workers due to the language barrier, led some participants to leave midway through the interview. During the data collection, assistance was sought from the workers' colleagues in answering the questions, creating interpreters' bias.

Key Findings¹

Awareness of the Human Rights Commission

1. An increase in public awareness of HRCM (40.8 percent in 2005, 72.8 percent in 2011 to 84.8 percent in 2019).
2. A significant increase in migrant worker respondents awareness of HRCM (9.0 percent in 2011, 41.2 percent in 2019).
3. Similar to the findings of 2011, women's awareness of HRCM was high (84.9 percent in 2011 to 87.0 percent in 2019).
4. An increase in men's awareness of HRCM was observed (63.7 percent in 2011 to 80.7 percent in 2019).
5. A decline in the overall approval rating or the number of respondents who think HRCM is doing an excellent or good job since 2005 (39.7 percent in 2005, 27.0 percent in 2019). There was no significant difference between the results of the approval rating in 2011 and 2019 (26.7 percent in 2011).
6. There is also a decline in the number of respondents who believe that HRCM is doing a satisfactory job, down from 19.9 percent in 2011 to 13.4 percent in 2019.

7. 31.1 percent were dissatisfied and thought HRCM was not doing a good job.
8. A concerning lack of understanding on the functions and mandate of HRCM was observed. Over a quarter (27 percent) of respondents were not able to define the role of HRCM.
9. In 2011, 70.0 percent of the respondents stated that the role of HRCM was to protect human rights whereas this number had declined to 42.8 percent in 2019.
10. Understanding of HRCM's monitoring role has suffered a significant decline to 4.1 percent, down from 18.0 percent in 2011.
11. The investigative role of HRCM was stated as a function of HRCM by only 12.9 percent of the respondents as opposed to 31.0 percent in 2011.
12. When respondents were asked about the specific functions of HRCM that needed further strengthening, the strongest support was voiced for creating awareness on human rights (89.2 percent), closely followed by strengthening protection of the rights of vulnerable groups (89.0 percent).
13. 87.4 percent stated that HRCM should strengthen its function of advising the government on human rights issues, followed by 86.1 percent demanding improvement in the investigation of complaints regarding human rights abuses.
14. 85.8 percent suggested that HRCM should improve monitoring the government's compliance with human rights obligations.

Community Awareness of Human Rights

1. Awareness of human rights, while 13.4 percent claimed to have high awareness and 23.2 percent reported having a poor understanding.
2. Women displayed increased confidence with their human rights awareness with 60.5 percent reporting moderate awareness, compared to 46.6 percent of men. There was no significant difference in the findings to the 2011 report.
3. Only 36.5 percent of respondents were able to name five human rights, suggesting a decline from 45.1 percent in 2011.
4. A significant positive change is in the decrease of the number of people who could not name any human rights (44.5 percent in 2011 compared to 15.4 percent in 2019).

5. More women (38.9 percent) were able to identify five human rights compared to men (32.0 percent) mirroring the greater awareness of human rights reported by women in the previous query.
6. The respondents believed that rights of the child were the most important from a provided list of twenty-one human rights. This is a considerable departure from previous findings of 2011 where the right to access education was cited as paramount.
7. Women's right to equality was identified as the second most important human right at 10.9 percent, with the right to education and right to adequate healthcare trailing closely at 10.5 percent and 10.1 percent respectively. In 2011, freedom of expression was ranked as the most important human right, with the right to education in second place.

Democratic Reform

1. People overwhelmingly asserted (85.7 percent) the importance of knowing about the rights and freedoms guaranteed under second chapter of the Constitution. This view holds merit across the gender, geography and nature of local island/atoll/municipal administration without significant variation.
2. A marked improvement of 20.2 percent (up from 11.2 percent in 2011) of the respondents reported having read the Chapter II: Fundamental Rights and Freedoms of the Constitution.
3. More men (23 percent) than women (18 percent) reported having read the constitutional chapter on rights.
4. 77.6 percent of the respondents supported an initiative for the government to provide copies of the Constitution to every household in the country.
5. No significant difference was observed between respondents who thought the democratic process was successful (31.0 percent) and those who thought it was not (30.0 percent). 18% of respondents believe the democratic process has been successful to some extent.
6. Men were noted to be slightly more satisfied (38.0 percent) with democratic and political reform than women (28.1 percent).
7. Corruption (21.0 percent) and lack of trust between political parties (20.0 percent) were considered the leading factors undermining the success of the democratic process.

The Right to Security of the Person/Crime

1. No significant difference was observed between respondents who reported knowing a victim of crime between 2011 (20.8 percent) and 2019 (21.7 percent).
2. Fewer migrant workers reported knowing a victim of crime, with a fall from 15.8 percent in 2011 to 4.1 percent in 2019.
3. Two thirds of people (74.9 percent) who reported knowing a victim of a crime were below the age of 39 years old.
4. A quarter of those who reported knowing a victim of crime, recalled that it was a member of their own community, while 14.0 percent said it was a neighbor, and 13.5 percent stated it was a member of their household.
5. Most of the respondents identified victims of crimes as male (45.3 percent) while 17.3 percent indicated that the victim was a female.
6. The high (37.4 percent) non-response rate (as opposed to 18.0 percent in 2011) contributes to the decline in the number of people who reported that the victim was male and those who reported the victim as female, compared to 2011.
7. 31.6 percent stated the age of the victim to be between 19-34 years. Almost half (49.6 percent) of these respondents were from urban regions as opposed to 23.7 percent from the outer islands.
8. 40.7 percent of people believe there has been a significant increase in crime.
9. The number of respondents who believed that the crime rate has increased, rose from 52.6 percent in 2011 to 60.0 percent in 2019. Similar to the findings of 2011, more women (45.0 percent) than men (33.0 percent) consider crime rate to have greatly increased.
10. More people living in urban areas (55.2 percent) reported an increase in crime compared to those in the outer islands (31.7 percent).
11. People in the 60-69 age group are of the opinion that the crime rate has greatly increased (58.7 percent), in contrast to 2011 where people in the 40-49 age group held this belief.
12. The other diverging finding is that 41.6 percent of people over the age of 70 were concerned that crime rate has increased when the previous survey found that people belonging to this age group were least concerned about crime rates.

13. Most respondents believe substance abuse is the main cause fueling an increase in crime (19.2 percent).
14. 11.2 percent of the respondents believe gangs to be the second most influential factor for the increase in crime.
15. 28.2 percent of the respondents said that everyone, including the executive, parliament, judiciary, other state institutions, oversight bodies such as HRCM and parents along with the general public, is responsible for the increase in crime.
16. 19.7 percent of the respondents identified the government as a whole and the police (16.3 percent) as institutions that should be held accountable for the inability to prevent crimes.

Human Rights and Religion

1. An increase in the number of people who believe human rights are incompatible with Islam was observed (from 29.6 percent in 2011 to 33.7 percent in 2019), while a decline is noted in those who attest to its compatibility (from 45.6 percent in 2011 to 29.9 percent in 2019).
2. More women (36.0 percent) than men (29.2 percent) were of the opinion that human rights are incompatible with Islam.
3. A decrease in the number of women agreeing with compatibility between Islam and human rights from 41.0 percent in 2011 to 30.2 percent in 2019, as well as among men, with a drop from 49.0 percent in 2011 to 29.7 percent in 2019.
4. Over a third (35.6 percent) of the respondents living in urban regions were of the belief that there are no conflicts between human rights and Islam, whereas only 26.4 percent of those from outer islands tended to subscribe to the same view.
5. Over a third (34.0 percent) of the respondents from outer islands stated that they believed human rights and Islam are in conflict with one another and therefore incompatible.
6. Among those who considered human rights to be opposed to Islamic ideals, 50.0 percent were in the 60-69 age group. The greatest number of people who thought human rights and Islam are compatible were over 70 years of age (41.7 percent).
7. Concerningly, a third (36.2 percent) of the respondents who think human rights and Islam are not compatible belong to the 20-29 age group.

8. Among migrant workers, 15.5 percent believe human rights to be compatible with Islam.
9. Almost half of the respondents believed that human rights are not compatible with Islam because the nine punishments for offences prescribed in Islam conflicted with principles of human rights.
10. There were worrying responses from a considerable number of people who felt that gender equality and child rights are not compatible with Islam. And it is concerning that most of these respondents were women.
11. People also believed that human rights principles conflicted with Islamic values among which dress code, the use of music in schools, freedom of conscience and thought, inability to implement harsh punishments, detainee/prisoner rights and promotion of interaction between sexes are notable. It is also important to note that it was mostly young people who expressed concern regarding human rights hindering implementation of the death penalty.

Attitudes to Family and Ideas about Acceptable Behavior in the Home

1. 82.9 percent of respondents were strongly supportive of the statement 'A good wife always obeys her husband even if she disagrees'.
2. 45.9 percent of respondents from outer islands were in strong agreement with this statement compared to 20.1 percent from urban regions who strongly agreed.
3. Most of the respondents believed that problems within the family should not be discussed with outsiders (66.7 percent), where more women (72.1 percent) tended to believe this statement than men (56.8 percent).
4. Out of the total respondents 9.9 percent stated that a wife should be shown who is the boss. More women (10.4 percent) supported this statement compared to men (8.6 percent).
5. More respondents from the outer islands (24.3 percent) strongly agree with this statement when compared with urban dwellers (6.4 percent).
6. Majority of the respondents disagreed with the statement that a woman has to obey her husband if he asks her to do something that conflicts with Islam (80.4 percent). More women (84.7 percent) than men (72.9 percent) disagreed with this statement. Slightly

more respondents from urban regions (89.8 percent) did not support this statement when compared with people from outer islands (74.5 percent).

7. Over a half (52.2 percent) of the respondents feel that it is the duty of the wife to have sex with her husband even if she does not feel like it. 60 percent of women were in agreement with this statement.
8. Most people (57.0 percent) believe that people outside of the family are justified in attending to a woman being abused by her husband. The number of male respondents who agree that others outside the family should intervene if a man mistreats his wife increased from 48.2 percent in 2005 to 54.9 percent in 2011 to 59.1 percent in 2019.
9. Most of the people surveyed (67.85 percent) did not believe any of the justifications provided can condone a husband being physically abusive towards his wife.
10. 12.4 percent (13.5 percent females and 9.6 percent males) of the respondents believed that the husband can hit his wife if she fails to obey him.
11. 26.8 percent (29.9 percent females and 20.8 percent males) of the respondents said they believed it would be justified for a man to hit his wife if she went against Islam.
12. 12.1 percent (11.4 percent females and 12.8 percent males) of the respondents said a husband is justified in hitting his wife if she physically abuses the children.

Domestic Violence

1. 21.2 percent of the respondents identified physical abuse as a form of domestic violence.
2. Half of the respondents believed that sexual abuse in a domestic relationship constituted an offence.
3. When the respondents were asked to identify what domestic relationships are, 20.4 percent said it was parents or persons who have or had parental responsibility for a child, 20.3 percent understood it as the relationship between people who are or were married to each other, 15.1 percent believed it is one that exists between persons who are family members related by consanguinity, affinity or marriage, and 14.1 percent thought persons who recently shared the same residence were in a domestic relationship.

4. 80.0 percent of the respondents stated that they were aware of protective provision in the law.
5. More women (54.6 percent) were aware of the right to claim a protection order as opposed to (25.0 percent) of male respondents.
6. 44.3 percent of the migrant workers were aware that they could seek a protection order in cases of domestic violence.
7. Majority (80.0 percent) of people said that they knew where to lodge complaints for domestic violence.
8. More than half (58.1 percent) of the respondents named Maldives Police Service as the institution where they can file a domestic violence complaint, while less than a third identified the Ministry of Gender, Family and Social Services as the institution to report cases of domestic violence.
9. 56.7 percent of migrant workers were aware of institution(s) to which they could report a domestic violence allegation.
10. Over a third (34.7 percent) of the respondents were disappointed with the performance of these institutions, while 29.3 percent said they were happy.
11. 17.6 percent said they were satisfied with the institutions handling domestic violence cases.
12. 39.8 percent of the respondents from the urban regions were less happy with the performance of state intuitions pertaining to domestic violence, while 31.3 percent of respondents from outer islands were happy with the performance of the institutions.
13. Majority of the respondents identified substance abuse (21.0 percent) as the most influential factor responsible for domestic violence. Financial difficulties (13.8 percent), inability to hold perpetrators accountable (13.8 percent), lack of education (12.3 percent) and lack of adequate housing (13.3 percent) were other factors that respondents said were the root causes.
14. 19.0 percent of respondents reported knowing a survivor of domestic violence. Women (26.7 percent) are more likely to know a survivor.
15. A very high non-response rate (71.3 percent) was observed for questions related to perpetrators. Most respondents to this question said survivors suffered domestic abuse by the spouse or the former spouse. Most female respondents stated that they suffered

domestic violence from their husbands while in the case of male respondents, a former lover was the most commonly reported perpetrator.

16. Most women responded that their husbands were the perpetrators of domestic violence, while most men reported having suffered abuse from previous partners.
17. From those who reported physical abuse most respondents said they were subjected to the violence by their husbands (13.6 percent) and in-laws (11.1 percent).
18. Most survivors related that the most recent type of abuse they suffered was physical abuse (39.0 percent) and the second most common response as verbal abuse (20.3 percent).
19. More women reported having suffered physical abuse (47.4 percent) compared to men.

Sexual Abuse of Children and Other Children's Rights

1. 93.6 percent of the respondents affirmed child sexual abuse of girls as a serious issue. This concern has increased over the years with 82.1 percent in 2005 and 93.3 percent in 2011.
2. 91.7 percent of the respondents affirmed child sexual abuse of boys as a serious issue.
3. Less than a third of respondents (27.9 percent) reported being satisfied with the level of protection afforded to children, while the majority (48.2 percent) were dissatisfied.
4. From those who reported being satisfied with the level of protection given to children, 32.3 percent were men and 25.5 percent were women.
5. Respondents from the urban regions were more dissatisfied with the protection services for children (53.1 percent).
6. 20.8 percent of the respondents admitted that access to quality education needed to be improved and 12.9 percent of this group felt that response to violence against children needed to be strengthened.
7. 9.6 percent of people believed that gender discrimination needed to be prevented.

Rights of Older People and People with Disabilities

1. 40.9 percent of respondents are dissatisfied with the protection and services assured for persons with disabilities and 39.0 percent reported being satisfied. 41.7 percent people from urban areas and 37.3 percent from outer islands were satisfied with the services.
2. 16.3 percent of the people said they were concerned over the lack of access to education for people with disabilities. Respondents identified discrimination as the second most prevalent issue that needed to be addressed (13.2 percent). Respondents were similarly concerned about the lack of schools for children with special needs (13.0 percent).
3. Close to half of the respondents (48.1 percent) reported being satisfied with the services provided for the elderly while a third (33.3 percent) exhibited dissatisfaction.
4. The most important area to ensure the rights of the elderly was to prevent neglect of elderly persons (23.0 percent) and the need to prevent abuse of the elderly (11.0 percent).

Rights to Equality of Access to Services

1. 41.0 percent of the respondents were satisfied with schooling and education in the Maldives, 40.0 percent were noted to be disappointed.
2. People from urban areas (52.4 percent) appeared relatively more satisfied with education and schools than the respondents living in the outer islands (45.2 percent).
3. 23.3 percent of the respondents felt that better qualified and well-trained teachers in schools would improve the quality of education (23.3 percent) and 16.7 percent of the people thought improved education in higher grades of the outer islands would positively and generally affect education.
4. Majority (63.6 percent) of the people were dissatisfied with overall health services and especially those from outer islands (62.3 percent).
5. 64.4 percent of the respondents expressed dissatisfaction with the quality of hospitals.

6. The overall dissatisfaction exhibited over the three components of health are congruous with the 2011 findings highlighting that people do not perceive health services have improved.
7. A third of respondents (31.4 percent) believed improving services at the hospitals would enhance access to health in general.
8. Majority of the respondents were dissatisfied with the available employment and work opportunities (43.1 percent).
9. Close to half of the respondents (45.2 percent) expressed concern over the limited access to markets for conducting economic activities.
10. The number of respondents dissatisfied with the judiciary accounted for 56.3 percent of the respondents.
11. Most commonly cited reason for the loss of judicial confidence pertained to corruption (39.2 percent).
12. A positive change can be observed towards the performance of security services including the police, with an increase in respondents expressing satisfaction with police work (43.5 percent).
13. The most commonly cited reasons for dissatisfaction with police services were corruption (25.1 percent) and their unavailability when in demand (19.4 percent).
14. A general dissatisfaction with the performance of prisons services (24.8 percent) was reported. Women expressed this more than men, and the reasons cited were corruption (10.7 percent), lack of supervision (5.2 percent), abuse (4.2 percent) and torture (2.5 percent) of prisoners.
15. Generally, people agreed that social services have not been expanded to facilitate better outreach over the years and thus have remained at the same level.
16. Close to half (46 percent) of the respondents were convinced that the government was taking adequate measures to improve housing services.
17. Most respondents believed that the government should prioritize health services' improvement and ensure the provision of social housing as well as financial assistance.
18. Majority of people stated that they were dissatisfied with the access to official information.

19. Over a third of the respondents (36.1 percent) reported that the enactment of the Rights to Information Act (2014) has been helpful.

Right to Participate in Government and Take Part in Decision-Making

1. 77.0 percent of the respondents confirmed having participated in the parliamentary elections, with 83.3 percent of women and 65.4 percent of men responding positively.
2. 7.7 percent identified aggressive campaigning as an issue with the elections and 7.0 percent pointed to mismanagement or incomplete voter registration.
3. 9.6 percent of respondents found the lack of voter education problematic.
4. More than half (59.0 percent) of the respondents were dissatisfied over the allocations of resources between administrative atolls and islands.
5. People living in urban regions (67.5 percent) felt there is unequal distribution of resources between administrative atolls and those in the outer islands (53.8 percent).

Sexual Harassment

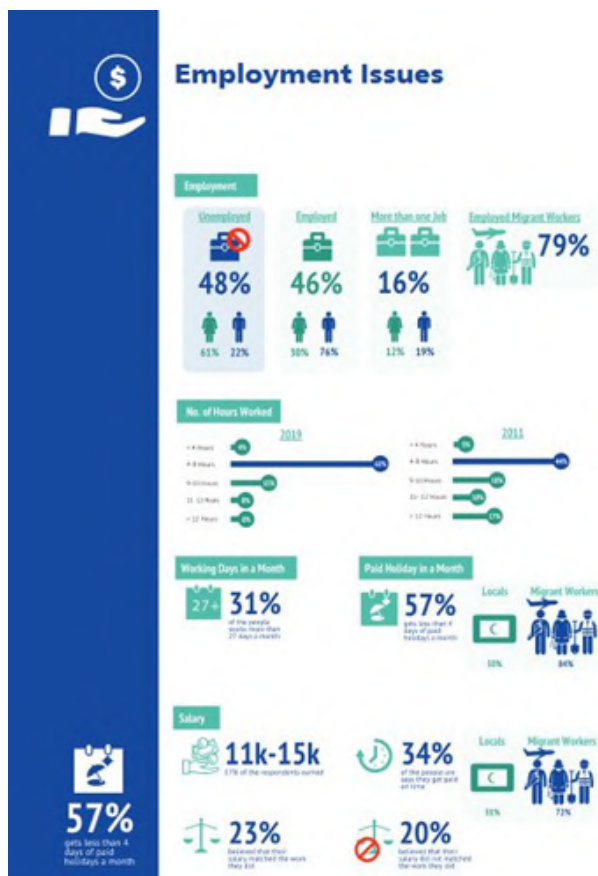
1. The most common type of harassment women were subjected to consisted of a man making obscene or offensive sexual comments (14.2 percent). The second was a man rubbing himself up against the respondents or touching them on their breasts or buttocks on the street, at the night market or any other public place (12.8 percent).
2. In 2011 the most common type of harassment was cited as grabbing the victim's hand in public (22.9 percent) and the least reported types of harassment were a man rubbing himself up against the respondents or touching the respondents on the breasts or buttocks or when getting on and off on ferries or other vessels (3.4 percent).
3. A woman rubbing herself against him or touching his private parts on the street or any other public place was reported as the most common type of harassment (8.0 percent) for men. The second most common type of harassment identified by men was having their hands grabbed by a woman at a public place (7.2 percent).
4. Majority of the respondents reported never having had any experiences of harassment they were queried about at their workplace.

5. It is concerning that 1.2 percent of the respondents reported that someone at work forced them to have sex with them against their will or attempted to do so.
6. Respondents who reported having been subjected to some form of sexual harassment when asked what action they took, decided not to respond (82.2 percent) by responding with 'did not know' and 'refused to answer'.
7. Among those who disclosed how they responded to the harassment, most (8.1 percent) did nothing about it.
8. People who admitted not taking any action following the harassment were then asked about the reasons why they did not pursue the issue. 34.2 percent of respondents did not believe it was a serious enough issue and in fact dismissed it as normal behavior. The second highest reason for non-action was reported as apprehension over disbelief (10.5 percent).
9. Only 1.0 percent said they reported the case to a relevant authority. It is to be acknowledged that 5.5 percent of the victims told a friend.
10. 4.3 percent who took of the aforementioned actions regarding the harassment reported that it did not help them. However, 2.9 percent admitted it helped them.
11. More women (3.3 percent) than men (2.1 percent) reported that taking an action provided them some relief.

Employment

1. Just over a third of respondents admitted to being employed in a salaried position (46.0 percent).
2. 16.0 percent of the participants were employed in more than one job, of which 19.0 percent were men and 12.0 percent were women.
3. There has been a considerable decrease in the number of people working for more than 12 hours (20.0 percent in 2005, and 16.6 percent in 2011 to 7.5 percent in 2019).
4. Most people (61.2 percent) reported working for 4-8 hours a day. Most migrant workers (58.8 percent) also reported working for 4-8 hours a day.
5. The number of people who worked for more than 27 days in 2005 was 50.0 percent and this fell to 37.9 percent in 2011, with a further decline in 2019 to 31.2 percent indicating an improvement.

6. Majority of respondents felt that they get enough leisure time off work and thus report being satisfied with this free time (73.0 percent).
7. 56.5 percent of respondents reported that they get less than 4 days of paid holiday every month.
8. Fewer women (11.0 percent) reported earning a salary over MVR 15,000 in comparison to that of men (17.6 percent).
9. Majority (73.0 percent) of people reported getting timely payment of their salaries.
10. More women (57.4 percent) in comparison to men (22.7 percent) believe the salaries they receive are fair and adequate.



Analysis of Some Findings

First established under a presidential decree in 2003, followed by reconstitution of the Commission under its own statute in 2006, HRCM is now a constitutional oversight body established with the broad mandate to promote respect for human rights in the Maldives.

Over this period of sixteen years, public awareness of HRCM has increased progressively from 40.8 percent in 2005, to 72.8 percent in 2011 and to 84.8 percent in 2019.

There is a significant increase in migrant worker respondents who were aware of HRCM with 41.2 percent in 2019 in relation to only 9.0 percent in 2011.

Findings of this survey reaffirm the 2011 outcome that more women are aware of HRCM, with 87.0 percent of the respondents reporting awareness of HRCM analogous to that of 84.9 percent in 2011. The increase in the percentage of men aware of HRCM from 63.7 percent in 2011 to 80.7 percent in 2019 is noteworthy and thus is one of the factors contributing to the overall increase in awareness of HRCM.

A decline from 39.7 percent in 2005 to 26.7 percent in 2011 was observed in the number of respondents who thought HRCM was doing an excellent or a good job. However, there was no significant difference in 2019 (27.0 percent) in the number of respondents who answered this question when compared to 2011. There is also a decline in the number of people who believe that HRCM is doing a satisfactory job from 19.9 percent in 2011 to 13.4 in 2019. Moreover, 31.1 percent of respondents were dissatisfied and thus of the opinion that HRCM was not doing a good job. Further inquiry is conceivably necessary to assess the phenomenon of 29.2 percent of the respondents not being able to arrive at a conclusion about their evaluation of the performance of HRCM. A direct correlation cannot be inferred between the increase in awareness of HRCM with the decline of its approval rating as probable contributing factors were not evaluated. The 2019 findings yet again manifest a narrowing gap between men and women who feel positively about the performance of HRCM, supporting the findings of 2011.

It is to be noted that when compared to women (28.0 percent), more men (37.0 percent) were disappointed with HRCM's performance.

There seems to be no significant difference between respondents from urban (25.2 percent) and outer islands (27.0 percent) who stated they were

happy about the performance of HRCM. Yet, respondents from both urban and outer islands reported being unhappy with the performance of HRCM with 30.0 percent and 31.8 percent affirming dissatisfaction respectively.

Table 4. HRCM Performance, by gender

	Male	Female	Total
Excellent	3.63%	3.51%	3.54%
Good	21.75%	23.36%	22.73%
Satisfactory	13.60%	13.13%	13.43%
Not good	21.15%	18.02%	18.99%
Dissatisfactory	15.71%	10.23%	12.12%
RF	0.90%	0.60%	0.71%
DK/NA	23.26%	31.15%	28.48%

Awareness about the Role of HRCM

Despite a considerable increase in awareness about HRCM, there is a significant decline in the understanding of the role of HRCM. Over a quarter (27 percent) of respondents were not able to define the role of HRCM. In



2011, 70.0 percent of the respondents reported that they believe the role of HRCM is protecting human rights, compared to that of 42.8 percent in 2019. Understanding of HRCM’s monitoring role has suffered a significant decline to merely 4.1 percent from 18.0 percent in 2011. The investigative role of HRCM was stated as a function of HRCM by just 12.9 percent of the respondents. This is a concerning outcome as the trend manifests a decline in perception of the investigative role of HRCM from 2011 (31.0 percent).

When respondents were inquired about what function of HRCM needed to be further strengthened, the strongest support was for creating awareness about human rights (89.2 percent). This was closely followed by 89.0 percent of respondents who opined that HRCM must strengthen protection of the rights of vulnerable groups namely children, women, persons with disabilities and the elderly. Subsequently, 87.4 percent stated that HRCM should strengthen its function of advising the government on human rights issues, followed by 86.1 percent calling for strengthening the function of investigating complaints about human rights abuses. Also, 85.8 percent stated that HRCM should be strengthening its work on monitoring the government's compliance to human rights obligations.

Community Awareness

More than half (55.6 percent) of the respondents reported being moderately aware of human rights. While 13.4 percent claimed to have a high and 23.2 percent reported to have a low understanding of human rights. Women appeared to be more confident about their awareness of human rights with 60.5 percent exhibiting moderate awareness, while 46.6 percent men stated the same. There was no significant difference in the findings in relation to that of 2011.

Interestingly though, when asked to name five human rights, only 36.5 percent of the respondents were able to do so. This outcome is concerning as it is a decline from 45.1 percent people who could name five human rights in 2011. However, a significant positive change is the decrease in the number of people who could not name any human right from 44.5 percent in 2011 to 15.4 percent in 2019. More women (38.9 percent) than men (32.0 percent) were able to name five human rights.

Rights of the child were identified as the most important human right, ranked the first place (18 percent) from a provided list of twenty-one rights. This is a divergence from findings of previous years. In 2005, the highest ranked right was access to health services (82.4 percent) and in 2011 it was the right to education (86.7 percent).

Interestingly, women's right to equality was identified as the second most important human right at 10.9 percent, with the right to education and right to adequate health following closely at 10.5 percent and 10.1 percent respectively.

Table 5. Five Human Rights considered as the most important, by gender

Top 5 rights (ranked)	Male	Female	Total
1. Children's rights	14.37%	19.93%	18.01%
2. Women's rights to equality	7.10%	12.90%	10.93%
3. Access to good quality of education	9.14%	11.23%	10.53%
4. Access to health services	8.78%	10.86%	10.14%
5. Adequate food	8.70%	8.00%	8.23%

Another interesting trend to be noted is the rise in ranking of women's right to equality over the years. In 2011, women's right to equality was ranked in sixth position, while in 2019 it has been identified as the second most mentioned human right.

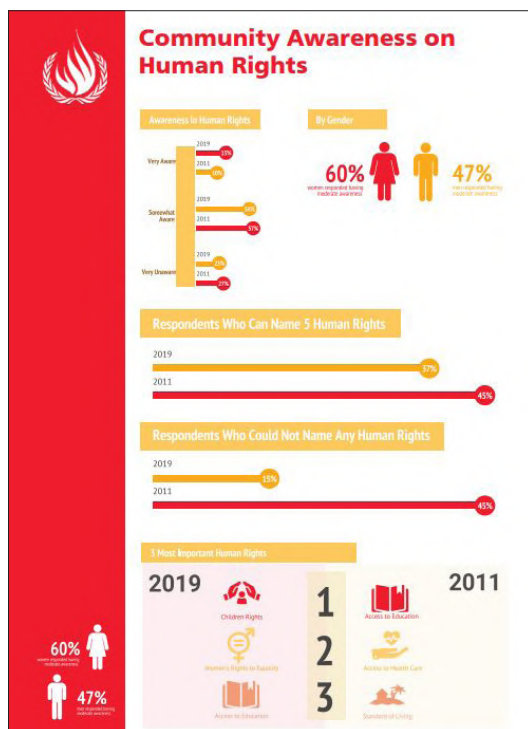
This finding is significant as it strongly corresponds to the fact that the number of women who are aware of human rights has increased exponentially over the years. It is widely believed that women's rights and empowerment directly correspond to the rights of the child.² Women's right to equality was the second most important human right (10.9 percent) in this 2019 survey, replacing right to education which was ranked as the second most important in 2011. Followed closely by access to education at 10.5 percent, which replaces the right to housing as the third most important human right in 2011.

Table 6. Five Human Rights considered as the most important, by region

Urban	
1. Children's rights	14.84%
2. Access to health services	9.39%
3. Women's rights to equality	8.26%
4. A secure family life	7.89%
5. Access to good quality of education	7.61%
Outer Islands	
1. Children's rights	19.52%
2. Women's rights to equality	12.19%
3. Access to good quality of education	11.92%
4. Access to health services	10.50%
5. Adequate food	8.66%

The people living in outer islands and urban regions also ranked the rights of the child as the most important followed by access to healthcare in the urban region and women's equality in the outer islands.

Studies on the impact of women's awareness, education and empowerment show that when women are empowered with education, health and



human rights awareness, they are better able to ensure and prioritize the rights of their children, the health of the family and work to provide education for their children.³ Additionally, in its resolution 32/20, the Human Rights Council has recognized that education was a multiplier right that empowered women and girls to make choices to claim their human rights, including the health and education of their families, economic growth and political participation.⁴ Hence the outcome of this survey affirms with

the correlation between an increase in women's awareness of human rights and identification of the rights of the child, women empowerment and right to education as the most salient of human rights.

Human Rights and Religion

Given the significance of perception on successful implementation of policies and interventions, HRCM decided it was important to understand how people perceived the relationship between Islam and human rights to facilitate the effective implementation of Human Rights in the Maldives. As the findings from other chapters show, attitudes on women and family life appear to have a significant correlation with religion. An additional factor considered was the high non-response rate from the 2011 survey on questions pertaining to Islam and human rights; this prompted the inclusion of these questions in this survey.

There is an increase in the number of people who believe human rights are incompatible with Islam (from 29.6 percent in 2011 to 33.7 percent in 2019), while a decline is observed in those who think it is compatible (from 45.6 percent in 2011 to 29.9 percent in 2019).

Table 14: Perceived conflict between Islamic views and human rights, by gender

	Yes	Some-times	No	No connect-ion	RF	DK/NA
Male	29.1%	10.42%	30.15%	0.56%	0.98%	28.91%
Female	36.04%	10.52%	30.15%	0.56%	0.98%	21.74%
Total	33.70%	10.63%	29.88%	0.54%	1.09%	24.16%

There is no change in the number of respondents who said there is no connection between Islam and human rights (1.00%) while the response rate to the question has also not improved (15.9 percent in 2011 compared to 25.2 percent in 2019). This is a significantly worrying change in perception and one that demands strengthened policy and programmatic interventions.

Similar to 2011 findings, more women (36.0 percent) than men (29.2 percent), were of the opinion that human rights are incompatible with Islam. There is significant decrease in respondents who said human rights and Islam were compatible (45.0 percent in 2011 to 29.9 percent in 2019). This holds true with all sexes. The number of women agreeing with compatibility between Islam and human rights decreased from 41.0 percent in 2011 to 30.2 percent in 2019, while the figure for men fell from 49.0 percent in 2011 to 29.7 percent in 2019. It is also to be noted that men (30.2 percent) appeared more hesitant to respond to this query in comparison to women (22.7 percent).

Over a third (35.6 percent) of the respondents living in urban regions were of the belief that there are no conflicts between human rights and Islam, while 26.4% of those from outer islands subscribe to this view. This shows a significant decline in the number of respondents living in urban regions who believe there is no conflict between human rights and Islam from 2011 (54.0 percent). Over a third (34.0 percent) of the respondents from outer islands stated that they believed human rights and Islam are in conflict and hence incompatible.

Table 15: Conflict between Islamic views and human rights, by region

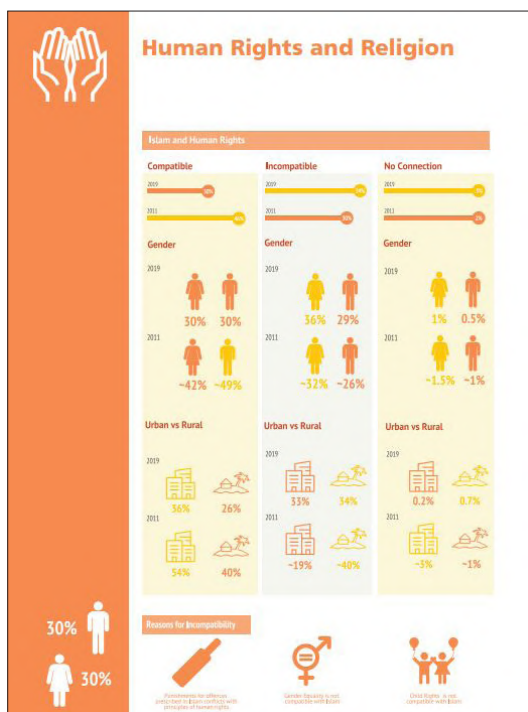
	Yes	Some-times	No	No connect-ion	RF	DK/NA
Outer island	34.02%	10.46%	26.36%	0.74%	1.77%	20.14
Urban	33.18%	10.90%	35.55%	0.24%	0.00%	21.74%
Total	33.70%	10.63%	29.88%	0.54%	1.09%	24.16%

Among those who considered human rights to be non-compliant with Islam, 50.0 percent were from the 60-69 age group. Interestingly, the greatest number of people who thought human rights and Islam are compatible were over 70 years of age (41.7 percent). This age group is also the lowest (25.0 percent) to report that there is conflict between human rights and Islam. It is notable that over a third (36.2 percent) of the respondents who think human rights and Islam are not compatible belong to the age group of 20-29 years.

Among migrant workers, 15.5 percent believe human rights to be compatible with Islam. However, it is to be noted that most migrant workers (75.3 percent) did not respond or know the answer to this query.

Those who replied that human rights are not compatible with Islam were further queried about the reasons for their stance. Close to a half of the respondents believed that human rights are not compatible with Islam because the punishments for offences prescribed in Islam conflict with principles of human rights. Several people also said it is problematic that human rights impede the implementation of death penalty. There were worrying responses from a considerable number of people who felt that gender equality and child rights are not compatible with Islam. It is more concerning that most of these respondents were women.

Another significant observation is that these respondents belonged to outer island regions. Freedom of religion was also named as one of the matter of incongruence between human rights and Islam. People also believed that human rights principles conflicted with Islamic values among which dress code, the use of music in schools, freedom of conscience and thought, inability to implement harsh punishments, detainee/prisoner rights and promotion of interaction between sexes are notable. Most people who thought human rights are not compatible with Islam because the punishments for offences prescribed in Islam conflicted with principles of human



rights, were from urban regions and mostly from Malé. It is also important to note that it was mostly young people who expressed concern regarding human rights hindering implementation of the death penalty.

Decreased respect for gender equality, calls for harsher punishments, glorification of violence and disillusionment about rights are manifestations of radicalization and violent extremism.⁵ In December 2019, during the national decentralization symposium ‘Viyavathi Raajje’ conducted by the President’s Office, Maldives Police Services and the National Counter Terrorism Centre presented their findings on the nature and extent of radicalization and extremism in the Maldives, along with national indicators for profiling those manifesting radicalized and extremist views and beliefs.⁶ During the live-streamed and broadcasted session, the Commissioner of Police, Mr Mohamed Hameed, revealed that the authorities have identified 1,400 people harboring extremist ideologies. He also confirmed that four hundred twenty-three Maldivians have to date, attempted to travel to Syria and Iraq to join rebel groups, and one hundred seventy-three of them have succeeded.⁷

The National Counter Terrorism Centre also disclosed the characteristics of those holding extremist and radicalized ideologies in the country. The Centre said they were people who do not accept the laws of the state and disregard them citing incongruence with Shariah; people migrating to or ready to move to countries with ongoing war in the name of jihad; people claiming Maldivians other than themselves to be infidels hence justifying/

The National Counter Terrorism Centre also disclosed the characteristics of those holding extremist and radicalized ideologies in the country. The Centre said they were people who do not accept the laws of the state and disregard them citing incongruence with Shariah; people migrating to or ready to move to countries with ongoing war in the name of jihad; people claiming Maldivians other than themselves to be infidels hence justifying/

promoting/advocating and glorifying violence against them, depriving children and women of their basic human rights and propagating and promoting extremist ideologies.⁸

Conclusion

This report highlights human rights concerns that have magnified over the past seven years since the publication of the previous *The “Rights” Side of Life* survey. These concerns have manifested into serious issues demanding immediate and concerted national responses.

The RSL2 highlighted a worrying decline in support for gender equality and conviction in equal rights for women. The support for gender equality has diminished and women’s rights seem to have suffered even more over the years.

What is significantly worse is the emergence of a religious extremist narrative that has been used to weaken support for gender equality and women’s rights. Gender equality remains one of the most commonly cited reasons for incompatibility of human rights with Islam.

Findings of the survey manifest the acceptance of both men and women that the woman has a subordinate relationship in marriage. It is not viewed as a partnership by most respondents and the man is accepted as dominant in the marriage more readily by women than men. This study brings to light the lack of support for the woman’s consent in marriage and requires immediate advocacy intervention. More than half of the respondents reported that a woman is expected to have sex with her husband even if she does not want to and increasingly, more women than men support this view.

There is an immediate and real concern regarding the persistent acceptance of violence against women, especially as an increasing number of women have begun to find justification and acceptance for acts of violence against them by their husbands.

The findings of several chapters in this survey evidently suggest associations with each other. Increasingly, more people are of the opinion that human rights and Islam are incompatible. The reasons cited for the perceived incompatibility; human rights advocate for equal rights for women and rights of the child; human rights impede Islamic Shariah; human rights conflict with Islamic values, are worrying. This manifests signs of radicalization and growing violent extremism. This survey also notes that women,

young girls and children as those who stand to lose most, when respect for human rights decline.

The fact that growing concern regarding child sexual abuse has been consistently highlighted in all three “Rights” Side of Life surveys, indicates the inadequate response of the State to remedy this issue. The majority of respondents were unhappy with the protection provided for children. This also aligns with the response of this survey, identifying child rights as the most important human right.

Similarly, most respondents were also dissatisfied with the protection ensured for persons with disabilities. Access to education and elimination of discriminations against persons with disabilities were identified as the most important areas to be strengthened for better protection. It is noteworthy that the majority of respondents were satisfied with the protection afforded to the elderly. People identified prevention of neglect and abuse of the elderly as imperative measures to ensure protection.

The newly incorporated chapter on domestic violence highlights significant issues. Neither women nor men recognize an intimate relationship between a man and a woman outside marriage as a domestic relationship. There is concern that violation of rights, abuse and violence in these relationships will go unreported.

It is heartening to note that an overwhelming majority of respondents know they can seek a protection order and are aware of the institutions they can report to. However, most respondents were dissatisfied with the performance of these institutions and this should be an imperative focus for policy makers, the judiciary, investigative and oversight bodies and institutional heads.

Substance abuse, financial stress and lack of adequate housing were named as root causes for domestic violence by the respondents. These socio-economic issues must be addressed with more expediency to prevent domestic violence.

Significant number of people reported knowing a domestic abuse survivor and also admitted to being a survivor themselves. Some survivors of domestic violence shared that the most abuse they suffered pertained to being forcefully impregnated while they were trying to remove themselves from harmful marriages. Additionally, the fact that so many survivors reported experiencing a range of acts of domestic violence from their in-laws needs to be addressed.

Synonymous to the concerning reports of sexual harassment on social media, the findings of this report reaffirm the rampant existence of harassment in both public places and at work. Several forms of verbal abuse and physical abuse in public places and at workplaces have been reported. Also, of concern is that many victims chose not to do anything about the harassment and the fact that a significant number of those respondents said they did not pursue any action because this kind of behavior is seen as normal and not 'serious enough'.

This study yielded strong support for democracy, with a significant number of respondents agreeing that a democratic form of government is good for the country, and perhaps this is linked to the high voter turnout in elections. Nevertheless, respondents do not appear convinced about the success of the democratic processes and have identified corruption as the main hindrance. The high voter turnout in the last two elections is reflected in the responses of the majority of respondents who confirmed they voted in the last parliamentary elections. More than half of the respondents were unhappy with the unfair allocation of resources between administrative atolls and islands.

While most people were satisfied with schooling and education in the Maldives, the majority, especially those from the outer islands, were highly disappointed with health services and believed that the sector has not progressed over the years. This year's survey highlighted that people were happy with the performance of the police and respondents' satisfaction rate has seen an increase from that of 2011. On the other hand, people remain dissatisfied with prison services as they reported corruption, lack of supervision, abuse of prisoners, and torture as the reasons for their disapproval. Generally, people were in agreement that social services have not improved over the years.

More than half of the respondents were convinced that the government was taking adequate measures to improve services in all areas except housing including financial assistance.

It is concerning that majority of the migrant workers get less than four days of paid leave in a month which is below the minimum standard set under the Employment Act.

Finally, the decline in the approval rate of HRCM in relation to the 2011 findings has to be considered with gravity. This inadvertently affects the respect for human rights among people in general, perception and faith in the

institution and the impact of the current and future work of HRCM. It underlies the findings in this report suggesting that the majority of Maldivians are now aware of HRCM. Similarly, the lack of awareness on the constitutional role and functions of HRCM as an oversight body, should also be a primary concern for the Commission to address.

Final Note

This survey is a joint project of The Human Rights Commission of the Maldives (HRCM), The Family Protection Authority (FPA) and the United Nations Development Program, Maldives.

The Human Rights Commission of the Maldives (HRCM) is an independent and autonomous statutory body under Human Rights Commission's Act of Maldives. Its mission is to lead the promotion and protection of Human Rights under the Maldives Constitution, Islamic Shari'ah and regional and international Human Rights Conventions ratified by the Maldives. For more information, visit hrcm.org.mv or follow us @hrcmv

The Family Protection Authority (FPA) was established under the Domestic Violence Prevention Act (3/2012) to take lead nationally on the issue of domestic violence by creating public awareness; providing the required services to the victims of such violence; and by coordinating the work of the relevant government institutions including the police and the health sector, and various local efforts made by individuals to protect survivors of domestic violence. Learn more at fpa.gov.mv or follow at @FPAMaldives

United Nations Development Program (UNDP) is the leading United Nations organization fighting to end the injustice of poverty, inequality, and climate change. Working with our broad network of experts and partners in one hundred seventy countries, UNDP helps nations to build integrated, lasting solutions for people and planet.

Learn more at undp.org or follow at @UNDP

Endnotes

1 The highlights of the survey results can be viewed on YouTube, "Rights" Side of Life 3: A Baseline Human Rights Survey - Key Findings, www.youtube.com/watch?v=__Im8orRIIU.

2 Women's & Children's Rights: Making the Connection, United Nations Population Fund and the United Nations Children's Fund, www.unfpa.org/sites/default/files/pub-pdf/Women-Children_final.pdf.

3 Flavia Bustreo, Paul Hunt, et al., *Women's and Children's Health: Evidence of Impact of Human Rights*, World Health Organisation, 2013, https://apps.who.int/iris/bitstream/handle/10665/84203/9789241505420_eng.pdf.

4 Realisation of the equal enjoyment of the right to education by every girl, United Nations Office of the High Commissioner for Human Rights, www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/ReportGirlsEqualRightEducation.pdf.

5 Preventing Violent Extremism through Inclusive Development and the Promotion of Tolerance and Respect for Diversity, UNDP, 2016, www.undp.org/publications/preventing-violent-extremism-through-inclusive-development-and-promotion-tolerance-and-respect-diversity.

6 Day two of 'Viavathi Raajje' Conference, www.youtube.com/watch?v=NwVK1siuhUw

7 Fathimath Aruma Hussain, Commissioner of Police: Maldives has nearly 1,400 extremists, ooredoo, 16 December 2019, <https://en.sun.mv/57176>.

8 National Counter Terrorism Centre, <https://nctc.gov.mv/announcement/anncmnt4.pdf>.

Locating National Human Rights Commission within the Human Rights Discourse at the Grassroots in Rural India*

Department of Social Work, University of Delhi

CIVIL, POLITICAL, ECONOMIC, CULTURAL AND SOCIAL SPACES have been the sites of contestation of human rights for centuries. At the same time, these are also the spaces which have the potential of ensuring human rights to each individual. As the material resources within a society contract, these spaces become the source for either restricting or completely taking away the basic rights of individuals which accrue to them by virtue of being human. These restrictions and violations seek their justification from innumerable sources. Countries across the world have seen a surge in the violation of the human rights. Consequently, freedom of speech, right to have a dignified life, rights of indigenous communities, women, children, minorities (be it ethnic, religious or sexual or persons with special needs) have tended to get short changed in the process. India is unique in the sense that its Constitution ensures a number of rights to its citizens. Yet, India has seen a surge in the cases which are a violation of basic human rights. The victims of such violence are mostly people on the periphery of society such as the tribal communities, poor, *Dalits*, religious and sexual minorities, children and women. The marginalized often find it difficult to access the system which can ensure a life of dignity to them and often are not aware of their rights and mechanisms of redressal of their grievances.

Diverse countries such as India have a long history of indigenous rights. Civil society organizations and human rights defending agencies are working together to bring these rights under the umbrella of universal human rights devised by the Constitution of India and the Universal Declaration of Human Rights (UDHR) (Heitmeyer, 2014). Merry (2006) argues that for

*This is an edited excerpt of the report of the same title produced by the Department of Social Work, University of Delhi with funding from the National Human Rights Commission of India. The research was done under the guidance of Seema Sharma, PhD, of the Department of Social Work with Asif Khan, PhD, and Ms. Aparna Tiwari as Research Associates. The full survey report is available at: <https://nhrc.nic.in/sites/default/files/Locating%20NHRC%20within%20the%20human%20rights%20discourse%20at%20grassroots%20Final%20%281%29.pdf>.

human rights to be effective, they have to be translated into local terms and situated within a local context. When we talk about protecting human rights at the grassroots and identifying the grievance redressal mechanisms, it becomes vital to understand how people at the grassroots perceive human rights and the interrelatedness of their indigenous rights with the universal human rights. One finds that the context within which human rights are situated and violated often makes it a challenge for individuals and communities to decipher whether their rights have been violated. Mechanisms that they often use to make sense of these violations find justification in either destiny or self-blame. These justifications consequently put an end to the desire of an individual to seek out and ensure justice.

Understanding People's Perspective on Human Rights

An understanding of the local context is crucial in gauging the interpretation which people give to these rights. Therefore, the research has taken cognizance of the grassroot realities of the places where the study was undertaken. The outcomes of the research have interdisciplinary relevance and shall be useful to people working in the field of human rights, sociology, political science, civil society, and to social workers besides the policymakers and those with legal background. This research gives a push towards understanding peoples' subjective interpretation of human rights and identifies the spaces which have the potential to be the sites of human rights violations. An understanding of the awareness of human rights at the grassroots shall ultimately help in devising appropriate intervention and in identification of mechanisms for better human rights education. The study has been aimed at the following objectives:

- To understand the meaning of human rights from the perspective of the people at the grassroots;
- To understand the nature of human rights violations with respect to the research area;
- To delineate formal and informal systems of grievance redressal employed by people at the grassroots level in case of human rights violations;
- To identify the level of awareness about NHRC among people at the grassroots;

- To locate the role of National and State Human Rights Commissions in addressing the violations of human rights and the context within which such violations occur from the perspective of the people at grassroots;
- To propose interventions and mechanism for raising awareness regarding the role of the National Human Rights Commission (NHRC) at the grassroots level.

Research Design

The project adopted a mix of qualitative and quantitative research methods in the study. The study report is descriptive in nature.

Selection of States and Villages

The three states where the research was undertaken were selected because of their human rights violation records and the familiarity of researchers with the local language. The following table lists the States with highest number of human rights violations reported by NHRC.

Table 1: States with highest number of human violations registered with NHRC from 1 April 2015 to 31 March 2016

State	Human rights violation cases registered with NHRC from 01/04/2015 to 31/03/2016
Bihar	4,019
Haryana	11,518
Odisha	16,215
Rajasthan	3,169
Uttar Pradesh	49,323

The state of Uttar Pradesh was selected for a number of reasons. Uttar Pradesh has shown the highest number of human rights violation cases, raising up to 44 percent of the total cases lodged by NHRC in the 2015-2016 period (Nath, 2016). The number of cases from Uttar Pradesh was more than the total number of human rights violation cases in the other four states, namely, Haryana, Odisha, Bihar, and Rajasthan. Uttar Pradesh has many kinds of human rights violations both reported and unreported. For instance, according to National Crime Records Bureau (NCRB) report 2016,

the number of cases of atrocities against Scheduled Caste was 10,426 and 25.6 percent of the total cases reported under this category belonged to Uttar Pradesh. Atrocities against the Scheduled Castes (SCs) in Uttar Pradesh has increased over the years with 8,066 cases in 2014, 8,357 in 2015 and 10,426 in 2016. According to the same report, Uttar Pradesh was positioned at number one in 2017 based on its total share in the given three categories - crime against women, crime against children and atrocity against SCs. Among the metropolitan cities, Lucknow stood at number one in the category of crime against women and children.

In the month of January 2018, News 18 reported that Uttar Pradesh received around nine notices from NHRC on issues such as the one related to death of children in Gorakhpur hospital, Banaras Hindu University molestation scandal, fake encounter cases, and many more (Ahmad, 2018). The cases of communal violence have also registered an upsurge in Uttar Pradesh from one hundred thirty-three in 2014 to one hundred sixty-two in 2016 as reported by the Home Ministry (Dubbudu, 2017).

The states of Haryana and Rajasthan have also been selected for similar reasons. Haryana has shown a spurt in the cases of communal conflicts and Rajasthan has been in the news for inter-community suspicion and rifts leading to some of the worst cases of lynching in India.

From these states, five villages were purposively selected; three from Uttar Pradesh and one each from Haryana and Rajasthan. The following table lists the villages selected for the research.

Table 2: List of villages selected for study

Name of Village	District	State	Nature of violence
Phugana	Muzaffarnagar	Uttar Pradesh	Communal
Khudadadpur	Azamgarh	Uttar Pradesh	Communal
Umbha	Sonbhadra	Uttar Pradesh	Tribal atrocity
Dangawas	Nagaur	Rajasthan	Dalit atrocity
Jassia	Rohtak	Haryana	Jat Reservation Movement

Another reasons for selecting these particular villages (aside from familiarity with the language and availability of gatekeepers) was the diverse nature of incidents that have happened in these villages. Dangawas village of Rajasthan had seen Dalit atrocity or caste conflict between Jats and Dalits whereas Jassia from Rohtak district of Haryana was one of the epicenters of Jat agitation for reservation in government jobs that took place in 2016.

It witnessed several cases of human rights violations. In the three villages of Uttar Pradesh, Phugana was one of the most affected villages during the communal riots of Muzaffarnagar, which is seen as one of the worst riots in the recent history of Uttar Pradesh. Umbha in Sonbhadra district of Uttar Pradesh has recently witnessed massacre of eleven Gond tribals and injuries to more than thirty people over a land dispute in July 2019. Khudadadpur is the village of a very communally sensitive district of Azamgarh which experienced communal tensions between Muslims and Dalits over a small dispute between two boys of these communities.

This diversity of context and issues has helped in building an understanding of the violation of human rights, awareness about rights and NHRC at the grassroots level in a better way.

Assumptions in the Study

The research study was based on the following assumptions:

1. These districts have high instances of caste-based and communal violence that show violations of human rights of various kinds at various levels;
2. People in these communities are well aware that losses accrue to the communities and people of the area where violence occurs and therefore engagement with these communities would help understand their interpretation of these issues.

Consequently, the study has focused on delineating the villages which have high instances of caste or communal violence or tribal atrocities.

Sources of Data Collection

Primary sources of data collection were used in the research. Primary sources included all the participants in the study. The secondary data for the study was collected from research articles and research papers published in journals, newspapers, digital newspapers, and magazines and from the records related to NHRC.

Sampling Technique

The sampling technique was non-probability and the number of villager-participants was decided using quota sampling.

Main Participants of the Study

The main participants of the study were the people at the village level who were selected using non-probability quota sampling. These participants were selected according to gender, caste, religion and age.

In addition, the following participants as other stakeholders were also interviewed:

1. Village leaders/opinion makers
2. *Panchayat* (village council) members
3. Caste and religious leaders
4. Members of existing local groups
5. School teachers and principals, Journalists/ Lawyers
6. Non-governmental organization (NGO) personnel
7. Administrators/ bureaucrats
8. Human rights activists
9. Officials at State Human Rights Commission
10. Local Members of Legislative Assembly (MLAs)/ Members of Parliament(MPs)/ Politicians
11. Police personnel.

Sample Size

The research study has a total sample size of three hundred eighteen in which fifty participants from each village were initially decided to be interviewed. From this number the sample size of two hundred fifty was taken. However, the number of respondents exceeded in two villages. Therefore, the total number of respondents from the community was two hundred sixty.

Table 3: Sample size of respondents

Name of Village	Sample size
Phugana	53
Jassia	50
Umbha	50
Khudadadpur	50
Dangawas	57
Total	260

Out of the total respondents of three hundred eighteen, the sample size of the other stakeholders was fifty-eight which includes police personnel, village leaders, *panchayat* members, etc. The details of the stakeholders are given in Table 4.

Table 4: Sample size of stakeholders

Participants	Sample size
Village leaders/ opinion makers	2
<i>Panchayat</i> members	8
Caste and religious group members	5
Local group members	3
School teachers / principals /journalists / lawyers	10
NGO / human rights activists	11
Government staff – Block Development Officer (BDO), local police, revenue officers, District Magistrate, Superintendent of Police	16
MLA/MP/Politician	2
NHRC/ SHRC1 members	1
Total	58

Methods of data collection

The following methods were used in data collection:

- Semi-structured interviews ;
- In-depth interviews on a few selected cases of human rights violations;
- Focus Group Discussions to seek the opinions and suggestions on human rights violations and understanding about NHRC and human rights.

Analysis of Data

The analysis of data of this study used the Statistical Package of Social Science (SPSS). The interviews used both open-ended and closed-ended questions. The responses to open-ended questions have been codified and entered into the data tables. The output of the data has been presented in the “frequency-based distribution format” of all the variables. The data has been presented in tabular form along with the required description of the same.

Ethical Considerations

This study has adhered to all ethical standards of social research. The data for the research has been collected with the informed consent of the respondents. The principle of confidentiality has been maintained.

Consequently, the names of the participants have been withheld in the report. Before doing the interviews, the introduction to the research study, affiliated institution, objectives and rationale of the study were explained to the respondents. Voluntary participation of the respondents in the research study was taken and transparency was maintained.

Major Findings

During the field visits to the five villages to understand the grassroots discourse on human rights, we found that only 8.8 percent of the total people interviewed knew about NHRC. Also, only 6.5 percent of these people knew about the functions of NHRC. This shows lack of knowledge about NHRC in matters related to human rights at the grassroots level. Again, very few people know that there is a well-defined arrangement in place to hear out the matters/complaints related to human rights violations.

The above facts depict the information vacuum related to human rights in the villages. Hence an all-round effort to promote the crucial role of NHRC and human rights for a peaceful and just society is the need of the hour.

The respondents were first asked to enumerate which rights they consider as human rights.

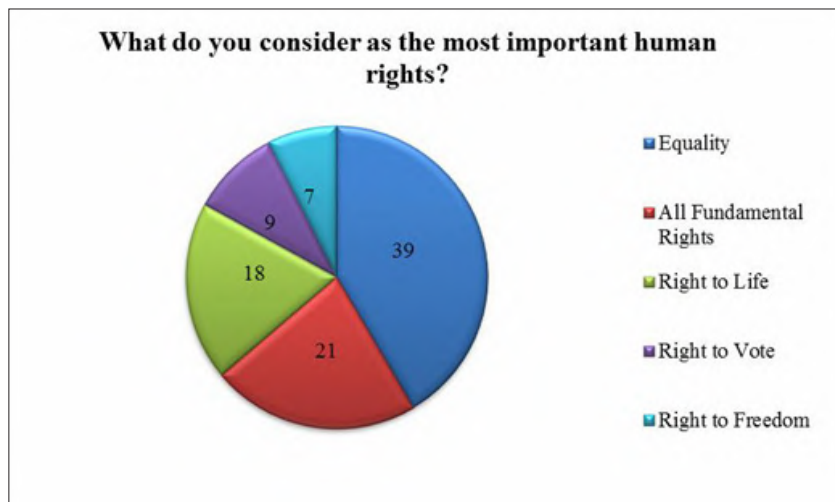
Table 5: Responses on the constituents of basic human rights

Rights	No. of Respondents	Percentage
Right to Equality	39	15.0
Right to Vote	11	4.2
Right against Discrimination	2	.8
Right to Freedom	3	1.2
Right to Life	21	8.1
Don't know	167	64.2
All Fundamental Rights	17	6.5
Total	260	100.0

Majority of the respondents, one hundred sixty-seven (64.2 percent) were found to be unaware of what constituted human rights. However, at Dangawas, the respondents specially the victims are making themselves educated and informed about their Constitutional Rights so that they could present their case before the court as well as protect themselves from untoward incidents in the future. Many respondents mentioned that before

this violence in their village they were in complete ignorance about their constitutional rights. But when political leaders and social activists associated with prominent NGOs visited them after the incident, they started to learn about the rights guaranteed to them by the Constitution of India. They also know that Scheduled Caste/Scheduled Tribe Commission is there to safeguard their interest. Consequently, there were ninety three (35.8 percent) respondents who mentioned that they have an understanding of various Constitutional Rights. It was observed that the knowledge about Constitutional Rights was not dependent on the educational qualification of the respondents. Some respondents despite having low educational qualifications knew their rights whereas some having relatively higher education were ignorant.

Out of the ninety-three (35.8 per cent) respondents who had mentioned that they had an understanding of the rights provided to them by the Constitution of India, thirty-nine (41.93 percent) respondents mentioned “Equality” as the most significant right. Eighteen (19.35 percent) respondents considered “Right to life” and twenty-one (22.58 percent) respondents were of the view that all the Fundamental Rights are Equally Important. There were nine (9.67 percent) respondents who mentioned “Right to Vote” as the most important right and the remaining seven (7.52 percent) respondents chose “Right to Freedom of speech, association and expression.



Pie Diagram No. 1: Feedback on the most important human rights

The section below analyzes the responses of people on the select statements related to human rights.

Statement 1: Each individual should be treated equally in India.

Almost all the respondents agreed to this statement.

Out of the total two hundred fifty-six respondents who viewed that everyone should be treated equally, one hundred forty-two (57.03 percent) respondents considered this statement as “Important” whereas, ninety-seven (37.89 percent) respondents categorized it as “Very Important”. However, a sizable number of respondents who thought “Equality” should prevail in the society were also of the opinion that they were not being treated equally, because they belonged to scheduled castes, scheduled tribes or were Muslims. The feeling of “being other” was mostly observed among the victims of communal riots in Phugana and Muzaffarnagar. Majority of the participants shared that the provisions enshrined in the Indian Constitution are being ignored deliberately and the rights were being denied to the marginal communities.

Table 6 gives the responses of the participants with respect to the statement that each individual should be treated equally are given below.

Table 6: Each individual should be treated equally in India

Response	No. of Respondents	Percentage
Yes	256	98.5
No	4	1.5
Total	260	100.0

Statement 2: There should be no inequality on the basis of religion.

Out of the two hundred sixty respondents, two hundred fifty-five (98.1 percent) respondents agreed to the statement that there should be no “Inequality on the basis of Religion”. Out of the total two hundred fifty-five respondents who agreed to the statement, one hundred forty-one (55.29 percent) respondents viewed this “Important”, ninety-six (37.64 percent) respondents considered this right as “Very Important”. Some respondents mentioned that they were being treated unequally due to their belief in a particular religion. They added that at present, those in power were deliberately targeting a particular religious community for vote bank politics. They

maintained that in reality, things were very different from the provisions in the Constitution. Those who believed that in practice people were being treated unequally mostly belonged to the villages where communal riots had taken place. Even after so many years, they feel the pain of being treated differently by the government.

Table 7 gives the responses of people on the statement that there should be no inequality on the basis of religion.

Table 7: There should be no inequality on the basis of religion

Response	No. of Respondents	Percentage
Yes	255	98.1
No	5	1.9
Total	260	100.0

Statement 3: There should be no inequality on the basis of gender, color and creed

On this statement the respondents were in favor of equal treatment to everyone irrespective of gender, color and creed (religious belief of anyone). Two hundred fifty-six (98.5 percent) respondents shared that inequality should not prevail in society and everyone should get equal treatment. However, there were respondents who believed that despite a clear mandate for the government to treat everyone equally, those in power differentiated people on the basis of identities such as gender and creed. Women respondents particularly in Jassia, clearly stated that there should be equality for everyone but added that in practice things were very different.

Out of two hundred fifty-six respondents who viewed that equality must prevail in the society, one hundred forty-six (57.03 per cent) consider this as an “Important” right and ninety-one (35.54 per cent) consider it as “Very Important”.

Table 8 gives the responses of people on the statement that there should be no inequality on the basis of gender, color and creed.

Table 8: There should be no inequality on the basis of gender, color and creed

Response	No. of Respondents	Percentage
Yes	256	98.5
No	4	1.5
Total	260	100.0

Statement 4: We all have the right to freedom of speech/expression/association.

With regard to the above statement, one hundred sixty-two (62.3 per cent) respondents mentioned that they enjoy “Right to freedom of speech/expression and association.” However, there were ninety-eight (37.7 percent) respondents who shared that even though they are free to speak they hesitate to express their opinion freely fearing a backlash from the establishment and people with whom they have difference of opinion. Those respondents who denied having the right to “freedom of speech/expression and association” mostly belonged to religious minority and disadvantaged caste groups. In places where communal riots had taken place, the minority community felt hesitant to speak, fearing a backlash by the majority. The respondents from Phugana (Muzaffarnagar) and Khudadadpur (Azamgarh) shared that the contemporary social milieu is so communally charged that even when an untoward incident happens with the minorities (especially Muslims), no one is bothered. The respondents also shared that those who exhibit courage to question the divisive politics of the government, face problems. The government does not tolerate criticism, and punishes its critics. They opined that the government machinery along with the biased media is working hard to frame Muslims and other disadvantaged groups in criminal cases and continues to show them in a bad light.

It was observed that all those who were victims of human rights violations were having a shared feeling of discomfort with the present-day context where people were being labelled “anti-national” if they disagreed with the functioning of the government.

The respondents of Phugana shared that when the communal tension erupted in their village in the wake of Muzaffarnagar riots in 2013, they heard anti-Muslim slogans being raised by their fellow villagers, who threatened them to leave the village if they wanted to save themselves and their loved ones.

Table 9 gives responses of the people on statement that we all have the right to freedom of speech/expression/association.

Table 9: We all have the right to freedom of speech/expression/association

Response	No. of Respondents	Percentage
Yes	162	62.3
No	98	37.7
Total	260	100.0

With regard to the level of importance attached to the Right to freedom of speech/expression/association we find that one hundred-two (39.2 percent) respondents considered this right to be “important.” Seventy-three (28.1 percent) respondents considered this right as “very important”.

Statement 5: All kinds of exploitation should be punishable under the law.

With regard to the above statement, we find that two hundred fifty-three (97.3 percent) respondents agreed with the statement. Those who did not agree with the statement could not provide any reason for their disagreement. However, no respondent could cite any case in which punishment had been meted out to those who had exploited someone. The respondents also did not know whom to approach in case of exploitation.

The victims of Phugana (Muzaffarnagar riots) who are now settled in the neighbouring village, Loyi shared that rape cases had been registered during the riots. With the passage of time, those cases were resolved through mutual agreement. In some cases, the accused paid money to the victims. There were also cases where the accused had exerted political pressure on the victims to take their cases back. Victims were even threatened to take back their cases or face consequences. One respondent shared with the researcher that her child was kidnapped by those who had raped her so as to force her to settle the case outside the court. She had to withdraw the case and only then she got her child back. Nonetheless, the victim now wants to file the case again but does not know how to proceed further. The respondents who have faced sexual exploitation even while agreeing that “exploitation of any kind should be punishable under the suitable law” were apprehensive of the criminal justice system. They were convinced that getting justice against those in power was not easy as they manipulate the law as per their convenience. To prove their point, the respondents cited cases of powerful people who were “rape accused” but no action was taken against them.

Table 10 depicts the responses of people on the statement that all kinds of exploitation should be punishable under law.

Table 10: All kinds of exploitation should be punishable under the law

Response	No. of Respondents	Percentage
Yes	253	97.3
No	7	2.7
Total	260	100.0

Statement 6: Each cultural, religious and linguistic group has the right to conserve and protect its heritage.

Two hundred thirty-nine (91.9 percent) respondents agreed with the statement that “each cultural, religious and linguistic group has the right to conserve and protect its heritage.” Twenty-one (8.1 percent) respondents disagreed with the statement. Those respondents who disagreed with the statement were mainly from Phugana. In their view, they were being denied the right to protect their culture and religion. They felt that their religion and language were being targeted by the government.

One hundred twenty-six (48.4 percent) respondents considered the above-mentioned statement as “important” and one hundred ten (42.5 percent) respondents categorized this statement as “very important”. The following table gives the responses of people on the statement that each cultural, religious and linguistic group has the right to conserve and protect its heritage.

Table 11: Each cultural, religious and linguistic group has the right to conserve and protect its heritage

Response	No. of Respondents	Percentage
Yes	239	91.9
No	21	8.1
Total	260	100.0

Statement 7: Each individual irrespective of caste, creed, sex, age, has the right to education.

Almost all the respondents agreed that “an individual irrespective of their caste, creed, sex, age, etc. has the right to education.” Two hundred fifty (96.2 percent) respondents stated that the educational facilities must be provided to every person in the country no matter which caste, creed, sex and age they belong to. Only ten (3.8 per cent) respondents disagreed with the statement. It is noteworthy that while the majority of the respondents agreed with the statement, they opined that it is not only education but “quality education which should be made accessible to all which is not the case at present.

Table 12 below gives the responses of people on the statement that each individual irrespective of their caste, creed, sex, age, etc., has the right to education.

Table 12: Each individual irrespective of caste, creed, sex, age, etc. has the right to education

Response	No. of Respondents	Percentage
Yes	250	96.2
No	10	3.8
Total	260	100.0

Statement 8: Violation of the above rights should be punishable under the law

Majority of the respondents thought that “violation of Constitutional Rights should be punishable under the law.” Only four (1.5 percent) respondents thought otherwise. Even these four respondents, though agreeing with the statement in principle, were of the opinion that those who violate the rights of others go unpunished because they are powerful. The respondents lamented that there is a difference between “what should happen” and “what actually happens.” In fact, many respondents who were victims of violence were upset that the perpetrators of violence were roaming freely in the village and enjoying life. In Dangawas, the victims narrated that all the accused had not been arrested even after four years.

Table 13 gives responses of the people to the statement that the violation of rights should be punishable under law.

Table 13: Violation of the above rights should be punishable under the law

Responses	No. of Respondents	Percentage
Yes	256	98.5
No	4	1.5
Total	260	100.0

Statement 9: Of the rights mentioned above, has any of them been violated at any time?

With regard to the above statement, it was found that one hundred eighty-eight (78.5 percent) respondents had faced violations of some of their rights at some point in time, whereas seventy-two (21.5 per cent) respondents de-

nied facing any violation. Those who agreed with the statement were either victims of human rights violation or members of the families whose rights had been violated. All those who agreed with the statement were directly associated with episodes of violence in the village in the recent past. The following table provides responses of the people on whether any of their rights had been violated anytime.

Table 14: Of the rights mentioned above, whether any of them been violated at any time

Responses	No. of Respondents	Percentage
Yes	188	78.5
No	72	21.5
Total	260	100.0

Statement 10: Do you know that there are provisions in the Constitution of India for the protection of your human rights?

The Constitution of India gives all its citizens certain fundamental rights. However, one hundred sixty-seven (64.2 percent) respondents were found to be unaware of the rights mentioned in the Constitution of India for the protection of their human rights. The remaining ninety-three (35.8 percent) respondents were aware of the rights provided to them by the Constitution of India.

Table 15: Knowledge about provisions in the Constitution of India for the protection of their human rights

Responses	No. of Respondents	Percentage
Yes	93	35.8
No	167	64.2
Total	260	100.0

Statement 11: Whether informed about protection of Human Rights Amendment Act, 2006 to protect the human rights of complainant /victim

Barring two, none of the respondents was aware of the existence of the “Law of Protection of Human Rights Amendment Act, 2006. When the tool of data collection was being framed, the literature review suggested that we must ask the respondents about their knowledge regarding legislation re-

lated to the protection of human rights. This question was significant in the context of these villages. Since they had witnessed cases of violation of human rights in their village, it was assumed that in their fight for justice, they may have made use of the available laws. Unfortunately, our assumption was wrong as only two respondents were found to be informed of this Act. The data reveals that even the educated respondents (including Master's degree holders) did not know about this legislation. Table 16 gives the responses of people on whether they knew about the existence of law for the protection of human rights.

Table 16: Whether informed about Protection of Human Rights Amendment Act, 2006 to protect the human rights of complainant /victim

Responses	No. of Respondents	Percentage
Yes	2	0.8
No	258	99.2
Total	260	100.0

Statement 12: Do you know that there are mechanisms for the protection of human rights of the complainant/victim?

With regard to the above statement, the majority of the respondents did not know how to file a complaint if their human rights were violated. Two hundred forty-eight (95.4 percent) respondents did not know about the available mechanisms for protection of their human rights. Only twelve (4.6 percent) respondents had information related to the mechanism available for the protection of human rights. For most of them "Police" and "Courts" were the two mechanisms to protect their human rights. The responses of the people are given in the table below.

Table 17: Knowledge about mechanisms for the protection of human rights of the complainant / victim

Responses	No. of Respondents	Percentage
Yes	12	4.6
No	248	95.4
Total	260	100.0

Statement 13: Is there sufficient awareness concerning the protection of human rights?

Barring two, all the respondents (two hundred fifty-eight) admitted that “sufficient awareness is not there concerning the protection of human rights.” The respondents further shared that they have never been approached by any institution/agency to impart information or knowledge on human rights. The data was also collected from the respondents who were educated (including graduates and post graduates), and even they did not have awareness on human rights. The following table gives the responses of people on the awareness concerning protection of human rights.

Table 18: Whether there is sufficient awareness concerning the protection of human rights

Responses	No. of Respondents	Percentage
Yes	2	0.8
No	258	99.2
Total	260	100.0

Statement 14: Are you aware of NHRC?

With regard to the awareness level of the respondents regarding National Human Rights Commission (NHRC), it was found that two hundred thirty-seven (91.2 percent) respondents did not know about NHRC, and had never heard about the Commission. Here, it is important to mention that some of these respondents were degree holders, and many were found to be functionally literate. But even they were not aware of NHRC. Twenty-three (8.8 percent) respondents knew about NHRC whereas seventeen (6.5 per cent) respondents had knowledge of its functions and roles as well. The following table gives the awareness of people about NHRC.

Table 19: Awareness about NHRC

Responses	No. of Respondents	Percentage
Yes	23	8.8
No	237	91.2
Total	260	100.0

Statement 15: Have you or anyone you are aware of has approached NHRC/ SHRC for any support?

With regard to this statement, it was obvious that since the majority of the respondents were found to be unaware of NHRC, they would not have approached it. Majority of the respondents i.e., two hundred fifty-three (97.3 per cent) had neither approached NHRC nor knew anyone who might have approached NHRC for any purpose. Only seven (2.7 percent) respondents shared that they know some people who have approached NHRC/SHRC to get support in registering their cases. When the respondents were asked about the outcome of their efforts, it was found that in five cases, judicial proceedings had been initiated and were underway, while in two cases, they were awaiting reply from NHRC. The following table gives the responses of people on approaching NHRC.

Table 20: Whether you or anyone you are aware of has approached NHRC/ SHRC for any support

Responses	No. of Respondents	Percentage
Yes	7	2.7
No	253	97.3
Total	260	100.0

Statement 16: Is there a need for creating necessary awareness in this regard?

Whether there is a need for creating necessary awareness with regard to the functioning of NHRC, two hundred fifteen (82.7 percent) respondents admitted that there is a need for creating awareness regarding NHRC, its role and process of redressal. Following table depicts the responses of the people in this regard.

Table 21: Whether there is a need for creating necessary awareness in this regard

Responses	No. of Respondents	Percentage
Yes	215	82.7
No	45	17.3
Total	260	100.0

It was found in the study that the majority of people living at the grass-roots were not aware of their rights and the constitutional provisions meant

to protect their interest. However, majority of people surveyed believed that “equality” should prevail in society and all religious, linguistic and cultural groups should be allowed to protect their culture and heritage. Nevertheless, there were a number of respondents, mostly belonging to minority communities who believed that they were not being treated equally, and were being denied the right to protect their culture and religion. The study also found that the presence of the NHRC at the grassroots in rural areas is weak. People are not aware of the purpose and role of NHRC, and hence, NHRC needs to work on creating awareness at the grassroots.

Recommendations

Following recommendations are being given with regard to generating awareness about NHRC at the grassroots and sensitizing people about its role.

1. Grassroots Awareness

India resides in its villages. Considering that majority of our population lives in villages and the low level of awareness regarding human rights that has been found through the research study, creating mechanisms for sensitization and awareness at grassroots level becomes imperative:

- A representative of NHRC can be appointed at the *panchayat* level or at the level of cluster of *panchayats*, who can document the cases of human rights violations happening at the ground level, and can monitor the progress and convergence of line departments at district level on the issue of human rights. These documentations can further help NHRC as well as SHRC to come up with concrete steps to curb these instances in the future. This representative can be trained on these aspects or can even be from an NGO working in the area;
- Toll-free numbers of NHRC should be advertised at the village level, through meetings of *Gram Sabha* (general assembly of all the people of a village), local *panchayat*, Self Help Groups (SHGs), etc.;
- Cadres such as Swachh Bharat Prerak and Swastha Bharat Prerak have been established at the grassroots level to spread awareness about cleanliness and nutrition respectively. Similarly, human rights cadres can also be established for cluster of villages or at

district level. These trained minds can work to generate awareness and educate people about their rights and about the Constitution and the idea of inclusive India. NHRC may explore the possibility of funding the training of local youth for this work or can take them as interns for specific time periods;

- When we talk about violation of human rights in rural India, the root cause of the problem is not only the particular instance of violation rather the deep-rooted issues like caste, religion and land. So, it is necessary that NHRC develops a comprehensive plan along with the other state machineries such as police, judiciary and executive who can work on these issues. It must also take the non-state actors such as the NGOs and human rights activists on board;
- It has also been found in the study that the awareness level among women is comparatively less than the men of the studied households. Women generally do not play a pivotal role in the cases of their human rights violations and their redressal. In fact, it was found during data collection that women's agency was often denied to them. Often, men did not allow them to come out and discuss issues related to human rights. Therefore, a comprehensive gender sensitization programs under the broader theme of "human rights should be designed specifically for women at the grassroots level. These programs can be implemented by *Aanganwadis* (rural child care centers), *Gram Panchayats* (village councils) and appointed human rights cadres;
- The NHRC should launch internships, fellowship programs to execute its objectives at the grassroots level. These engagements of young brains with ground reality related to human rights can be helpful for both NHRC and the interns. These interns can be taken from various states on the basis of the number of complaints coming from the states. For example, in 2017-2018, the NHRC received the highest number of complaints from the state of Uttar Pradesh so maximum number of interns and fellows can be taken for Uttar Pradesh;
- Similar instructions about appointment of grassroots fellows and interns should be given to various SHRCs as well;
- Seminars, workshops, training programs, human rights fairs should be organized at every possible level from schools, *gram panchayat* office to *anganwadi* centers to educate and make people become

aware about NHRC and about human rights. Learning can be made attractive by using digital media, videos, photos and other interesting methods.

2. Academic Level Interventions

Education empowers masses to lead a happy and sustainable life. Education not only helps the individual in his/her own life but also enhances acceptance and understanding of the rights of fellow beings. This ultimately helps in active citizenry and lowering of human rights violations. It constantly works to create a conscious environment where people are well aware of the rights of others. And for a democracy like ours to thrive, basic education of the Constitution is essential. Therefore, NHRC must stress on imparting human rights values among the masses with the help of education:

- Information about NHRC, its roles and functions, the mechanism to approach NHRC in case of human rights violations, developing an understanding of human rights, fundamental rights and Constitution have to be integrated within the education system right from the school itself. For this, NHRC can collaborate with The National Council of Educational Research and Training (NCERT), State Council of Educational Research and Training (SCERT), University Grant Commission, and Ministry of Education;
- Topics related to Constitution, Human Rights and National Human Rights Commission should be mandatorily made part of the curriculum in the school. It should be done structurally in consultation with the educators and social scientists. Depending on the age of the student, teaching Constitution, its themes and values should be made more practical; problem solving and case-based, and should revolve around asking critical questions. Signs, symbols, monuments or any other historical material related to human rights, NHRC and Constitution could be taught in a hands-on, project-based manner. This would allow students to understand the link between the knowledge that they are getting in the classroom to the things happening around them;
- Initiatives such as “Human Rights Classes” or “Constitution Classes” can be implemented at the school level. In these classes, different constitutional themes, justice mechanism and rights can be discussed as also the mechanisms through which these rights

can be ensured. To make the subject attractive, use of latest technology can be made. Games or exercises where students become legislators, Prime Minister or activists, make laws, take decisions on drawn up cases and take them to logical conclusion will help. This can also be done through different means such as Youth Parliament, debate, speeches, quiz and role plays. This will not only enhance their understanding but also prepare them to be active citizens of India;

- It is important to stress the role of teachers in the whole process. Teacher must understand the need and should be well-oriented and trained to teach the subject-matter. Changing curriculum will be futile if teachers are not equipped enough to use pedagogies in a better manner. Also, efforts should be made to make human rights and role of NHRC a part of teacher training program such as by collaborating with District Institute for Education and Training, Bachelor of Education program as also the orientation programs for the university teachers;
- Imparting knowledge of human rights, Constitution and NHRC should not be restricted to schools alone. Given the woeful lack of awareness, it should be extended, in small and well-crafted modules for technical and higher education too;
- National Cadet Corps (NCC) and National Service Scheme (NSS) can be used in an effective manner in spreading awareness about human rights and the NHRC.

3. Interventions Using Media

Media has become one of the most powerful tools of communication and information these days. Because of its outreach and influence, it has become a force behind many changes in the society. Be it social media, print media or broadcast media, they play their respective roles in the society in spreading information, creating awareness and act as change agents. Therefore, the NHRC can use social media as means to educate and raise awareness among people:

- We are living in the age of smartphones where Facebook, and Twitter provide lot of information to the people. NHRC can also plan and execute different Social Media Campaigns on the rights, the NHRC, cases undertaken and justice delivery mechanism. This

will not only be helpful in spreading awareness but also be helpful in reinforcing and building trust on the NHRC;

- From the past few years, Twitter has become a powerful medium to reach out to the authorities, file complaints or report the injustice. The Ministry of External Affairs, Ministry of Railways, Police Department have been very active in delivering services to people using these means. The NHRC can also take it as a way to reach out to the masses and ensure effective delivery of justice to people. These will also help people to know about NHRC and its role;
- The NHRC should document its success stories, landmark cases in which it has played a prominent role as an advisory body and the prominent case studies in the form of magazines, small booklets in Hindi, English and regional languages. These case studies should be published and distributed;
- Small newsletters of four-six pages having information on rights, functioning of the NHRC, monthly activities, outreach of NHRC, cases undertaken recently, case of suo-moto cognizance, etc. should be printed in every possible language (especially the regional ones) and can either be distributed physically or through social media. Social media could also be used for taking feedback from the public.

4. Collaboration with Civil Society

Civil society organizations play an important role in the promotion and protection of human rights. They enable individuals to work towards checking human rights violations and holding those responsible to account. Therefore, in order to spread awareness, NHRC needs to network with the civil society:

- There needs to be a robust collaboration between the NHRC and civil society. NHRC can give such groups effective channels to make their claims. NHRC requires independent inputs from civil society in order to be effective and accessible. Although NHRC organizes consultations with NGOs, it needs to be far more proactive and independent in its collaboration with civil society. Civil society representation in NHRC through prominent independent scholars, NGO personnel, lawyers and researchers is critical in giving it greater

depth and strength. These civil society groups can thus become a bridge between rural communities and NHRC;

- NHRC can create a nation-wide network of NGOs or organizations working on the issues of human rights. It could nominate one organization per district or the clusters of districts for a defined period of time, responsible for carrying out awareness and reporting of human rights violations. These organizations should be in direct communication with State and the NHRC. In this way, the NHRC can increase its direct reach to the grassroots level;
- Civil Society Organizations working in the field of human rights should be given responsibility to work at the grassroots level to educate and create awareness among people about NHRC and facilitate them to lodge their complaints if needed.

5. Initiatives with Police

Law enforcement agencies such as police play a vital role in proper enforcement of law and order to prevent any kind of violation of rules and regulations and in the protection of the rights of citizens. Apart from having considerable power in maintaining law and order they have a number of responsibilities, accountability to the state and public at large. The protection of human rights and their realization also depend on the behavioral pattern of the police. As a law enforcement agency the attitude, ethics, and moral conduct of members of the police play an important role in the promotion of human rights.

But it is unfortunate that the police, being the law and order enforcing agency, has been seen to misuse its power in matters related to human rights. As per the narratives collected from all the five villages of the study, the role of police was found to be questionable in relation to human rights violations.

Therefore, it should be the top most priority to sensitize the police personnel on human rights and NHRC. Being a vital agency that mediates between state and public, the police could take a lead role in promotion and protection of human rights guaranteed to citizens and spreading awareness about the NHRC:

- This study reveals that members of the police at the lower rung of hierarchy and thus likely to be more in contact with the people had low level of awareness about human rights and NHRC. Sensitization

of all police personnel is required for efficient protection and promotion of human rights. This can be done through workshops and training programs;

- There are some suggestions from the field which though not forming part of the objectives of this study, need to be documented since these suggestions were received with lot of emphasis. These are given below;
 - In the cases of the investigation of complaints sent to NHRC, the role of police should be minimized. Especially in the cases where complaint is against the police authorities, the police should not have any role to play because this leads to manipulation and dilution of the complaints and cases and hampers the justice system. Rather, NHRC along with SHRCs must look into the possibility of setting up a few independent and autonomous committees to investigate the complaints;
 - The department of police deals with a lot of stress on daily basis and at the same time they deal with heavy workload, shortage of human resources in the department. Therefore, there is a need for police reforms which will ensure efficiency in performance of their role, thus ensuring the rights of people.

Capacity Building and Training of the Stakeholders

There are multiple stakeholders involved in the implementation of human rights all over the country. These are local representatives, ex-MPs, MLAs, leaders at *gram panchayat* level, caste and religious groups, teachers as also the group of influential people who work for the common cause such as the lawyers, journalists and social activists. Conglomeration of such people and their capacity-building and sensitization regarding human rights will ultimately help the community to understand the crucial role of human rights in their daily lives. Through the help of civil society, lawyers, doctors, teachers and NGOs, such awareness programs should be conducted for promoting human rights.

The NHRC is urged to forge newer and more comprehensive partnerships with various sections including key stakeholders such as the judiciary, police personnel, government officials, media, representatives of NGOs and

civil society organizations, and academia (including students), most notably through its coveted internship programs, publications, seminars, workshops, training, consultations and other such means. It must also build network with the lawyers collectives such as bar councils as well for spreading awareness in rural areas about human rights.

Reforms at other Levels

- The NHRC has the authority to make interventions in court proceedings relating to violation of human rights with the approval of court. It needs to do it more vigorously so as to develop a strong image of being the protector of the poor, marginalized and vulnerable groups. This will also spread awareness about NHRC and its role since the beneficiaries of the NHRC intervention would spread positive words about its functions and roles as also its interventions;
- “NHRC takes Suo-moto cognizance of cases based on media reports and not through its on-field work at the grassroots level,” but it is not always necessary that all cases of human rights violation get media attention. In order to ensure its effectiveness, NHRC needs to develop a mechanism at the grassroots level through different channels so that the institution can fulfil the objectives and aims of its formation;
- If NHRC is looking forward to spreading awareness at the grassroots level, it will also need to deal with the infrastructural issues in order to facilitate effective justice mechanism. It is obvious that with greater awareness, more people will approach NHRC for protection of their human rights. Thus, there is a need for a robust and active workforce in NHRC. Section 11 of the Act makes it dependent on the government for its manpower requirements. Therefore, NHRC lacks the required infrastructure to fulfil its mandate. Almost 50 per cent of the NHRC staff is on deputation from other services. These officers keep changing. Absence of adequate staff along with other structural issues impact the complaint redressal mechanism of NHRC. Data for the last ten years (2007-2017) show that the NHRC has a high rate of disposing complaints on procedural grounds which is nearly 50 percent or more (Annual Report of NHRC, 2016-2017).

6. Gender and Violence

The research study has pointed towards the disturbing condition of women with respect to their human rights. The violations of their human rights take place at various levels. The fact that the menfolk in the family take a decision on matters such as whom the women of their family can talk to denies agency of the women. In villages, men did not permit their women to speak to the researchers on the ground that women will not have any additional material to contribute to the study. They also did not want the women of their families to speak to the outsiders. Thus, the number of women respondents is less in comparison to the men. Secondly, the body of women was used as means to settle scores. There were instances where women were raped during the riots. The multiple identities carried by these women made them more vulnerable to the crimes committed during the riots. Thus, a Dalit or a Muslim woman had greater chances of being molested on account of the skewed power relations in the society. There were women who had lost their husbands and sons and being home makers did not have many options to earn their livelihood. Often illiterate they were not aware of the procedures and legal systems associated with the cases and compensation. This increased their dependence on others for help. NHRC may like to take a special cognizance of the vulnerability of women during such violent episodes and ensure a sensitive and empathetic approach towards their cases.

Conclusion

The world has reached a level where people irrespective of which country they live in, which caste, creed and religion they belong to, which language and dialect they speak in and which gender they belong to can enjoy human rights. Before proceeding further, human rights need to be understood well. Human rights are a distinctive and special category of rights. Human rights are those rights which every human being is entitled to on account of being a human. There are international institutions like the United Nations which aim to provide an opportunity to the people of the member countries to enjoy human rights. The United Nations has come up with a number of declarations and human rights conventions to which India is a signatory.

The Constitution of India is a powerful document through which India is providing its citizens certain Fundamental Rights, which are very much aligned with human rights. The Constitution has various provisions to pro-

tect human rights of the identified marginalized groups including women, children, elderly, and people belonging to scheduled castes, scheduled tribes and minorities. Despite having such an empowering Constitution, these social groups are facing challenges. Their human rights are being violated regularly. Due to low education and lack of awareness, people living in rural areas face many hardships. The socio-cultural context makes it difficult for the marginalized caste groups/communities to delineate whether their rights are violated or not. Instead of taking a rights-based approach, they often rationalize the prevailing condition by putting blame on themselves or on their destiny. These irrational and needless justifications often put an end to their will to fight.

The NHRC, established in 1993, is an institution which is meant to protect the human rights of people. Since its inception, NHRC has been performing its roles as per the mandate. Through this study, NHRC has aimed to know the level of awareness about NHRC at grassroots in rural India. The research was conducted in five villages spread across three states in India, namely, Uttar Pradesh, Rajasthan and Haryana. Data was collected from three villages in Uttar Pradesh, namely Khudadadpur in Azamgarh; Umbha in Sonbhadra and Phugana in Muzaffarnagar. One village was selected each from Haryana and Rajasthan. These were Jassia village in district Rohtak in Haryana and Dangawas, Merta City, District Nagaur, Rajasthan. In the study, a total of three hundred eighteen respondents were interviewed. Of these, two hundred sixty respondents were from the community and fifty-eight stakeholders belonged to various fields including professionals, bureaucrats and NGO personnel.

Major findings of this study are as follows.

1. In most of the villages, perpetrators belonged to the dominant caste or religious groups. The victims were largely the marginalized community of that area composed of scheduled castes, tribes or religious minority group (Muslims). Economic spaces are the major sites of human rights violations be it in the form of land or livelihoods. Existing prejudices about the groups (be it for the members of low caste or a religious minority) create a context within which it becomes easy to justify the violation of other's human rights. These prejudices coupled with dominance of certain communities which are economically, socially, politically and numerically powerful provide a fertile ground for human rights violations. Lack of knowledge about basic human rights, about the rights enshrined in the Constitution and about NHRC and

other institutional arrangements for human rights adds to the lack of positive discourse on human rights at the grassroots level. Political opportunism plays a role in either inciting violence or in ensuring assistance to the victims. The other machineries and mechanisms which are meant to uphold rights are not proactive during the flare ups. Thus, they add to the existing negative discourse on the human rights at the grassroots.

2. The informal groups play a vital role in assisting the victims of any human rights violation. It was shared by communal riots victims of Muzaffarnagar that the informal groups had provided major assistance to them. This was also observed in Dangawas incident where the victims were helped by the caste groups. Jat reservation movement of Jassia and the ensuing violence also affected scores of people. Resultantly, hundreds of protesters and supporters of the movement got arrested. People were also booked under serious acts such as National Security Act. However, the caste groups and groups supporting the movement provided assistance to those who were booked and arrested. The caste groups also made sure that the families of the deceased did not face financial or any other problem till they got assistance from the government. However, these caste groups provided support to people of their own caste only. This itself can be problematic in villages where certain castes are economically dominant.

3. The role of police was questioned by many respondents who were unhappy with its role during and after the riots. Many participants were of the opinion that the police acts under the influence of the powerful (mostly perpetrators) and takes sides. The victims of Dangawas, Phugana, Jassia and Umbha were of this view. The participants shared that the moment police comes to know that the victims are from scheduled caste/tribes, religious minorities or are helpless, it acts against them. The victims believe that the police acts neutral only if political pressure is exerted upon it or if the media gives coverage to the case.

4. The participants had similar views about the role of judiciary. They were of the opinion that the judges and advocates also work under pressure from powerful people.

5. It was found that the views of the participants regarding the role of governments (center and state) during riots were mixed. Some of the respondents were satisfied with the government intervention and relief as they had been provided with monetary and other assistance. The riot survivors of Phugana village, Muzaffarnagar were very happy with the then govern-

ment, which had given monetary assistance to the riot victims. It was from this monetary assistance that most of the respondents were able to purchase land in a new place and build a new life. At the same time, the Jat respondents from the same village were unhappy with the government's role. They considered the then government to be biased towards one community. The victims of Dangawas, Jassia, and Umbha neither criticized the government nor praised it. However, in Umbha, the government offered land and monetary assistance after the case got media coverage and pressure was exerted by the opposition parties. Thus, we find that the positioning of the people on the role of state in these situations is dependent on the competing expectations of the victims and perpetrators from the governments of the day.

The role of the government is thus often not interrogated from the prism of fairness and justice by the perpetrators who expect the government to either help them on account of their power (be it economic or political) or to ignore the victims. The government's slow response during such situations also does not invoke confidence in the victims. The other instruments of state such as the police and judiciary are also seen as weak institutions by the victims who are made to go from pillar to post after facing violation of their human rights.

6. The NGOs have played a vital role in almost all the cases of human rights violations. Various NGOs have assisted the victims through means such as legal assistance, creating awareness among the marginalized groups through legal awareness camps, acting as pressure groups and giving financial and psychological support.

7. The awareness level of the respondents on the constitutional provisions for the protection of their human rights was found to be very low. Majority of the respondents were not aware of their fundamental rights enshrined in the Constitution.

8. The awareness level regarding the existence of NHRC was also found to be low. The respondents did not know the function of the NHRC and how it can help them in protecting and furtherance of their human rights. Out of the total respondents from the community, only two were found to be aware of the existence of NHRC/SHRC. However, other stakeholders in the research were aware of the existence as well as the functions of NHRC and the role it plays. Nevertheless, they were of the opinion that NHRC needs to work more to make itself accessible and known at the grassroots. They suggested that the institution needs to organize awareness generation camps

at the grassroots in rural areas, educate the communities and open centers, appoint officials who are willing to offer help to the people in remote areas.

9. As a result of this study there are multiple recommendations to improve the grassroots awareness about NHRC as well as human rights. The first and foremost recommendation is to make the Constitution, human rights and NHRC a mandatory part of the syllabus from school to college level in collaboration with UGC, CBSE, State boards, etc. For the grassroots awareness, NHRC should start collaboration and networking with the civil society organizations working in the field of human rights. Organizing training programs, seminars, workshops at the village level will not only educate people but will also ensure awareness about NHRC at the grassroots of India. By launching different fellowships and internship programs for field-level work, deploying trained NHRC cadres, capacity-building of stakeholders, and effective use of social media will ensure grassroots awareness about NHRC.

Endnote

- 1 State Human Rights Commissions

Human Rights Promotion and Education

Jefferson R. Plantilla

HUMAN RIGHTS PROMOTION AND EDUCATION addresses societal issues that affect human rights. It supports people's action on these issues at the individual and societal levels. It is about international human rights standards, including Sustainable Development Goals and their human rights components, presented in the context of people. It is about teaching and learning the application of such international standards on concrete issues at home, in school, in the workplace, and in the community. It uses new mediums such as online information and communication technologies to effectively reach as many people as possible.

The articles in this volume highlight these and several key issues and components of human rights promotion and education in some countries in Asia.¹

Surveys

An important element in any human rights work is the determination of people's thinking and behavior in relation to human rights. Surveys provide an indication of the current situation of people and their views about human rights and the human rights issues that affect them.

This volume presents reports of surveys done in several countries to better understand the context within which human rights promotion and education must operate.

The surveys done by national human rights institutions (NHRIs) in Maldives, Korea and India and the Equal Opportunity Commission in Hong Kong provide substantial bases for the development of appropriate human rights promotion and education program. A 2010 baseline survey was used in developing the human rights education program of the National Human Rights Commission of Bangladesh.² This survey determined "public attitudes and awareness of human rights as well as awareness of the Commission's existence and role."³

Respondents

The surveys discussed in the articles of this volume cover diverse respondents. This is particularly clear in the survey held in India that had the following respondents:⁴

1. Village leaders/opinion makers
2. *Panchayat* (village council) members
3. Caste and religious leaders
4. Members of existing local groups
5. School teachers and principals, Journalists/ Lawyers
6. Non-governmental organization (NGO) personnel
7. Administrators/bureaucrats
8. Human rights activists
9. Officials at State Human Rights Commission
10. Local Members of Legislative Assembly (MLAs)/Members of Parliament (MPs)/Politicians
11. Police personnel.

Other surveys focused on women, children and parents, workers, urban residents, domestic help and migrant workers. The 2016 Mongolian “Child rights and protection” survey involved “4,264 children, 2,743 parents and one hundred fifty-two multi-disciplinary team members of seven districts of Ulaanbaatar and eight *aimags* (provinces).”⁵

Issues

The survey in Hong Kong focused on sexual harassment while those in Maldives and India focused on people’s awareness of human rights and the national human rights institutions.

An important result of these surveys is data on the degree of understanding of human rights by the people.

The Maldivian survey points to concerns that require substantive measures to address violence against women and children and its relations to public perception of human rights:⁶

There is an immediate and real concern regarding the persistent acceptance of violence against women, especially as an increasing number of women have begun to find justification and acceptance for acts of violence against them by their husbands. (emphasis mine)

The findings of several chapters in this survey evidently suggest associations with each other. Increasingly, more people are of the opinion that human rights and Islam are incompatible. The reasons cited for the perceived incompatibility; human rights advocate for equal rights for women and rights of the child; human rights impede Islamic Shariah; human rights conflict with Islamic values, are worrying. This manifests signs of radicalization and growing violent extremism. This survey also notes that women, young girls and children as those who stand to lose most, when respect for human rights decline.

Understanding of human rights

The Mongolian survey reveals the nature of public understanding of human rights:⁷

The 2021 survey on public attitude on human rights shows that people were aware of human rights, but less aware of how to solve the current problems in reality, and their understanding varies. As the ages of survey respondents get younger and their educational levels go up, they seem to be well aware of human rights, while as they get older and their educational levels go down, they seem to be less aware of human rights. In general, it can be concluded that public awareness on human rights is not at the knowledge level but at the information level.⁸

The Indian survey, however, provides another aspect of this understanding of human rights, including the educational level of the respondents:⁹

Majority of the respondents, one hundred sixty-seven (64.2 percent) were found to be unaware of what constituted human rights. However, at Dangawas, the respondents specially the victims are making themselves educated and informed about their Constitutional Rights so that they could present their case before the court as well as protect themselves from untoward incidents in the future. Many respondents mentioned that before this violence in their village they were in complete ignorance about their constitutional rights. But when political leaders and social activists associated with prominent NGOs visited them after the incident, they started to learn about the rights guaranteed to them by the Constitution of India. They also know that Scheduled Caste/Scheduled Tribe Commission is there to safeguard their interest. Consequently, there were

ninety three (35.8 percent) respondents who mentioned that they have an understanding of various Constitutional Rights. It was observed that the knowledge about Constitutional Rights was not dependent on the educational qualification of the respondents. Some respondents despite having low educational qualifications knew their rights whereas some having relatively higher education were ignorant.

In the same manner, the Maldivian survey points out that respondents in the urban areas and younger respondents found incompatibility between Islam and human rights:¹⁰

Most people who thought human rights are not compatible with Islam because the punishments for offences prescribed in Islam conflicted with principles of human rights, were from urban regions and mostly from Malé. It is also important to note that it was mostly young people who expressed concern regarding human rights hindering implementation of the death penalty.

While the Mongolian survey indicates that people with higher educational attainment and of younger age tend to be more aware of human rights, the surveys in India and the Maldives present a different picture. In these surveys, those with higher educational attainment and those living in urban areas do not necessarily have better awareness of human rights.

The surveys provide bases for planning human rights promotion and education programs. The Korean survey recommends improvement in the existing human rights education programs, and the need to improve “laws, institutions, policies, and practices related to human rights education.”¹¹

In addition, to get a better sense of human rights education delivered, the Commission carried out a survey of human rights in the National Assembly, a survey of human rights education for local government public officials, a survey of human rights education of teachers in elementary, middle, and high schools, and a study of parent education to prevent child abuse. The findings will be used to inform proposals for improved laws, institutions, policies, and practices related to human rights education.

Recommendations

The Indian survey recommends the involvement of different stakeholders in providing avenues for human rights promotion and education:¹²

The NHRC is urged to forge newer and more comprehensive partnerships with various sections including key stakeholders such as the judiciary, police personnel, government officials, media, representatives of NGOs and civil society organizations, and academia (including students), most notably through its coveted internship programs, publications, seminars, workshops, training, consultations and other such means. It must also build network with the lawyers' collectives such as bar councils as well for spreading awareness in rural areas about human rights.

The Hong Kong survey, being focused on companies and work-related sexual harassment, recommends the following, among others:¹³

Companies or organizations from client-facing industries can raise awareness among their clients or workplace participants by providing knowledge about the recent legal changes in anti-sexual harassment provisions under the Sex Discrimination Ordinance. They are also strongly encouraged to send a clear message that staff complaints against clients' or workplace participants' inappropriate behavior(s) would be properly dealt with.

There is also a recommendation for the formal education system:¹⁴

The Education Bureau should consider thoroughly reforming the sexuality education in primary and secondary schools as soon as possible to give more emphasis on gender equality and relationship education, including sexual harassment in digital contexts and image-based sexual violence.

This Hong Kong survey, similar to the Indian survey, stresses the importance of proper mechanisms to prevent sexual harassment or help victims of sexual harassment and punish the perpetrators. It also recommends the promotion of the use of these mechanisms by making people know them.

Human Rights Content

The articles speak of human rights in relation to issues that affect specific sectors of society including people in Mon and Karen states, those in

rural areas in India and atolls of Maldives, workers and company officers in Hong Kong, those in government and security sectors, the youth and children, indigenous peoples, local government officials, the Buraku people in Japan and other disadvantaged sectors.

These targeted audiences for human rights promotion and education have their own issues to face including payment of tax, land displacement due to corporate or government projects, electoral participation, health issues during the COVID-19 pandemic, job and marriage discrimination, hate speech, sexual harassment, abuse by the police and security forces, communal violence, among others.

The articles explain the different human rights promotion and education programs and activities that address these issues. The human rights promotion and education programs and activities focus on domestic legal resources including the Constitution and specific laws related to the issues and emphasize the mechanisms that exist to implement these laws to protect people and provide them the services they need. Many articles cite the importance of NHRIs in resolving issues alongside the judicial and administrative mechanisms that are expected to provide protection of the legal/human rights of the people.

Some articles cite domestic laws that have incorporated international human rights standards or are closely related to these standards. The Act on the Promotion of the Elimination of Buraku Discrimination (2016), the Law on the Promotion of Human Rights Education and Human Rights Awareness-Raising (2000), Basic Law on the Hansen's Disease Issue, the Law for the Promotion of Ainu Policies, and Hate Speech Elimination Act (2016) in Japan, the Anti-Torture Act (2013) in Maldives, the Sex Discrimination Ordinance (2020 as amended in 2021) and Crimes (Amendment) Bill (2021) in Hong Kong, and the Criminal Procedure Act and the Prosecutors' Office Act (2020) in Korea are examples of domestic laws that are considered to have incorporated international human rights standards. These laws implement the state obligation under the human rights instruments that these countries are party to.

These domestic laws present human rights principles in relation to the local contexts. But, as in the case at least of Japan, these domestic laws may not be fully subscribing to international human rights standards.¹⁵

What is clear is that human rights have been equated with constitutional and legal rights.

However, the articles also raise the problem of acceptance of human rights according to international standards. Constitutional provisions and laws that speak of rights are hardly questioned, yet the same rights spoken as “human rights” may provoke the idea of conflict between local cultures or ideas and international concepts. The Maldivian survey provides a good example of people’s view on this issue.

Human rights promotion and education programs and activities have to address this problem seriously.

In terms of human rights promotion, most articles cite the celebration of human rights such as the Human Rights Day, International Women’s Day, Child Rights Day, International Day of the World’s Indigenous Peoples and International Day of Persons with Disabilities, among others. The United Nations (UN) has emphasized the importance of these human rights day celebrations:¹⁶

International days and weeks are occasions to educate the public on issues of concern, to mobilize political will and resources to address global problems, and to celebrate and reinforce achievements of humanity. The existence of international days predates the establishment of the United Nations, but the UN has embraced them as a powerful advocacy tool.

One has to note that these human rights days express the international character of human rights. The articles explain that these celebrations are done not only in capital cities but also in the countries’ regions/provinces/states and thus reaching more people. These celebrations may help address the problem of people seeing human rights as conflicting with local cultures and practices. When the celebrations focus on concrete problems faced by the people in general and specific sectors of society in particular, there can be better appreciation of human rights.

Local Community Focus

The article of Human Rights Development Centre provides principles that govern community-based initiatives:

- a. Community-based approach is a priority strategy that requires people in the community to be oriented and trained in such a

way that they can appreciate the project as belonging to the community. This sense of ownership of the project by the community helps in the effective implementation of the project as well as its sustainability;

- b. Mobilization of local resource is ensured as one of the major strategies towards attaining project sustainability after the project period. These can be in the form of cash, kind, technical assistance, support services and direct involvement and participation of the community people.

HRDC organizes courtyard meetings with indigenous women at grass-roots level regarding the issue of indigenous people's access to social safety net programs. It trains new generation of human rights defenders against discrimination at district level among the members of civil society organizations and community-based organizations and social workers.

Similarly in Burma/Myanmar, Mon villagers act to protect themselves from human rights violations and in obtaining justice through the "educated persons in the community and the Buddhist monks." But they still need the techniques, knowledge and networking skills in working for human rights protection.

This led HURFOM to start its Human Rights Defending and Community Participation Project with the following objectives:¹⁷

- To strengthen the community participation and coordination for the defense against human rights violations through non-violent means, by learning the Burmese government's existing regulations, legal system, laws and orders;
- To introduce the community leaders and civil society leaders to the techniques of defending against human rights violations that happen in their community and of lessening these violations; and
- To encourage them to have practical involvement in the activities or movement related to their rights and defending against human rights violations happening in the communities.

Under this project, HURFOM undertakes the following:¹⁸

- Provide information about laws, human rights and human rights defense techniques to the community people;
- Create media contact and networks among the communities;

- Hold seminar on networking for community empowerment;
- Provide capacity-building activity especially on organizational management, effective communication, networking, problem-solving and conflict resolution, etc., to communities requesting training.

In a more democratic setting, such community-level initiatives would benefit from trained local government officials. The support from the local government to local community initiatives would further strengthen the capacity of local human rights defenders. The human rights leadership course for local government managers and the capacity-building courses for human rights officers and human rights guards in local governments of the Korean Commission can be such local government training program that can support local community initiatives. This course is designed to be readily applied to human rights education and investigation activities at the local government level. The course also widened the coverage of participants to include primary local government officials so that “human rights education can be facilitated at this level and a network of cooperation can be built among participants.”

Government Support

Weak support for human rights promotion and education by some governments in Asia and the Pacific has been observed.

The Mongolian Commission notes:¹⁹

In addition, no significant progress is made in terms of human rights education in the formal and informal education sector because of ineffective and non-systemized formal and informal human rights training activities, and non-existence of state policy on human rights education.

In Japan, the enactment of laws against hate speech and discrimination have not led to provision of proper training for “public prosecutors, judges or police officers regarding racial discrimination in Japan including hate speech in general, or training to increase their capacity to identify cases of discrimination.”²⁰ These laws came many years after the enactment of law on

human rights education (Law on the Promotion of Human Rights Education and Human Rights Awareness-Raising [2000]), adoption of National Basic Plan on Human Rights Education [2002], and the existence of a government-supported human rights education center.

On the other hand, the Philippine Department of Education (DepEd) includes human rights education and child rights education in its “Rights-based Education Framework for Basic Education” issued on 27 June 2022 as Department Order no. 031, series of 2022. This education framework discusses what rights-based education mean:²¹

“Rights-based Education Framework in DepEd (RBE-DepEd)” refers to a cohesive and consolidated framework and lens to guide the DepEd and other stakeholders in education, as duty-bearers, to educate and nurture happy, well-rounded, and smart children enjoying their rights in schools, learning centers, and other learning environments served by a learner-centered and rights-upholding Department of Education. The framework recognizes that children are rights-holders with the indispensable, interrelated, and interdependent right to access education, right to quality education, and right to respect and well-being in the learning environment, and adults are duty-bearers with the legal obligation to uphold those rights.

DepEd further explains

B. RBE-DepEd and Its Experiential Components

43. Through RBE-DepEd, children learn, experience and enjoy their rights in four experiential components: learning as a right, learning about rights, learning through rights, and learning for rights. The components also show how education should be provided to every child.²²

DepEd is adapting the UNESCO and UNICEF rights-based education framework by referring to their materials in the framework document: *A Human Rights-Based Approach to Education for All: A Framework for the Realization of Children's Right to Education and Rights within Education* (UNESCO and UNICEF, 2007) and *Child Rights Education Toolkit: Rooting*

Child Rights in Early Childhood Education, Primary and Secondary Education (First Edition: UNICEF, 2014).

The rights-based approach to education, employed in the DepEd education framework, is important as it covers the whole education system and thus requires human rights application in the different components of the system.

Since this education framework was issued only in mid-2022, its implementation will take time as DepEd reorganizes its K-12 curriculum.²³ A proper implementation of this education framework can recover the seemingly lost momentum of human rights education in the Philippine school system that started decades ago.

This relates to the observation of the Mongolian Commission about the impact of human rights education on the youth in relation to educational policy:²⁴

Change of attitude is a long-term on-going process. Lack of reinforcement of the human rights education system in the policy planning and legal documents of the Mongolian education sector and non-clarity of values and priorities of the sector create a challenge to making the youth and the next generation adopt human rights-based culture and attitude that respect human dignity and values and recognize and apply in their lives the human rights principles and standards.

Institutional Collaboration

Another key issue is on implementation of human rights education programs. Collaboration among related institutions is a key element in this regard. No institution can single-handedly implement human rights education programs over significant period of time and covering different sectors of society.

The Buraku Liberation and Human Rights Research Institute (BL-HRRI) collaborates with other groups and institutions such as the Buraku Liberation League, its local chapters, the Japan Teachers Union, the National Dowa Education Research Council and the National Liaison Council for *Rimpokan* (community centers in Buraku districts), other human rights organizations and local governments.

The Mongolian Commission has another example on how this collaboration is done:²⁵

Government organizations, for instance, Judicial research, information and training institute of the Judicial General Council, National Coordination Council for Crime Prevention in Mongolia, Authority for Family, Child and Youth Development, National Committee on Gender Equality, National Legal Institute, Training and Research Center of the State Prosecutor General's Office enrolled over 10,731 officers in human rights training in 2018. Among local administrative bodies, the Office of the Songinokhairkhan District Governor organized training to provide legal and human rights education to the citizens, involving two hundred sixty-three residents of twenty-four *khoroos*²⁶ (administrative subdivisions of Ulaanbaatar) in 2018.

But it also cites the need to work with other institutions:

Each governmental organization is obliged to disseminate human rights education to its subsidiary agencies and their officials and officers. This obligation can be fulfilled more effectively if it is done in collaboration with other organizations such as the following:²⁷

- State Great *Hural* and its standing committees;
- Local administrative and self-governing bodies;
- National Human Rights Commission;
- Educational institution for training public servants;
- Non-governmental organizations;
- Trade unions, etc.

The Korean Commission has an even more comprehensive network of institutions that concentrate on specific fields from formal education to training of members of the security forces and government officials at the national and local levels. It also consulted the Local Government Human Rights Education Council, Military Human Rights Education Council, School Human Rights Education Council, and University Human Rights Center Council in developing and implementing its human rights promotion and education program.

Institutes for Human Rights Promotion and Education

Several articles discuss the establishment of institutions or structures for human rights promotion and education. These institutions or structures provide information on issues and human rights (concepts, standards, activities and services) that the general public and specific sectors (government officials, members of the security forces, local government officials, students, teachers and human rights workers) can avail of.

The Korean Commission has the Human Rights Training Institute described as an²⁸

educational space designed to foster instructors and trainers, and guarantee the right to human rights education for all. The Institute will play a key role in ensuring quality human rights education and promoting a culture that is favorable to human rights, by capturing the Commission's expertise and sense of current topics in the curricula.

The Philippine Commission created its Human Rights Institute as a major vehicle for human rights promotion and education. It offers on-line courses and work with different institutions on particular educational projects.

The NGO Humanitarian Center established the School of Human Rights Education as a part of²⁹

strategy of improving the level of legal knowledge among young people in the regions of Uzbekistan. The school provides basic knowledge on human rights and organizes special seminars for youth, workers, farmers, etc. It recruits every three months young people who want to learn more about human rights and the international human rights instruments of the United Nations. The young people are aged up to twenty years old, and recruited with proper respect for gender balance.

The 2022-2025 strategic plan of the Mongolian Commission includes the establishment of a "training and research institute for providing human rights education."³⁰ This institute can gather people who can help further develop the existing human rights promotion and education programs in Mongolia.

Online Programs

Online programs for human rights promotion and education take various forms. They include online data management, online educational programs and online information/library service.

HURFOM saw the need to adopt a “systematic data management and effectively used it in advocacy activities” and “improve Information Technology and Communication skills in order to systematically document all human rights situations.” This is the Human Rights Data Management and Advocacy Project of HURFOM.³¹

The Cyber Human Rights Training Center of the Korean Commission “introduced contactless full-day distance education” and “made maximum use of small meeting rooms and online learning tools to ensure continuity of the instructor development program amidst the spread of COVID-19.”³²

The Philippine Commission’s Online Human Rights Academy has open online courses on human rights. The Academy offers general certificate courses on introduction to human rights (basic concepts and principles of human rights, also the right to health because of the COVID-19 pandemic). It uses videos and quizzes that complement the learning experience. The specialized certificate courses on highly specialized topics aimed at promoting awareness and societal involvement. The professional and executive certificate courses aim to provide an in-depth discussion of the most current human rights issues for professionals, executives, members of the security sector and students.

In addition, the Philippine Commission has online library/reference center named Digital Archive: KIBO. This is a “repository of ... digital assets such as videos, images, audio files, among others, with the intention of providing long-term access to information with varying evidential, legal, or contextual value.”³³ It includes specific-issue “observatories” of information on gender, climate change, persons with disabilities, migrant workers, and indigenous peoples.

The Korean Commission has the Human Rights Library that was initially established as the Human Rights Reference Library in 2002, and was renamed Human Rights Library in 2012. The library is described as follows:³⁴

This library facilitates research, collection, analysis, and preservation of human rights-related information and materials; offers reading and loan services; documents, manages, and

preserves Commission's publications; and engages in exchange and cooperation with other libraries in Korea and abroad.

By developing and distributing a guidebook on online human rights education, it ensured that its online programs are as effective as face-to-face programs in terms of participation and communication.

The Korean Commission has tapped the current popularity of online movies. It created in 2021 a four-part series "web drama on human rights issues" during the time of the COVID-19 pandemic such as information rights, invasion of privacy and digital piracy named "Teaming." The "web drama" is available on YouTube. Similarly, it produced "Wise Human Rights Life," a video series also available online. Working with the Byeolbyeol Reporters, a group of online supporters, the Korean Commission has been uploading "various content on new media forms like Naver's Together N."

Since 2018, the Korean Commission has been producing movies that depict the day-to-day activities of its investigators in order to illustrate the role that the Commission is playing and give viewers food for thought on human rights ("Calm Down," 2018); address human rights in sports, the rights of multi-cultural families and student rights in a high school setting ("The Secret of Secret," 2019); and about prejudices that young people who live in facilities face, gender discrimination in everyday life, and human rights in sports ("Chatagongin," 2020).

Online education programs as well as online-accessible materials are new tools of human rights promotion and education as stressed by the different institutions in Asia. The COVID-19 pandemic showed the importance of online information as well as online activities. This situation strengthened even more the need to maximize use of online facilities and platforms for human rights promotion and education.

What Should be Done³⁵

Human rights promotion and education initiatives have long been existing in some subregions in the Asia-Pacific particularly South, Southeast and Northeast Asia. But there is still much work to do in ensuring that these initiatives are sustainable and strong.

The main players in human rights promotion and education in the region remain to be the NGOs and the NHRIs with their grassroots and national

level activities; while several human rights centers and networks play a role at the regional level.

Human rights promotion and education would benefit from increased implementation of existing educational initiatives that integrate human rights with other issues such as those on Sustainable Development Goals and Global Citizenship. These educational initiatives attract teachers, school and education officials, NGO and company workers in the region. They reflect human rights promotion and education initiatives that have long been undertaken by NGOs on specific issues affecting grassroots communities such as those on economic livelihood, health, environment, and issues affecting children, persons with disabilities, urban and rural poor, indigenous peoples, and women.

To be able to address the issues affecting human rights promotion and education in the region, the following are recommended:

- a. Increase support for the human rights promotion and education programs of NHRIs, government agencies, NGOs and academic institutions and promote their collaborative efforts;
- b. Encourage promotion of human rights using the digital platforms in disseminating information, providing online training and other activities and operating online library/human rights center;
- c. Renew support for human rights promotion and education in the school systems;
- d. Reaffirm recognition of the work of NGOs especially at the grass-roots level;
- e. Encourage UN offices, programs and agencies to give more support (not necessarily financial) to human rights promotion and education initiatives in the region. A mere gesture of recognition and appreciation from these UN agencies of the work being done by these institutions in the region would have significant positive impact on the motivation of educators and education officials and on the legitimacy of the programs they implement.

Many human rights promotion and education initiatives in countries in the Asia-Pacific did well despite the restrictions of the COVID-19 pandemic. They maximized the use of online mediums to reach people. But they still

have much room for improvement and many more locations and peoples to reach.

Endnotes

1 This volume has only articles from Asia due to inability to obtain articles from Pacific countries.

2 See National Human Rights Commission of Bangladesh, "Bangladesh NHRC: Baseline Survey Paves Way for Human Rights Education," *Human Rights Education in Asia-Pacific*, volume three, 2012, www.hurights.or.jp/archives/asia-pacific/section1/pdf/8%20-%20Bangladesh%20NHRC.%20Baseline%20Survey%20Paves%20Way%20for%20Human%20Rights%20Education.pdf.

3 See National Human Rights Commission of Bangladesh, *ibid.*, page 166.

4 Department of Social Work, Delhi University, "Locating National Human Rights Commission within the Human Rights Discourse at the Grassroots in Rural India," page 270 of this volume.

5 Officially, Mongolia is divided into three administrative tiers, with different types of administrative unit on each tier: a) *Aimag* (Province), which is divided into *Soums* (Regions), and each *Soum* is further divided into *Bag* (Hamlet); b) Capital city (Ulaanbaatar), which is subdivided into Districts, and each District is subdivided into *Khoroos* (Municipal subdivision).

6 UNDP Maldives, "Surveying Human Rights Awareness in Maldives," page 259 of this volume.

7 National Human Rights Commission of Mongolia, "National Human Rights Commission of Mongolia: Human Rights Awareness and Education Functions," page 150 of this volume.

8 This is somewhat similar to a finding in a study in the Philippines that the "level of human rights education has largely been at the appreciation level." See Francis Tom Temprosa, "The Enduring Challenge to Human Rights Education: Reflections from the Field in the 'New Normal,'" page 179 of this volume.

9 Department of Social Work, Delhi University, *op. cit.*, page 272 of this volume.

10 UNDP Maldives, *op. cit.*, pages 257-258 of this volume.

11 National Human Rights Commission of Korea, "Human Rights Education and Promotional Activities in Korea," page 192 of this volume.

12 Department of Social Work, Delhi University, *op. cit.*, page 290 of this volume.

13 Equal Opportunities Commission, "A Territory-wide Representative Survey on Sexual Harassment in Hong Kong 2021," page 225 of this volume.

14 Equal Opportunities Commission, *ibid.*, page ____ of this volume.

15 See Jefferson R. Plantilla, "BLHRRRI and Anti-Discrimination Education," page 17 of this volume. See also the critique of the Ainu Policy Promotion Act of 2019, Mashiyat Zaman, Leni Charbonneau and Hiroshi Maruyama, "Critiquing the Colonialist Origins of the New National Museum Upopoy," *FOCUS Asia-Pacific*,

Volume 107, March 2022, www.hurights.or.jp/archives/focus/section3/2022/03/critiquing-the-colonialist-origins-of-the-new-national-museum-upopoy.html.

16 International Day of Persons with Disabilities, 3 December, United Nations, www.un.org/en/observances/day-of-persons-with-disabilities.

17 Human Rights Foundation of Monland, “Struggle for Human Rights Education for the Mon People,” pages 73-74 of this volume. See also the training of community leaders in Malaysia, DHRRA Malaysia, “Statelessness and Empowerment in Malaysia,” pp. 51-55 in this volume.

18 Human Rights Foundation of Monland, *ibid.*, page 74 of this volume.

19 National Human Rights Commission of Mongolia, *op. cit.*, page 150 of this volume.

20 Plantilla, page 19 of this volume.

21 See full text of the “Rights-based Education Framework for Basic Education” of the Department of Education of the Philippines here www.deped.gov.ph/2022/06/28/june-27-2022-do-031-s-2022-child-rights-policy-adopting-the-rights-based-education-framework-in-philippine-basic-education/.

22 DepEd explains

b. Learning about rights

Learning about rights covers all three dimensions of RBE. Child rights and human rights education should be given space within the curriculum for children to learn about their human rights and children’s rights in a structured and guided environment. At the same time, children should learn these rights not only in the curriculum, but also in co-curricular and extra-curricular programs. Child rights clubs as well as classroom, school, community, intra-school, inter-community, and inter-country programs on child rights enrich children’s learning of their rights.

c. Learning through rights

Learning through rights encompasses the two dimensions of the right to quality education and the right to respect and well-being in the learning environment. It is about transforming the learning environment and ensuring that children learn in schools and community learning centers that are rights-respecting and rights-upholding. Children learn rights through knowledge, valuing, experience, and exercise of these rights.

d. Learning for rights

Learning about rights and through rights naturally leads to learning for rights. This involves children actively claiming one’s own rights, and promoting respect for the rights of others within and beyond the learning environment, to transform the broader domestic and global environment toward a sustainable future.

23 See “VP Sara: DepEd pledges to produce employable K to 12 graduates,” Office of the Vice-President, <https://ovp.gov.ph/post/vp-sara-deped-pledges-produce-employable-k-12-graduates>.

24 National Human Rights Commission of Mongolia, *op. cit.*, page 150 of this volume.

25 National Human Rights Commission of Mongolia, *ibid.*, page 148 of this volume.

26 National Human Rights Commission of Mongolia, *ibid.*, page 148 of this volume.

27 National Human Rights Commission of Mongolia, *ibid.*, page 147 of this volume.

28 National Human Rights Commission of Korea, *op. cit.*, page 193 of this volume.

29 Humanitarian Legal Center, “Educating the Youth in Uzbekistan,” page 90 of this volume.

30 National Human Rights Commission of Mongolia, *op. cit.*, page 149 of this volume.

31 Human Rights Foundation of Monland, *op. cit.*, page 67 of this volume.

32 National Human Rights Commission of Korea, *op. cit.*, page 193 of this volume.

33 Temprosa, *op. cit.*, page 173 of this volume.

34 National Human Rights Commission of Korea, *op. cit.*, page 199 of this volume.

35 This is based on the author’s online powerpoint presentation entitled “Review of Significant Human Rights Education Practices in Asia-Pacific” at the Global Forum on “Human Rights Education,” held on 5-6 December 2022, Sarmakand, Uzbekistan.

About the Authors

DEPARTMENT OF SOCIAL WORK

Delhi University

New Delhi, India

c/o Seema Sharma, PhD.

e-mail: seemasharma.dsw@gmail.com

DEVELOPMENT OF HUMAN RESOURCES IN RURAL ASIA-MALAYSIA

(DHRRA-Malaysia)

Petaling Jaya, Selangor, Malaysia

<https://dhrramalaysia.org.my/>

EQUAL OPPORTUNITIES COMMISSION

Hong Kong, Special Administrative Region, China

e-mail: eoc@eoc.org.hk

HUMAN RIGHTS COMMISSION OF THE MALDIVES

Malé, Maldives

c/o Ameera Aboobakuru

Media Officer / Advocacy Department

e-mail: ameera.aboobakuru@hrcm.org.mv

HUMAN RIGHTS FOUNDATION OF MONLAND – BURMA

e-mail: hurfomcontact@yahoo.com

HUMAN RIGHTS DEVELOPMENT CENTRE (HRDC)

Dhaka, Bangladesh

c/o Md Mahbul Haque

e-mail: infohrdcdbd@gmail.com

HUMANITARIAN LEGAL CENTER

c/o Ganiev Shukhrat

e-mail: шухрат ганиев <shuhrat9@gmail.com>

NATIONAL HUMAN RIGHTS COMMISSION OF KOREA
Seoul, Korea
e-mail: nhrc@nhrc.go.kr

NATIONAL HUMAN RIGHTS COMMISSION OF MONGOLIA
Ulaanbaatar, Mongolia
e-mail: info@nhrcm.gov.mn

JEFFERSON R. PLANTILLA
Researcher
HURIGHTS OSAKA
Osaka, Japan
e-mail: jeff@hurights.or.jp

FRANCIS TOM TEMPROSA
Director IV, Human Rights Education and Promotion Office
Commission on Human Rights of the Philippines
Quezon City, Metro Manila, Philippines
e-mail: tomtemprosa@gmail.com

UNDP MALDIVES
Malé, Maldives
e-mail: registry.mv@undp.org

The Asia-Pacific Human Rights Information Center or HURIGHTS OSAKA, inspired by the Charter of the United Nations and the Universal Declaration of Human Rights, formally opened in December 1994. HURIGHTS OSAKA has the following aims: 1) to engender popular understanding in Osaka of the international human rights standards; 2) to support international exchange between Osaka and countries in Asia-Pacific through collection and dissemination of information and materials on human rights; and 3) to promote human rights in Asia-Pacific in cooperation with national and regional institutions and civil society organizations as well as the United Nations.

Asia-Pacific Human Rights Information Center
(HURIGHTS OSAKA)
8F, CE Nishihonmachi Bldg.
1-7-7 Nishihonmachi, Nishi-ku
Osaka 550-0005 Japan
ph (816) 6543-7002
fax (816) 6543-7004
e-mail: webmail@hurights.or.jp
www.hurights.or.jp