



HUMAN RIGHTS EDUCATION IN ASIA-PACIFIC VOLUME SEVEN

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

Human Rights Education in Asia-Pacific—Volume Seven

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Foreword

THE WORK on human rights promotion continues because we still have not completely achieved the goals we have set to pursue. We face old and new human rights issues at various levels of our society and government. We encounter new hurdles in promoting human rights. We also recognize the need to ensure that people do not misunderstand the true meaning and value of human rights especially in light of the diverse situations of people.

We offer this 7th volume of our publication in order to inform, inspire and guide those who want to pursue or continue pursuing the task of human rights promotion at whatever level and capacity they are in. We also recognize through this publication those who tirelessly implement human rights education programs and projects despite difficulties and limitations.

We thank all the contributors for the articles that make this volume another rich and significant documentation of human rights education experiences in Asia and the Pacific.

KAZUO YAMAWAKI
Vice-President

Table of Contents

<i>Acknowledgment</i>	4
<i>Foreword</i>	5
<i>Introduction</i>	9

I. SECTORAL EDUCATION

Be-Free Program	11
BAHRAIN WOMEN ASSOCIATION FOR HUMAN DEVELOPMENT	
Using Theater and Other Creative Methods to Educate on the Human Rights of Women and Girls	33
THE GARDEN OF HOPE FOUNDATION	
Empowering Migrant Women	47
KALAKASAN MIGRANT WOMEN CENTER FOR EMPOWERMENT	
Empowering Burmese Migrant Workers	65
HTOO CHIT	
Legal Aid and Human Rights Education: A Grassroots NGO's Approach to Empowering the Poor in Jordan	83
JUSTICE CENTER FOR LEGAL AID	
Overview of AIHK's Human Rights Education Work in Hong Kong	99
DEBBIE TSUI	

II. TRAINING FOR PROFESSIONALS

Journalists' Professional Organizations and Human Rights Education in North Sumatra	117
MAJDA EL MUHTAJ	
Human Rights Education in Pakistan	141
SAMSON SALAMAT	

III. FORMAL EDUCATION

Education for Global iEARN Family: Challenges of JEARN YOKO TAKAGI	161
---	-----

Creating a Rights Respecting Society in India: The Human Rights Education Program of Amnesty International India THE HRE TEAM, AMNESTY INTERNATIONAL INDIA	177
--	-----

“Imagining Transitional Justice in Israel/Palestine”: Experiential Collaborative Learning at Tel Aviv University’s Minerva Center for Human Rights SIGALL HOROVITZ	201
---	-----

Teaching LGBT Rights in Japan: Learning from Classroom Experiences SONJA PEI-FEN DALE	219
---	-----

IV. SURVEYS AND RESEARCH

Morals and Market: Changing Attitudes toward Minorities MARIKO AKUZAWA	233
---	-----

Raising Consciousness on Gender Equality and Women’ Rights: Did It Make a Difference? RHODORA MASILANG BUCOY AND FLORA GENERALAO	247
--	-----

Human Rights Education in China: Motivations and Difficulties SONGCAI YANG	265
---	-----

Back to School: Human Rights Education in the Asian School Systems JEFFERSON R. PLANTILLA	287
--	-----

APPENDIX

Kawasaki City Ordinance on the Rights of the Child	300
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<i>About the Authors</i>	303
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Introduction

HUMAN RIGHTS EDUCATION remains an important educational initiative in Asia-Pacific. But it does not always appear as a singular program; rather as a component of educational programs and projects. There are educational programs that address specific issues and necessarily limit their human rights content to those relevant to their focuses. This is the case of programs on issues regarding children, migrant women, migrant workers, journalists, lesbian-gay-bisexual-transgender and non-governmental workers, as shown in the articles in this volume. In these programs and projects, specific human rights are taught/learned in the context of the people focused on. And these educational activities are not necessarily denominated as human rights education activities.

Human rights are learned in the children's use of their freedom to express themselves and enjoy their schooling without improper restrictions, in the women's effort to understand more deeply their situation and gain self-confidence, in the migrant workers' study of the legal system that can address their problems, in the training of journalists to increase their knowledge and skills, and in the study by non-governmental workers of the basic foundations of their work in terms of human rights and democracy.

At the international level, the United Nations' Global Citizenship Education project is a new initiative that presents human rights as essential component of the participation of people in helping address global issues. Global Citizenship Education is largely similar to the previous UN educational programs such as Education for International Understanding and Education for Sustainable Development in terms of human rights content. All of them are meant to enable people to appreciate the need to address global issues at different levels with human rights as one of the important components.

In this situation, has human rights education lost its place as a specific area of education since it has been subsumed under different "educations"?

There are valid reasons for subsuming human rights education into the different "educations" as much as there are reasons why human rights education as a standalone program seems to be given less support.

On the positive side, the "subsuming" of human rights education into other "educations" should be seen as means to ensure that human rights are considered in relation to various issues that these educational programs deal

with. There is reason to believe that the discussion of human rights in relation to these issues is an improvement of program content. Human rights are presented as integral part of the issues and relevant to the situations of the people involved. Human rights provide the bases for people taking action on the issues.

On the negative side, without sufficient presentation of human rights, these “educations” may sideline human rights content and stress other components. This can be seen in the recent initiative to introduce moral education, which would emphasize the responsibility of people toward society and would hardly mention the people’s human rights.

Nevertheless, there is no reason why these other “educations” should not be supported. Human rights education should be carried out in different forms and situations in order to make human rights relevant to the varied issues and situations faced by people.

The challenge lies in ensuring proper learning and teaching of human rights. There should be adherence to the international principles that define human rights. There cannot be “localized” versions of human rights perpetuated by selective understanding of human rights or in support of the perspective that human rights should be understood in relation to specific “contexts” (cultural, social, economic and political particularities).

However, presenting human rights in certain ways in order to adjust to restrictive political and social environments is not unwise. Human rights education has to be effective by having the flexibility to adjust to the situation of the people it is aimed at. In the same manner, educators handling the educational programs should have the leeway to find appropriate ways to present human rights in consideration of their circumstances. And ultimately, educators deserve whatever support they need to pursue human rights education.

The articles in this publication provide sufficient justification to support the growth of the different human rights education programs in many countries in Asia-Pacific. They provide us, similar to the other experiences published in the previous volumes of this publication, with concrete images on how human rights education should take place under different situations.

It is thus fitting that those who worked with HURIGHTS OSAKA in coming out with this 7th volume are given thanks and much appreciation. Their support is the reason why this publication has been printed continuously for seven years.

Be-Free Program

Bahrain Women Association for Human Development

A group of Bahraini women and close friends regularly met for years to discuss different issues in the community. One of the main issues extensively discussed by the group was on children. There were many questions and concerns in mind regarding children in their community:

- Why do many children have problems understanding the love of their parents so they go and search for it outside?
- Why can't children say "NO" in dangerous circumstances so they will not get abused or blackmailed?
- Why can't children share their fears with their parents so they can be protected?
- Why do many children have low self-esteem?
- Why do educational systems fall short in building productive human beings?

From these and many other questions, the group conceived of a new way to answer these questions and advocate for children, but they needed to create a formal entity.

The Birth of Bahrain Women Association - for Human Development

In 2001, with the government allowing the formation of non-governmental organizations (NGOs), the group of Bahraini women established the "Bahrain Women Association - for Human Development" (BWA) that formally became a NGO on 9 July 2001.

BWA adopted the following vision: "To Empower Leaders for the Human Development Era."

BWA sees human development as the path towards progress and development that can be achieved through:

- Building an enlightened human based culture that promotes social justice and sustainable development;
- Empowering individuals to discover and believe in their potential, to uplift themselves and their communities;

- Promoting value based cosmic consciousness, and supreme knowledge to develop human and world's resources;
- Establishing and promoting partnerships to support human development strategies.

BWA activities emerge from several programs that understand human needs, and speak to the mind and soul of people to become effective participants in the Human Development Journey.

It developed three main programs to benefit different sectors of the society. One is about Woman, the second focuses on the environment, and the third on children and teenagers (Be-Free), which is the focus of this article.

Be Free Program

Before starting Be-Free Program, BWA realized the shortage of programs that tackle issues related to child protection and prevention from abuse. Most of the available programs focused on the strength of the abuser rather than the child, created frightening and suspicious feelings towards others, and targeted parents who were expected to teach children how to protect themselves.

BWA created the Be-Free Program to tackle these issues differently. It developed a program based on the relevant experiences learned from visiting other countries, and using its own method and version of looking at these issues and solving them. This method builds on the strong points in the Bahraini culture, the powerful beliefs of the people, and their inner strength.

In 2002 the Be-Free Program was launched with the support of the former United Nations High Commissioner for Human Rights, Mrs. Mary Robinson.

The Be-Free Program has the following vision: "Together, we work for a world free of child abuse and neglect, full of love, and aspires for peace." Utilizing the latest scientific methods and techniques, the program aims to achieve this vision for childhood through:

- Helping children and teenagers to appreciate life, start confidently to build their character and protect themselves, and adopting concepts and skills based on humanistic values;
- Instilling peace values, and humanistic interaction with others who are different, and considering them as source of learning and

participation in working together to achieve personal and societal development;

- Contributing in changing the perception of persons with disabilities about themselves, and others' perception about them and develop a role that emphasizes their belief and ability to exercise their humanistic role;
- Supporting and cooperating with parents, specialists, and whoever has the responsibility to care for the children and teenagers to achieve high levels of development on children's and teenagers' issues.
-

Core Values

Be-Free team has the following core values:

- Humanity is our base in dealing with others regardless of religious or ethnic group;
- Honesty in serving others;
- Respecting privacy and confidentiality;
- Respecting others' right to choose whatever they believe is best for them; and
- Keeping high quality standard performance.

Be-Free Projects

The Be-Free Program, as a child empowerment program on elimination of child abuse and neglect, has activities including training workshops and seminars, radio programs, research, and campaigns. It offers a range of specialized trainings for both trainers and specialists in both Arabic and English languages. The trainings cover topics related to child and parent education, various ways of interacting with them with regards to protection skills and personality construction. It has several projects that address specific concerns.

"I'm Strong, Smart, and Safe Child" project

The Be-Free Program started in 2002 with the project "I'm Strong, Smart, and Safe Child" that empowers children with essential protection skills. Gradually, year after year, projects were added, and all are simultane-

ously being implemented up until today. Each project builds certain areas of children's and teen's personalities.

The project has the following objectives:

- To empower children; by providing them with fundamental protection skills;
- To constructively participate in building children's personalities in order to enable them to lead their lives with determination, hard work and optimism;
- To introduce the culture of leading lives by codes of human concepts and refined values to the children and persons in regular interaction with them. Further, to encourage them to take present decisions and plan their future taking such concepts and values into account;
- To embed and develop essential life skills within children and their caretakers, examples of that include: self-assurance, problem solving skills, positive thinking, critical thinking and respecting differences;
- To raise the awareness level of institutions that work with children, with a special emphasis on educational institutions; in order to communicate the importance of mainstreaming concepts of protection and essential life skills into their educational systems; and
- To establish a societal culture that lays strong emphasis on child protection and child's personality construction.

To achieve the above goals, several mechanisms were used under the project:

- Interactive and enjoyable workshops for children designed to suit the needs of their age group and devised to bring out their strengths;
- Seminars, workshops and lectures aimed at parents and caretakers;
- Specialized research and studies;
- Organizing and participating in relevant forums and conferences on both national and international levels;
- Launching and administering campaigns with the intent of raising societal awareness level and exploiting high-end media technology to arrive at that end;
- Instituting and disseminating the culture of child protection from abuse and neglect through short films, booklets and more.

The project has the following target groups:

- Children between the ages of four and twelve years;
- Parents;
- Caretakers and specialists; and
- The entire society, however, a special interest is made towards institutions that work with children.

“I am Strong, Smart, and Safe...Despite my Disability” project

In 2008, after studying the most vulnerable cases, Be-Free launched a special project for the protection of children and teenagers with disabilities, who are considered the most vulnerable.

The project is “I am Strong, Smart, and Safe...Despite my Disability”. People with disabilities are considered the largest minority in the world, and the most deprived. Children and teenagers with disabilities face different types of challenges and receive the least attention compared with the adults and their peers who have no disabilities. Statistics show that children with disabilities are five times more prone to abuse than their peers, and a large percentage has been subjected to sexual abuse before reaching eighteen years of age.

The project has the following objectives:

- Empower children and teenagers who have disabilities with essential protection skills, and basic life skills;
- Help children and teenagers in building their character, and a positive perception about themselves;
- Work in partnership with parents and support them in areas related to their children and their perception of people or children with disability;
- Create a culture of human inspiration by working with people with disabilities; and
- Raise societal awareness to concentrate more on the human aspect of people with disability rather than the disability itself.

The project covers children and teens with any type of disability, and specializes in the following disabilities:

- Visual impairment;
- Speech impairment;

- Motor disability; and
- Mild mental disability.

The project is implemented in collaboration with institutes and centers concerned about people with disabilities, and has different activities and events to achieve its goals. Some of the methods implemented are:

- Interactive and fun workshops for children and teens with disabilities;
- Seminars and workshops for parents and caregivers;
- Exhibitions, seminars, and events for the different sectors of the society to encourage the optimum positive interaction with people with disabilities;
- Media channels, and the interactive means of the Internet; and
- Regional and international conferences.

“It is My Right to Understand My Rights” project

Almost all Arab countries have ratified the United Nations’ Convention on the Rights of the Child (CRC), which guarantees the right of children (under eighteen years of age) to lead a decent life and have their rights respected and protected. The CRC obliges states to implement the provisions of the agreement, which include the need to educate the community, especially children, on their rights.

The implementation of the CRC is deemed necessary to contribute progressively in the development of the children’s personalities, who are often considered it a right to have all their demands met whether they are basic needs or not. Children’s comprehension of the CRC would inevitably help them distinguish between their fundamental rights and those that are good enough to obtain.

Children’s comprehension of their rights contributes to their understanding of their duties towards others. Some children engage in harmful conduct such as discrimination, ridiculing or bullying others. Children often mean no harm and may see their conduct as mere fun, and thus fail to understand the damage to the children who suffered bullying or the severity of the consequences of abuse and humiliation they might have been subjected to.

Given the importance of the rights of child and their impacts on society, the “It is My Right to Understand My Rights” project was launched in 2008,

under the Be-Free Program in partnership with the UNICEF Office in the Gulf States.

The project aims to promote the rights of the child in communities, raise awareness on the topic, and apply these rights at both strategic and operational levels among various segments of society. It has identified the following objectives:

- To communicate the principles of the rights of the child to children as per the Convention on the Rights of the Child;
- To disseminate and reinforce the rights of the child among educators and other members of the society; and
- To work with public and private institutions towards raising the level of child rights.

The project is designed for the following people:

- Children;
- Adolescents;
- Educators and parents;
- Officials of public and private institutions; and
- Officials of legislative institutions.

The “It is My Right to Understand My Rights” project resulted in the following output:

- Comprehensive training manuals that contain interactive activities to train children on the most important articles of the Convention on the Rights of the Child in a fun and enjoyable atmosphere;
- The launch of the “Let’s protect children now” in 22 November 2009, which is concerned with child protection laws in Arab countries. It is also the first movement of its kind in the Arab countries;
- Publishing of expressive and meaningful stories for children including “The Courage of Nasser” that cites the rights of the child to be protected from abuse in a simple yet interesting format;
- Conducting a series of interactive workshops for children on the topic of the rights of the child;
- Publishing booklets and articles promoting the concept of rights of the child in the society and reinforcing the importance of promoting and advancing these rights; and
- Communicating with legislative institutions and offering input in respect to laws concerning the rights of the child.

Smart+

The Internet assumes a vital role in today's world. More than just a medium for efficient exchange of information and entertainment, it has become the backbone of several governmental and educational organizations.

However, the Internet encompasses a darker side, one that can be disturbing and worrisome, individuals, particularly adolescents and children are vulnerable to manipulation and exploitation as they spend longer hours surfing the Internet, chatting, exchanging information and making new friends. With limited experience in life and love for exploring new things, they are especially vulnerable to various forms of hazards found on the Internet such as bullying, sexual abuse and exploitation, and human trafficking.

The virtual world does not differ drastically from the real world. In both realms, it is equally important for children to obtain the knowledge necessary to understand the hazards surrounding them, how to protect themselves and what is the correct conduct to assume in critical situations. This is highlighted with the presence of an ever widening knowledge gap between parents and their children in regards to the Internet and its frail child protection regulations, mechanisms and penalties for offenders.

The "Smart +" program, established after years of intensive study by the people implementing Be-Free, is dedicated to addressing different aspects that contribute to children and adolescent safety over the Internet.

Objectives:

- To empower children and adolescents with essential protection skills needed on the Internet;
- To disseminate information and raise awareness among caretakers and individuals working with children on the dangers inherited in modern technology and ways through which they are able to provide protection to children and adolescents;
- To lobby legislative and legal institutions to enact new laws; keeping pace with the emerging hazards, to contribute to the protection of children and adolescents, in addition to establishment of strict penalties for offenders;
- To lobby institutions that provide Internet and telecommunication services, to provide safer services for children and adolescents;
- To venture in joint actions and cooperation with international organizations concerned with children and adolescents protection on the Internet.

Highlights of the “Smart +” Program

- The international conference on “Effective Strategies to Protect Children from Sexual Abuse and Trafficking on the Internet” in 2009; under the auspices and the presence of the Special Rapporteur to the United Nations concerned with child trafficking and prostitution. The conference was the first event dedicated to the subject of child protection on the Internet in the region.
- A comprehensive training manual, containing interactive activities that contribute to effective training of children on protection skills and safe surfing in a fun and enjoyable atmosphere.
- Publishing of the booklet “I am a Strong, Smart and Safe Young Person/ youngster on the Internet”. The booklet includes the most essential protection skills for youth on the Internet.
- A series of interactive workshops for children and adolescents to communicate concepts and mechanics of protection over the Internet.
- Launching joint effort with telecommunication companies and international organizations active in the field of child protection on the Internet.

Color Your Life with Your Choices

Students encounter a number of obstacles and challenges during the course of their educational journey, ones that might pose a setback to their academic development in case they were not properly addressed. Such challenges may be induced by social, national or international factors or they could be purely academic. These challenges can negatively affect the child’s educational and occupational future.

Parents play a defining role in how students address challenges. They can provide positive assistance and support to help students overcome their challenges and walk away with more life experiences, better life skills, and a more balanced personality.

In 2011, Be-Free started the project “Color Your Life with Your Choices” to address the issues mentioned above.

The “Color Your Life with Your Choices” project operates at two levels:

Level One: Students

The “Color Your Life with Your Choices” program strives to provide assistance to students between the ages of ten and seventeen in addressing

various challenges that could become present during the course of their academic and social journey. Further, it helps them deal with such challenges and redefine them as opportunities to learn life lessons from, lessons that will contribute effectively in honing and fortifying their personalities, and rendering them more determined to achieve their goals and realize their dreams.

On the other hand, some challenges can more easily be overcome should sufficient information be made available to the students. Rather than leaving them to stumble across answers in their continuous trial and error endeavors, the program offers readily available information that acts as a guide for the students.

Level Two: Parents and Caretakers

Parents and caretakers are keen on helping their children achieve the best academic results possible within their knowledge and life experiences. As important as such experiences may be, they are often overwhelmed by the nature of today's life, social circumstances and technological advancements. Parents may make a notable effort to support their children with no tangible results, this may reflect negatively on their relationship with their children and a feeling of being misunderstood may develop between and among all parties.

The "Color Your Life with Your Choices" program helps both parents and caretakers understand how to support their children in a positive way and how to tackle the challenges that may cross their path in building and sustaining a solid relationship with their children. The program helps parents look at matters from their child's point of view taking into account various social and technological advancement factors in addition to the fears and concerns experienced by students, which may not be apparent to the parents and caretakers.

Highlights of the Project

Following a study conducted on the needs of students using data obtained from children in communication with the Be-Free Project, a number of the most important challenges that are believed to have a significant effect on the student's academic and social life were selected:

- Loss of a relative or a loved one;
- Preparing for exams;

- Bullying;
- Family problems;
- Competition and development;
- Feelings of anxiety due to national or international events.

Me and the Other

Societies are becoming more diversified; children and teenagers live with peers with different cultures, faiths, and nationalities. In this context, unless they have the right perspective in relating to people with different backgrounds, challenges are likely to arise including bullying.

Children and teenagers are now – more than ever before – in need of learning the importance of cultural tolerance.

In 2012, Be-Free with the support of the British Embassy, started the project “Me and the Other”.

Project Goals

The “Me and the Other” project has the following goals:

- To build a culture in which children and teenagers sublime in dealing with others who are different from them, in language, belief, country, color, or any other differences, to reach a stage of respecting and learning from these differences;
- To encourage a culture of having universal human values as a foundation and base of dealing with the other who can be different in shape, or color, or belief, or any other differences;
- To empower children and teenagers with skills about dealing with bullying, and protecting themselves from it;
- To spread awareness, especially among caregivers, and who work with children and teenagers, about the effects of bullying, and their role in controlling it;
- To build cooperation with educational institutes to implement anti-bullying strategies that act as a deterrent.

The project has nine main pillars:

- Each person respects him\herself and respect others;
- The opinion of every person is respected;
- Learning from differences;

- Identifying common grounds and building upon them;
- Start conversations with the best aspects of the other person;
- Empathy with others and respect their feelings;
- Wishing for the other what we wish for ourselves;
- Developing the society together; and
- Adopting tolerance as a value in life.

Highlights of “Me and the Other”

The implementation of the “Me and the Other” project has the following highlights:

- Development of a Training Manual for Trainers who work with children, which includes training workshops that convey the nine pillars in interactive and fun ways;
- Development of the story “We learn and have fun with our differences” that conveys the concept of respecting differences and learning from them;
- Preparation of animation of the story “We learn and have fun with our differences” in Arabic and English, and making it available on www.youtube.com/user/befreeprogram;
- Printing of “Me and the Other” booklet for youngsters, which explains the nine main pillars in dealing with others;
- Holding of a series of training workshops for children about protection and dealing with bullying;
- Printing of a coloring book “I’m a respectful, smart, and strong child” that helps children understand bullying, and how to replace it with positive concepts and actions so their presence becomes a source of goodness for others.

“Instilling Universal Knowledge” Project

In 2014, after twelve years of experience in the field of child and teenager protection from abuse and of character building, Be-Free developed this project, which includes the core of all Be-Free activities.

It is a pioneer project that assists educational institutions with different levels of adopting innovative and creative methods to make the institutions a more desirable place for students. It increases their awareness, and

moves them beyond learning to reach universal knowledge. It inspires them to transcend the limitations of self-centeredness and to aspire for building communities and painting their humanistic mark on the world.

The project has the following four pillars on which “Instilling Universal Knowledge” Project was built, and which contributes in building the “Human Student” who is motivated to succeed, to think right, wisely and to give others:

1. Emotional Balance;
2. Humane Sense;
3. The Universal Humanistic Values;
4. Leadership and the Interaction with the Universal Environment.

The Project can be implemented by:

- Academic-Life Linking Process:

Is the process of finding shared principles and areas of implementation that links a principal from a scientific material, or an educational information, or a mathematical process in the curriculum, which the teacher is trying to convey to the students, with life principles and values such as, humane principle and principles of manners in addition to basic life skills.

- International Days:

Schools mark many international days, which helps students interact with others and raise awareness about cultural tolerance. “Instilling Universal Knowledge” Project marks specific international days every year and encourages schools to arrange for activities to celebrate these days.

- Schools Activities:

Utilizing school activities to contribute in implementing the four project pillars, which emphasizes children’s skills through each pillar.

- Workshops:

Workshops are one of the most important ways to implement the “Instilling Universal Knowledge” Project. These workshops were thoroughly designed by experts in “Be Free” program. They work on delivering the important concepts to children in a positive interactive environment, full of fun and joy. There are different workshops for each grade presented in dif-

ferent ways suitable for each age group. The workshops' detailed instructions are available in the training manuals, the schools adopting this project will receive a copy of them.

- **Involving Parents:**

A booklet has been developed for parents to help them in getting positively involved in the project.

Project Documents

The project has developed the following documents to assist in project implementation. They are available online for download.

- Project Fundamentals and Educational Material
- Academic-Life Linking Process Document
- International Days and School Activities
- Parent's Booklet
- Project Impact Measurement
- Trainer's Guide for Children's Workshops (ages 6-8 years old)
- Trainer's Guide for Children's Workshops (ages 9-12 years old)
- Trainer's Guide for Teenagers' Workshops (Intermediate and High School)
- Trainer's Guide for Children and Teenagers with Disability (Hearing Impairment, Visual Impairment, Motor Disability, Mild Mental Disability)

Reaching more children and teenagers...

At the beginning, in 2002, Be-Free was conducting the workshop "I'm Smart, Strong, and Safe Child" for children at schools, social centers, clubs, and any other gathering place for children, and disseminates its relevant publications to children after the workshops.

In 2007, Be-Free thought of reaching more children by going to more public places, such as shopping malls, books exhibitions, children exhibitions, etc. Therefore, it developed mini-workshops that last for 15 minutes. Children learn two main concepts per mini-workshop. Mini workshops assist Be-Free in reaching even more children, especially in Bahrain and the West Asian subregion.

In 2009, Be-Free started documenting its training workshops, and making them available online for public use so more teachers, caregivers, and trainers can benefit from them.

Publications¹

“Salem and the Smart Crayons”

A story that is used to spread the main concepts and skills of protection from abuse. It is a story about a boy having a conversation with his crayons and answering their smart questions in a smart way.

“I’m respectful, smart, and strong child” Coloring Book

This coloring book helps children understand what bullying is, and how to replace it with positive concepts and actions so their presence becomes a source of goodness for others.

The coloring book was launched during the Universal Children’s Day, and it contains important concepts for children in Arabic and in English. The book has a drawing of an act of bullying on one page along with a simple description, and another drawing of a positive act on the next page along with a simple description, and so on.

Be Smart with Smart Devices

A booklet about using social networking applications of smart phones and tablets, in a way that filters out the bad stuff while keeping the good stuff.

The booklet discusses online privacy and personal information security, and how to identify and deal with rumors and inaccurate news. Moreover, the booklet explains the new concept of “Friendship” that came with social networking, which is different from the previous common meaning of “Friendship”. It then discusses how to choose friends, followers and deal with them in different situations and especially in conflicts, or when feeling angry, and the criteria of choosing the right person to help in such situations.

“We Learn and Have Fun with our Differences”

This is a story that aims at encouraging a culture of respecting the differences between people, and learning from these differences.

“I am a Smart, Strong, and Safe Child”

A booklet that summarizes the main protection skills, in a simple and easy to understand way.

“The Human Being with Disability... A Humanistic Perspective”

This booklet is intended for parents of children with disability. It encourages them to look at their children’s disability from a new and different perspective that is humanistic.

Naser’s Courage

A story that explains the child rights for children, with a focus on the rights related to protection from abuse.

Because they are God’s Gift

A booklet for parents about their role in protecting children.

Say No... to Cyberbullying

A booklet that aims at increasing children’s and adolescents’ awareness about the effects of cyberbullying, the various problems it creates, and how they can take a leadership role in combating cyberbullying. The booklet is a joint project between Telecommunication Regulatory Authority and Be-Free Program. The booklet covers important topics such as the differences between bullying and cyberbullying, types and ways of cyberbullying, the different forms of damage it can cause, the protection skills to avoid becoming a victim of cyberbullying, and how the children or adolescents can help themselves to avoid being a source of cyberbullying, etc.

The booklet focuses on instilling leadership concept in children and adolescents, and urging them to have a role bigger than not becoming a cyberbully, protecting themselves from cyberbullying, and motivating them to take leadership role in stopping cyberbullying between their friends and peers.

Code of Ethics for the Protection of Children from Abuse

This Code of Ethics is a result of the work of a group of professionals and specialists from different sectors and from different parts of the world. Each member of this group contributed with his/her knowledge and experience to put together a Code of Ethics that can serve as guidance in protect-

ing children from abuse. The work on this code of ethics started during the international conference, “Effective Strategies for the Prevention of child online Pornography, Trafficking and Abuse” that was held in Bahrain on May 9-10, 2009.

The Code pertains to the following sectors: Parliament, the Police, the Judiciary, the Ministry of Education, the Ministry of Foreign Affairs, the media, non-governmental organizations, religious leaders, and internet service providers (ISPs).

“Yes... I Can”

A training guide for trainers working with teenage girls to train them on leadership concepts and skills. The guide was developed in partnership with Women’s Learning Partnership (WLP). The guide focuses on the idea of young women as emerging leaders and serves as the primary curriculum for the Young Women’s Learning Partnership (YWLP).

Training Guides

The Be-Free Program developed training guides for trainers, which can be downloaded for free from its website. The following are the training guides by topic:

Bullying Prevention and Protection:

These are training guides that help the trainer to conduct interactive workshops for children (age specific) to train them on prevention and protection from bullying skills:

- Trainer’s Guide to Bullying Prevention and Protection (Age Group 5-8);
- Trainer’s Guide to Bullying Prevention and Protection (Age Group 9-12).

Essential Protection Skills for Children and Teens with Disabilities

These are training guides for trainers who work with children with disabilities. The guide contains training workshops that cover the essential protection skills, and basic life skills, in a fun and interactive ways, concentrating on the strengths, abilities, and skills of the disabled child and teen:

- Essential Protection Skills for Children with Hearing Impairments;
- Essential Protection Skills for Children with Visual Impairments;

- Essential Protection Skills for Children with Motor Disability;
- Essential Protection Skills for Children with Mild Mental Disability.

Child Rights

This training guide contains interactive activities to train children on the most important articles of the Convention on the Rights of the Child in a fun and enjoyable atmosphere.

- It Is My Right To Understand My Rights

Core of Be-Free Main Concepts and Skills

The following training guides contain age-specific training workshops that are core of what Be-Free provides in all its projects:

- *Trainer's Guide for Children's Workshops* (ages 6-8 years old);
- *Trainer's Guide for Children's Workshops* (ages 9-12 years old);
- *Trainer's Guide for Teens Workshops* (Intermediate and High School).

See Annex A for the cover of the publications.

BWA has videos of its activities available on YouTube, www.youtube.com/user/BeFreeProgram.

Successes

BWA is sowing its good seeds today in hopes of reaping good fruits tomorrow.

BWA obtained consultative status at the Economic and Social Council (ECOSOC) of the United Nations in 2007; the first Bahraini NGO to enjoy this status.

Be-Free Program also received various awards such as the following:

- Good Word Society Voluntary Work Award 2015;
- H.H. Sheikha Fatima bint Mubarak Arab Youth Award 2012;
- UNICEF Regional Award 2010 for Information on Child Rights;
- Chaillot Award 2009 organized by the European Commission for the Arab Gulf Countries;
- Bahrain E-Content Award 2007.

Main achievements:

BWA has done the following:

- Produced more than 400 radio episodes about issues related to protection of children and teen and building their personalities;
- Developed short movies that raises awareness;
- Conducted specialized training workshops and seminars in many countries including Tunisia, UK, Dominican Republic, USA, Yemen, Qatar, UAE, Lebanon, Jordan, KSA, Egypt;
- Many of Be-Free Publications are online;
- People trained (March 2002, and up till end of February 2016):
 - » Number of trained children: 20685
 - » Number of trained teens: 7479
 - » Number of trained parents: 8588
 - » Number of trained specialists: 983.

Final remarks

Be-Free Program is more than happy to share its experience with other organizations and Institutes. Moreover Be-Free is planning to reach more children, parents, and professionals locally and around the world, by creating different types of partnerships and alliances with interested organizations.²

Endnotes

- 1 List of some of the publications and their urls:
 - a. Naser Courage - www.befreepro.org/en/images/stories/PDF/nasser-en.pdf;
 - b. "I'm respectful, smart, and strong child" Coloring Book - www.befreepro.org/en/images/stories/PDF/coloringbookweb.pdf;
 - c. Say No to Cyber Bullying - www.befreepro.org/images/stories/PDF/cyber_bullying_digital_booklet.pdf;
 - d. I am Strong, Smart, and Safe Youngster...Over the Internet - www.befreepro.org/en/images/stories/publications/smartstrong-en.pdf;
 - e. We Learn and Have Fun with our Differences -www.befreepro.org/en/images/stories/publications/learn-differences-en.pdf;
 - f. A Human Being with Disability... A Humanistic Perspective... - www.befreepro.org/en/images/stories/PDF/DisabilityBookletEn2014.pdf.

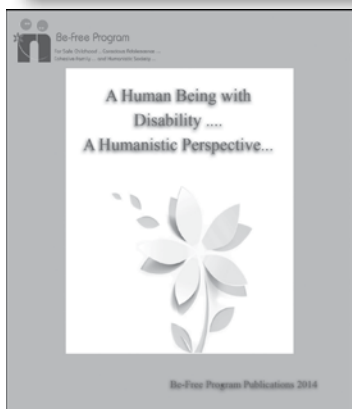
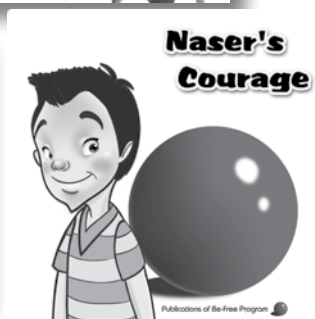
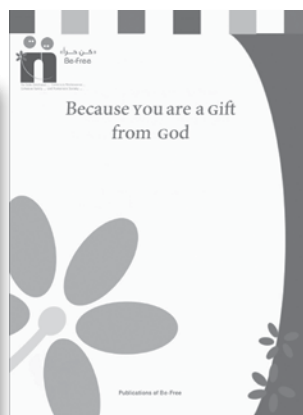
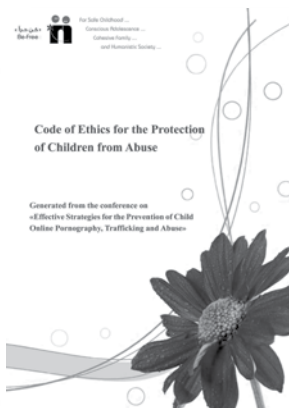
Visit www.befreepro.org/en/index.php/publications for more information on the publications.

Watch videos on the Be-Free Program in YouTube - www.youtube.com.user/BeFreeProgram

2 Any interested organization can contact Be-Free Program on contact@befreepro.org. More about Be-Free can be found on www.befreepro.org.

Annex A

Be Free Publications



Using Theater and Other Creative Methods to Educate on the Human Rights of Women and Girls

The Garden of Hope Foundation

THE GARDEN OF HOPE FOUNDATION is a non-governmental organization founded in Taiwan in 1988 with a mission to rehabilitate misfortunate children, youths, women and their families; and promote gender justice and advocate for social and educational reform. The Garden of Hope's vision is a world free of sexual violence, sexual exploitation and domestic violence.

The Garden of Hope Foundation started with one halfway home to rescue girls and young women who had been trafficked from rural areas into the red-light district of Taipei City. The first seed that became the Garden of Hope was planted in 1985 by a group of local Taiwanese Christian women led by US missionary Angie Golmon, who founded the "Rainbow Project" to rescue girls who had been sold into prostitution.

The mission of the first halfway home was to be a place for troubled girls to call home, where they could learn and learn to love other people, where they could forgive themselves and forgive their abusers, where they could improve themselves, where they could be like other normal teenagers, and a place that gave them hope, nourishment, encouragement, and inspiration.

The original founders wanted the halfway home to be a place of hope where the girls could grow and bloom like fragrant flowers – which is why they called it "The Garden of Hope" when they officially registered the organization in May 1988.

Angie Golmon did not speak Chinese or have counseling experience, but she was fortunate enough to have a talented group of people around her, who developed the organization into a much larger enterprise. Today the Garden of Hope runs shelters, service stations, call centers and employment programs for women and girls in Taiwan and the United States. It also counsels pregnant teenagers and vulnerable youths, and campaigns for the rights of women and girls all over Asia.

Last year the Garden of Hope helped over 15,000 people in more than 170,000 individual service actions in Taiwan alone. The Garden of Hope has

over 500 staff and some fifty service points throughout Taiwan, including counseling centers, legal advice centers, employment training centers, and twenty shelters, transitional houses, and independent dormitories for women, children and girls who are affected by domestic violence, sexual abuse and exploitation.

To meet the needs of its clients after they leave the safety of the shelter, in 2013 the Garden of Hope launched a new program to help its clients “go the second mile” by combining a package of employment and housing services to help women to be economically independent, able to escape abuse and to achieve their goals.

In addition to its direct services, the Garden of Hope has been a strong and effective advocate for the human rights of women and girls. One of the Garden of Hope’s earliest campaigns resulted in the enactment of the Child and Youth Sexual Transaction Prevention Act (recently renamed the Child and Youth Sexual Exploitation Act) in 1995.

Since then, the Garden of Hope has worked in close cooperation with the Taiwanese government, lobbied for progressive policies, reformed outdated laws and introduced new legislation such as the Domestic Violence Prevention Act and the Sexual Assault Prevention Act.

In partnership with other women’s groups, the Garden of Hope has successfully campaigned for the government to introduce internationally accepted practices and standards into Taiwanese society, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In 2008, the Garden of Hope and six other local NGOs formed the Taiwan NGO CEDAW Report Working Group to create the first NGO Report of Taiwan. Since then, the Garden of Hope has been involved in producing the CEDAW shadow reports on violence against women in 2011 and 2014.

In recognition of its work, over the years the Garden of Hope has picked up a number of awards at both home and abroad, including several prestigious international prizes: 2004 NGO of the Year, Asia-Pacific Region, Resource Alliance; 2005 Kellogg’s Child Development Award, World of Children Awards; and Changemakers Innovation Award, Ashoka Foundation.

In 2007, the Garden of Hope became the first Taiwanese social welfare organization to obtain the ISO-9001 standard. Among other international and national awards and recognitions, in 2015 the Garden of Hope was placed 16th in a list of the top 500 NGOs in the world by the Global _Geneva.

The Asian Girl Campaign

In 2003, the Garden of Hope launched the Formosan Day of the Daughter and the Formosan Daughters Awards to empower Taiwanese girls, help break down the stereotypes surrounding them, and encourage girls to achieve their full potential. In 2007 the Garden of Hope campaigned for the Taiwanese government to declare a “Daughters Day”, which at the time fell on deaf ears.

That campaign received new impetus in 2011 when the United Nations (UN) declared October 11 the International Day of the Girl Child, prompting the Garden of Hope to reissue the call to officially mark the “Day of the Girl”, which the Taiwanese government did in 2013.

The Garden of Hope decided to mark the occasion of the first International Day of the Girl Child in 2012 by launching an Asia-wide campaign to mobilize support for the Day of the Girl, and focus on the specific problems facing Asian girls.

The region-wide movement to promote the UN International Day of the Girl Child around Asia was founded on the view that if you empower girls you empower the world, and if you invest in girls you invest in the future. The Garden of Hope advocates for the Day of the Girl by calling on people all over Asia to get involved in the campaign and volunteer as partners, to empower and improve the status of Asian girls.

People can take a number of actions such as wearing a signature Asian-style Day of the Girl scarf, holding an event or putting up Day of the Girl posters in their school or community, writing letters to government leaders urging them to observe the Day of the Girl, organizing an online campaign, and running a program or holding a series of lectures to help empower girls in their community.

The Garden of Hope chose the “Taiwan Red” floral fabric for the Asian Girl Campaign scarves, and as the motif for its Day of the Girl celebrations, because the design represents the world of “exciting and endless possibilities” that girls can create.

Taiwan Red is a traditional pattern of the Hakka peoples, who can be found all over the Asian region. The so-called “fabric that ties us together” is a unified symbol to bring together girls (and boys) in different countries and regions, and from of all walks of life, in a common show of support for the Day of the Girl on October 11.



Taiwanese girls show off the “Girl Day” flags in the Taiwan red flora pattern.

In addition to the advocacy campaign, the Garden of Hope offers mini grants and other resources to its Asian partners to help them organize their own Girl Day events. The movement has inspired some 100,000 girls, and boys, to rise up in close to twenty Asian countries through letter-writing campaigns, street marches, concerts, sports events, and media campaigns.

Since the Day of the Girl is one day after the “10-10” or “double ten” National Day in Taiwan on October 10, the Garden of Hope combined the two concepts by organizing a flag-raising ceremony for a girl-friendly nation, and produced flags in the pattern as the floral scarves. The concept of raising a flag for girls has caught

the imagination of the Taiwanese public and helped promote the goals of the campaign in Taiwan.

Other Projects to Promote the Human Rights of Girls

The Garden of Hope has been running other successful projects in Taiwan for the last decade to celebrate the Formosan Day of the Daughter, and now the Taiwan Day of the Girl.

Work Day: This work experience program is designed to encourage girls to develop their talents and achieve their full potential. By shadowing a professional career woman for a day, like a judge, a doctor, or an entrepreneur, girls are able to see themselves in those successful roles, raise the level of their aspirations, and learn about leadership, communication and decision-making.

Power Camp: Led by a facilitator, girls learn about media literacy skills, how to advocate for themselves, and how to resist the pervasive mass media message that appearance is all that counts. Power Camps not only help develop the potential of girls, but also encourage adults, parents, and teachers to revise their views about girls.

Rite of Initiation: A Rite of Initiation is an event to celebrate coming of age. The ceremony is a real boost for girls' self-esteem, and helps open their eyes to their true potential and the options available to them. The Garden of Hope's experience has shown us that girls can become leaders of the future if you encourage them to dream, discover and grow.

Daughter Awards: Every year, the Garden of Hope hands out Formosa Daughter Awards to girls who have made outstanding achievements in the categories of Math and Science, Courage, Community Service, Creativity, and Physical Capability. The awards are designed to serve as a catalyst to develop talented girls and raise public awareness about the potentials and the needs of girls.

Study Tour: Every year, the Garden of Hope takes the winners of the Formosa Daughter Awards on a trip to somewhere new, home or abroad, where they get involved in the local community by working with organizations, businesses or the media. The Garden of Hope also encourages the girls to learn a skill while they are on their journey.

"Across Borders" Cooperative Girl Empowerment Theater Project

As part of the Day of the Girl events in Taiwan in 2014, the Garden of Hope invited the New York theater company Girl Be Heard to Taiwan to produce a play called "Across Borders" with the Garden of Hope's GIRLS Theater Group of teenage girls and survivors of domestic and sexual abuse under the care of the Garden of Hope's "Ruth" shelter in Kaohsiung.

Girl Be Heard is a not-for-profit theater collective formed to empower young women in disadvantaged areas of New York by providing a safe environment for girls to write, direct and perform their own productions under the guidance of professionals. Topics addressed include identity, body image, violence, and human rights. Girl Be Heard has performed at the White House, the United Nations, and on national and international tours.

With the assistance of the Garden of Hope, Girl Be Heard led three ensemble workshops with six girls who were staying at the Ruth Shelter. Through the Garden of Hope's GIRL Theater Program (GIRLS), the girls had previous experience of performing in front of an audience.

The Garden of Hope invited the GIRLS artist director to join the workshops to act as a translator, learn from the Girl Be Heard visitors and help the Taiwanese girls adjust to a new method of working. The ensemble work-

shops were also attended by two Garden of Hope social workers and the director of the Garden of Hope's international affairs department.

The Garden of Hope and Girl Be Heard were natural partners for this collaborative project, which was made possible with the support of the American Institute in Taipei (AIT). Following a visit by the Garden of Hope's CEO to Girl Be Heard's office in Manhattan in March 2014, the two organizations communicated via the internet and telephone to negotiate the terms and conditions of the partnership and draw up a contract.

The original plan was to bring girls from New York to Taiwan to produce a collaborative play together with Taiwanese girls, but due to budget constraints this idea was slimmed down to bring just the founder and CEO of Girl Be Heard and the artist director.

The pair arrived on 3 October 2014, and travelled directly to the Garden of Hope's office in Kaohsiung to guide a team of six Taiwanese junior secondary school girls through a series of ensemble workshops and rehearsals, before showing the results of their work at two shows in Kaohsiung and two shows in Taipei. The culminating performance was at the Garden of Hope's Annual Formosa and Asian Girl Award Ceremony in Taipei on October 11 on the International Day of the Girl.

The girls chose the subject of street sexual harassment as the theme for the performance. The original piece, written and performed by the girls, not only provided a platform for the girls to break through the barriers of trauma and oppression but also inspired audiences to challenge gender stereotypes.

The process of creating the play started with a briefing with the artistic teams from the two organizations. Then Girl Be Heard staff met with the Taiwanese girls and started with ice-breaking and warm-up exercises. The girls wrote down the issues that mattered to them on a large sheet of paper. The Girl Be Heard facilitators identified street sexual harassment as a culture-crossing theme, and encouraged the girls to say and then write down what they would like to say to a harasser if they were not held back by safety concerns, embarrassment, fears, gender roles, or cultural constraints.

On the morning of the second day, the Girl Be Heard team helped the Taiwanese girls develop the comments into a script, with dance moves and adapted songs from the Girl Be Heard repertoire, and facts and figures on the status of gender justice in Taiwan.

The final workshop on the afternoon of the second day was devoted to polishing the script and rehearsing the performance, before debriefing the girls.

As well as performing four shows in Taipei and Kaohsiung, Girl Be Heard and GIRLS took part in three forums and one press conference reaching a total of five hundred people in live performances and public forums. The events were also widely covered in local and national media.

While in Taiwan, Girl Be Heard staff also met with local social workers, teachers, politicians, students and leaders of Taiwan's feminist theater movement at workshops and public forums in Kaohsiung and Taipei to discuss issues of empowerment and investment in girls.

In Kaohsiung, the visitors from Girl Be Heard met with the city mayor and the director of the Social Welfare Bureau. The forum in Kaohsiung was attended by officials from the Social Welfare Bureau, staff from the Kaohsiung City Women's Center, and social workers and staff from the Garden of Hope and other organizations.

Speakers at the Taipei forum included the president of the Cai Ruiyue Cultural Foundation, the CEO of the Women's Rescue Foundation, the Secretary General of the Taiwan Youth Alliance, the Director of the AIT, and the CEO of the Garden of Hope Foundation.

The performances and forums in both Kaohsiung and Taipei were well received and provoked interesting discussions on the topics of the therapeutic value of theater for survivors of gender violence, the conflict between the need to protect the identities of survivors and the benefits of letting survivors tell their stories, and how to inspire young people to take an interest in wider social issues.

In addition to impacting the audiences who saw the live show, the project had a direct therapeutic and confidence-building effect on the girls themselves. Performer Yammy, age 15 said "Because of my past I did not have any confidence; taking part in the Girl Be Heard program gave me confidence. Social workers help to build our confidence to face the future, but Girl Be Heard is different. It gives me confidence to express my individuality and see the most beautiful side of my character." Xuanxuan, age 14 said "Perhaps when girls from other countries see our performance, it will give them confidence too."

The Director of the Garden of Hope's Kaohsiung branch office said, "The Garden of Hope has an established theater program for our girls called

the GIRLS theater group. Their performances usually portray personal and touching stories from their own lives. Girl Be Heard connected those stories to wider social issues, which was a very different and empowering experience for them.”

The two social workers who sat in on the ensemble workshops said they saw a different side to the girls during the intensive two-day process of writing and rehearsing the show. The social workers noted how the girls had grown in confidence, how hard they worked, and the creativity and natural talent they showed.

The shows were widely covered by the media and produced a very positive response from the audiences. At the group discussions following the shows to high school students in both Kaohsiung and Taipei, members of the audience were encouraged to speak up about incidents of abuse and harassment in their pasts. A visiting Asian girl ambassador from Cambodia was so inspired by the show in Kaohsiung that she joined the final performance in Taipei.

The following year, the Garden of Hope brought the four members of the GIRLS group to New York on the occasion of the 59th United Nations Commission on the Status of Women in March 2015 to put on a collaborative show with Girl Be Heard girls. The joint performances took place at the Church Center of the United Nations and at the Taipei Economic and Cultural Office (TECO) in New York.



The GIRLS/Girl Be Heard team perform at the Rose Historical Site in Taipei.

“Across Borders” script (English translation)

(The girls enter singing a song): Taiwan, Taiwan. I am a girl. I am a Taiwanese girl. I am a Taiwanese girl. Taiwan.

Meimei: Passed in 1998, the Domestic Violence Prevention Act in Taiwan was the first of its kind in Asia to prevent domestic violence.

All: Yes!

Hongyu: This important law broke the myth that the state should stay out of marital affairs that prevailed in traditional societies.

All: Yes!

Yammy: The percentage of women in parliament increased from 19.1% in 1998 to 33.6% in 2012.

All: Yes!

Zhihui: Female executives as well as managers climbed from 14.8% in 2001 to 23.2% in 2012.

All: Yes!

Xuanxuan: Although Taiwan performs well in gender equality compared to other Asian countries, including China, Japan and Korea, when it comes to street sexual harassment we still have a long way to go.

(The girls introduce themselves): My name is Meimei. I'm 13 years old. I'm not an object, I'm a living person. (Xuanxuan, 14. Zhihui, 14. Hongyu, 13. Yammy, 15).

All: We are girls. Our voices must be heard. We're not objects, we're persons.

(All chant): Don't touch, touch, touch. Don't touch me, bye-bye! Don't touch, touch, touch. Don't touch me, bye-bye! Hey girls, stand up bravely for yourself, stand up. Say what's on your mind, Proudly say we are girls! Don't touch, touch, touch. Don't touch me, bye-bye! Bye-bye, bye-bye, bye-bye!

Meimei: Yesterday I was waiting for the bus, two guys stared at me and the driver waved at us. It made our skin crawl. I'm 14, you look 40. I could be your daughter.

All: I could be your daughter. I could be your daughter. I could be your daughter. I could be your daughter. We could all be your daughters. Would you treat your daughter like that?

Hongyu: If I get sexually harassed, I get nervous, I'd feel uneasy, and want to escape.

Xuanxuan: If I get sexually harassed, I feel scared, very scared, and want to bury myself so no one can see me or find me. And I feel awful and want to throw up. If I could answer back, I would say, keep looking and I'm going to take you to the police station. See if you dare keep looking.

Zhihui: Don't harass me. I feel scared, want to run away, please don't look at me, I tell my friend can't they stop looking.

Yammy: If I get sexually harassed, I want to get away, afraid, nervous, heart beats faster, want to run away, tell myself this isn't real. If I could say something I would say: Your parents didn't give you eyes to stare at girls!

(Other girls play harassers): You're a pretty girl. Wanna date? Wanna come home with me? Why don't you say something? Do you want to go home with me? Do you want to go home with me?

Yammy: Stop! No matter where, wherever girls are, sexual harassment happens. Even waiting at the bus stop we're scared strangers will come by and say: You're pretty, want to date? Want to come home with me? In school and department store women's toilets hidden cameras have been found. These are all examples of sexual harassment. We hope society can respect women and give us a space. We need to be brave so when harassment happens we can bravely say NO!

(Song "This Is My Body")

Yammy: This this is my body, My sacred temple. This this is my body, My sacred temple.

All: This this is my body, My sacred temple. This this is my body, My sacred temple. This this is my body, My sacred temple.

Xuanxuan: This this is my body, so don't touch me.

Meimei: This this is my body, not for you to stare at.

Hongyu: This this is my body, so don't harass me.

Zhihui: This this is my body, please respect me.

Yammy: This this is my body, not to satisfy you.

All: This this is my body, My sacred temple. This this is my body, I want to be respected. This this is my body, I don't want to live in fear again. This this is my body, so take your dirty mind somewhere else.

The Vagina Monologues and "Shidi"

The Garden of Hope's commitment to theater started in 2005 with a staging of the Vagina Monologues. This would be the first of a series of annual shows of Eve Ensler's play, and marked the start of a long relationship between the Garden of Hope and V-Day, which included launching a V-Men movement and the One Billion Rising campaign in Taiwan.



The visitors from *Girl Be Heard* enjoy the show with the VIP audience at the Formosan & Asian Girl Awards.

In 2015, the Garden of Hope produced the first fully Taiwanese version of the “Vagina Monologues” with stories of Taiwanese women called: “Shidi: Episode I”. The series of monologues tell the history of gender empowerment in Taiwan, starting with three stories in “Episode I” on the topics of sexual abuse, child prostitution and bar girls.

The title of the Taiwanese home-grown Vagina Monologues can be interpreted in many different ways. “Shi” means “to pick up” and “di” means “empress”; but the two Chinese characters can also be read to mean “ten clitorises”. Together “shidi” refers to the ten monologues in the series, and also symbolizes recovering (or picking up) the hidden stories of Taiwanese women and empowering women to rule their realm.

In June 2016 the Garden of Hope released “Shidi: Episode II,” which centered on intimate partner violence. The show focused on the trauma of children witnessing domestic violence (CWDV), with three monologues on date violence, cohabiting and marital violence, and the physical and psychological trauma of CWDV.

The play, which attracted an audience of over four hundred, highlighted not only the physical and verbal aspects of intimate partner violence, which are most visible to outside observers, but also the underlying psychological trauma and financial abuse that can leave the deepest scars.



“Shidi: Episode II” vividly depicts the physical and psychological trauma of domestic violence on the children.

The Garden of Hope’s productions of the Vagina Monologues and later Shidi were mainly performed by the Barefoot Alice theater group, who are a team of survivors of violence. After benefitting from the Garden of Hope’s services, including art and performance therapy, the women were empowered to form their own theater group, which they called Barefoot Alice.

At the end of each “Shidi: Episode II” performance, Barefoot Alice held a “Domestic Violence Impromptu Show”. The show employed the “playback theater” technique to interact and connect with the audience, get them involved in a self-reflection process, deepen their awareness of the social issue brought up in the monologues, and spread the message of gender equality.

The playback theater method involves inviting the audience to tell their stories to the actors, who then reenact them on stage through improvisation. Also called the “one person, one story” method, the playback theater technique takes individual acting skill and unspoken understanding between the team members to retell stories while also raising gender issues.

At a show in Hsinchu on International Women’s Day in 2016, Barefoot Alice invited the city mayor to share his thoughts on the most important women in his life. He said, “My mother and my wife are the most important women in my life!” The mayor went on to explain how his mother made sure

he gained back the 11 kilos he lost during the elections, and how his wife supports him with love and compassion while he devotes himself to civic affairs.

Through the “one person, one story” method, Barefoot Alice improvised the mayor’s story. One of the theater group members sang, while other members moved expressively in time with the music. The performance deeply touched the audience, moving many to tears.

Afterwards, Barefoot Alice held a workshop called “Darling, I would like to say...” at the Hsinchu Women’s Center. The actors used audience members’ names, clothing, and personality traits as materials for their show. Through the performance, each member of the audience had the chance to ponder whether their individual traits were the products of nature or nurture.

For example, during the workshop an audience member categorized “assertiveness” as a male trait, but another considered it more of a female trait. Barefoot Alice took advantage of the opportunity to convey the message that every individual can seek their own destiny, rather than being confined by their gender.

Concluding Remarks

The Garden of Hope’s experience from the Asian Girl Campaign, the Vagina Monologues, to the “Shidi” monologues, has shown that creativity and art can be combined with activism to raise awareness of issues, and have an impact on social reform. Theater in particular is a powerful tool to educate actors and audiences alike on human rights issues. The “playback theater” method has the capacity to help audiences see themselves, recognize their strengths, point out their shortcomings, and spark controversies and create conversations that can inspire and evoke change.

Empowering Migrant Women

KALAKASAN Migrant Women Center for Empowerment

KALAKASAN Migrant Women Center for Empowerment (KALAKASAN) serves migrant women and their bi-cultural children in their efforts to live meaningful lives as residents and citizens of Japan. It supports women who are struggling to resolve various difficulties such as being caught in abusive relationships, starting life again with their children after fleeing from such relationships, legalizing visa status and addressing problems related to child recognition, rearing and education while in Japan.

History of KALAKASAN

KALAKASAN was founded after the Yokohama Diocese of the Catholic Church closed its Solidarity Center for Migrants (SOL), which had a Philippine Desk. SOL was established in 1992 in Yokohama city, Kanagawa prefecture, and helped migrants with labor problems initially. Gradually, women also came with their marriage and divorce problems. When SOL closed in 2002, the staff, along with some abused women who had become volunteers, saw the need to continue the work for migrants and decided to put up its own non-governmental organization (NGO). This was the beginning of KALAKASAN Migrant Women Center for Empowerment (more known as KALAKASAN). When a labor union organized by a small group of Filipino workers became affiliated with a larger labor union organization, KALAKASAN decided to focus its efforts on migrant women survivors of domestic violence and their children. Though it was open to migrant women of any nationality, in reality, ninety-nine percent of the women who sought its help were Filipinos. For that reason, of the nine staff members who founded KALAKASAN, four were Filipinos; also, one Japanese staff member knew how to speak Tagalog (most commonly used Filipino language, also referred to as Filipino or Pilipino).

Program Objectives

Migrant women have been coming to Japan either as workers or as spouses of Japanese men since 1980. Countless women subsequently suffered pro-

found harm as victims of human trafficking and multiple forms of violence at home or at the workplace.

The word “kalakasan” means “strength” in the Filipino language. The activities of KALAKASAN aim to facilitate women, and their bi-cultural children, in reclaiming their inner strength with other migrant women residing in Japan, and forging collective optimism for beneficial changes in society.

When KALAKASAN started, it aimed to heal and empower the migrant women survivors of domestic violence and their children. The decade-long experience at SOL revealed the reality of the long period of time that it takes for victims of domestic violence to recuperate: it takes at least five years for those severely abused to return to their normal condition and at least three years for those with less severe abuse. The Japanese government provides financial support for the women and their children at a shelter as well as livelihood assistance after moving to a mother-child institution (*boshiryo*) or to an apartment. But the women need support even after settling in these places. Many of their problems and insecurities stem from the expectations of Japanese workers in the shelters, *boshiryo*, and the City Hall; namely, that Filipino women behave according to norms of Japanese society. This is perhaps a normal expectation as Japanese society expects the same from their own people; but this expectation has been restrictive and oppressive to the Filipino women. Thus, there is a need to continually support these women in their daily lives and maintain their dignity as women, Filipinos, and as human beings.

Programs

The KALAKASAN implements several programs that address various aspects of the problems facing migrant women and their children.

1. Crisis Intervention/Feminist Counseling Program

Responding to migrant women’s problems, KALAKASAN conducts telephone and face-to-face interviews and feminist counseling in Filipino, English and Japanese languages. The wide range of problems women face relate to domestic violence, divorce, visa status, child recognition, and rearing/education of bi-cultural children. KALAKASAN prepares and translates necessary documents as well as provides staff who can accompany the women in their meetings with lawyers and in going to the city/ward offices, courts, medical facilities and other agencies to seek assistance.

In a later development, KALAKASAN started to participate in a national free-dial hotline established in 2012 by the Health, Labor and Welfare Ministry called the *Yorisoi* Hotline. Every Monday, KALAKASAN takes its turn to accept calls from all over Japan. The callers' concerns are generally about immigration residence status, medical issues, educational concerns and questions related to their work. With the *Yorisoi* Hotline, KALAKASAN is able to serve migrants beyond Kanagawa prefecture.

2. Follow-up Care/Women's Program

Migrant women victims of domestic violence, exploitation and other abuse need healing. When women are well, their children also tend to be well. KALAKASAN supports their recovery and return to self-reliance through its Women's Program. A number of activities are done under this program including home visits, self-help group formation, seminars, workshops, and gatherings that promote mutual sharing and create new consciousness among abused women about their self-worth and dignity as human beings.

With a different culture, it is important for migrant Filipino mothers to understand their heritage and love themselves as Filipinos. In our research, we noted that the Filipino woman's abusive Japanese spouses/partners looked down on them because they had come from a poor country; they did not know how to behave like a Japanese wife; and they did not speak Japanese well. Moreover, their spouses prohibited them from cooking Filipino food, speaking in their native language, and seeing their Filipino friends. To many of the women, their Catholic faith plays a central role in their everyday life. KALAKASAN seeks ways unique to the women's Filipino culture to help them heal and retain their dignity as Filipino women. Some of the ways KALAKASAN helps these women include; providing opportunities for them to meet and talk in their native language and cook Filipino meals, scheduling gatherings to allow them to share their personal stories, providing healing massages, coordinating collective prayer, and organizing meetings to learn about women in the Bible.

3. Advocacy/Networking Program

By networking with NGOs supporting migrants, other women's organizations, and like-minded specialized agencies, KALAKASAN promotes necessary changes in the legal system to improve human rights protection for mi-

grant women and their children. KALAKASAN is a member of national NGO networks such as the Solidarity Network with Migrants (SMJ) and works closely with other nationwide groups like National Women's Shelter Net, Anti-Poverty Network, Single Mothers' Forum, Japanese-Filipino Children (JFC), and the Catholic Church's Commission for Migrants, Refugees, and People on the Move (JCARM). KALAKASAN advocated for changes and revisions to laws affecting migrant women and their children at both the national and local levels, like the revision on the Japanese Nationality Law and the Law on Domestic Violence.

At the local and prefectural levels, KALAKASAN works with institutions like the welfare (*Seikatsu Hougo* - 生活保護), children and family support (*Kodomo Katei Shien* - 子供家庭支援), and child consultation center (*Jidou Soudanjo* - 児童相談所) as well as with professional groups like the Minatomachi Clinic, Kanagawa City Union and the Kalabaw-no-Kai. It works with lawyers who specialize in women migrant issues. Participation in local activities enhance KALAKASAN's relationships with other institutions in the area. It participates in the Sakura Festival in nearby *Hiyoshi Shiminkan*, the Scrum 21 Festival sponsored by the Kawasaki Gender Equality Center, the Kawasaki Nature Festival, and the activities of the Yokohama Association for International Communications and Exchanges (YOKE).

4. Children's Program

Within the increasing numbers of international marriages, many more bi-cultural children are being born and brought up in Japan than ever before. Many of these children have experienced bullying in school and in the community, resulting in their isolation. Unable to develop their self-dignity, they suffer in many ways. These children come from complex family environments where they might have witnessed their mothers being battered and abused by their fathers, or suffered abuse themselves. Inevitably, they carry enormous psychological wounds.

KALAKASAN helps these children regain their original inner strength and sense of self-worth through the Children's Program, which has various multicultural activities such as English lessons, Filipino cooking classes and Filipino dance classes. In the end, these children learn to love and respect themselves as children of two cultures - Japanese and Filipino.

Activities

1. Summer Camps

At various summer camps, KALAKASAN gathers sixty to ninety mothers, children, staff, and volunteers to summer spots at the beach or by a mountain river. Some of the highlights of KALAKASAN summer camps include swimming in the river and the beach, sitting next to campfires, watching fireworks, and cooking together. It is a time when KALAKASAN children get to know one another, play together, and do activities together. For the mothers this is the time to bond with each other by cooking, relaxing in the river or beach, simply being together, and by dancing together. For both mothers and their children, summer camp is one of the most enjoyable and memorable times of the year.



Christmas party program.

2. Christmas Parties

Christmas is widely celebrated in the Philippines, a country where 86 percent of the population is Christian. Apart from Church traditions, Christmas is a time for families to get together for family bonding, for enjoying festive and special Christmas food, and for the giving and sharing of

gifts. At KALAKASAN, Christmas Parties are a way for Filipino mothers and their children to learn about the cultural significance Christmas plays in the Philippines. For the mothers, it is a means of experiencing a fun and loving Christmas similar to what they had experienced in the Philippines.

3. General Assembly

The annual General Assembly of KALAKASAN always includes a forum or symposium to discuss issues and problems pertinent to migrant women and their bi-cultural children. Some of the topics in the past years included: "Going Beyond Violence and Poverty to Promote and Anxiety-free Environment for Migrant Women;" "Living in the Aftermath of the Triple Disasters" (right after the 11 March 2011 Tohoku earthquake); and the most recent one being, "Let us consider the killing of the junior high student in Kawasaki to better understand bi-cultural children."

General Assemblies have also been occasions for free consultation with lawyers on issues like separation or divorce, child custody, child recognition, or visa problems. They have also been times of gathering for exercises for healing of the body and the spirit as well as occasions for cooking of Filipino food to be shared with everyone.



General assembly session.

4. Semi-Monthly Outdoor Activity

A bi-monthly activity gathers mothers and children through outings like rice-pounding in January, making Valentine chocolates in February, strawberry-picking in May, dragnet fishing in July, orange-picking in November. These outings are meant to increase communication between mothers and children and to foster bonding not only within the family but among all mothers and children of KALAKASAN.

5. Monthly Women's Gathering

The migrant women being served by KALAKASAN chose to gather one Saturday every month. They recognize the need for their mutual support, encouragement, growth and empowerment. On these monthly gatherings, the women continue their life sharing stories, share food with one another, plan various activities, and celebrate with each other on their birthdays. These activities deepen their relationships with one another.

Another aspect of the monthly gathering is the endeavor to propagate KALAKASAN to other migrant women. Somehow by word of mouth or through public institutions, women learn of KALAKASAN and manage to get help.

KALAKASAN has leadership training and social justice activity for Filipino women. Its "River of Life" activity gathers women to tell their sto-



Filipino women's monthly gathering.

ries and share their experiences in workshops, to gain strength from one another.

As reported in one newspaper article, the Filipino women participating in this project reclaim their creativity ¹

by acting out the realities of our lives in paint, song, dance and theater. Our one-day experience of gender-sensitivity was like a gentle brush stroking our skin. We need gentleness. It helps us feel strong again.

Now these women who have received help from KALAKASAN see the value of widening the circle of empowered migrant women, not only to those who have been victims of Domestic Violence, but to all women in society. There is a need to continue deepening the women's consciousness of women's equality and dignity in society.

Pertinent Research Projects

KALAKASAN women have participated in many research projects including two research projects and three surveys done by KALAKASAN staff themselves.

1. Feminist Participative Action Research (FPAR)

In 2004, one staff member of KALAKASAN organized a research together with five migrant women who had experienced abuse from their Japanese partners. The research focused on stories of the five women and their process of empowerment, from the moment of escape till the time that the women felt that they had recovered their old strengths and their lives became a little more manageable without the stresses of violent partners nearby. The study covered the women's stories and related how their individual efforts and how organizational intervention - that of KALAKASAN - helped them to move towards a space where they felt they were more in control of their lives and were more contented and at peace. The research was significant for KALAKASAN in many ways:

a. The use of the Feminist Participatory Action Research process

When the Philippine Desk was still operating at SOL, many organizations would send staff to ask the migrant women to participate in surveys and/or researches. Generally, these researches neither allow the migrant

women the chance to see the research results nor the suggested actions emerging from the research. The migrant women were frustrated and also felt being exploited by this situation. The process of FPAR allowed the women to own the research and direct the suggested actions coming out of the study because of the following factors:

- Feminist. The study has feminist orientation because it aims at the empowerment of women. It is feminist because it uses women's stories, their stories, as the principal resource of the study. The study aims to look at these experiences as well as analyze their contexts from the perspective of the women coming from an economically poor country;
- Participatory. The study is a participatory activity because various women share their experiences, understanding and analysis of their life experiences and the steps they take in their lives. All participants in the study determine and decide on the results as well as the concomitant actions arising from their findings;
- Action. The study is not only about analysis of the situation of migrant women but also on taking action towards changing the situation of women, those who participate in the study and also other women;
- Research. Five to seven women do the study as a focused group. They not only learn from each other but also from the many resources made available by the assigned research facilitator.

b. The identification of racism as one of the three main causes of oppression experienced by Filipino domestic violence survivors in Japan

The research clearly shows that in addition to issues regarding class and gender, abused Filipino migrant women suffered oppression because of their race. Class, gender and race defined their situation as poor women who are forced to look for jobs or marriage opportunities in Japan; and as wives to Japanese men, to whom they are financially dependent.

As poor women in the Philippines, the opportunities available to them are jobs as entertainers in "snack bars" and as wives of Japanese men. In both the Philippines and Japan, discrimination of women exists in varying degrees and manifestations. In Japan, they experience sexual exploitation in their work as entertainers; they suffer abuse not only from husbands but sometimes from mothers-in-law also. Oftentimes, in the household, the culture of the Filipino wives is looked down upon. The women likewise experi-

ence this racial discrimination in their relationship with the employees of shelters and public institutions.

c. Identification of anger as the impetus to the women's emancipation

In the research, the women pinpointed anger as the impetus that propelled them towards healing. Their anger was generated by the abuse and violations of their human rights. Something deep within themselves told them that what they were experiencing was neither right nor just. Though they felt that anger could be destructive, they also saw that anger could be holy as God's anger against injustices. The women saw God as the life force that constantly guided them to refocus into constructive endeavors.

d. Recognition of the cultural needs of Filipino domestic violence survivors within the process of healing

The women who participated in the research and KALAKASAN provided many recommendations such as policy changes for both governments of the Philippines and Japan, and suggestions to Japanese public and private institutions in the research report. Having confirmed the role of racism in the abuse of the migrant women, the research is significant in challenging the Japanese society, institutions and government workers to recognize that migrant women are not Japanese and therefore need understanding of their cultural needs and behavior. One recommendation is about the need for Japanese social workers to be conscious of the differences among people instead of maintaining the belief that all people are the same and have the same needs. This recognition is a challenge and a call for us Filipinos to dig deep into our cultural heritage and to learn what is empowering and lifegiving in our cultural norms, beliefs and practices. It calls us to be creative and find our own cultural ways for healing and empowerment.

The research report was published in 2006 as a book entitled *Transforming Lives: Abused Migrant Women in Japan Blaze a Trail Towards Empowerment* with the researcher, Leny Tolentino, as author and jointly published by KALAKASAN and The International Movement Against All Forms of Discrimination and Racism - Japan Committee (IMADR-JC).

2. Spiritual Resources of KALAKASAN Women

The second research project dealt with the recovery of the women's inherent strength by delving into their spiritual resources.

This research identified and explored spiritual resources for healing and empowerment of Filipino migrant women in Japan who have experienced domestic violence from their Japanese partners. Being women with a different culture, they could not fully avail of the services for spiritual and mental care offered by public institutions because of the language barrier and cultural differences.

This study was faithful to the process of Feminist Participatory Action Research (FPAR) by using explicit methods to facilitate ordinary people's reflections and analysis of their day-to-day realities. The women gathered as a small focused group to share and analyze their own life stories as well as learn and analyze history, culture and religiosity of their two contexts, the Philippines and Japan.

The research project took into consideration the cultural character of the Philippines. A strong influence in the Philippine culture is the Catholic religion brought by the Spanish colonizers in the 16th century. Using force and coercion, the Spanish Catholic missionaries succeeded in making Catholicism the face of the Filipino people's religiosity, covering up their indigenous beliefs on ancestor worship and animism. As a resource for reflection, the women used the story of Jesus' encounter of the Samaritan woman at the well in the 4th chapter of the Gospel of John. Particular aspects of this



Sharing life stories.

story aided the women's reflection on the action of the Divine in their lives, the most important one being Jesus' description of the "living water."

This study identified the "living water" promised by Jesus to the Samaritan Woman as the Filipino's gift of faith in Divine Spirits. The Filipino's gift of faith is the "living water" that has been alive in the Filipino since pre-colonial times. This is the "living water" that gushes forth to eternal life as Filipinos keep and nurture their faith in the Divine. This is the women's main source of empowerment.

Spiritual empowerment also came from the women's own inner resources, and the small group process itself. Giving voice to their stories brought healing to the women; new knowledge raised their consciousness; and faith reflections deepened and strengthened their faith in a God who is active in their lives.

The women experienced significant change through this study when they began to accept their own selves, first as women who had unfortunate experiences with their Japanese partners and who managed to rise again, and as women whose faith beliefs and cultural habits are rooted in their own Filipino culture.

3. Care for children exposed to domestic and other types of violence

Many of our KALAKASAN children have something in common with other foreign children: they experienced alienation in society and at school. They have either witnessed their fathers beating up and abusing their mothers or suffering physical and/or sexual abuse from them. The burdens they carry are complex and profound. Besides suffering from physical ailments and psychological disorders, these children are maladjusted in school and would often drop out of school. KALAKASAN undertook a survey to track down such children and their mothers and determine their need for support. Through interview of children and their mothers (and also staff of support agencies), KALAKASAN concluded that these children carry deep-rooted burdens. Their recovery and long-term healthy growth required the support of public agencies as well as private NGOs. KALAKASAN also became aware of the need for the different institutions providing support to such children and their mothers to collaborate and cooperate with each other, in addition to performing their own separate responsibilities.

The survey report, entitled *Research on Actual Conditions of Children of Migrant (Foreign) Single Mother Families and Support for Them - Care for*



KALAKASAN children.

Children Exposed to Domestic Violence and/or Abuses at Home (移住 (外国人) 母子家庭の子どもの 実態と支援に関する調査——DV や虐待などの暴力にさらされた子どものケア), came out in March 2010. It describes concrete situations of the mothers/children who have such difficulties, and offers proposals on the type of assistance they need, namely:

- a. Develop a strategy for early detection of child abuse and domestic violence;
- b. Create a support system appropriate to the child's level of protection;
- c. Consider the mother's need for support;
- d. Consider the way to provide care for the child; and
- e. Streamline the collaborative and cooperative system among various support agencies.

4. Filipino Single Mothers' Capacity to Work and Receive Support

Many Filipino single mothers connected with KALAKASAN, while in different stages of psychological recovery from domestic violence experience, face the problem of becoming financially independent. KALAKASAN undertook a survey on the difficulties faced by households of Filipino single

mothers around Kawasaki city in Kanagawa prefecture, particularly on the availability of jobs they are capable of doing. The survey involved the interview of Filipino single mothers and staff of agencies serving single mothers. The survey revealed that respondent Filipino single mothers could only find the worst jobs available. Their employers saw them as needed only to secure workers. The employers would say, “We have to hire even foreigners to get enough workers.” With low wages and short working hours due to their need to care for young children, migrant women were forced to receive livelihood assistance from the government to support their families. This was the image of the migrant women that would surface whenever the words “migrant women” were mentioned in the interviews. The survey report entitled *Research on Work Conditions of Filipino Single Mothers and Support for Them* (フィリピン人シングルマザーの就労実態と支援にかんする調査報告書) came out in March 2013. The survey concludes that in order to change the situation, the following measures should be done by the Japanese government:

- a. Improvement among public agencies that introduce available jobs, such as Hello Work;
- b. Provide different types of jobs that migrant single mothers can choose from;
- c. Provide Japanese language learning opportunities; and
- d. Institute better system of coordination between social welfare agencies and institutions.

5. Support for Self-reliance of Non-Japanese Women who Suffered Violence from their Japanese Spouses (March, 2013)

Healing the wounds of migrant women suffered from domestic violence requires empowerment towards self-reliance. KALAKASAN promotes the oppressed women’s recovery towards self-reliance. It launched a research project in 2013 to clarify the needs and situations of women of different nationalities (Chinese, Thais, Colombians and those from other Latin American countries, and Filipinas) who also suffered from domestic violence and other oppressive situations related to being foreigners in Japan. The results of the research were shared with NGOs dedicated to helping women in need.

Representatives of these NGOs based in different parts of Japan provided the following comments on the results of the research:

- It is not unreasonable to insist on substantial multiple language services as well as multi-cultural social work arrangements from



Anti-poverty forum.

social welfare agencies. With the limitations of local governments, it is valid to expect the national government to establish specialized agencies for this purpose. It is essential that support services for long-suffering single-mothers be provided. Because physical injuries can remain latent, migrant women should be provided with information in their own language to help them become aware of opportunities for physical examination in the future and child-care services of the city/ward offices when the need arises. As a preventive measure, the brokers of international marriages should be regulated (Chinese Women Support Group);

- It would be beneficial to have City/Ward offices and related agencies provide assistance such as a) Accompaniment and translation support to migrant women; b) Employment search; 3) Child-care information and help; d) Home visits to single-mother households (Thai Women Support Group);
- Consultation system that provides information in multiple languages is needed. As part of the local government services, it would be beneficial to provide multiple language explanation on services that are available to migrant women (such as those who moved in

into the area). The explanation on services for temporary protection (from abusive/violent partners) in different languages should be improved. Improvement of psychological support for women-victims of domestic violence, including process towards independence, is needed. For this purpose, coordination between government support agencies and NGOs is necessary (Korean Women Support Group);

- Aside from shelters that protect women-victims of domestic violence, alternate housing arrangement for women living separately from their estranged husbands, and help with divorce proceedings can be provided. Also, psychological support from experts who understand the psyche and psychology of Latin American women is needed (Latin American Women Support Group);
- There should be lesser disparity among different areas regarding type and quality of services on consultation, temporary protection and assistance for the self-reliance for migrant women. Particularly for domestic violence victims, it is essential that consultation services were provided by government agencies rather than NGOs, and use the migrant women's mother tongue for psychological recovery, counseling, self-help groups, and home visits (Filipina Women Support Group).

From this consultation process, it became clear that while victims of domestic violence shared many common characteristics the situation of migrant women victims differed from the Japanese victims due to the former's diverse national, cultural, social and financial backgrounds. The migrant women victims have extreme difficulty in escaping from their domestic violence situation. And there were also many differences in the situations of the migrant women. Furthermore, the use of national language and other effective approaches commonly used to support migrant women may not consider their unique cultural and social backgrounds. Therefore, techniques of interpersonal relationships and networking must necessarily differ, appropriate to the individual who is being supported. In order to support the move of migrant women domestic violence victims towards self-reliance, it is crucial to review the complete background of the individual woman in facilitating her healing towards wholeness.

An Ongoing Commitment

The process of healing and empowerment does not happen in one cycle. It continues as the women's and children's lives unfold and as they gain new experiences and learning. Helping agencies like KALAKASAN also continue to learn how to aid migrant women and their children in their healing processes as they continue to serve new migrant women and their children and accompany them through an ever-deepening process of consciousness-raising to strengthen the migrant women's and their bi-cultural children's empowerment.

KALAKASAN is now in its fourteenth year of existence. The migration situation of Japan has changed so much since its establishment. Japan has a new need for migrant workers; caregivers for nursing homes, English teachers for the primary schools, and most recently domestic helpers for the Japanese households are being recruited. Also, more Japanese-Filipino children who have been raised in the Philippines are being brought to Japan in their late primary school years or early teens accompanied by mothers who are recruited to fill needed jobs in the country (such as caregiving). These are new challenges that KALAKASAN is looking at in its commitment to empower migrants in Japan.

Endnote

1 Angela Jeffs, "Helping to give back the power that is theirs," *The Japan Times*, www.japantimes.co.jp/community/2007/03/31/general/helping-to-give-back-the-power-that-is-theirs/#.VtklYPl94dV.

Empowering Burmese Migrant Workers

Htoo Chit

THE PAST FIVE YEARS brought changes to Burma that would have been previously unimaginable. But despite some progress, such as the release of political prisoners, many serious problems remain. The road to reform is lengthy and challenging.

Burma's economy is one of the least developed in the world; its current condition is the result of decades of poor productivity, mismanagement, and seclusion. Key industries have long been controlled by the military, and corruption is rife. Labor rights violations are common, and the rule of law is exceptionally frail.¹

The establishment of labor unions still faces many problems with workers continuing to be harassed during strikes. Union leaders are regularly dismissed after protests and arrests because public assemblies are all too frequent. In May 2016, about two hundred police officers arrested a dozen striking factory workers and activists as they marched for labor rights² near Myanmar's administrative capital, Naypyidaw.

Despite progress in some areas, Burma remains an awful place for children. Decades of military rule have driven families into Thailand, internally displaced tens of thousands of families, and left children orphaned or begging on the streets.

Homeless children, street children, and children affected by armed conflicts or disasters are extremely vulnerable, and have an unacceptably high risk of being exploited. It has been well documented that these children are routinely subjected to dangerous and hazardous working conditions with low wages, and are forced to work the same hours as adults. There are no systematic labor inspections to prevent abuse or to protect their rights.³

In Burma, it is illegal to employ children younger than fifteen years old, and according to the colonial-era Factory Act, it is illegal to require employees aged from fifteen to eighteen years to work more than four hours a day. However, few underage workers benefit from protections provided for in the legislation, and youth laborers are routinely forced to work well in excess of the statutorily mandated limit. In October 2013 the Burmese Government committed to signing an agreement with the International

Labor Organization (ILO) to work toward the elimination of child labor in the country. A 2015 study revealed that⁴

Child labour is widespread in Myanmar resulting from household poverty, little knowledge about the issue and lack of programmes and services for poor children. The phenomenon is supported by societal attitudes, which see child labour as an antidote to household poverty, and a 'necessary evil' for keeping children occupied and out of trouble in cases where they cannot attend school.

Knowledge about the short term and long term perils of child labour is limited, as is knowledge about child rights among adults. Children interpret their situation through the lens of family obligations, with poor children feeling obliged to help their families financially. Awareness of child labour is higher among parents of children who are not child labourers in all areas, except Chaungzon in Mon State, where parents of child labourers showed high awareness, following awareness-raising activities by a local NGO.

Additionally, although the parliament appointed a commission to investigate land confiscation in 2012, the practice continues throughout the country to this day. Land confiscation; forced displacement and forced resettlement without informed consent or adequate compensation, has been driven by business interests, and continues to be a major human rights issue. The main players in the confiscation, displacement and resettlement activity have been local private companies linked with the military and multinational companies in joint ventures with State-owned enterprises or local businesses.⁵

The current government that took state power on 1 May 2016 seems to be trying to improve the freedom of expression situation. But it is still severely restricted under current laws. There is a need to amend the laws regarding the media⁶ so that it can help inform the public about relevant issues and encourage public debate on them. Such public debate should include the voices of the different ethnic groups in the country.

Migration into Thailand

As previously mentioned, poverty, lack of job opportunities, and human rights violations as well as the lure of higher incomes in neighboring coun-

tries, have significantly contributed to the migration of millions of people into Thailand. In 2015, the Thai Ministry of Labor registered almost two million Burmese migrants. It is estimated that an additional two to four million Burmese have entered Thailand illegally, and have not registered with the government. This situation has created multiple opportunities for human traffickers to lure their victims into Thailand with lies and false promises of a better life.

In northern Thailand, the Burmese can cross the bridge to Mae Sot. One-day passes are available at official checkpoints, and it is also possible to walk across the river during the dry season. Irregular migrants simply travel to Thailand on a one-day pass and do not return home. In the south, a major flow of migrant workers is maintained through Ranong province. In the Mae Sot area in the north, migrants find work in garment and textile manufacturing plants, and in agriculture. In the south (Phang Nga, Ranong, Phuket and Surathani provinces), many migrants find work in rubber plantations, fisheries, construction sites, hotels and restaurants, or in private homes as domestic servants. Due to labor rights situation in Thailand, the European Union will maintain its threat of a seafood import ban on Thailand because the nation still is not doing enough to improve its fisheries and labor practices.⁷

Work Permits

Burmese migrant workers enter Thailand in a variety of ways. Some come legally with work permits and stay for the duration of the registered time. More frequently, however, Burmese migrants enter Thailand illegally. In many of these cases, the migrants end up with huge debts to the smugglers who help them get into Thailand. There is a large trafficking network involved in this issue.

In 2015, half of the Burmese migrant workers in Thailand were undocumented; while in 2016 the Thai government is trying to provide legal documents, but only for renewal. The application for a work permit requires payment ranging from 3,800 Baht (approximately 105 USD) up to 5,000 Baht (140 USD), which covers registration, health insurance, and the work permit.

Undocumented and 3D Jobs

Despite the relative economic security of the Thai labor market, Burmese migrants remain in a highly vulnerable position. Approximately 80 percent of all migrants in Thailand are Burmese, and because most of them are undocumented, they live and work in Thailand illegally. Burmese migrants tend to do the “3D or Dangerous, Dirty and Difficult” jobs that Thais refuse to take. Most migrants live in constant fear of arrest and deportation back to Burma. Thai employers complain that it is becoming harder to find and recruit Thais into low-wage, labor-intensive work. Yet rather than upgrading workplace safety and improving wages, working conditions, and management practices, these same Thai employers turn to Burmese migrant workers who offer a fully flexible and cheaper workforce willing to do dirty, difficult, and dangerous jobs.⁸

Because of their desperate financial situation and illegal status, it is common for employers to exploit their workers by paying them lower than the minimum wage, holding back payment and forcing them to work long hours, often in very unsafe working conditions. Some employers also knowingly use child labor. Female workers, particularly domestic servants, are also extremely vulnerable to sexually motivated attacks. Many Burmese migrants have experienced discrimination and racially motivated violence or attempted murder, these crimes have, on occasion, proven to be instigated by their employers. While illegal Burmese migrants are often too scared to seek help, which in any case is almost impossible for them to access due to a lack of legal assistance and knowledge of the Thai legal system, human and labor rights continue to be violated and abused daily.

Poor access to health services is a fundamental concern for the Burmese migrant community. Burmese migrants, working under difficult, dirty and dangerous conditions, are not covered by insurance for lost earnings caused by workplace accidents and injury; they are also rarely compensated by their employers. Many migrant workers live and work in remote areas that are far from a health care facility. Even when migrants manage to secure a work permit, a prohibitively expensive health-card fee bars access to health services for most. This situation is in contrast to the free access to health care to which Thai citizens are entitled. Thailand has signed the International Convention on the Protection of All Migrant Workers and Members of their Families, but has not yet ratified it. Article 28 of this Convention provides for the right of migrant workers to medical service.⁹

Discrimination

Gender discrimination adds a significant dimension of vulnerability for female migrants to Thailand, and results in a twofold marginalization. First, Burmese women are pushed to flee Burma and migrate to Thailand for a number of gender-specific reasons, including sexual violence, domestic abuse, traditional responsibility for family support, and lack of educational opportunities in Burma. Additionally, women are pulled by gendered employment opportunities in low-skilled occupations in factories and private households. Many of these work situations involve severe exploitation (working for extremely poor pay, or working as slaves, with no pay at all), confinement, psychological abuse, and physical and sexual violence.

Some Thais still believe that Burmese migrants are highly dangerous, and represent a threat to Thai civil society, a perception that is perpetuated by the Thai media in news coverage and ongoing reminders of tension and conflict in historical Burmese-Thai relations.¹⁰ Thais often believe that Burmese migrants take Thai workers' jobs, failing to recognize that Burmese migrants most often work in industries and jobs largely rejected by the Thai workforce.

While Burmese and Thais sometimes share a common workspace, there is little interaction between the two communities. The social divisions between Thais and Burmese aggravate misconceptions and misunderstandings, which, in turn, act as sources of violent confrontation, property-crime and sexual assault among the communities. Certain government and local policies also inhibit the long-term integration of Burmese into Thai society, exacerbating marginalization and legitimizing discrimination.

Foundation for Education and Development

The Foundation for Education and Development (FED) was the first Burmese-led non-governmental organization (NGO) registered in Thailand. FED has over fifteen years of experience in implementing projects designed to aid the Burmese migrant community's struggle for recognition of their basic rights in Thailand.

FED provided legal aid to Burmese migrant workers who were living in parts of southern Thailand that were affected by the 26 December 2004 Tsunami. At that time, the Thai community and authorities ignored the

Burmese migrant workers. All affected migrants had no source of livelihood, were isolated from any social services, and were suffering from the trauma of the tsunami. Even though some international and Thai NGOs and communities became aware of and sympathized with the plight of Burmese migrants after the tsunami, many migrants still faced human rights violations in these areas. Some Burmese migrants have been killed, tortured, raped, forced to work unpaid, robbed, trafficked, and some migrant children became child workers and were forced into becoming sex workers. Most of them do not know their rights or how to contact Thai NGOs or the relevant Thai government offices for help. Many were so afraid to contact government authorities or NGO staff because of their residence status, language barrier, cultural misunderstanding, and the cost involved.

Currently, FED is focused on advocacy for migrant workers' rights, capacity building for member organizations, and safe migration in Thailand.

In view of the change in 2006 on Thai policy regarding work permits, FED has been providing migrant communities with information regarding this policy change. FED predicts that the number of undocumented workers will increase in 2016. Burmese migrants generally earn about 6,000 to 8,000 Baht (200 to 250 US dollars) per month. With their low income, the new policy caused many more problems to them. Previously, employers paid for the registration fee, then deducted this from the daily wages of the workers. In the process, the employers confiscate work permits to avoid workers running away before their debts are fully paid back.

Advocacy is an essential part of the process of finding solutions to migrant issues.

The lack of available networks for migrants inside and outside of Burma and of knowledge relating to the situations in host countries mean migrants are unaware of the potential human rights abuses they may face. FED strongly believes that labor rights exploitation and human trafficking would be reduced by making information more accessible to the migrant population. FED is now providing pre-departure programs in Burma for migrant workers, family members, community leaders, and local authorities in the country.

Migrant Development Program

FED adopted the Migrant Development Program in order to provide legal aid to Burmese migrants in Thailand. The program targets different seg-

ments of the migrant communities; women, youth, community leaders, and community activists, among others. The program activities engage and empower migrant communities to take the lead in organizing themselves effectively and in taking responsibility in securing justice and social inclusion for their members, and in raising awareness of their rights towards a significant increase in utilization of the legal system to protect those rights. In addition, FED strives to raise the awareness of Thai civil society regarding the situation faced by Burmese migrants in Thailand for the purpose of cultivating a peaceful society in Thailand, and a unified civil society promoting the human rights of Burmese migrants in Thailand.

Since 2012, FED and international partner CCFD-Terre Solidaire¹³ have been implementing a human and labor rights empowerment project funded by the European Union that aids Burmese migrants in ten Thai provinces. The project has the following mission statement:

To facilitate a community-based education of Burmese living inside and outside Burma concerning the obstacles and opportunities for establishing a society that respects human rights, democracy, social justice, and a gender perspective based on the rule of law.

The project has trained a network of over two hundred fifty migrant Community Leaders (CL) with the skills and knowledge to identify and address human rights violations in their communities.

With the help of the CL network, FED has provided legal assistance on 698 cases of rights violations against migrants benefiting 8,921 migrants including the rescue of 675 Burmese from human trafficking from April 2012 through March 2015. As a result of this action an estimated 500,000 migrants have been impacted.

Specific activities

FED started a migrant workers' rights awareness project in 2005, with the overall objective of increasing the awareness of the Burmese migrants on migrant workers' rights in order to mobilize and empower them in addressing migrant-related issues. The project has the following specific objectives:

- To provide information packages for migrants preparing to go abroad;
- To provide legal assistance to migrants, who are facing human rights violation;

- To advocate for support for migrants whose rights are abused in southern Thailand;¹²
- To document human rights violations and abuses against Burmese people in Burma and Thailand;
- To provide legal aid to Burmese migrants in southern Thailand;
- To conduct a widespread campaign on Safe Migration Mechanisms and work towards assisting victims of human trafficking and labor exploitation;
- To educate Burmese migrants in Thailand about the rights of individuals (human rights, women's rights, children's rights, labor rights) and how to protect themselves from abuses that are inherent in a non-democratic society;
- To train a new generation of migrant leaders and community activists.

The following activities are being undertaken as part of the project:

- Assistance to community leaders in holding workshops within their own community;
- Dissemination of information on telephone numbers of FED legal teams and government hotline that they can call to get legal assistance;
- Establishment of system for legal consultation and advise by lawyers through phone call or visit by migrants;
- Maintenance of an information system on Thai community health care system;
- Publication of materials with contact numbers that are being distributed in migrant communities and community library or given to community leaders and volunteers' houses that the migrant can contact;
- Holding of public forums in different provinces whose results are shared with provincial and national government departments to lobby for policy change;
- Use of radios, newspapers and social media to highlight migrant's rights and situations;
- Visit to communities by the project team to provide educational activities on gender and women's issues;

- Preparation of booklet on women's issues for community use as handbooks to change the women's role;
- Organizing of health care system workshops in the communities in cooperation with the local government health care center to develop health history form that helps both the migrants and government hospitals and health care centers in understanding the appropriate treatment;
- Capacity-building training for migrants to enable them to understand their rights;
- Networking together with a Thai trade union with migrant community-based organizations and community leaders;
- Assistance to migrants' membership application in Thai labor unions;
- Facilitation of dialogue between migrant workers and Thai government authorities and Thai employers to lobby for better laws for migrants;
- Sharing of updates on migrant laws to authorities, employers and the migrants for the enforcement of the laws;
- Assistance to migrants in making suggestions to improve labor policies;
- Conduct of research and survey in migrant communities to update the information for advocacy use before provincial and national governments, and ASEAN.



Public forum on domestic workers' rights.

FED provides capacity building for communities with the following activities:

- Visiting different areas of migrants communities and meeting with the migrants;
- Selecting local leaders and training them to become trainers;
- Preparing for pre-test and post-test to check of local leaders' knowledge about human rights, gender, Thai labor rights, leadership, and community organizing.

FED also provides the Training of Trainers (TOT) to migrant community leaders who are outstanding and dedicated to contribute his/her time for fellow migrants. It is providing training to migrant leaders on the following issues:

- Human rights;
- Gender;
- Thai Labor rights;
- Leadership;
- Community organizing;
- Publishing handouts with Burmese language as a guide for leaders to train other migrants;
- Giving awards for local leaders who are working hard and doing a good job; and
- Publishing flyers and brochures for community awareness about the project. The project has an advocacy component to translate suggested policies into laws.

I lead all training programs of FED and also the training of trainers program for FED's senior staffs, partners and migrant community leaders. FED staff also attend national, regional and international training programs in order to learn more systematically about human rights education, international laws and community organizing.

Over the past three years FED has successfully managed and implemented a human and labor rights empowerment project funded by the European Commission aiding migrants across ten provinces of Thailand. This project has trained a network of over 200 migrant community leaders with the skills and knowledge to identify and address human rights violations in their communities. Through these community leaders, FED's legal team has provided legal assistance on 510 cases helping 5,597 migrants to realize justice.

THE UNIVERSITY FUND

GENEVA GLOBAL
INSTITUTE FOR HUMAN DEVELOPMENT

လူ့ကနဦးဖွံ့ဖြိုးမှု အကူအညီ
Facilities For Human and Development (FHD)

လူကနဦးဖွံ့ဖြိုးမှု အကူအညီ ဝင်ရင်းဆောင်ရွက်ပေး

END
HUMAN
TRAFFICKING
STOP

အကူအညီ အကူအညီ

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THE FREEDOM FUND

GENEVA GLOBAL
PERFORMANCE PHILANTHROPY

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၏ အချက်အလက်များ

သက္ကရာဇ် ၂၀၁၇ ခုနှစ် စီမံအာဏာ(၁၀)ရက်နေ့တွင် တိုင်ကြားခဲ့ ကန့်သတ်ချက်မရှိဘဲ ထိခိုက်မှုမရှိ ဖွံ့ဖြိုးနိုင်ခဲ့သည်။ အသုံးပြုထားသော စတင်ပုံနှိပ်မှုပုံစံသည် ချစ် ဖြစ်ပါသည်။ ၂၀၁၇ ခုနှစ်၊ စီမံအာ ၂၆ ရက်နေ့ ခြောက်ပေါင်းသုံးသောင်းပေါင်းရောက်ရှိခဲ့ကြောင်း သေသုံးခုစာရင်းအချက်အလက် ဖြန့်ချိမှုပြုလုပ်အချိန်အထိသိသော အခြေအနေ ကူညီပေးခဲ့ကြောင်း တိုင်ကြားနိုင်သောကြောင့် ချစ်သောပုံစံ ၂၀၁၇ ခုနှစ် ဖွံ့ဖြိုးမှုစာရင်း ခြောက်ပေါင်းသုံးသောင်း ရောက်ရှိခဲ့ကြောင်း ကူညီပေးခဲ့ကြောင်း ဖြန့်ချိပုံစံတွင်အသုံးပြုခဲ့သော အချက်အလက်များကို နိုင်ငံတော်ကလေးများ အသုံးပြုနိုင်သောအချက်များ ဖွဲ့စည်းပုံစံအရ ဖွင့်လှစ်ပေးခဲ့ကြောင်း ဖွင့်လှစ်ပေးခဲ့ကြောင်း အချက်အလက်များအား အသုံးပြုအသုံး ကူညီပေးခဲ့သော ကလေးအသုံးပြုအသုံး

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အမျိုး(၄)

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အမျိုး(၅)

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အမျိုး(၆)

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အမျိုး(၇)

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အမျိုး(၉)

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အမျိုး(၁၁)

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အမျိုး(၁၃)

လူပုဂ္ဂိုလ်များသည် အလုပ်လုပ်ရသူများနှင့် ပတ်သက်သည့် အခြေခံဥပဒေများကို ဖော်ပြသောအခါ အလုပ်လုပ်ရသူများ၏ အခွင့်အရေးများကို ကာကွယ်ပေးရမည်။



Foundation for Education and Development

လူပုဂ္ဂိုလ်များနှင့် ပတ်သက်သည့် အခြေခံဥပဒေများကို ဖော်ပြသောအခါ အလုပ်လုပ်ရသူများ၏ အခွင့်အရေးများကို ကာကွယ်ပေးရမည်။



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Email: fed.mae@feds.org
Web: www.feds.org

Flyer on economic, social and cultural rights.



Training activity.

Women Empowerment Program

In 2006, FED established the Women's Empowerment and Development Association (WEDA), an association of migrant women leaders in Southern Thailand. WEDA has become a focal point among the Burmese women

in southern Thailand and is collaborating with some women's organizations, civil society organizations (CSOs), and NGO networks. WEDA offers a counseling service, and organizes different activities to promote women's empowerment. WEDA organizes workshops about health education, family planning, domestic violence, and women's rights. In addition, WEDA offers different types of vocational training courses, which not only give the women employable skills, but also offers the women safer, more reliable alternative means to earn income to support their families. Once women learn these working skills, they can work on these activities at home or at the temporary shelter supported by FED. These income-generating activities also serve to maintain the center so that WEDA can continue to operate as a self-sustained association.

With funding support from CCFD-Terre Solidaire and the European Union, WEDA members started, in 2012, to conduct regular rights-based gender-related workshops in districts with heavy migrant population. As part of the gender-related workshops, the four main topics are: access to health care, women's rights, labor rights, and violence against women. Each topic is aimed at improving community awareness and empowerment. Accordingly, WEDA members conduct two community visits per month to these migrant communities to both maintain awareness and connection with the needs of the women, as well as to suggest answers to their problems with appropriate



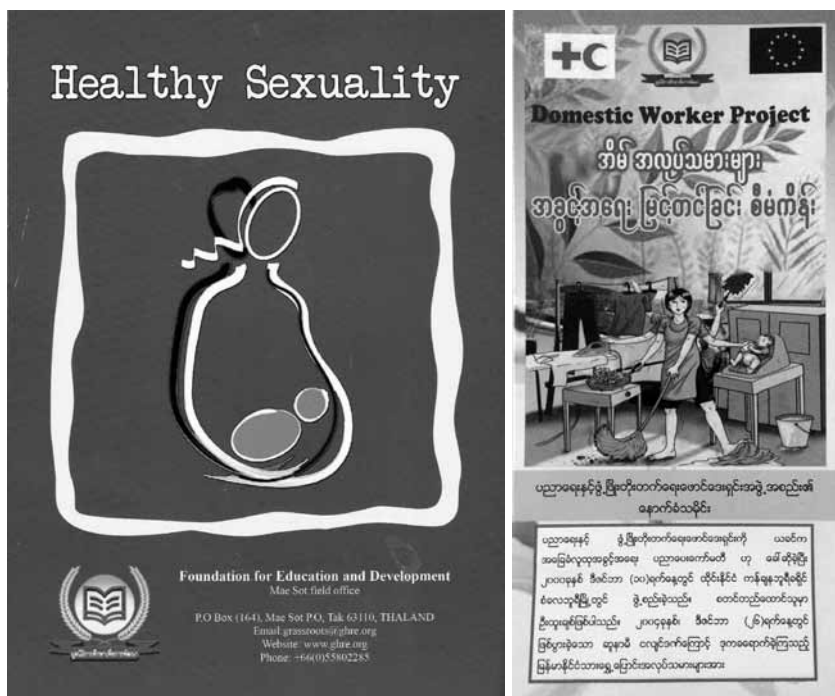


(This page and opposite page) Training for women.

actions. Materials expanding awareness on gender and rights-based migrant issues are being distributed. The visits also provide the opportunity to document and report cases of abuse.



WEDA works very closely with FED's migrant's development team. WEDA's methodologies are also very similar with FED's. They both try to work with grassroots people and organizations. WEDA's representatives are also well-trained women leaders and activists who have learned from different national, regional and international organizations. They also invite guest speakers or resource persons for some issues such as women leadership, counseling victims, and CEDAW's training.



Health and domestic work pamphlets.

The Future

I strongly believe that awareness, advocacy, and community organizing for human rights and migrant worker's rights are vital roles in the protection and promotion of migrant workers in the region.

Networking is necessary for migrant workers. They can work together in order to find solutions to their problems. Therefore, we intend to fill the gap for Burmese migrant workers who need assistance and a coordinated network while they are living in Thailand. Most importantly, both the Myanmar and Thai governments have to work together in order to provide legal assistance. We hope that migrants would be more protected if government agencies, NGOs and community-based organizations (CBOs) were systematically and harmonically working with migrant communities in Thailand. We will be continuing to encourage collaboration among migrants as well as concerned governments in the region. Currently, we are working very closely

with the Thai Royal Government in human trafficking within the seafood industry. We have even collaborated with the Government in some anti-human trafficking operations. At the same time, we are trying to encourage the Myanmar Government to more actively and systematically protect migrant workers abroad. As everybody knows, the Myanmar Government is very new and has limited knowledge of safe migration. It is very difficult to comment on the new Government and sometimes we need to advocate for them. As an elected Government, the Myanmar Government needs to pay attention to migration and follow the below recommendations:

- Myanmar Government must provide legal assistance to migrants;
- Related Myanmar Government agencies must collaborate with NGOs, CBOS, and migrant communities, which are working on migrant issues;
- Myanmar Government should display interest in migrant issues;
- Myanmar Government needs to approach the Thai government using diplomatic methods;
- Myanmar Government needs to have migration agenda, policy and implementation systems.

Endnotes

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5 "Parliamentary Committee: 6,000 Land Confiscation Complaints Yet to Be Addressed," *The Irrawaddy*, 27 April 2016, www.irrawaddy.com/burma/parliamentary-committee-6000-land-confiscation-complaints-yet-to-be-addressed.html.

6 See for example the analysis of the 2014 Media Law of Myanmar which shows the positive elements of the law and also those that do not comply with international standards on freedom of expression, *Myanmar News Media Law*, 2014, Article 19. Retrieved from on 2 May 2016, www.article19.org/data/files/medialibrary/37623/News-Media-Law-Myanmar-EN.pdf.

7 “EU to maintain ‘yellow card’ sanctions on seafood exports,” *Bangkok Post*, www.bangkokpost.com/news/general/942153/eu-to-maintain-yellow-card-sanctions-on-seafood-exports.

8 Human Rights Watch, *From the Tiger to the Crocodile*, retrieved from www.hrw.org/en/node/88580/section/5 on 8 May 2011.

9 See United Nations Office of the High Commissioner for Human Rights, <http://indicators.ohchr.org/> on the status of ratification of the convention by Thailand. Article 28 of the convention states:

Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.

10 “Thai media ‘skewing reality’ for refugees,” DVB, 16 May 2011, www.dvb.no/news/thai-media-%E2%80%98skewing-reality%E2%80%99-for-refugees/15665.

11 For more information on CCFD-Terresolidaire, visit <http://ccfd-terresolidaire.org/>.

12 FED is the current chair of the Mekong Migration Network (MMN), a network of more than twenty regional and national research partners in the Greater Mekong Sub-region (GMS), doing advocacy work at local, national and regional levels. Visit www.mekongmigration.org/ for more information.

Legal Aid and Human Rights Education: A Grassroots NGO's Approach to Empowering the Poor in Jordan

Justice Center for Legal Aid*

THERE IS NO INSTITUTIONALIZED LEGAL AID SYSTEM in Jordan. Under the Criminal Procedures Law of 1961 (Article 208[2]) government-funded legal aid is only provided to those accused of crimes punishable by life imprisonment or execution. The law does not extend legal aid services to persons with lesser criminal charges, or involved in matters relating to civil law or *Sharia* law. Another law also requires legal representation for civil matters brought to court. Under the Magistrates Court Law of 1952 (Article 9[2]) a person cannot participate in court proceedings on civil matters involving more than one thousand Jordanian Dinars (JODs) (around one thousand four hundred US dollars) without legal representation.¹ In addition, while Article 100A(7) of the Jordan Bar Association Law (1972) states that the president has the discretion to assign one pro bono case to each Jordan Bar Association (JBA) member each year, in practice the number of pro bono cases is minimal.²

With the ongoing regional turmoil and influx of refugees, most recently from Syria, the number of poor and vulnerable people in Jordan continues to grow.³ For many who make up the growing population of poor and vulnerable people in Jordan, access to legal information, advice or representation lies far beyond their means.

Taken together, this reality poses a significant barrier to the ability of the poor and vulnerable to access the justice system in Jordan. The vast majority of poor Jordanians are required to represent themselves, despite their lack of knowledge of the laws and the complex court procedures. For example, the 2012 research conducted by Justice Center for Legal Aid (JCLA) on

* Written by Bayan Quteshat (Monitoring and Evaluation Officer), Tiffany Henderson and Glenn Geerts (Organizational Development Consultants), Mohammad Faoury (Monitoring and Evaluation Officer) of the Justice Center for Legal Aid, Jordan. See www.jcla-org.com.en. The information and views set out in this article are those of the authors and do not necessarily reflect the official opinion of the Justice Center for Legal Aid. Neither the Justice Center for Legal Aid, nor any person acting on their behalf may be held responsible for the use which may be made of the information contained herein.

criminal cases with final judgment in Jordan found that during the criminal investigation and pre-trial stage, 83 percent of accused persons were unrepresented, and when a matter was brought to court, 68 percent of defendants were unrepresented.⁴ Research conducted by the Department of Statistics also found that, in 2011, 98 percent of the people surveyed had never heard of legal aid.⁵

The Justice Center for Legal Aid: Enhancing Access to Justice

In the absence of an institutionalized legal aid system in Jordan, civil society provides crucial legal aid services to the poor and vulnerable. In 2008, three Jordanian women who worked in the justice sector and saw a need for more legal aid services in Jordan established the Justice Center for Legal Aid (JCLA). JCLA began with one volunteer lawyer and one local partner organization, Ruwwad, which provided office space for the legal aid services.

JCLA's vision is to empower all poor and vulnerable people in Jordan, with a view to realizing a society where everyone has equal access to justice. JCLA does this by providing poor and vulnerable people in Jordan with access to essential legal aid services, including legal consultations and legal representations with legal consultants. Through awareness sessions, JCLA informs the community about legal aid and the law. Through advocacy for the enhancement of Jordan's legal aid system, JCLA strives to uphold the right of all to access the justice system in the country.

Since 2008, JCLA has grown from one legal aid clinic in Amman to become the largest legal aid provider in Jordan, providing legal aid services at twenty-three clinics located across all twelve governorates. JCLA utilizes a network of over seventy local partners to reach out to poor and vulnerable people throughout the country, including various government ministries, and international and community-based organizations. Each month, JCLA assists approximately three hundred seventy-five beneficiaries through legal consultations, provides legal representation to approximately one hundred fifty beneficiaries across two hundred cases, and reaches approximately three thousand six hundred vulnerable people through its awareness sessions.

Young people are a growing caseload for JCLA. In 2015, following amendments to the Juvenile Law enshrining access to legal aid, JCLA entered into a partnership with the Ministry of Social Development (which deals with juveniles), leading to an increase in referrals of juveniles to JCLA for legal

help. In 2015 alone, JCLA provided young people with two hundred eighty five legal consultations and three hundred sixty seven legal representation services. The legal issues experienced by young people that constitute a significant portion of JCLA's juvenile caseload relates primarily to criminal law matters, including fraud and theft, drug offences, and violence.

Women, however, constitute JCLA's largest beneficiary group: approximately 70 percent of awareness session attendees and beneficiaries of legal aid services. In 2015 alone, JCLA served vulnerable women and girls through over three thousand legal consultation sessions and over one thousand seven hundred free legal representation services. The majority of women seeking JCLA's legal aid services have *Sharia* law issues, including marriage, divorce, alimony, child custody and inheritance. JCLA's predominant caseload involving women also aligns with a 2011 national household survey conducted by the Jordanian government, which found that women are more likely than men to avoid the court due to customs or a lack of funds, and be unrepresented when appearing before a court.⁶ The survey also found that women were more likely to be exposed to *Sharia* law issues: females constituted 56.7 percent of those surveyed who faced *Sharia* law issues, compared to 17.1 percent on civil law issues, and 19.2 percent on criminal law issues.

Despite efforts by JCLA, the demand for legal aid in Jordan is far greater than the services currently provided under the law by the JBA and by all Legal Aid Organisations (LAOs) combined. A 2011 household study by the Jordanian Government (Department of Statistics) found that approximately 52,608 people in Jordan encountered 68,485 legal issues. Of those reporting a legal issue, 25.9 percent (13,625 persons) had an income of less than JOD 250 per month (353 US dollars) and 44 percent (23,147 persons) an income between JOD two hundred fifty to JOD five hundred (around seven hundred US dollars) per month. The study estimated that close to 17,000 people need legal assistance each year. Yet on an annual basis LAOs provide legal assistance to poor and vulnerable people in only about three thousand cases. This leaves more than ten thousand people each year without access to essential legal aid services.

JCLA's Human Rights Education Program

The need for legal awareness efforts targeting the poor and vulnerable

A 2011 household survey conducted by the Jordanian Department of Statistics in collaboration with JCLA found that poor people are more likely

to face legal issues, while only 2 percent of the respondents were aware of the availability of free legal assistance.⁷ Anecdotal evidence collected through JCLA's awareness sessions confirms the lack of legal awareness particularly affects already marginalized or vulnerable groups, including women and children.

The government-approved secondary school curriculum in Jordan lacks a solid legal awareness program that informs school-age children about their rights and duties under Jordanian and international law. Lacking a clear learning objective on legal awareness, the educational material in approved secondary school textbooks does not promote a culture of human rights among Jordan's youngest citizens. The United Nations Global Survey on violence against children considered awareness raising as a tool for preventing violence against children.⁸

To fill this gap, JCLA and other LAOs in Jordan started delivering legal awareness programs to poor and vulnerable women, men, boys and girls. In this section, we review JCLA's non-formal curriculum, the methods used to develop the materials, the best ways to address the target groups and how to assess the impact of those programs.

Designing awareness campaigns and educational awareness programs

JCLA's awareness sessions usually follow the same structure. After an initial assessment of the participants' knowledge and attitude, the trainer provides information on rights and obligations in relation to a pre-determined topic, before providing tailored information about how and when they can access JCLA's legal assistance. Participants assess each finished session to measure improvement in knowledge and attitude.

In the first years of implementation, JCLA predominantly relied on its partners in identifying topics for legal awareness sessions that were most relevant to the poor and vulnerable groups. The JCLA partners, civil society organizations (CSOs) with strong roots in local communities across Jordan, have specialized knowledge of the issues faced by their beneficiaries. Usually, partners would approach JCLA with a request to deliver legal awareness sessions to their beneficiaries on identified topics.

Throughout the years, JCLA has enhanced its approach in identifying legal awareness needs in local communities, and in delivering legal awareness sessions. Currently, JCLA develops annual awareness strategies that identify awareness campaigns on strategic topics, and has uniform curriculum on a

number of key awareness programs. JCLA's strategies and campaigns are developed on the basis of field assessments, including meetings with relevant partner representatives, and seeking out feedback from beneficiaries. These assessments have allowed JCLA to identify legal issues prevalent in certain geographical areas.⁹ Field assessments also help JCLA to develop the awareness material for each campaign. JCLA's awareness team designs simplified awareness material tailored to the target beneficiaries, which are disseminated during awareness sessions.

Child Rights: A Snapshot

JCLA has three awareness programs targeting children. First, Al Qanoni Al Sagheer (The Little Lawyer) is a three-day program aimed at educating children about their human rights under the United Nations Convention on the Rights of the Child. JCLA designed an activity book, *Hokoki* ("My rights" in English), in which two cartoon characters, Adel and Ensaf, explain the child rights in a humorous and simplified way (see Box 1 for a detailed overview of the *Hokoki* resource). Second, *Ehmini* (Protect me) is a program aimed at protecting children from domestic violence and violence at schools. The program explains to children what acts constitute abuse, how to protect themselves from abuse, and who can help them in case they experience abuse. Third, *Himayeh* (Protection) covers a wider range of topics relevant to child protection, including early marriage, emotional abuse, gender-based violence and bullying.

These programs and resources are being utilized and implemented in schools and community centers across Jordan. At the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) schools alone, JCLA was able to reach out to more than eight thousand students in 2015 covering several topics such as child labor, drugs, early marriage and domestic violence. Analysis of the data on JCLA's delivery of awareness sessions to children at UNRWA's schools between 2012 and 2015 revealed three programs clearly standing out: general child rights programs, and two tailored sessions on drug awareness and sexual harassment (see Graph 1, page 93).

JCLA's drug awareness program accounts for the highest number of sessions and attendees between 2012 and 2015, totalling one hundred seventy eight sessions to 5,536 girls and boys. This program was designed as a result of JCLA's engagement with the Narcotics Department, which identified drugs as a growing issue among children and young people in Jordan. In

Box 1. The *Hokoki* Exercise Books: A resource for promoting and understanding of child rights among children

In 2015, JCLA set out to develop resource materials to assist its trainers in discussing child rights issues with the young people it was reaching out to during its awareness sessions. *Hokoki*, which means “my rights” in English, was developed by JCLA staff a short while later. The material resources consist of two books, each targeting a different age category: young children (around 5-8 years) and older children (around 8-11 years). Below is the inside illustration for the latter age category.

Photo 1: About *Hokoki* exercise books – “Let’s Learn About Our Rights Together”



Translation: (Boy: “Hi. My name is Adel”) (Girl: “Hi. My name is Ensaf”); “A child is every person below the age of 18. All children have rights just like adults. The state and all the institutions must respect those rights. We have also to respect the rights of others.”

Many of the exercises in the *Hokoki* books aim to generate discussion among the

children on the rights of the child set out under international human rights conventions, including the rights of the child. Photo 2, for example, aims to generate discussion among children on the rights of children with disabilities.

Photo 2: Exercise for young children: Understanding the rights of persons with a disability



Translation: Children with disabilities - As a child with disability, I have the right to be engaged in the community and receive all the needed care and services. The exercise: Write whether you agree or disagree under each photo. (Boy on the right: "My neighbour cannot speak, therefore, I have to learn sign language to communicate with him"); (Girl in the middle: "Having special lanes for wheelchairs have helped my friend to come to school"); (Boy on the right: "They do not let me play with them because I cannot hear what they are saying").

Photo 3: The rights of child refugees and the rights of children in armed conflict.



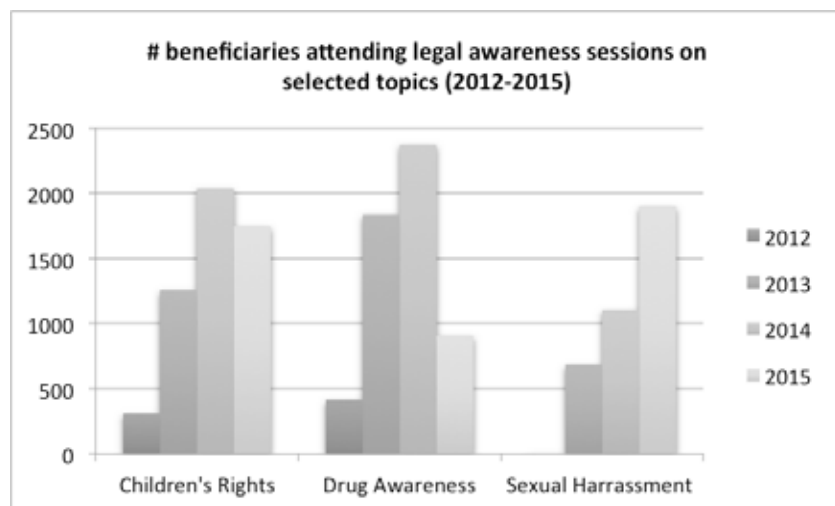
Translation: "Draw a smiley face under the picture that represents the place that you prefer to live in."

The Hokoki books have been distributed widely among UNRWA schools by JCLA's trainers, and are used to assist in the learning outcomes among the participating students. JCLA has received positive feedback from students who have utilized these books and aims to continue using and distributing them more widely in the future.

2015, as a result of JCLA engaging with UNRWA staff on the identified needs of their beneficiaries, JCLA developed a tailored awareness program on sexual harassment which was rolled out on a large scale (sixty three sessions to 1,902 girls and boys in 2015).

JCLA's general children's awareness programs, discussed above, account for the second highest number of sessions and attendees, totalling one hundred seventy three sessions to 5,358 girls and boys between 2012 and 2015. At UNRWA schools, the total number of general legal awareness sessions to children slightly dropped in 2015, in favor of the tailored awareness program

Graph 1



on sexual harassment. JCLA expects the 2015 numbers to remain consistent, as there is a need for general legal awareness sessions on child rights in addition to targeted interventions in line with UNRWA's protection priorities (e.g., drug awareness and sexual harassment).

JCLA hopes to be able to expand its awareness programs targeting children in the public school system.

Women's Rights: A Snapshot

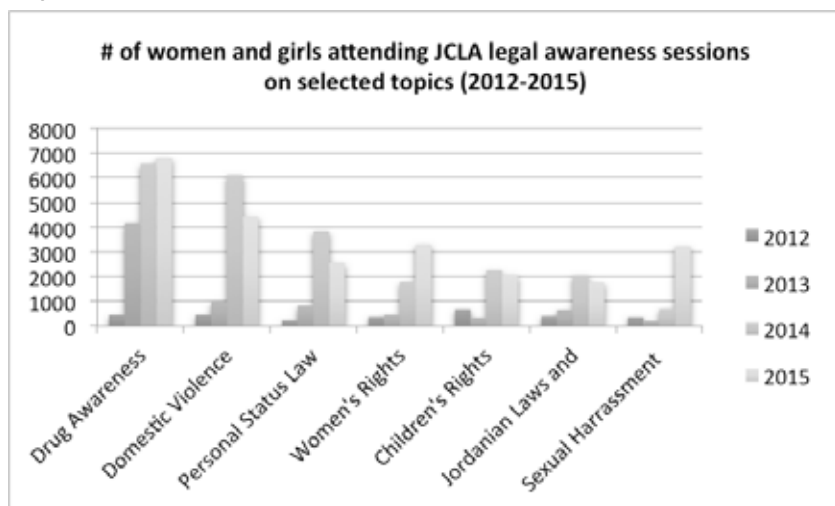
Over the years, JCLA has delivered awareness sessions to women and girls on a broad range of topics. In early 2016, JCLA designed an awareness program, Ensaf, which encompasses topics identified by beneficiaries as most relevant to their empowerment. The program discusses women's rights under Jordan's Personal Status Law (which covers marriage and divorce), sexual and gender-based violence, and labor rights.

Overall, women make up over 70 percent of JCLA's attendees at the awareness sessions. An analysis of the JCLA sessions conducted solely to women and girls (i.e., not including sessions for mixed audience) between 2012 and 2015, revealed that JCLA reached 73,192 women and girls through 2,911 awareness sessions. JCLA dedicated those sessions to women attendees only, in order to create a safe environment for women participants, as many of them are being subjected to violence from male relatives. Having those

male relatives present at the sessions will prevent women from effectively engaging in the sessions or from even participating. Moreover, in some areas, women cannot sit alongside their male counterparts and prefer women only sessions.

In the period between 2012 and 2015, the most common topics include drug awareness, domestic violence, personal status law, women's rights in general, child rights in general, Jordanian laws and regulations in general (targeting the refugee population), and sexual harassment (see Graph 2 below).

Graph 2



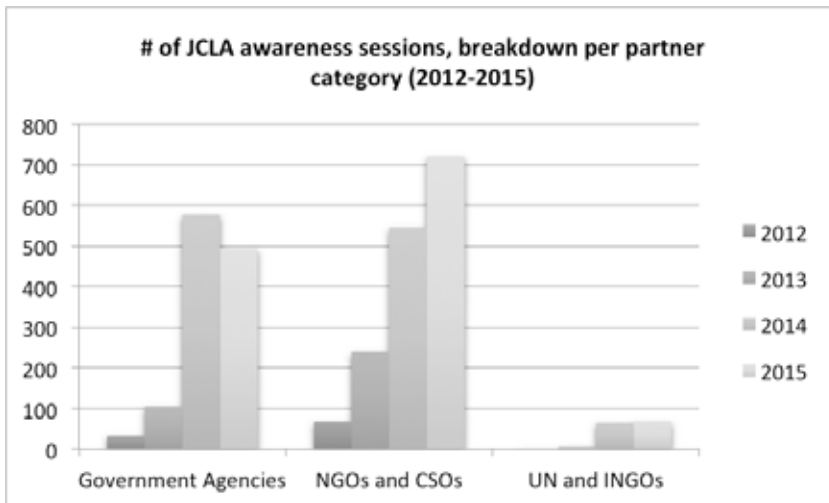
Similar to the sessions targeting children, drug awareness stands out as a key topic in sessions on women and girls. The drug awareness sessions were developed at the request of the Anti-Narcotics Department (within Jordan's Public Security Directorate), which identified drugs as a growing issue among the people they were encountering. The Department sought JCLA's assistance to reach out to the female family members of predominantly male drug users and traffickers. The awareness sessions are always delivered by a team of two trainers: one from the department and one from JCLA. JCLA's trainer provides information on the legislative framework around drug use and trafficking, as well as how drug users can seek help. The

trainer from the Department is also present to reinforce the latter message: under Jordanian law, the police will not prosecute a first-time drug user if he or she voluntarily presents him or herself for rehabilitation at the Anti-Narcotics Department. The trainer from the Department also provides information on how relatives can identify who among the family members use drugs. This strategy has worked, and the Narcotics Department estimates that since 2012, there has been an increase in first-time drug users seeking the assistance of the Department to overcome their addiction after hearing about the program through JCLA drug awareness sessions.

Tailored and general sessions on women's rights issues take the lion's share of the overall numbers: more than half of all sessions targeting women relate to women's (human) rights generally, and early marriage, personal status law, and sexual and other forms of gender-based violence (SGBV) specifically.

From the very beginning, JCLA has established strong partnerships with both government agencies and local non-governmental organizations (NGOs) and CSOs in order to implement its awareness programs in Jordan. This has been a natural development for JCLA, and it has allowed JCLA to provide services in a safe environment close to homes of JCLA's target beneficiaries, while reducing the cost of venue and catering (see Graph 3 below).

Graph 3



While JCLA has also successfully engaged with UN agencies and international NGOs (INGOs) on awareness-raising (in particular with UNRWA, Norwegian Refugee Council [NRC] and Danish Refugee Council [DRC]), these partnerships are quantitatively less significant. JCLA's partnership with UNRWA has the deepest roots, and was a natural fit for JCLA as UNRWA is a significant service provider to millions of Palestinian refugees in Jordan, with installations across the country. More recently, and following a shift in the government's strategy to the Syrian refugee influx (emphasis on "resilience" of host communities) in the 2016-2018 Jordan Response Plan, JCLA has more actively pursued partnerships with INGOs targeting Syrian refugees in Jordan.

JCLA's Awareness campaigns

In addition to the above-mentioned programs, JCLA organises yearly awareness campaigns to promote the rights of children and women. While awareness sessions are a key component of awareness campaigns, the campaign seeks to use a number of tools to maximize outreach. For example, in cooperation with partners and stakeholders and as part of the "United Nations 16 days of activism against gender-based violence" campaign, JCLA organizes an intensive awareness campaign about women's rights each year.¹⁰ During the 2015 campaign, JCLA conducted awareness sessions, meetings with stakeholders, and legal information days, in addition to appearing on TV & radio shows, and trialled a "tweet-up." In celebration of the International Day on the Rights of the Child (November 20), JCLA conducts legal days at schools and partner NGOs each year, and holds sessions, plays, drawing activities, and distributes the *Hokoki* book.

Successes and Challenges

JCLA's human rights education program, which falls within the broader legal awareness program being undertaken, has notable successes and clear challenges. Where JCLA has far exceeded its goal is in the area of outreach through awareness activities: in 2015 alone JCLA reached out to close to 50,000 beneficiaries; and since 2008, over 120,000 have had access to legal awareness sessions.

Box 2. A Snapshot of the Positive Impact of JCLA's Awareness Activities**Empowering Amal to Defend Herself**

JCLA has helped a beneficiary to successfully represent herself before an investigatory committee. Amal (not her real name) is a student counselor who has worked for many years in the public school system. In recent times, Amal began to experience bullying by her supervisor, causing her stress and anxiety.

As the bullying continued, Amal became frustrated and submitted a formal complaint to the school's administrator, asking to be moved to another public school. An investigation commenced, during which time the administrator asked Amal to withdraw her complaint and stay at the school.

A relative of Amal's, who previously attended a JCLA awareness session, told her about legal aid and suggested she get in contact with JCLA. Amal contacted JCLA and, as she is a single mother earning less than 250 JODs a month, she was assessed as eligible to access JCLA's legal aid services. As Amal recounted: "I cannot afford a lawyer. Finding out that there is an entity such as JCLA was something I didn't expect."

Amal was assigned a legal consultant, who reviewed her case and provided her with ongoing advice on how to represent herself before the investigatory committee, including her rights and obligations while participating in the investigation.

Following the investigation, the administrator accepted Amal's request and moved her to another school.

Conclusions

The classification of Jordan as an "upper middle income" country according to various international instruments belies the growing number of poor and vulnerable people in need of basic services, including legal help. In the absence of an institutionalized legal aid system, the provision of essential legal information and legal services to those in need falls primarily on non-governmental organizations like JCLA. In line with international best practice, JCLA places emphasis on the ability of its legal awareness sessions to empower the poor and vulnerable to address their legal problems. Through a network of experienced trainers and partners, JCLA has reached out to close to 120,000 people in Jordan since its inception in 2008. The majority

(approximately 70 percent) of people who attend these sessions are women, and the legal issues discussed are primarily related to *Sharia* law, including divorce, alimony, and child custody. Interrelated to this is the issue of family and domestic violence experienced by female beneficiaries. Despite the growing recognition by the government of the obstacles faced by female victims of violence, much work needs to be done to enhance their access to the justice system in Jordan. Information on their human rights and access to legal aid services is an essential tool to empowering and enabling them to seek out this justice.

JCLA's single biggest partner-recipient of awareness services is UNRWA, where over two hundred awareness sessions were provided in 2015 alone. JCLA's human rights education program targets children at the UNRWA schools, and looks at the issues of child rights and, in recent years, has focused on the topic of drugs and sexual harassment. JCLA's growing caseload of juveniles within the justice system has enabled the organization to better analyze the legal information needs of young people, and more work needs to be done to formalize and expand the curriculum used by JCLA's trainers. In JCLA's experience, resources such as *Hokoki*, which have been elaborated in this article, work well at engaging young people on human rights issues.

The need for legal information, particularly among the growing number of vulnerable refugees entering Jordan, far outstrips the legal awareness sessions currently being provided. Yet such services are imperative to the legal empowerment of poor and vulnerable people. Through targeted, grass-roots education programs, JCLA has helped empower people, but more work needs to be done, not just on an organizational level at JCLA but more broadly through institutionalized, funded legal aid services provided by the government. Through advocating for the enhancement of the Kingdom's legal aid system, JCLA strives to uphold the right of all to access justice in Jordan.

Endnotes

1 At the time of writing, 1 JOD is equivalent to 1.4140 USD.

2 Note that at the time of writing there are no publicly available statistics on the number of pro bono cases dealt with by the Jordan Bar Association on an annual basis. However, based on anecdotal accounts from members of the Bar Association and the legal community, JCLA is able to gauge that the amount of cases is minimal and in the approximate realm of a handful to about two hundred cases per year.

3 For example, in 2010 the United Nations Development Program, in conjunction with Jordan's Department of Statistics, found in a national "Household Expenditure and Income Survey" of that year that the "number of poverty pockets (defined as districts/sub-districts with 25 percent population or more below the national poverty line) increased from twenty-two poverty pockets in 2006 to thirty-two poverty pockets in 2008." See UNDP and the Ministry of Planning and International Cooperation, *Thinking Differently About the Poor: Findings from Poverty Pockets Survey in Jordan*, (2012), available at www.undp.org/content/dam/jordan/docs/Poverty/Jordan_Poverty%20Pocket%20Report.pdf.

4 Justice Center for Legal Aid, *Closed Case Survey of Criminal Cases in Jordan* (2012) (in Arabic only).

5 Statistics taken from a 2010/2011 national legal aid survey; see JCLA and Department of Statistics, *Statistical Survey on the Volume of Demand for Legal Aid (Justice Sector Household Survey)* (2012). A discussion on the survey can also be found in *World Bank Legal Review*, Volume 5, "Fostering Development through inclusion, unity and equity" (2014), pages 247 – 254.

6 See World Bank (Poverty Reduction and Economic Management Department, Middle East and North Africa), "Hashemite Kingdom of Jordan - Country Gender Assessment - Economic Participation, Agency and Access to Justice in Jordan," July 2013, *Report No: ACS5158*, page 14.

7 Ibid., pages 79-80.

8 United Nations, Office of the Special Representative of the Secretary-General on Violence against Children, *Toward a world free from violence: global survey on violence against children*, October 2013, page 99.

9 For example, child labor issues are a major concern in Alghor area while involvement of children in drug use and trafficking is problematic in Amman.

10 The United Nations Secretary-General's Campaign UNiTE to End Violence against Women, see www.unwomen.org/en/what-we-do/ending-violence-against-women/take-action/16-days-of-activism#sthash.mQqDUVzN.dpuf.

Overview of AIHK's Human Rights Education Work in Hong Kong*

Debbie Tsui**

HUMAN RIGHTS EDUCATION has been on the agenda in the international community for decades. In 1993, the *Vienna Declaration and Programme of Action* adopted by the World Conference on Human Rights called on States to include human rights and the rule of law as “subjects in the curricula of all learning institutions in formal and non-formal settings.”¹ This was followed by the *United Nations Decade for Human Rights Education (1995-2004)* and the *World Programme for Human Rights Education (2005-ongoing)* that provide a framework and guidelines for the implementation of human rights education in all sectors. However, how have these words been put into practice in the local context by different actors over the years?

The purpose of this paper is to share the experience of human rights education conducted by Amnesty International Hong Kong (AIHK), a local chapter of the international human rights group in Hong Kong. Firstly, relevant international human rights standards are discussed. Secondly, the situation and challenges of human rights education in Hong Kong are examined. Thirdly, the major human rights education initiatives in both school education and public education by AIHK are analyzed. Lastly, limitations and future directions are discussed.

International Standards

One of the objectives of education is to nurture and strengthen “respect for human rights and fundamental freedoms” as stipulated in Article 26(2) of the Universal Declaration of Human Rights (UDHR), Article 13(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR)

* I would like to express my gratitude to Ms. Mabel Au, Director of Amnesty International Hong Kong and Ms. Annie Mueller for their very valuable comments on this paper.

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and Article 29(1) of the Convention on the Rights of the Child (CRC). These articles form the foundation of human rights education within the international human rights framework.

The *United Nations Declaration on Human Rights Education and Training*² states that human rights education encompasses learning about human rights “knowledge, skills and understanding and developing attitudes and behaviours” as well as “empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others.”³ In view of The Declaration, the aims are to promote “universal respect for and observance of all human rights and fundamental freedoms and thus contributing, inter alia, to the prevention of human rights violations and abuses.”⁴

Human rights education is not confined to learning about human rights; it also involves learning through and learning for human rights. The *United Nations Declaration on Human Rights Education and Training* further explains human rights education as follows: “(a) Education about human rights, which includes providing knowledge and understanding of human rights norms and principles, the values that underpin them and the mechanisms for their protection; (b) Education through human rights, which includes learning and teaching in a way that respects the rights of both educators and learners; (c) Education for human rights, which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others.”⁵

In particular, human rights education in schools involves various aspects including “educational policies including legislation,”⁶ school curriculums, school policies, teaching methodology, the learning environment as well as pre-service and in-service training for educators using a rights-based approach.⁷

However, human rights education should go beyond schools, and be applied at home and in the community. For instance, the United Nations Committee on the Rights of the Child (UNCRC) stresses that human rights education comprises learning about human rights “by seeing human rights standards implemented in practice, whether at home, in school, or within the community” and “should be a comprehensive, life-long process and start with the reflection of human rights values in the daily life and experiences of children.”⁸ It is the view of the UNCRC that “what is needed, in addition to formal human rights education, is the promotion of values and policies conducive to human rights not only within schools and universities but also

within the broader community.”⁹ Thus State parties are called upon to “develop a comprehensive national plan of action to promote and monitor realization of the objectives listed in Article 29(1).”¹⁰

Situation and Challenges of Human Rights Education

The legal basis of human rights protection in Hong Kong is set forth in the Basic Law, relevant domestic laws and the seven core international human rights treaties.¹¹

For instance, the Basic Law stipulates the constitutional rights of Hong Kong residents in its Chapter 3. Its Article 39 enshrines the applicability of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in Hong Kong. Furthermore, the Hong Kong Bill of Rights Ordinance (HKBORO) incorporates most of the provisions of the ICCPR into domestic law. Thus, the Hong Kong Court can rely on the Basic Law, ICCPR and the HKBORO for human rights protection.

However, the Hong Kong government is not committed to human rights protection, not to mention human rights education. The most obvious example is “the denial of universal suffrage in Hong Kong for the election of the Chief Executive and all Legislative Council members”¹² despite the fact it is guaranteed by the Basic Law. Another example is that the government rejects the repeated calls by the UN for the establishment of a statutory human rights commission with a broad mandate in accordance with the Paris Principles.¹³

The Hong Kong government has put little effort into human rights education. Moreover, on 1 July 2003, more than 500,000 people peacefully protested against the National Security (Legislative Provisions) Bill for its chilling effect on human rights and undermining the “One Country, Two Systems” policy. Since then the Hong Kong government has been endeavoring to promote patriotic “national education” for social control,¹⁴ aimed at displacing human rights and civic education.¹⁵

As for formal education, human rights education is neither a part of education policy nor an independent subject at schools. It is incorporated in the school-based subject of Moral and Civic Education. But the focus of Moral and Civic Education has shifted to “national education” and the Basic Law Education, which concentrates on the positive side of “One Country,”

that is the dominance of the Chinese Central Authority in its relationship with the Hong Kong Special Administrative Region instead of the rule of law education.¹⁶ For instance, in a recent consultation regarding the *Updating the Personal, Social & Humanities Education Key Learning Area Curriculum (Primary 1 to Secondary 6) (Consultation Brief)*,¹⁷ the phrase “human rights” is absent while the term “Basic Law” appears 52 times, which is 50 times more than the previous Curriculum. Furthermore, there is no systematic human rights education for teacher education.

As for public education, the government disbanded the Human Rights Education Working Group after the restructuring of the Government Bureaux in 2007. Similarly the focus of civic education for the public is on national education.¹⁸

In 2009, Liberal Studies, which is one of the compulsory subjects for secondary school students, provides a platform for human rights education although it remains “action-poor.”¹⁹ However, a study shows that “there is a large gap between [Liberal Studies] teachers’ understanding of human rights and the international human rights standards.”²⁰ The study recommends that the government develops a “comprehensive human rights education” program “with sufficient resources” conforming to the UN human rights standards, “curriculum guidelines and teaching resources” “with the help of human rights education experts” as well as “systematic pre-service and in-service training in human rights education and the rule of law in teacher education.”²¹

In recent years, there have been youth-led social movements in Hong Kong, namely the Anti-brainwashing Moral and National Education Curriculum Movement in 2012²² and the Umbrella Movement in 2014.²³ In view of this, the pro-establishment politicians blamed the Liberal Studies curriculum for encouraging students’ participation in social movements.²⁴

AIHK’s Human Rights Education Work

AIHK endeavors to conduct human rights education in schools and for the public. It deploys various means ranging from talks, film screenings, outdoor education activities, publications and activist training.

a. School talks

AIHK launches Human Rights Education Programs for local primary schools, secondary schools and universities every year.²⁵ These consist of talks, film screenings and exhibitions of materials.

In 2015, thirty talks on human rights were provided to local schools. The number of school talks has increased steadily. The talks are usually held in a hall setting for over a hundred students. Sometimes the talks are held in small classes, which allow more opportunity for group discussions and interactive learning activities.

The most popular theme for school talks is “the Rule of Law and Human Rights” as it has been a hot issue in Hong Kong due to the Umbrella Movement and its inextricable link to Liberal Studies and Civic Education. “Introduction to Human Rights”, “Gender and Human Rights” and “Freedom of Expression” are also popular. “The Death Penalty” is particularly popular for Ethics and Religious Studies. Other themes include the “Rights of the Child” and “Refugees and asylum seekers.”

As mentioned previously, Liberal Studies provides a platform for human rights education. Civil society groups may take advantage of this chance to engage in school education by providing talks, learning activities and resource materials. To increase the teachers’ incentive for inviting AIHK for school talks, the content of the talks are devised to relate to the content of the school curriculum particularly the aforementioned Liberal Studies and Civic Education. It also tries to apply international human rights standards in the local context particularly taking local controversies and daily life as examples.

For primary pupils, various human rights concepts including respect and equality²⁶ are discussed through daily life examples, lectures, quiz games and animation. Primary pupils usually actively participate in the quiz games. They are highly attentive and interested in applying the concepts readily as they would question whether the procedure of giving them the chance to speak and get the gifts during the game is in line with “equality” and “fairness.”

For secondary students, various human rights concepts are discussed through issue-based lectures with updated news, scenario discussion and video display. Secondary students usually participate in the talks moderately by answering and asking questions. Case studies based on prominent court

cases have been adopted for students' discussion. The reasons the court cases are used are as follows: (1) Students can discuss in groups how to apply and balance conflicting human rights in a real situation; (2) In debriefing sessions, students learn about the court's reasoning and argument in balancing conflicting human rights in a specific situation while taking international human rights standards into account; (3) It is practical to learn from the court judgments as they are authoritative and legally binding, and they also provide objective legal knowledge based on rational discussion with reference to case laws from the common law jurisdictions; and (4) They are real stories that relate to people's lives and have social impact.

Teachers have shared common concerns about human rights talks. First, some teachers may doubt the neutrality of the talks. They would expect a presentation of balanced views and not one that take sides or comments with a clear stance in all issues. To respond to these worries, a more comprehensive picture is shown in an impartial manner by including different perspectives and encouraging multi-dimensional and critical thinking. But AIHK's arguments and stances adhering to international human rights standards are also presented and open for students' discussion. Different views on what is impartiality may arise. Some teachers may expect us to list points to support positions that may violate human rights, such as a detention camp for non-refoulement claimants.

Secondly, some teachers may worry that the emphasis on human rights implies sabotaging the importance of responsibility. The duty to respect the rights of others should be mentioned as it is stated in article 29 of the UDHR.

However, there are several limitations when AIHK provides the school talks. First, most of the talks are conducted in a hall setting for a hundred students in forty-five minutes and thus is largely limited to a lecture format. In this way, only the aim of "Education about human rights" is achieved, that is providing students with knowledge.

Secondly, the aim of "Education for human rights", namely empowering students to take action, is not achieved due to several constraints. The first limitation is that the talks are usually one-off events. The second limitation is that the domestic education law and regulation requires schools to ensure that the "dissemination of information or expression of opinion of a political nature" is unbiased.²⁷ *The Professional Code for the Education Profession of Hong Kong* also states that professional educators "shall as far as possible adopt an objective viewpoint in discussing controversial matters with

students.”²⁸ In this circumstance, schools may accuse action-rich human rights education as a one-sided position. For example campaigning for the abolition of the death penalty may not fulfil the requirement of impartiality. AIHK can encourage students’ critical thinking but it is not appropriate to advocate for participating in campaign action.

Thirdly, the engagement of non-governmental organizations in human rights education in schools may be affected by the political atmosphere in Hong Kong. A highly polarized or repressive political atmosphere may decrease the number of school talk invitations.

b. Film Screening

Sometimes pictures speak more than words. Hence, AIHK also conducts human rights education for schools and the public through the lens of documentary films.

AIHK has held the annual Human Rights Documentary Film Festival since 2011. Documentaries across the world are brought to Hong Kong. The Documentary Film Festival consists of paid film screenings at cinemas and free screenings in the community co-organized with civil society groups and students’ organizations.

There is a main theme for the Human Rights Documentary Film Festival each year. For instance, the theme for 2015 was human rights education.²⁹ The issues covered included the right to education, the right of the child to be heard, the death penalty, torture and gender issues including “comfort women” (forced sexual slavery by the Imperial Japanese Army during the World War II).

In addition to Chinese and English subtitles for most of the films, subtitles for the deaf and sign language translation were provided in some of the screenings and post-screening sharing sessions in 2014. The cinemas are accessible by wheel-chairs. This assistance aims to encourage participation in public and cultural life by persons with different needs.

In addition to the film screening, film notes with basic information on specific human rights issues were distributed. There were also post-screening sharings by directors or activists in order to further discuss and clarify the ideas expressed in the films.

In 2015, ten paid screenings at cinemas were launched attended by a thousand people while five post-screening sharing sessions were held. At least five community screenings were held jointly with youth, university students’ organizations and women’s groups.

After the Documentary Film Festival, some of the documentaries were available for in-school screenings for primary and secondary schools and universities. In 2015, there were nine film screenings in schools.

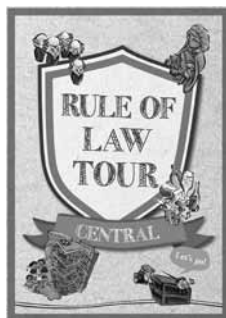
The documentary list includes kids' movie series and gender series. Each documentary lasts from twenty minutes to sixty minutes. The shorter the documentary, the higher chance the teachers would choose it for screening as it fits with the duration of class and assembly. The issues covered are school bullying, equality and non-discrimination, forced eviction, the right of the child to be heard, poverty, child refugees, the death penalty and women's rights. Film notes were provided. Post-screening sharing sessions were arranged upon request.

There are numerous good points for using documentary films as lens on human rights education. First, they are an interesting way to help arouse public and students' interest in learning about human rights. Secondly, documentaries encourage dialogue among speakers and audiences on particular human rights issues during post-screening talks. Thirdly, they facilitate reaching out to local communities and encourage cooperation with local civil society groups in human rights education. Fourthly, they bring in human rights issues from different societies to Hong Kong which hence links global to local.

However, there are challenges ahead. First, the difficulty in finding suitable documentaries increases due to limited sources of documentaries and budgets. Secondly, the available budget limits the scale and number of the paid screenings.

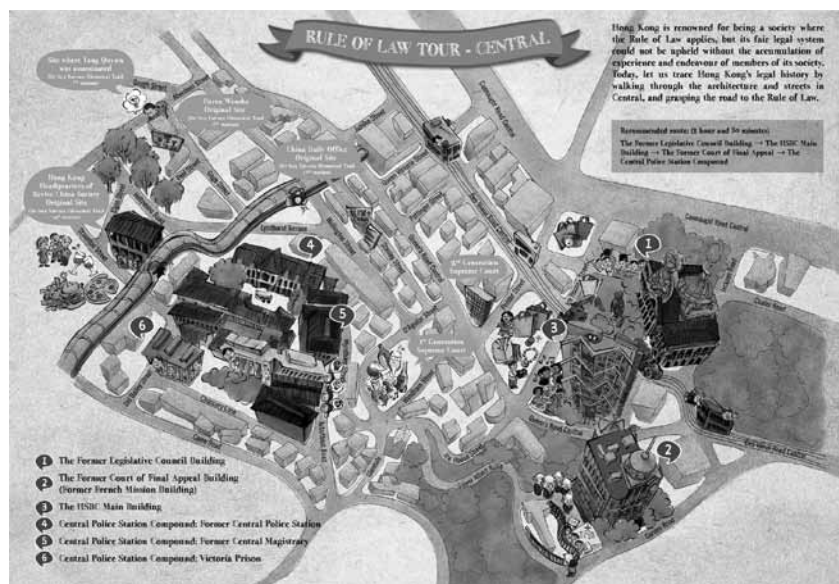
c. Rule of Law Walking Tour

Education is not limited to the classroom. Experiential learning in the local community is also an interesting way to learn. Moreover, the rule of



law is the bedrock of human rights protection. Due to the strong promotion of the biased Basic Law Education and the increasing popularity of walking tours in recent years, the Rule of Law Walking Tours were developed and have been launched for schools and the public since the first quarter of 2016.³⁰

The tours take place in the central part of Hong Kong (called Central) visiting historical and colonial style buildings of former courts, a prison and a police station. The aim of the tours is to share the stories



Rule of Law Walking Tour map.

of the legal history of Hong Kong and to give an account of the development of the rule of law in Hong Kong. Each tour accommodates up to fifteen participants.

A bilingual map of the Rule of Law Walking Tour was produced and put online together with a detailed tour guide (www.amnesty.org.hk/).

School tours are designated for secondary students and teachers as outdoor activities for civic education. In spring 2016, there were six school tours. Two sets of activity worksheets were designed in consultation with secondary school and university teachers. Teachers and students gave us positive feedback.

There were four public tours in spring 2016. The tours were popular and most of them had filled all available slots for participants. The tours provided an opportunity to attract new faces and thus broadened the audience's scope of AIHK's human rights education work.

There were several constraints for tours in spring 2016. Firstly, the tours were all conducted in Cantonese. Secondly, there was no follow-up activity for deepening the discussion.

The tours will be resumed in autumn 2016. AIHK hopes to increase the number of tours and conduct an English tour. Moreover, to enhance the

learning outcome of the school tours, they may be packaged with a debriefing school talk on the “Rule of Law and Human Rights” as well as providing a leaflet on the rule of law in Hong Kong as reference material. The possibility of another walking tour route will also be studied.

Human Rights Friendly Schools Project

As for “Education through human rights,” Amnesty International launched the global Human Rights Friendly School Project in 2009. A detailed guidebook, entitled *Becoming Human Rights Friendly School – A Guide for Schools Around the World*, with overseas examples is published online (www.amnesty.org/en/documents/pol32/001/2012/en/).

Amnesty International developed the Human Rights Friendly Schools project within the context of the United Nations World Programme for Human Rights Education. As explained in the guidebook:³¹

The first phase of the World Programme for Human Rights Education (2005-2009) emphasized integration of human rights education in primary and secondary schools across the world. It advocated a holistic approach to human rights education, encouraging national governments to not only support schools to teach about human rights, but also to ensure that the way schools were run was consistent with human rights values and principles.

<p>13 If there is a complaint of harassment or discrimination in my school, there are policies and procedures in place to deal with it (UDHR, Articles 3, 6 and 7).</p> <p>1 2 3 4 5</p>	<p>19 In my school I take responsibility to ensure other people do not discriminate and that they behave in ways that protect the safety and well-being of the whole school community (UDHR, Articles 1 and 29).</p> <p>1 2 3 4 5</p>
<p>14 Members of my school can produce and circulate newsletters and other publications without fear of censorship or punishment (UDHR, Articles 19 and 27).</p> <p>1 2 3 4 5</p>	<p>20 In my school I am confident that no-one can take away my rights (UDHR, Article 30).</p> <p>1 2 3 4 5</p>
<p>15 Everyone in my school encourages each other to learn about global problems related to justice, the environment, poverty and peace (UDHR, Preamble and Articles 26 and 29).</p> <p>1 2 3 4 5</p>	<p>Human Rights Temperature total =</p>
<p>16 In my school we have opportunities to hear, read and learn about the lives, attitudes and ideas of other people; diverse voices are represented in our curriculum, our textbooks, our library and our public spaces (UDHR, Articles 2, 19 and 27).</p> <p>1 2 3 4 5</p>	<p>Reference</p> <p>The questionnaire is adapted from D. Shiman & K. Rudelius-Palmer, <i>Economic and Social Justice: A Human Rights Perspective</i> (Minneapolis: Human Rights Resource Center, University of Minnesota, 1999).</p> <p>Amnesty International, <i>Becoming a Human Rights Friendly School: A Guide for Schools Around the World</i> 2012.</p>
<p>17 People who work in my school are paid well enough to have an adequate standard of living for themselves and their families and receive standard days off and holiday pay (UDHR, Articles 4, 22, 24 and 25).</p> <p>1 2 3 4 5</p>	<p>18 In my school the personal space and possessions of every person are respected (UDHR, Articles 12 and 17).</p> <p>1 2 3 4 5</p>

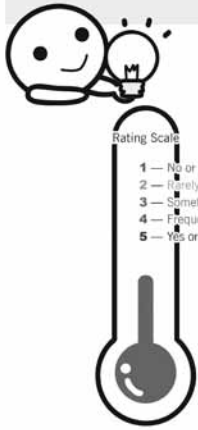
www.amnesty.org.hk
www.facebook.com/AmnestyHK
 December 2015

Designed by Seven



Is your school human rights friendly?

Please read the following questions carefully. Take some time to consider each statement before choosing a number on the rating scale that, in your opinion, best describes your school. When you are finished add up your scores and insert a total number at the end – this is your Human Rights Temperature.



Rating Scale

1 — No or Never
2 — Rarely
3 — Sometimes
4 — Frequently
5 — Yes or Always

1 My school is a place where students are safe and secure (Universal Declaration of Human Rights (UDHR), Articles 3 and 5).
1 2 3 4 5

2 No one in my school is discriminated against for any reason, for example because of their religion, the way they dress, their religion, who their friends are, the colour of their skin, their caste or class, or what they do when they are not in school (UDHR, Articles 1, 2 and 16).
1 2 3 4 5

3 My school provides equal access, resources and activities for everyone (UDHR, Articles 2 and 7).
1 2 3 4 5

4 Everyone in my school community is provided with equal information and encouragement about academic, extra-curricular and career opportunities (UDHR, Article 2).
1 2 3 4 5

5 I have the freedom to express my beliefs and ideas (cultural, political, religious or other beliefs) without fear of being discriminated against, teased or mocked (UDHR, Articles 18 and 19).
1 2 3 4 5

6 My school community welcomes students, their families, teachers and other staff from diverse backgrounds and cultures. (UDHR, Articles 2, 6, 13, 14 and 15).
1 2 3 4 5

7 My school is democratic. Everyone in my school (students, teachers, support staff and parents) has an opportunity to participate in making decisions about things that affect them, such as rules and school policies (UDHR, Articles 20, 21 and 23).
1 2 3 4 5

8 When someone misbehaves, or an incident happens in my school, everyone involved is treated fairly and in the same way by the teachers and school leaders in finding out what happened and deciding what punishment is given (UDHR, Articles 6, 7, 8, 9 and 10).
1 2 3 4 5

9 When someone in my school does something that negatively affects the rights of another person, they are helped to learn how to change their behaviour (UDHR, Article 26).
1 2 3 4 5

10 When conflicts (disagreements or fights) happen in my school, we try to resolve them through non-violent and collaborative ways (UDHR, Articles 3, 5 and 28).
1 2 3 4 5

11 When someone is accused of doing something wrong in my school, they are presumed innocent until proven guilty (UDHR, Article 11).
1 2 3 4 5

12 No one in my school is treated or punished in a way that is degrading or cruel, or makes him or her feel less than human (UDHR, Articles 4 and 5).
1 2 3 4 5

AIHK translated the guidebook into Chinese language and put it online (www.amnesty.org.hk/). In addition, two bilingual leaflets were produced and made available both online and offline, namely “Human Rights Friendly Schools Scheme and Human Rights Education” and “Taking the human rights temperature of your schools.” The leaflets aim to promote to local educators basic knowledge of human rights education and the human rights friendly school environment.

Educational Materials

Human Rights, AIHK’s bilingual and quarterly magazine,³² serves as a medium for human rights education. It endeavors to be a human rights tool-book for students, teachers, activists, members and the public.

Each magazine issue features a specific human rights issue. It brings in human rights perspective and bridges international human rights standards in both regional and local contexts by providing an overview of international standards, regional and local case studies, and interviews with prominent academics, experts and social activists.

Three thousand to three thousand five hundred copies are printed per issue of the magazine. They are distributed at bookshops, cafes, and uni-

世界人權宣言
THE UNIVERSAL DECLARATION
OF HUMAN RIGHTS (1948)

這是我們的權利 THESE RIGHTS ARE OUR RIGHTS



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插圖及設計：陳美儀
Illustration and design: Chan Maykey
www.chanmaykey.com

versities and are available online (issuu.com/aihk). Teachers receive copies through AIHK's free subscription scheme for primary and secondary schools. It is popular as it is often out of stock at several distribution points and this attracts new distribution points. Positive feedback has been received from secondary school and university teachers and social activists.

In 2015, four issues were published with the following themes: "Policing on Protests and Peaceful Assemblies" for the spring issue; "The Basic Law Article 23 and National Security" for summer; "Torture and the UNCAT" for autumn and "The Right of the Child to be Heard" for the winter issue.

There were follow-up sharing sessions held in connection with the magazine in order to facilitate public discussion on the topics covered. In 2015, three community talks were held with around thirty participants each.

In order to make the magazine a popular human rights tool-book, several strategies have been adopted. Firstly, the design of the magazine is eye-catching, stylish, trendy and strongly related to the theme. This helps in attracting public attention and a wider distribution. Secondly, the magazine attempts to respond to local hot issues and local controversies. Thirdly, inclusion of interviews with prominent academics and experts in relevant fields has added significant value to the magazine and facilitated its perception as a "human rights tool-book." Fourthly, the magazine tries to bring in regional perspective as well as AI's global movement to the local context. However, teaching elements have yet to be increased in order to meet the needs of educators.

Leaflets, booklets or stickers were produced for human rights education for schools and the public. Topics include the rights of the child, freedom from torture, migrant domestic workers and the UDHR. These aim at promoting human rights knowledge in layperson's language as well as being complementary to talks and learning activities. Furthermore, bilingual leaflets can facilitate student learning both in Chinese and in English, which is a common concern raised by teachers for integration of human rights into language education.

Training for Activists

AIHK addresses "Education for human rights" by carrying out activist trainings. This is not just learning about human rights knowledge; participants learn about campaign skills and carry out actions after the trainings. As

most of the activities are intensive, the participants' human rights learning journey can be followed up by corresponding staff members.

Since 2015, various human rights trainings have been organized for different age groups. For instance, the Youth Human Rights Journalists Program targeted secondary school students. Approximately fifty students were admitted in 2015 and learned about human rights knowledge and professional skills in news writing. The participants had to submit four news reports during the program and one news report as graduation coursework.³³

For university students, the University AI Club Program was launched and approximately seventy students were admitted in 2015. Four workshops on human rights and campaign skills were provided and the members were required to carry out human rights campaigns on campus. Some of the members set up an AI Club in their universities after joining the program.

AIHK has also launched an internship program for university students. Once admitted as an intern, he/she would work for a campaign, education or fundraising. Work includes research, translation, data entry, organizing talks or activities, preparation for street stations or protests.

Moreover, the AIHK Speakers' Team Training in 2015 admitted nine young adults. The participants attended seven training sessions comprising talks, city tours and teaching practice. Those passing the teaching exam were eligible to be Speakers' Team members and proceeded to a ten-month practicum. The team members were invited to speak with AIHK staff for school talks.

There are also thematic concern groups under AIHK. The most established group is the Abolish the Death Penalty Group.³⁴ Young adults join the group as volunteers. They hold book clubs, film screenings or discussion meetings once a month. They are also responsible for street events on the international day for protesting against the death penalty.

Limitations and the Way Forward

As discussed above, AIHK's human rights education work consists of thematic school talks, film screenings for both schools and community, the Rule of Law walking tours, promotion of the Human Rights Friendly School, publications as well as activist trainings.

There are some limits on human rights education work as a whole. Firstly, most of the education activities are "action-poor" due to legal restrictions, school culture, the nature of the activity and resource restraints.

For instance, school talks, walking tours and film screenings are one-offs and could only provide human rights knowledge and sometimes a friendly learning environment, thus these activities can only fulfil “Education about human rights” and “Education through human rights.” “Education for human rights” could only be achieved by activist trainings. Secondly, there is insufficient impartial and qualitative assessment of the impact of AIHK’s human rights education work in schools and in the local community. Thirdly, the opportunity for human rights education can be affected by the political atmosphere in Hong Kong.

In the future, the current education program, activities and events will be improved based on reflection, evaluation and consultation with stakeholders. As well, local human rights development, particularly a deterioration of human rights due to the Chinese Authority’s meddling in Hong Kong affairs and tightening control by the Hong Kong government, shall also be taken into account while formulating education strategies and programs.

Endnotes

1 Paragraph 79, *The Vienna Declaration and Programme of Action*, adopted by the World Conference on Human Rights on 25 June 1993. Full text available at www.ohchr.org/EN/ProfessionalInterest/Pages/Vienna.aspx.

2 *The United Nations Declaration on Human Rights Education and Training*, United Nations General Assembly, Resolution 66/137. A/RES/66/137, 19 December 2011.

3 Article 2(1), *ibid*.

4 Article 2(1), *ibid*.

5 Article 2(2), *ibid*.

6 United Nations Office of the United Nations High Commissioner for Human Rights and UNESCO, *Plan of Action for the First Phase of the World Programme for Human Rights Education*, 2006, page 6.

7 United Nations Committee on the Rights of the Child (CRC), *General comment No. 1* (2001), Article 29 (1): The aims of education. 17 April 2001. CRC/GC/2001/1, paragraphs 18 and 19.

8 *Ibid*. Para 15.

9 *Ibid*. Para 19.

10 *Ibid*. Para 23.

11 ICCPR, ICESCR, International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Rights of the Child (CRC), The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Convention on the Rights of Persons with Disabilities (CRPD).

12 Yiu Kwong Chong, Hiu Chung Kwok, and Yuk Kai Law, "Addressing human rights education deficits in the changing political order in Hong Kong," in *The state of human rights education in Northeast Asian school systems: Obstacles, challenges, opportunities* (Osaka: Asia Pacific Human Rights Information Center, 2010), pages 6–31.

13 Human rights protection is scattered among various human rights watchdogs with limited mandate in Hong Kong. For instance, the Equal Opportunities Commission oversees four anti-discrimination laws in Hong Kong. The UN Treaty bodies have called for the establishment of a human rights commission to oversee HKBORO and international human rights treaties applicable in Hong Kong. See UN Human Rights Committee, *Concluding observations on the third periodic report of Hong Kong, China*, adopted by the Committee at its 107th session (11–28 March 2013), 29 April 2013, paragraph 7; Yiu Kwong Chong and Debbie Tsui, Hong Kong Human Rights Monitor, "Hong Kong: An Overview of human rights situations under the new era of ruling," in 2012 *ANNI Report on the Performance and Establishment of National Human Rights Institutions in Asia* (Bangkok: Asian Forum for Human Rights and Development (FORUM-ASIA). 2012).

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15 Yiu Kwong Chong and Debbie Tsui, op cit.

16 Supra note 12.

17 Curriculum Development Council. Updating the Personal, Social & Humanities Education Key Learning Area Curriculum (Primary 1 to Secondary 6) (Consultation Brief). November 2015.

18 Supra note 12.

19 Yan Wing Leung & Yan Lam Lo, "Are Liberal Studies teachers ready to prepare human rights respecting students? A portrait of teachers' attitudes towards human rights." *Intercultural Education*, 23:4, 341–358, 2012. DOI: 10.1080/14675986.2012.716725. 11 Oct 2012.

20 Ibid.

21 Ibid.

22 Supra note 13.

23 The Umbrella Movement was a pro-democracy movement for genuine universal suffrage in 2014. It was a large scale sit-in protest and lasted for seventy-nine days.

24 *The South China Morning Post*. "Move to change liberal studies discussion points," 25 November 2014.

25 The program information is available on AIHK's website at www.amnesty.org.hk/.

26 United Nations, "Familiarization of children with human rights concept," *ABC Human Rights Practical Activities for Primary and Secondary Schools*, 2004.

27 s84 (1)(m), Education Ordinance (Cap 279). Regulation 98 (2), Education Regulations (Cap 279A).

28 *Code for the Education Profession of Hong Kong* (Extracted Edition). Extracted by the Council on Professional Conduct in Education, October 1995, 2.2, 13.

29 Further information at www.amnesty.org.hk/web/hrfilm/.

30 The materials of the Rule of Law Walking Tours are available online at www.amnesty.org.hk/.

31 See Amnesty International, *Becoming Human Rights Friendly School – A Guide for Schools Around the World* (London, 2012), page 2.

32 *Human Rights Magazine* is available online at <https://issuu.com/aihk>.

33 The work of youth human rights journalists are available at <http://hrj.amnesty.org.hk/>

34 The Abolish the Death Penalty Group's Facebook is available at www.facebook.com/AbolishDeathPenaltyHK/.

Journalists' Professional Organizations and Human Rights Education in North Sumatra*

Majda El Muhtaj

THE 64TH NATIONAL PRESS DAY (*Hari Pers Nasional* or HPN) on 9 February 2010 in Palembang, South Sumatra, was significant for a couple of reasons. First, the event showed new enthusiasm and awareness on the implementation of the national press policies in strengthening the quality of journalistic work. This is seen in the signing of the *Palembang Declaration* by press companies during the 2010 HPN. The Declaration covers the following major components:

- Standard of Competency of Journalists;
- Standard of Organization of Press Companies;
- Standard of Press Profession Protection;
- Standard Code of Ethics of Journalists; and
- Standard of Journalists' Organization.

Nineteen press companies signed the *Palembang Declaration* during the 2010 HPN.

Second, the School of Journalism Indonesia (SJI) has been established and a first batch of thirty participants have been trained. A new era for the emergence of academic institutions in journalism that focus on Indonesian journalistic professionalism has started.¹

Within this setting, press freedom in Indonesia reaps many expectations as well as challenges after being promoted for nearly two decades since the Reform Era. Can the national press as the “fourth estate” contribute to increased the media literacy of the Indonesian people? Moreover, how can the national press be encouraged and strengthened to genuinely play a significant role in creating a conducive environment for the respect, protection and fulfillment of human rights in Indonesia? That is the challenge and hope for the Indonesian press.

The national press stands strong and equipped in supporting the constitutional rights of expression, and of receiving and imparting information. Using a human rights-based approach to journalism, the national press has

the strategic role of raising the quality of Indonesian democracy, one which prospers its people and respects human rights.

Freedom of the press is one manifestation of people's sovereignty based on the principles of democracy, justice, and rule of law, as set out in Article 2 of Law No. 40 of 1999 on the Press (hereinafter the Press Law).³ Freedom of the press requires the presence of news, both for the press and the public. This is due to the fact that access to information is key to uphold democracy and human rights values and standards.

The press in Indonesia developed in a very significant manner. According to the Press Council (*Dewan Pers*) there are four types of media: print, television, radio and cyber. As of 2014, there were 567 print media companies, 1,166 radio stations, 394 television stations, and 211 cyber media groups.³

The current statistics for print media record 312 daily newspapers, 173 weekly newspapers and 82 monthly magazines. Since 2013 the total number of print media has increased by 158 publications (with its total in 2013 being 412 publications). An increase in daily newspapers has also been evident with the total rising from 215 to 312 presently.

There has also been an increase in the number of press companies, notably in broadcast, radio, television, as well as cyber media. In 2013, based on data from the Ministry of Communications and Information, the Press Council reported that there were 991 radio stations and 340 television stations. While in 2014, the number increased to 1,166 radio stations and 394 television stations. The number of previously existing cyber media was 134 which now reached 211. It is worth noting that the data collection on cyber media has been done by the Press Council for the last two years.⁴

Journalists and Human Rights

Along with the recent development of the profession of journalism and the attitude toward the international community, the strengthening, promotion, and protection of human rights of journalists has become an important part in the development of human rights around the world. The State and all elements of society should respect and protect the commendable work of journalists.

Indeed, the world should be proud of the Indonesian press. Since 1999 up to present, there has been a significant advancement for the press.

Reporters Without Borders stated that according to its data, no Indonesian journalists were arrested, imprisoned or killed in 2008.⁵

Even so, this does not imply that the journalists do not face challenges in Indonesia. The Alliance of Independent Journalists/*Aliansi Journalis Independen* (AJI) reported that journalists in Indonesia are facing increasing acts of violence.⁶ Based on data from AJI, attacks against journalists have included beatings, intimidation and the destruction of journalists' equipment. Even though the 1999 Press Law stated that journalists should be protected, according to Suwarjono, AJI chairperson, the culture of impunity within the police force was the reason for the spike. The violence against journalists increased to 46 in 2015 from 40 and 39 in 2014 and 2013 respectively. AJI reported that violence against the press decreased in 2013, with the total number of incidents falling to 40, from 51 in 2012. During the celebrations of World Press Freedom Day 2015, AJI strongly stated that Indonesian Police are the real enemy for freedom of the press in Indonesia.⁷ Beside it, some regulations threatened freedom of the press or freedom of expression.⁸

Historically, press freedom in Indonesia had been the exception rather than the rule according to Herlambang A. Wiratraman, head of Indonesia Human Rights Lecturers Association (SEPAHAM). The current situation of press freedom in Indonesia is therefore even more telling. But even when Indonesia's democracy seems to have become relatively stable, press freedom is constantly under threat.⁹

Ironically, while Indonesia has undergone nearly two decades of Reform Era, the state of press freedom in the country continues to decline according to the World Press Freedom Index. The *Reporters Sans Frontieres* (RSF) or *Reporters Without Borders*¹⁰ provides information on the state of the national press freedom during the 2002-2015 period in the following table:¹¹

Ranking since 2002, Reporters Sans Frontieres

Year	Ranking		Year	Ranking	
2015	136 / 179	↓	2007	100 / 163	↑
2014	132 / 179	↑	2006	103 / 160	↓
2013	139 / 177	=	2005	102 / 160	↑
2012	139 / 177	↓	2004	117 / 157	↓
2010	117 / 172	↓	2003	110 / 158	↓
2009	100 / 169	↑	2002	57 / 134	=
2008	111 / 167	↓			

The Freedom House, an independent monitoring organization, committed to the expansion of freedom and democracy in the world, ranked Indonesia's press freedom as follows:¹²

Year	Global Ranking	Rating	Status
2002	8 (in Asia)	53/187	Partly Free (PF)
2003	24 (in Asia Pacific)	56/193	PF
2004	117	55/193	PF
2005	119	58/194	PF
2006	121	58/194	PF
2007	114	54/195	PF
2008	114	54/195	PF
2009	113	54/195	PF
2010	107	52/196	PF
2011	108	53/196	PF
2012	87	49/197	PF
2013	96	49/196	PF

2014	98	49/197	PF
2015	97	49/199	PF
2016	96	49/199	PF

Sabam Leo Batubara, Vice-Chairperson of the Press Council 2007-2010, stated, *“Jika penegak hukum masih melakukan pembiaran tindak kekerasan terhadap wartawan dan pers, dan memberi perlindungan terhadap pejabat yang diberitakan pers sebagai bermasalah, fungsi control sosial pers menjadi tidak efektif. Rakyat akan terus menjadi korban penyalahgunaan kekuasaan oleh penyelenggara negara.”*¹³ (If the law enforcement agencies are still providing impunity for the acts of violence against journalists and the press, while protection of the state officials is being reported, the social control function of the press will become ineffective. The people will be victims from abuse of power by the state officials).

Journalists fall under the category of human rights defenders when they perform their professional tasks to the best of their ability and strive to promote and protect human rights. Human rights defenders do concrete and commendable activities. They are constantly striving to raise awareness for the promotion and protection of human rights.

Freedom of the Press in Indonesia

Article 1 point 1 of the Press Law gives the sense of the press as:

Lembaga sosial dan wahana komunikasi massa yang melaksanakan kegiatan jurnalistik meliputi mencari, memperoleh, memiliki, menyimpan, mengolah, dan menyampaikan informasi baik dalam bentuk tulisan, suara, gambar, suara dan gambar, serta data dan grafik maupun dalam bentuk lainnya dengan menggunakan media cetak, media elektronik, dan segala jenis saluran yang tersedia. (A social institution and a means for mass communication which conduct journalistic activities including the seeking, obtaining, possessing, storing, processing and conveying information in the form of text, sound, images, sounds and images, data and graphs as well as in other forms using print media, electronic media, and all available channels).

Freedom of the press, although a crucial part of democratic empowerment, should be understood as a means not an end. Freedom of the press is not absolute;¹⁴ it is a basic strength that the press could use to the maximum to achieve national goals. And yet that same freedom is often reduced to a dogma and justification to serve media business interests.¹⁵

In the history of Indonesia, the press had provided vital support to the movement for Indonesian independence. Indonesian freedom fighters realized the strategic role of the press in strengthening Indonesia's independence struggle. But it had likewise been used as a tool in the struggle for certain business and political interests. The episodes of Indonesian history described the ebb and flow of press freedom in Indonesia.¹⁶

Early Era of Independence (1945)

Djamaluddin Adinegoro (1904-1967), the leader of *Pewartu Deli* in Medan in a (1932) editorial stated the following:

Pers di waktu ini tidak banyak kemerdekaannya dan orang yang menulis pasal staatkundige vraagstukken itu adalah ibarat orang yang menyeberang sungai, melalui titian selisih papan. Ia harus sangat hati-hati sekali melangkah agar supaya ia jangan jatuh masuk sungai. (The press at this time lacks independence and any person who writes about staatkundige vraagstukken [political issues] is like a man who crosses the river through a makeshift bridge. He must be very careful in placing his steps to avoid falling into the river.)¹⁷

The fight for independence was not limited to direct confrontation with the colonialists but also involved overt and covert struggle through the media. The national press was certainly at political odds with the Dutch as well as Japanese colonialists. During this era, historical facts demonstrate that the heroes of Indonesia utilized the press as a medium in the struggle for Indonesian independence.

“Orde Lama” (Old Order) (1945-1966)

The government established under an independent Indonesia, and headed by Sukarno as its President (18 August 1945 -12 March 1967), began a new episode of governance in Indonesia. The revolutionary spirit of the independence movement was still very much part of the Soekarno

Administration. In the early days of independent Indonesia, however, the governance had to struggle with the turmoil and dynamics of consolidating the government.

David T. Hill described the growth of newspapers from the beginning of independent Indonesia until the 1950s like mushrooms in the rainy season. Media thrived and became an important part in channeling information on the views of political parties. When the Dutch colonial government recognized the independence of Indonesia in 1949, about 75 press publications were being published. Meanwhile, with a population of 85.5 million during Indonesia's first post-colonial elections in 1955, the number of publications increased six-fold to 457 with total circulation in eight-fold to 3,457,910.¹⁸

Freedom of the press in this era experienced significant changes since the issuance of Presidential Decree of 5 July 1959. This decree started the limitation of freedom of the press in Indonesia under the framework of quasi-democratic practices based on the Pancasila, otherwise known as the "guided democracy" of Sukarno.

Consecutive regulations were passed under the pretext of "guidance" of the press in Indonesia, namely Presidential Regulation No. 6 of 1963 on the Guidance of the Press¹⁹ and Provisional People's Consultative Assembly (MPRS) Decree No. XXXII/MPRS/1966 on Pers (Press) Guidance enacted on 5 July 1966. The function of the press, which led the mass mobilization that supported the Indonesian revolution, was distorted and limited.

In December 1966, the President issued Law 11 of 1966 on Basic Provisions on the Press.²⁰ This law provided for the establishment of a Press Council that would be headed by the Minister of Information (Article 7 paragraph [1]). This law provided for the government's guide over the press.

"Orde Baru" (New Order) (1966-1998)

The Sukarno administration was replaced by that established by General Soeharto through the Order of 11 March 1966 (*Surat Perintah Sebelas Maret*). As the Second President of the Republic of Indonesia, Suharto (1921-2008) was successfully elected in seven elections, and proved no better than Sukarno, particularly in creating an adverse climate for press freedom in Indonesia. The term "New Order" was a political attempt to separate the period of Suharto administration from the Sukarno administration which upheld the implementation of Pancasila Democracy.

The Ministry of Information became an important agent of the government in restricting freedom of the press. National development, unity and political stability were the main jargons that had been put forward and the press was obliged to support them. Free and "responsible" press (*pers yang bebas dan bertanggung jawab*) became an important concept in the spectrum of press freedom in the New Order Era. Such policy was obvious through the issuance of Law No. 4 of 1967 on the Amendment of Law No. 11 Year 1966 on Basic Provisions on the Press.²¹

Suharto's press policy is easily understood through the Guidelines of State Policy set every five years since 1973. The People's Consultative Assembly (MPR) Decree No. IV/MPR/1973 on the Guidelines of State Policy (*Garis-garis Besar Haluan Negara*) stated the following:²²

Pembinaan pers yang sehat yaitu pers yang bebas dan bertanggung jawab yang memungkinkan Pers disatu pihak memberikan penerangan kepada masyarakat seluas mungkin dan seobyektif mungkin, dilain pihak merupakan saluran pendapat Rakyat yang konstruktif. (Fostering healthy press refers to press that is free and responsible, which on one hand enables providing information to the public as widely as possible and as objectively as possible, and on the other hand is the channel of people's constructive opinions).

The role of the press became increasingly assertive and detailed as agent of national development as outlined in the People's Consultative Assembly Decree No. IV/MPR/1987 on the Guidelines of State Policy, which reads as follows:²³

Dalam rangka meningkatkan peranan pers dalam pembangunan perlu ditingkatkan usaha pengembangan pers yang sehat, pers yang bebas dan bertanggung jawab, yaitu pers yang dapat menjalankan fungsinya sebagai penyebar informasi yang obyektif melakukan kontrol sosial yang konstruktif, menyalurkan aspirasi rakyat dan meluaskan komunikasi dan partisipasi masyarakat. Dalam hal ini maka perlu dikembangkan interaksi positif antara pers, pemerintah dan masyarakat. (In order to increase the role of the press in development, there needs to be improved effort to develop free and responsible press, namely the press to perform its function as a disseminator of objective information that conducts constructive social control, a chan-

nel of people's aspirations and expansion of communication and community participation. It is necessary to develop a positive interaction between the press, the government and society).

An important recommendation is the policy on information and the press under letter f of the Decree which states:

Untuk menjamin pertumbuhan pers yang sehat, pers yang bebas dan bertanggung jawab maka Undang-undang tentang Ketentuan-ketentuan Pokok Pers perlu ditinjau kembali. Sejalan dengan hal itu maka perlu dipersiapkan perangkat peraturan di bidang pers yang dapat lebih menjamin pertumbuhan pers yang sehat dalam rangka pelaksanaan Demokrasi Pancasila. (To ensure the healthy growth of free and responsible press, the Law on Basic Provisions of Press needs to be revisited. Along with it, sets of rules have to be prepared in the field of the press that can better ensure the healthy growth of the press in order to implement the Pancasila Democracy).

Then, Law No. 21 on the Amendment of the Law No. 11 Year 1966 on Basic Provisions on the Press as Amended by Law No. 4, 1967 was enacted in 1982.²⁴ Article 13 of the amended law requires the issuance of press publishing license/*Surat Izin Usaha Penerbitan Pers* (SIUPP):

Setiap penerbitan pers yang diselenggarakan oleh perusahaan pers memerlukan Surat Izin Usaha Penerbitan Pers selanjutnya disingkat SIUPP yang dikeluarkan oleh Pemerintah. Ketentuan-ketentuan tentang SIUPP akan diatur oleh Pemerintah setelah mendengar pertimbangan Dewan Pers. (Each press publication conducted by the press company requires a Press Publishing license, hereinafter abbreviated as SIUPP, issued by the Government. The provisions of this license shall be governed by the Government after consultation with the Press Council).

The implementation of Law 21 created a nightmare for the Indonesian press. The Ministry of Information was authorized to revoke press license under the pretext that the press company was acting contrary to the democratic values of Pancasila. The opposition to this unilateral policy eventually "snowballed" resulting in huge protests by the journalists and the public when *Tempo*, *Detik* and *Editor* magazines were banned in June 1994. Atmakusumah Astraatmadja, the winner of the 2000 Ramon Magsaysay Award for Journalism, Literature and Creative Communication Arts, called

it “The Longest Anti-banning Demonstration in the History of the Press” (*Demonstrasi Anti-bredel Terpanjang dalam Sejarah Pers*).²⁵

Demonstrations and extensive criticism from within and outside the country and from various circles of society became the crucial beginning of the major changes in the history of Indonesia. The members of the national press established a new press organization in 1994 called *Aliansi Jurnalis Independen* (Alliance of Independent Journalists) or AJI.²⁶ This organization was established by journalists, activists, columnists and intellectuals on 7 August 1994 in Sirnagalih, Bogor, West Java. The Sirnagalih Declaration, with 58 signatories, is a milestone and symbolizes the new era for the independence of the press in Indonesia. AJI instituted two programs, among several, one short-term regarding increasing the quality of Indonesian journalism through regular book publication, training, seminar, and independent magazine publication; and for the longer-term, the campaign for the abolition of SIUPP. From four cities in 1994 with dozens of members founding AJI, it has established chapters in 36 cities from Aceh to Papua with almost 2,000 members by 2014.²⁷ AJI has firmly and boldly voiced opposition to any policy banning the work of the press and any limitation on freedom of the press in Indonesia. As clearly stated in Article 9 of AJI Statute, AJI works for the realization of free, professional and prosperous press and upholds democratic values (*terwujudnya pers bebas, profesional, dan sejahtera, yang menjunjung tinggi nilai-nilai demokrasi*).

“Era Reformasi” (Reform Era) (1999-present)

The Reform Era was marked by demands for fundamental change in Indonesia. With the limitation on freedom of the press by the Suharto administration, the press became an important modality for the fall of Suharto in May 1998. The “Reform” idea mandated the amendment of Indonesia’s Constitution, the respect for and protection of human rights, the resolution of human rights violations cases, combating corruption and upholding the freedom of the press.

At the start of the Reform Era, the government of President B.J. Habibie (21 May 1998–20 October 1999) laid the foundation for the new Indonesian government. The first election in the Reform Era was held on 7 June 1999. Related to freedom of the press, under the support of B.J. Habibie, the parliament passed Law No. 39 of 1999 on Human Rights²⁸ and Law No. 40 of 1999 on the Press.²⁹ Both laws marked a new phase in the press freedom in

Indonesia. A news organization that was initially under the auspices of the Indonesian Journalists Association (PWI) changed drastically with the presence of dozens of news organizations, among which the most important was AJI.

In general, the development of press freedom in the Reform Era brought great changes. The provision of Article 7 of the Press Law confirms that journalists are free to choose the organization of journalists they want to join (*wartawan bebas memilih organisasi wartawan*). On this basis, the Minister of Information, Yunus Yosfiah, revoked the Decree of the Minister of Information No. 47 of 1975 which established the PWI as the only organization for journalists in Indonesia with government recognition.

In fact, no less important was the position of the Press Council, as stated in the provisions of Article 15, which became an independent institution. Likewise with SIUPP, Information Minister Regulation No. 01/Per/Menpen/1998 repealed the Regulation of the Minister of Information No. 01/Per/Menpen/1984 on the Provisions of the Press Publishing License (SIUPP) and the Decree of the Minister of Information No. 214A/Kep/Menpen/1984 on Procedures and Requirements for Obtaining SIUPP.

Another major change was the policy of President Abdurrahman Wahid (20 October 1999-23 July 2001). Abdurrahman Wahid, known as Gus Dur (1940-2009) took office as President after the 1999 elections. President Gus Dur dissolved the Ministry of Information through Presidential Decree No. 136 of 1999 on the Status, Tasks, Functions, Organizational Structure and Work Procedure of the Department.³⁰ And, Yunus Yosfiah was the last *Menteri Penerangan* (Information Minister) who headed the *Departemen Penerangan* (Ministry of Information).

The emergence of freedom of the press since the Reform Era did not prevent problems from occurring. The most significant problems were the wide range of abuses against journalists on gathering information and covering events, reporting of news, and criminalization of media. The Chairperson of the Press Council (2003-2006 and 2006-2009), Ichlasul Amal, emphasized that freedom of the press in Indonesia was threatened by the provisions of Criminal Code (KUHP). In a democratic state, according to Ichlasul Amal, journalistic work should not be threatened by penal laws and journalists could not be imprisoned for their professional work.³¹ The two cases involving *Rakyat Merdeka* daily tabloid and *Tempo* magazine illustrate the filing of

defamation charges against several journalists, while the media carries out its function based on the Press Law.³²

Warief Djajanto Basorie, who teaches journalism at the Dr. Soetomo Press Institute (LPDS) in Jakarta, sees one troubling concern after the Indonesian media gained press freedom with the end of Soeharto's New Order in 1998. He terms it as the emergence of press freedom "stowaways." They are press outlets that use press freedom for their self-interest rather than for the public interest. Under the guise of press freedom, they extort, deceive or intimidate.³³

This was perceived by the Press Council, who received complaints from the public due to unprofessional journalists and news media. The Chairperson of the Press Council, Bagir Manan, confirmed this as follows:

*Dewan Pers mengharapkan perusahaan pers yang belum memenuhi ketentuan di atas untuk segera melakukan perbaikan atau pembenahan hingga batas waktu tanggal 1 Juli 2014. Jika di kemudian hari timbul permasalahan atau pengaduan dari masyarakat terhadap perusahaan pers yang tidak memenuhi ketentuan di atas hingga batas waktu 1 Juli 2014, Dewan Pers mempertimbangkan untuk merekomendasikan penanganan-nya kepada aparat penegak hukum.*³⁴ (The Press Council expects the press company which has yet to comply with the above regulations to conduct immediate correction until the deadline on 1 July 2014. If in the future the problems arise or complaints arise from the public against the press company that does not comply with the above until the deadline on 1 July 2014, the Press Council will consider recommending the treatment of this case to law enforcement officials).

Throughout the 2000-2011 period, the Press Council received directly or indirectly as many as 3,225 complaints. In 2014, complaints in general concerned unbalanced news, defamation, inaccuracy, violence against journalists and the behavior of journalists.

Major changes supporting freedom of the press are expected to support the independence and dignity of the national press. Freedom of the press should be based on three key elements: 1) adherence to ethical norms; 2) compliance and enforcement of legal norms; and 3) increased journalistic skills. The ability to synergize the three is a "gigantic" asset for the national press to support the promotion and protection of human rights in Indonesia.

Accordingly, Article 4 of the Press Law provides that press freedom is freedom which comes with the awareness of upholding the rule of law implemented by the courts, and professional responsibility as outlined in the Journalists' Code of Ethics and in accordance with the conscience of press members. (*kemerdekaan pers adalah kemerdekaan yang disertai kesadaran akan pentingnya penegakan supremasi hukum yang dilaksanakan oleh pengadilan, dan tanggung jawab profesi yang dijabarkan dalam Kode Etik Jurnalistik serta sesuai dengan hati nurani insan pers*). Freedom of the press is not free press. An independent press is a press that is able to liberate itself from arrogance and impunity.³⁵

With the establishment of freedom of the press, the national press, as defined by Article 6 of the Press Law, is expected to: first, meet the public's right to know; second, uphold the basic values of democracy, promote the establishment of rule of law and human rights, as well as uphold diversity; third, develop public opinion based on information that is precise, accurate and true; fourth, conduct surveillance, criticism, corrections, and suggestions on matters relating to the public interest; and fifth, fight for justice and truth.

The subordination of the national press to, and its support for, the rule of law and respect for human rights illustrates the strategic role of the press in strengthening democracy in Indonesia. This is the space which should be filled to the maximum. As stated in the *UN Plan of Action on the Safety of Journalists and the Issue of Impunity*, "[w]ithout freedom of expression, and particularly freedom of the press, an informed, active and engaged citizenry is impossible." It is important that the quality of the nation's democracy is measured by the safety of its journalists. The government must guarantee the protection of journalists. If the journalists can freely and safely conduct their profession, citizens will be able to receive quality information. Surely, citizens can unequivocally participate, support and engage in Indonesian democracy including the strengthening of the Indonesian national press itself. However, some perceive the national press as committing incitement to sedition and also defamation. The view about incitement to sedition and defamation by the press is, strangely, based on the concept of the use of the force of law that is inconsistent with the spirit of empowering the national press.

Strengthening the National Press

The national press is a press organized by the Indonesian press company.³⁶ As stated in preamble of the Press Law, the national press as:

Wahana komunikasi massa, penyebar informasi, dan pembentuk opini harus dapat melaksanakan asas, fungsi, hak, kewajiban, dan peranannya dengan sebaik-baiknya berdasarkan kemerdekaan pers yang profesional, sehingga harus mendapat jaminan dan perlindungan hukum, serta bebas dari campur tangan dan paksaan dari manapun (a medium of mass communication, information dissemination, and as an opinion-maker, must be able to implement its principles, functions, rights, responsibilities and roles to the best of its ability based on a free press that is professional, guaranteed and protected by law, and free of any form of influence and intimidation).

Article 3 of the Press Law states two functions of national press, namely (1) as a medium for information, education, entertainment and social control; and (2) as an economic institution (*Pers nasional mempunyai fungsi sebagai media informasi, pendidikan, hiburan, dan kontrol sosial. Disamping fungsi-fungsi tersebut ayat (1), pers nasional dapat berfungsi sebagai lembaga ekonomi*).

It is believed that the national press has a significant role order in strengthening democracy in Indonesia. With the spirit of the freedom of the press growing since Reform Era, the national press has to uphold democratic values while subscribing to professional ethics. The Press Law also emphasizes that governments must ensure freedom of the press. Hence, the national press has the right to seek, acquire and disseminate ideas and information and will not be subject to censorship, banning or broadcast bans.³⁷

However, the application of the Criminal Code in various forms that victimizes the press is a step backwards. The media crackdown resulting from unjust application of the law is a bad precedent for the rule of law in Indonesia. This is not intended to make the members of the press enjoy special application of the law, rather, this is an effort at learning and testing the spectrum of press freedom that has been adopted in the Press Law.

On the otherhand, the penal provisions of the Press Law should facilitate the development of a fair and dignified press. In order to support the independence and freedom of dignified press, press offenses should be subject

only to the Press Law. This fundamental weakness of the Press Law must be addressed wisely by members of the press. The Press Law needs to be immediately amended. If the offenses are only based on the criminal provisions in the Press Law, this is of course, still very vague. Press criminal offenses are only listed in Chapter VIII of Article 18. Giving the right to reply (*hak jawab*)³⁸ and the complaint to press institutions does not mean eliminating the right of others to sue them legally.³⁹

Chapter VII of the Press Law contains two penal provisions – one for everyone and another for press companies. Article 18 of the Press Law provides:

(1) Anyone who violates the law by deliberately hindering or preventing the stipulations set out in Article 4 paragraph [2] and Article 4 paragraph [3] may face imprisonment for up to 2 (two) years or a fine of up to Rp. 500,000,000 (five hundred million rupiah); (2) A press company that violates the stipulations set out in Article 5 paragraph [1] and Article 5 paragraph [2], as well as Article 13, may be fined up to Rp. 500,000,000 (five hundred million rupiah); and (3) A press company that violates the stipulations in Article 9 paragraph [2] and Article 12 may be fined up to Rp. 100,000,000 (one hundred million rupiah). ((1) *Setiap orang yang secara melawan hukum dengan sengaja melakukan tindakan yang berakibat menghambat atau menghalangi pelaksanaan ketentuan Pasal 4 ayat (2) dan ayat (3) dipidana dengan pidana penjara paling lama 2 (dua) tahun atau denda paling banyak Rp. 500.000.000,00 (Lima ratus juta rupiah); (2) Perusahaan pers yang melanggar ketentuan Pasal 5 ayat (1) dan ayat (2), serta Pasal 13 dipidana dengan pidana denda paling banyak Rp. 500.000.000,00 (Lima ratus juta rupiah); dan 3) Perusahaan pers yang melanggar ketentuan Pasal 9 ayat (2) dan Pasal 12 dipidana dengan pidana denda paling banyak Rp. 100.000.000,00 (Seratus juta rupiah).*

These penal provisions do not specify the offences by journalists. In fact, a number of journalists in Indonesia are currently being tried on criminal charges in a series of defamation cases and are threatened with imprisonment for their professional activities. Charges of Defamation (Articles 310-321 KUHP) are increasingly being threatened and in some cases filed, not only against journalists, but also against human rights defenders and environmental activists.⁴⁰

Furthermore, people involved in law enforcement in Indonesia (lawyers, members of the police, attorneys and judges) do not have good conscience and understanding of the implementation of the Press Law. In order to avoid multiple interpretation and foster proper understanding of the enforcement of the law on one side, and to protect freedom of the press on the other side, the Press Council initiated a system of coordination and collaboration with Indonesian legal institutions.⁴¹

In addition, the presence and contribution of online or virtual media has significantly increased in Indonesia. But the Press Law does not regulate it comprehensively. Journalists in online media are not regarded as real journalists. Under such conditions, protecting them is problematic. In this regard, the Press Law must be amended not only to clarify the legal status of journalists and the complaint mechanism for journalistic work in the Indonesian legal order, but also to better adapt to the developments and trends of the media.

The Press Law brought great changes to the spirit of democracy in Indonesia. As a noble profession with a very commendable task, journalists need strong legal protection. With robust journalist profession supported by a strong legal umbrella, the national press would be robust in its empowered and dignified role.

A strong national press is a collective of hope and strength. In my opinion, the national press should contribute to the work on human rights education. But the dark and scary side of the national press still remains, among which is the significant problem of the protection and application of ambiguous law on the press. This portrait perfectly illustrates the gaps in the knowledge and attitude of the society and those of elite members of the press on the existence and strategic role of the national press. The national press is allegedly not able to liberate itself from acute dependence on certain vested interests due to poverty and ignorance.

Organization of Professional Journalists in North Sumatra

PWT⁴² was established in Surakarta on 9 February 1946, approximately a year after Indonesia's independence on 17 August 1945. It is the oldest press organization in Indonesia. Its establishment became the basis for holding National Press Day (*Hari Pers Nasional* or HPN) every 9 February of the year. Another media organization was established in the same year (on 8

June 1946) for newspaper publishers, the Newspaper Publishers Association (*Serikat Penerbitan Surat Kabar* or SPS). Both organizations were forums for journalists and newspaper publishers who greatly contributed to the struggle for Indonesia's independence.

The PWI Statutes (*Peraturan Dasar & Rumah Tangga PWI*) adopted in September 2013 at the XXIIIth PWI Congress in Banjarmasin, affirmed that PWI is an independent organization of Indonesian journalists and media professionals which accept members regardless of race, religion, and class as well as membership in political organization and community organization (*organisasi wartawan Indonesia independen dan profesional tanpa memandang baik suku, agama, dan golongan maupun keanggotaan organisasi politik dan organisasi kemasyarakatan*).⁴³

The PWI principles are based on Pancasila. PWI currently has membership of over fifteen thousand journalists in Indonesia. According to the Press Council Regulation No. 1 of 2000 on Competency Standards for Journalists, PWI is the authorized institution that administers the Competency Test for Journalists (*Uji Kompetensi Wartawan* or UKW). The results of the UKW classify journalists into three levels: advanced journalists (*wartawan utama*); intermediate journalists (*wartawan madya*); and junior journalists (*wartawan muda*). It is important to note that no more than 25 percent of the members of PWI have been certified. It is crucial that the quality of Indonesian journalists is boosted through UKW and other means.

Structurally, according to Article 2 paragraph 1 of the PWI Statutes, PWI consists of the following: (1) PWI Center (*pusat*) located in the capital city of the Republic of Indonesia; (2) PWI Province (*propinsi*) located in the capital of the province; (3) PWI Regency/City (*kabupaten/kota*) located in the capital district/city; and (4) special PWI Solo in Surakarta.

In North Sumatra, out of 567 PWI members thirty are advanced journalists, ninety are intermediate journalists and one hundred twenty are junior journalists. PWI has established chapters in fifteen districts/cities.

PWI North Sumatra has engaged in human rights education activities. The Chairperson of the Honorary Board of Regional PWI North Sumatra had been working hard in building systems for communication, socialization and dissemination of professional norms of journalists to the members of the press and the communities of North Sumatra.

Although sporadic events are held to commemorate international observances of the United Nations, PWI North Sumatra in collaboration with

other institutions such as those of academics and corporations organize activities to discuss human rights and their relations to professional journalist work. PWI has also invited journalists many times to join seminars and trainings on human rights-based approach to journalism to raise their capacity both as speakers and participants.

From 2006 to 2015, War Djamil, Senior Editor of *Analisa Daily*, former Honorary Secretary of the Board of PWI North Sumatra and former Director of Training Institute of North Sumatra of PWI has been intensively striving for the professionalism of the press in North Sumatra. As the iconic figure of Indonesian journalism, he has been actively campaigning for appreciation of the importance of subscription to the Journalists' Code of Ethics (*Kode Etik Jurnalis* or KEJ) and rights-based journalism through training for journalists, seminars and public discussions. These activities have been done in Medan, the capital of North Sumatra Province, and in various areas in districts/cities of the province.⁴⁴

War Djamil did these activities on his own initiative and independent of PWI. Unfortunately, North Sumatra PWI has not included these activities as part of its official program agenda. While North Sumatra PWI has recently recognized the significance of human rights education for journalists, relevant activities in this regard were still sporadic; out of fifteen PWI regencies/cities in North Sumatra, only several PWI Districts have organized training on human rights-based journalism such as PWI Labuhanbatu District, PWI Asahan and PWI Deli Serdang.

Meanwhile, AJI⁴⁵ was established in Megamendung, Bogor, West Java on 7 August 1994 (see Sirnagalih Declaration). Starting with a few dozen members in four cities in 1994, it gained nearly 2,000 members in 37 cities, from Papua to Aceh, by 2015.

Since its founding in 1994, AJI has committed to strive for the freedom of the press, as well as to provide quality information to the public. After regaining freedom of the press with the ending of the authoritarian regime, AJI ensures that its members understand the professional ethics of journalists. To improve the welfare of journalists, the AJI founders sought AJI membership in the International Federation of Journalists (IFJ), based in Brussels, Belgium. This was part of the organization's strategy in dealing with "pro-government" journalists that controlled the national press at the time.⁴⁶

The Xth AJI Congress in Bukittinggi, West Sumatra, held on 27-29 November 2014 adopted the AJI Statutes. According to the Statutes, AJI sub-

scribes to the principles of freedom, democracy, equality and diversity.⁴⁷ AJI is known as a journalist organization that cares and is involved actively in striving for and defending press freedom in Indonesia and in the world.

The activities of AJI throughout Indonesia are all geared toward the respect and protection of human rights and democracy; they emphasize the importance of professionalism and welfare of journalists in accordance with the vision of AJI, namely, the establishment of a free, professional, and prosperous press that upholds the values of democracy (*terwujudnya pers bebas, profesional, dan sejahtera, yang menjunjung tinggi nilai-nilai demokrasi*) provided in Article 9 of the AJI Statutes.

The AJI organizational structure is composed of AJI National (*nasional*) and AJI City (*kota*). AJI has also been authorized by the Press Council to administer UKW. But since the administration of UKW requires resources, AJI chapters with limited resources have difficulty performing this role. AJI Medan, for example, has not been able to administer UKW on its own due to limited resources. AJI Medan, established in 1999,⁴⁸ has eighty five members with three advanced journalists, and one intermediate journalist.

In addition to running the programs together with AJI National, AJI Medan is active, either through its own institutions or in partnership/alliance with other civil society institutions in North Sumatra, in voicing the importance of freedom of the press. Issues and discourses on human rights are intensively discussed in various forums and study sessions, though still sporadically held. AJI Medan still faces the fundamental question of organizational consolidation; but it has the strong commitment to change and strengthen the organization.

AJI Medan is run by many young journalists who are very open to working with civil society institutions. Many of the successful partnerships with civil society institutions are on campaigns for the rule of law, democracy, press freedom and human rights. In many instances, AJI Medan is actively involved in the Civil Society Alliance on Anti-Torture (SIKAP), Civil Society Alliance on Information (MASIF) and others.

In collaboration with other institutions (such as those of the academics and NGOs), AJI Medan celebrates on May 3rd every year the World Freedom of the Press. AJI Medan has strongly encouraged the local government and local police in North Sumatra to respect and uphold human rights and to protect all journalists around Indonesia. It launched and called for adequate minimum wages for media workers. It organized discussion on the

restriction of freedom of the press in Article 27 paragraph [3] Law Number 11 Year 2008 concerning Information and Electronic Transaction (IET). Every year on June 26th, AJI Medan as a member of SIKAP, commemorated International Day in Support of Victims of Torture. These activities have been done in Medan, the capital of North Sumatra Province.

AJI Medan is the only AJI chapter in the province of North Sumatra at present according to Agoez Perdana, chief of AJI Medan. The AJI Medan Board has planned to establish AJI Siantar in 2016.⁴⁹

Epilogue

Freedom of the press in Indonesia has had its ebb and flow. For a very long time, freedom of the press was limited and subordinated to political hegemony of the government, both in the Old Order and New Order. Freedom of the press in the Reform Era was strongly established. The firm legal support for human rights, from the Constitution and various national human rights instruments, provides the democratic and participatory policy space and further strengthens the freedom of the press.

However, freedom of the press is not everything. The phenomenon of “stowaways” and often referred to as “unscrupulous” journalists is a portrait of poor usage of press freedom. Freedom of the press is a means to educate the people and support the welfare of society. It requires professional and robust press members and organizations; who must comply with the professional code of ethics of journalists.

Media and human rights have a strong mutual relationship. With an increasingly strategic role of the media, professional journalist organizations contribute significantly in strengthening democratic values and human rights. Human rights education conducted by PWI and AJI in North Sumatra still tends to be sporadic, that probably has not been able to make an impact in instilling democratic values. Looking ahead, PWI and AJI in North Sumatra should synergize and reinforce a sustainable framework in implementing human rights education, so that human rights-based journalism can actually happen in Indonesia, particularly in North Sumatra.

Endnotes

1 SJI is a program of collaboration between Indonesian Journalists Association (PWI) and Ministry of Education and Culture-Provincial Government (South Sumatera Provincial Government). For more details see Marah Sakti Siregar, et al., *Tiga Tahun Sekolah Jurnalisme Indonesia* (Jakarta: RIMBOOKS, 2013). See also www.sji-pwi.org.

2 The Press Law has 10 chapters and 21 articles, and enacted in Jakarta on 23 September 1999. State Gazette Year 1999 No. 166, Additional State Gazette No 3887.

3 Tim Dewan Pers, *Data Pers Nasional 2014 (National Press Data 2014)* (Jakarta: Dewan Pers, 2014). See also at www.dewanpers.or.id.

4 Ibid.

5 An important case that has not been solved is the death of Yogyakarta journalist, Fuad Muhammad Syafruddin also known as Udin, on 16 August 1996. The death of *Kupang Pos* journalist, Nusa Tenggara Timur, Yacobus Lewanmeru, also known as Obby, on February 2009 also remains unresolved. On the development of the media in the New Order, see Jose Manuel Tesoro, *The Invisible Palace; the True Story of a Journalist's Murder in Java* (Jakarta: PT. Equinox Publishing (Asia) Pte. Ltd., 2004); Janet Steele, *Wars Within; the Story of Tempo, an Independent Magazine in Soeharto's Indonesia* (Jakarta: PT. Equinox Publishing (Asia) Pte. Ltd., 2005), David T. Hill, *The Press in New Order Indonesia*, and its Indonesian edition, Gita Widya Laksmi Soerjoatmodjo, *Pers di Mata Orde Baru* (Jakarta: Yayasan Obor Indonesia, 2011).

6 "[Indonesia] AJI condemns rising cases of violence against journalists." See at www.seapa.org/aji-indonesia-condemns-rising-cases-of-violence-against-journalists/

7 Eko Prilliawito, "AJI: Polisi Musuh Kebebasan Pers di 2014," <http://m.viva.co.id/ramadan2016/read/571359-aji-polisi-musuh-kebebasan-pers-di-2014>, "AJI: Polisi Musuh Kebebasan Pers," *Tribunnews.com*, 3 May 2015. www.tribunnews.com/nasional/2015/05/03/aji-polisi-musuh-kebebasan-pers.

8 See Nani Afrida, "Violence against journalists on the rise with 46 cases in 2015," the *Jakarta Post*, 11 February 2016, www.thejakartapost.com/news/2016/02/11/violence-against-journalists-rise-with-46-cases-2015.html.

9 See and read further his dissertation *Press Freedom, Law and Politics in Indonesia: A Socio-Legal Study* (Leiden: Leiden University Press, 2014), page 1. See also Dewan Pers, *Kebebasan Pers & Ancaman Hukum* (Jakarta: Dewan Pers, 2005).

10 RSF is based in Paris and founded by four journalists in the Southern French city of Montpellier in 1985. RSF is an independent NGO with consultative status with the UN, UNESCO and the Council of Europe and the International Organizations of the Franchopone. For more information, visit https://rsf.org/en/ranking_list/archive.

11 Reporters Sans Frontieres (RSF), *Ranking since 2002*, <https://rsf.org/en/indonesia>.

12 See Scores and Status (1980-2016) and Detailed Data and Subscores (1980-2016), Freedom House, <https://freedomhouse.org/report-types/freedom-press>. Freedom House was established in October 1941 and was the first American organization striving on the global freedom through research and advocacy on democracy,

political independence and human rights. Indicators used are: *legal environment*, *political environment*, and *economic environment*.

13 See Leo Batubara, "Kekerasan terhadap Fungsi Pers." Posted on 23 February 2008 WIB at <http://klikpolitik.blogspot.co.id/2008/02/kekerasan-terhadap-fungsi-pers.html>. See also at http://andreanthoni.blogspot.co.id/2008/08/kekerasan-terhadap-fungsi-pers_3944.html. Posted on 25 August 2008.

14 "... So, according to systematic interpretation (*systematische interpretatie*), human rights are regulated in Article 28A until Article 28I Indonesian Constitution 1945 abiding by the limitation on human rights that are regulated in Article 28J Indonesian Constitution 1945," as decided by Indonesian Constitutional Court No. 2-3/PUU-V/2007 dated 30 October 2007. Even though in the context of human rights studies, the rationale of the decision of the Constitutional Court is questionable, as the limitation of human rights are not as simple as referring to Article 29 UDHR 1948 and the *Limburg Principles on the Implementation of the International Covenant on Economic Social and Cultural Rights* which must be referred to strictly, as it contains far more narrative explanations than Article 28J, Indonesian Constitution 1945.

15 Edmund Burke's reference to media as "the fourth estate" has come to be associated with the idea that the press plays a crucial role in enabling citizens to exercise control over political process. See Susan Marks and Andrew Clapham, *International Human Rights Lexicon* (New York: Oxford University Press, 2005), page 237.

16 These episodes divided into four phases of Indonesian government in order to seek the relation as well as press contribution in each phase. Adinegoro said "pers suatu negara adalah gambaran dari bangsa yang memilikinya" (the press in a state is a picture of the nation that has it"). See Soebagijo I.N., *Adinegoro; Pelopor Jurnalistik Indonesia* (Jakarta: C.V. Haji Masagung, 1987), page 44.

17 Ibid., page 52.

18 See David. T. Hill, *The Press in New Order Indonesia*, Indonesia edition, Gita Widya Laksmi Soerjoatmodjo, *Pers di Masa Orde Baru* (Jakarta: Obor, 2011), page 24. See David T. Hill, *Journalism and Politics in Indonesia; A Critical Biography of Mochtar Lubis (1922-2004)*, Indonesia edition, Yayasan Pustaka Obor Indonesia (Jakarta: Obor, 2011).

19 The Guidance has 6 chapters and 14 articles, enacted in Jakarta on 15 May 1963.

20 This law has 10 chapters and 21 articles, enacted in Jakarta on 12 December 1966.

21 This law has 2 chapters, and enacted in Jakarta on 6 May 1967.

22 Enacted in Jakarta on 22 March 1973.

23 Enacted in Jakarta on 22 March 1978.

24 Enacted in Jakarta on 20 September 1982.

25 Atmakusumah Astraatmadja, "Kata Pengantar," in David T. Hill, *The Press in New Order Indonesia*, op. cit.

26 See <http://aji.or.id/>.

27 See Aliansi Jurnalis Independen, *Semangat Sirnagalih; 20 Tahun Jurnalis Independen* (Jakarta: AJI), page 13.

28 This law was enacted in Jakarta on 23 September 1999.

29 This law was enacted in Jakarta on 23 September 1999.

30 Enacted in Jakarta on 10 November 1999.

31 Lukas Luwarso, *Kebebasan Pers & Ancaman Hukum* (Jakarta: Dewan Pers, 2005), page vii.

32 See Amnesty International, "Indonesia Press Freedom under Threat," AI Index ASA 21/044/2003. See also the *Jakarta Post*, 3 May 2005.

33 Warief Djajanto Basorie, "How to Be A Competent Journalist," in *The Jakarta Post*, 12 March 2010. See more at www.thejakartapost.com/news/2010/03/12/how-be-a-competent-journalist.html#sthash.A5d7U5uo.dpuf.

34 See Dewan Pers, op.cit., page XXVI.

35 The United Nations defines impunity as the "failure to bring perpetrators of human rights violations to justice." It also sees "problem of impunity [as not being] restricted to the failure to investigate the murders of journalists and media workers... [but also to] the curtailment of their expression [that] deprives society as a whole of their journalistic contribution and results in a wider impact on press freedom where a climate of intimidation and violence leads to self-censorship" *UN Plan of Action on the Safety of Journalists and the Issue of Impunity*. For the full document see www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/official_documents/UN-Plan-on-Safety-Journalists_EN_UN-Logo.pdf.

36 Article 1 point 6 of the Press Law.

37 Article 4 paragraph [2] and [3] of the Press Law.

38 Right to Reply is defined as the right of any individual or group to respond to or deny any factual news that is unfavorable to his/her/their good reputation. (*Hak Jawab adalah seseorang atau sekelompok orang untuk memberikan tanggapan atau sanggahan terhadap pemberitaan berupa fakta yang merugikan nama baiknya*). See Article 1 point 11 of the Press Law.

39 In terms of legal accountability, journalists has Right to Refuse (*Dalam mempertanggungjawabkan pemberitaan di depan hukum, wartawan mempunyai Hak Tolak*). See Article 4 paragraph [4] of the Press Law. Right to Refuse is the journalist's right to reject the request for disclosure of the name and/or other identities of news sources that must be secret. (*hak wartawan karena profesinya, untuk menolak mengungkapkan nama dan atau identitas lainnya dari sumber berita yang harus dirahasiakannya*). See Article 1 point 10 of the Press Law.

40 See Amnesty International, "Indonesia Press Freedom under Threat," AI Index ASA 21/044/2003.

41 See more at www.dewanpers.or.id/kesepahaman.

42 See more at www.pwi.or.id.

43 Article 1 paragraph 3, PWI Statutes (*Peraturan Dasar & Rumah Tangga PWI*).

44 See War Djamil, "Jurnalisme Berbasis HAM dalam Pemberitaan," paper delivered at the Training Institute of PWI North Sumatera, Medan, on 21 November 2015. See also War Djamil, "Sekilas tentang Etika Pers dalam Media Massa," paper delivered on Journalistic Training PWI Kabupaten Asahan, Kisaran, 11 November 2014. See War Djamil, "Delik Pers dan Nota Kesepahaman Dewan Pers-Polri," paper delivered on Press Education, in collaboration with PWI North Sumatera, USU and Asian Agri, Medan, 12 December 2013.

45 See more at www.aji.or.id.

46 AJI, *Semangat Sirnagalih; 20 Tahun Aliansi Jurnalis Independen* (Jakarta, AJI, 2014), page 13.

47 See Article 5 of AJI Statutes.

48 Interview with Darma Lubis, former Chief of AJI Medan (2003-2005).

49 Interview with Agoez Perdana (2015-2018). For further information on AJI Medan visit <http://medan.aji.or.id>.

Human Rights Education and Pakistan

Samson Salamat

THE PAKISTANI HUMAN RIGHTS COMMUNITY boasts some of the world's most well-known activists as well as many national-level organizations that have led a long, arduous struggle for democracy and human rights since the military dictatorship in the 1980s. While these well-established human rights organizations have made significant efforts to develop the knowledge and skills of these activists for the most part this has been through project-related workshops that have limited focus on intensive, practical training. As a result, the second tier leadership of the human rights community has been slow to emerge. Moreover, these activists are confronted by challenges different from those faced by veteran human rights activists whose careers were defined primarily by opposition to military dictatorship.

While Pakistan's human rights situation remains dismal, with continuing violence against women, children, and religious minorities, extrajudicial killings and disappearances, sectarian strife, and widespread abuses by police, security forces, feudal lords, and others, the overall socio-political context faced by the younger generations of activists has transformed markedly. Society has become increasingly conservative and terrorism and other types of organized violence by non-state actors have grown out of state control. At the same time, the media is freer than at any time in the past and new communication tools and techniques are available to the current generation.

To deal with these new challenges and leverage new technologies, younger activists must overcome structural weaknesses within the human rights movement. Religious conservatives and non-state actors consistently charge that human rights and democracy represent a "Western Agenda," and many human rights activists lack sufficient clarity and understanding of these concepts to counter these charges at the grassroots level, or worse, they themselves may also subscribe to these beliefs.

Human rights activists, especially those working in rural areas where human rights violations are most serious, have great commitment but lack the skills and resources as compared to groups working in urban centers.

Furthermore, many organizations in Pakistan do not have well institutionalized decision-making processes, systems, or internal democracy, which hampers an organization's sustainability, transparency, capacity to network and form vibrant coalitions, and ability to remain effective over time. In addition, Pakistan lacks centers for human rights education, which can be found in many other countries, dedicated to strengthening the knowledge and skills of human rights defenders and the institutionalization of human rights work more broadly.

Centre for Human Rights Education- Pakistan

The Centre for Human Rights Education - Pakistan (CHRE) emerged in this context in 2010 and has been operating in the challenging environment since its formation. Over the last few years, it has been focusing on multiple themes to address and counter the situation - Democratic Development, Peace and Tolerance and Human Rights.

It is now a reputed organization among the civil society for its courageous standpoint on human rights issues and timely initiatives against religious extremism, intolerance and terrorism and its qualitative training programs to produce the cadre of trained human rights defenders.

Objectives

CHRE envisions building the capacity of members of the civil society, communities and government institutions to foster a culture of human rights.

CHRE strives for the advancement of equality and respect for human dignity in Pakistan and around the world through human rights education programs, research and advocacy initiatives.

It has the following objectives:

- To build the capacity and knowledge of members of civil society groups, human rights defenders and officials of government institutions;
- To enhance the realization and understanding of Universal Declaration of Human Rights and other human rights standards;
- To research and advocate for policy and legislative reforms for the protection and promotion of human rights; and

- To develop strategic alliances and partnerships with like-minded individuals and civil society groups in order to carry forward its vision and mission.

Main themes of CHRE Education Programs

Respect for All

Development of a culture which believes that all human beings are born free and equal in dignity and rights and everyone is entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights, without any discrimination.

Freedom of Expression

Fostering of a culture which allows free expression of opinions and ideas, ensuring the democratic process is followed in decision-making which is not only important for individual dignity but also to participation, accountability and democracy.

Integrity

Working transparently as compatible to the vision and mission of CHRE. Creating and maintaining an environment conducive to following and implementing the systems of accountability.

Gender Mainstreaming

Expanding the scope of gender mainstreaming by maintaining the equal opportunity environment for men and women at all levels, ensuring the participation of women in decision-making through their presence in the Governing Body and maximum inclusion in programs.

Democratic Decision-making

Maintaining a democratic culture by ensuring that the decisions follow the democratic process, and the team members fully participate in discussions, deal openly with differences of opinion and hence play an important role in decision making.

Partnership building

Development of strategic alliances and partnerships with those committed to the advancement of democracy and human rights programs.

Main Programs

CHRE strives for the advancement of human rights through four main programs and all projects are designed and implemented under these programs according to specific needs:

- Capacity Building Program;
- Research and Advocacy Program;
- Partnership; and
- Consultancy.

Capacity Building Program

The CHRE Capacity Building Program aims to build the capacity and knowledge of members of civil society groups, human rights defenders and officials of government institutions for the advancement of a human rights culture.

The program has short courses on human rights, democratic development, gender equality, religious tolerance and harmony. These courses provide the foundation for research and advocacy initiatives.

The program aims

- To provide information and conceptual clarity on human rights, democracy gender equality, religious tolerance and harmony;
- To encourage the development of skills, and the formulation and application of policies, necessary to transform that information into practical professional behavior;
- To sensitize the participants to their particular role in the advancement of a human rights culture;
- To build partnerships and networking among the participants and their groups; and
- To facilitate planning and strategy development to translate the participants' learning into practice.

Each course has a duration of approximately one hundred forty hours. Graduates of the courses are called CHRE Alumni, who become members of alumni organizations that help to put their learnings into practice and are able to contribute to the over-all struggle of the civil society for the advancement of human rights.

Research and Advocacy Program

The Research and Advocacy Program focuses research on the following thematic issues:

- Human Rights;
- Gender Equality;
- Democratic Development;
- Religious Tolerance and Harmony.

The research follows innovative advocacy initiatives in collaboration with CHRE Alumni and like-minded organizations.

Partnership Building

CHRE serves as a Partnership Point for the Alumni, civil society organizations and state institutions working for human rights education. It adopts innovative and technology-friendly ways and means for partnership and network-building.

Activities and Initiatives

Trainings/workshops

Participatory Course on Democracy and Human Rights

CHRE annually organizes the Participatory Course on Democracy and Human Rights (PCDHR) since 2010. PCDHR is an in-depth long-duration learning program for human rights defenders, university students, journalists and political activists; which puts a strong emphasis on the transfer of learning. Therefore the participants are required to develop an individual plan to ensure that the learnings are put into practice.

The course is conducted using a participatory methodology to enhance the understanding of the participants on the concept of human rights and democracy and to strengthen their skills on effectively working for the protection and promotion of human rights.

The PCDHR has the following objectives:

- To provide in-depth knowledge on the concepts of democracy and human rights and the international human rights standards and mechanisms;
- To impart and strengthen skills-designing and implementation of the advocacy campaigns, proposal writing, report writing, research

tools etc. to enhance the ability of the human rights defenders to work effectively;

- To expose the participants to institutional approaches to help civil society organizations function more systematically and with transparency following democratic norms and values;
- To sensitize the participants to their role in protecting and promoting democracy and human rights;
- To empower and strengthen the second tier leadership within the human rights community;
- To build partnerships and networking among the participants and their groups; and
- To plan to strategize for “putting learnings into practice” through research and advocacy initiatives.

PCDHR consists of participatory techniques and methods which help to develop understanding on different social subjects, provide the opportunity to interact and to network with people from diverse backgrounds and from different parts of the country. It also provides an opportunity to learn about different ways and forums to highlight different social issues, which helps to practice the democratic values and respect of human beings and provides the opportunity to learn from renowned experts of different social issues.

CHRE believes in participatory learning approaches therefore the indoor and outdoor sessions/activities of the course are conducted in participatory methodology to enhance the understanding of the participants on the concepts of democracy and human rights and to enhance their skills on working effectively as human rights defenders.

The PCDHR curriculum has the following parts:

Part 1. Conceptual clarity and knowledge development

- Concepts of Human Rights
- Principles of Human Rights (universality, indivisibility, interdependence, equality, human dignity, respect and non-discrimination)
- Global Culture of Human Rights
- International Human Rights Mechanisms
- Democracy and its Principals
- Democratic Culture and its Requirements
- Democratic Governance and its Requirements
- Situational Analysis in the Context of Pakistan

- Historical and Political Overview of Pakistan.\

Part 2. Skill Development

- Advocacy Tools
- Media Management
- Planning and Organizing
- Report Writing
- Participatory and Rural Appraisal(PRA) Tools
- Proposal Writing
- Public Outreach and Mobilization (strategies for mobilizing effective campaigns).

Part 3. Putting learning into practice

- Preparation of Individual plans.

The participants are required to make individual plans for putting their learning into practice by designing advocacy and awareness-raising initiatives with the support of CHRE and their organizations. The individual plans focus on issues related to Democratic Development and Human Rights.

Participatory Course on Peace and Tolerance

The Participatory Course on Peace and Tolerance (PCPT) is a newly launched training program designed to strengthen concepts of non-violence,



PCDHR course participants.

Comments & Feedback

Environment of the course:

The environment of the course as well as of the institute and its management was very respectful, open, and cooperative. I would especially like to acknowledge the level of personal interaction of the staff and the participants. This environment had a twin effect. On the one hand, it pulled shy participants out of their cozy comfort zones and pushed them to share their opinions, ideas, and recommendations. On the other hand, it created a comfort zone for those (in this case I am the one) who were overzealous and worried to their bones lest they offend someone with their extrovert personalities. So it was a balanced environment, creative enough to learn, and disciplined appropriately to tame!

Monitoring & Evaluation (M&E) Methodologies of the course:

The M&E methodologies put into practice during this session were also very good. The indicators set against those methodologies were relevant and reliable. All the forms ensured to not only measure the change of knowledge but also to identify the gaps in the content and the delivery of the content. The only gap that I found in the M&E methodology was that no indicator was set to measure the impact of different tools of teaching. For instance, there could be a question that would inquire about our preferences for the type of teaching tools like lectures, role-plays, group work/discussion, etc. As this indicator would have helped the project design team to come up with more innovation in the future. So, my argument here is that an indicator should be included in the M&E methodologies that would also determine the strength of a specific teaching tool for a specific module. In addition, some closed-end questioning techniques could also be utilized in the evaluation forms. - Nighat Anwar, a development practitioner from Society for Sustainable Development, Bagh, Azad Jammu & Kashmir. She attended the PCDHR in 2015/2016.

PCDHR means a learning to get [to] know [how to] probe in depth about human rights and democracy through practical [work]. PCDHR leaves strong impact on my personal life [by] changing my mindset [through] learning and practical environment and [my realization of ...] the meaning of life and how I should spend my life respecting and caring [for] everyone's rights [as] the only way ... toward peaceful life. After going through PCDHR my professional life changed a lot [too]. I become more caring about my family, colleagues, friends, neighbors and every human being in society respecting their rights and wishes and become equal positive thinker for all and feeling



Field work of PCDHR participants.

a true human being myself. - Muhammed Muhammed Asif Nadeem, a journalist who attended PCDHR in 2015.

It's a very well structured participatory learning course about the basic right that we have being a human and to understand the concept of true democracy. It's an opportunity to learn by listening, thinking, doing and sharing of ideas. I was able to view human as a human and not as someone who belongs to class, religion, gender, race ethnicity or any other division in our society. The knowledge and information that I get during the course will help me to make my university students on sociology to better understand the state of human rights and democracy in Pakistan. I can myself be a change agent and [make] more people [become aware] about human rights and [the] true spirit of democracy." - Nosheen Raza, Lecturer of Sociology at Karachi University. She attended PCDHR in 2015.

religious tolerance and respect for diversity including religious diversity in a multi-religious society for a peaceful co-existence. Moreover, to expose the participants to history of non-violent movements and international standards for peace and conflict resolution, promote volunteerism among youth and to develop their skills in promoting non-violence, religious tolerance and respect for diversity in the society through peaceful ways and means.

PCPT has widely been appreciated and a very significant impact has been observed through oral and written feedback given by its beneficiaries who are not only satisfied with their learning and self- transformation, but also are actively working in areas for the promotion of religious tolerance.

Content of PCPT:

Conceptual Clarity

- Introduction to the concepts of human rights and principles (non-discrimination, religious tolerance and respect for diversity including religious diversity in a multi-religious society);
- Philosophy of Non-violence and History of Non-violent movements;
- International Standards and UN Mechanism for Peace and Conflict Resolution;
- Impact of religious extremism and intolerance (in the context Pakistan);

- Role of civil society and other stakeholders for promoting religious tolerance and respect for religious diversity for a peaceful co-existence.

Skills Development

- Conflict Management;
- Advocacy and Lobbying;
- Creative Report Writing;
- Communication skills;
- Use of Social Media for promoting religious tolerance.

Comments & Feedback

PCPT for me, it's a family of learning and experiences, a platform that polish my personality. It gave me [an] opportunity to understand what others have to say and created [a] sense of tolerance to me. I was one of those who think that eating with non-Muslim is not right. However, after PCPT I believe religion and humanity do not stop us [from doing] this [and] I think I have turned more [tolerant]. My professional degree is in geology and I have to [meet] a lot of people as I am student and would be working in the field in the coming year. PCPT has transformed my personalities from Islam/Muslim into humanity, love, peace & care for all. - Ali Azhar, a student from Rawalpindi, attended the PCPT in 2015.

PCPT means [propagating] peace, tolerance and respect for equal rights of each & everyone without any discrimination. PCPT brought not only change in my personal life but also touched me on how to feel peaceful life. PCPT has [taught] new ways, ideas, and innovation in my professional life as a student of social [science] since I am now able to utilize my skills in new direction. - Zubair Ahmed Khan, a student from Peshawar.

The overall experience PCPT was very good. I learnt a lot of things related to human rights, peace, tolerance and the concept of *Rwadari*. The way to conducting lectures was awesome and [there] was a good activity on interfaith harmony that had contributed as a practical way for learning. I will try to participate in another course which will [focus] on the same work for peace. This training has great impact on my personality. - Amna Ibrahim from Lahore.

Putting Learnings into Practice

- Preparation of Individual Plans.

The Participants are required to make Individual Plans in order to put their learning into practice by designing advocacy and awareness-raising initiatives with the support of CHRE and their organizations. These Individual Plans should focus on issues related to Peace and Tolerance.

Advocacy Campaigns

CHRE, along with likeminded civil society groups and with the support of its Alumni who were trained through the training programs launched *Rwadari Tehreek* (Movement for Pluralism & Peace) in mid-2015. The movement aims to generate a debate on the importance of religious tolerance in a multi-religious society and to put pressure on the government, political forces, state institutions and other stake-holders to seriously address and counter religious extremism and religious intolerance in the society which has created an atmosphere of fear among the citizens and has upset public life, particularly for those belonging to religious minorities.

Pakistan's public culture in general is riddled with hard line views and elements that do not allow tolerance for divergent views. As a result, civil liberties are being drastically squeezed. A peaceful environment has become a dream and fundamentalism, extremism, hatred, discrimination and vio-



Oath for Peace ceremony.

lence have deepened in the society. The reversal of this challenging situation has become inevitable, but this is not easy. State institutions, political forces, media, civil society and most importantly, the people, have to play a very active role to undo what is happening and to do what is required to make Pakistan a better place to live for every citizen.

In this situation *Rwadari Tehreek* is trying to counter extremist mindset and to enhance the scope of peaceful co-existence in the country. *Rwadari Tehreek*, is a non-violent social movement which has been initiated by concerned citizens of Pakistan to counter religious extremism, intolerance and terrorism and to promote the respect of all types of diversity including religious diversity, religious tolerance and to bridge gap between people of different faiths and religions and from different walks of life.

Initiated in May 2015, *Rwadari Tehreek* has been widely hailed by the people of Pakistan. More than fifteen thousand people belonging to different sections of society including teachers, social and political activists, members of different political parties, journalists, lawyers, doctors, religious leaders of different religions, artists, and students are registered members while approximately five hundred civil society groups have formally joined *Rwadari Tehreek*.

Jamshed Iqbal, an Islamabad based-writer and radio producer, views *Rwadari Tehreek* as an exemplary initiative by saying that

when our stakes in sanity are higher than ever before; *Rwadari Tehreek* is doing direly needed work for a saner and safer Pakistan. It is engaging diverse communities as stakeholders. It is an indicator of its deeper understanding that conflict is natural but violence is not. This golden path will lead [the] movement to success because as it appreciates differences [it also] works on commonalities. What makes its work exemplary for today's peace builders is the path of non-violence which the movement has taken, and it is the only path which leads to peace. Likewise, [the] movement's devotion to spiritual principle of "peace within, peace without" makes it truly a native movement, and even more effective. No movement can succeed without public support. So, the greatest strength of the movement is its huge volunteer-base. Ever-growing force of *Rwadari* volunteers showcases our collective thirst for peace and, at the same time, unveils that we can no longer support violence by remaining inactive.

Rizwan Gill, a lawyer and political activist from Lahore, considers *Rwadari Tehreek* as a timely initiative and says that

Rwadari Tehreek seems to me like a cool breeze in this environment of terrorism and hatred among the society. It is a timely initiative by its members. Such an initiative was the need of the hour to give a counter narrative to terrorism and hatred. Needless to mention here that this noble cause is being pursued by its members by risking their lives as terrorism and hatred has grown to a very high degree and needs to be eradicated. I wish all the best to *Rwadari Tehreek* for a better Pakistan.

Rwadari Tehreek, in the beginning of 2016, has made a strong presence in Central Punjab, South Punjab, and North Sindh; and 2016 started with its successful launching of Khyber Pakhtoonkhwa while the ground has begun for mobilization and membership in the Federally Administered Tribal Areas (FATA) and Gilgit Baltistan. The *Rwadari Tehreek* Team is still finding difficulties to step into Baluchistan for various reasons; however the team is already in contact with different people to explore the possibilities.

Rwadari Tehreek has made its place in social media which has helped a lot in popularizing the agenda of *Tehreek* and attracting youth. Amazingly, the national and local print and electronic media gave very significant coverage to the activities of *Rwadari Tehreek* which is a good sign for its future.

Rwadari Tehreek has temporarily been structured at Central, Provincial-Sindh, *Khyber Pakhtunkhwa* (KPK), and in Punjab while office bearers have been elected by the *Rwadari* Group Members in almost twenty districts.

Rwadari Tehreek has emerged as one of the most popular social movements in the current time and has not only responded to the emergencies but also initiated courageous campaigns asking the government to declare 16 December as National Day against Extremism and Terrorism and Token Hunger Strike to demand action against the banned outfits and hate speech. The campaigns showed the strength of the team of the *Tehreek* and it was hailed for taking up serious issues with a proactive strategy.

The Chairperson of the FATA Commission of Human Rights and Coordinator of *Rwadari Tehreek*-FATA, Zar Ali Khan Afridi, views *Rwadari Tehreek* from the perspective of FATA and says that

FATA comprised of a great chunk of people of religious minorities like Sikhs, Christians and others who now have left [the] area due to indecent behaviors of Muslim extremist[s] and now



Hunger strike against hate speech.

are in exile-like situations. In such circumstances a movement to promote harmony and tolerance among people was needed and there was a vacuum which needed to be filled. *Rwadari Tehreek* did fill this place and it came to Peshawar to establish its chapters at Khyber Pakhtoonkhwa and FATA levels. This movement was needed and a need of the hour and people in all breadth and width in KP and FATA appreciated it and hoped that a social harmony would be increased among different people of various schools of thoughts and religions in KP in general and in FATA in particular.

Rwadari (Pluralism) CARAVAN

In order to respond to the wave of religious intolerance and to counter religious extremism CHRE, in collaboration with PAHEL Pakistan and 29 other organizations, held a *Rwadari Caravan* to generate a debate on the importance of religious tolerance in a multi-religious society and to put pressure on the government, political forces, state institutions and other stakeholders to seriously address and counter religious extremism and religious intolerance.



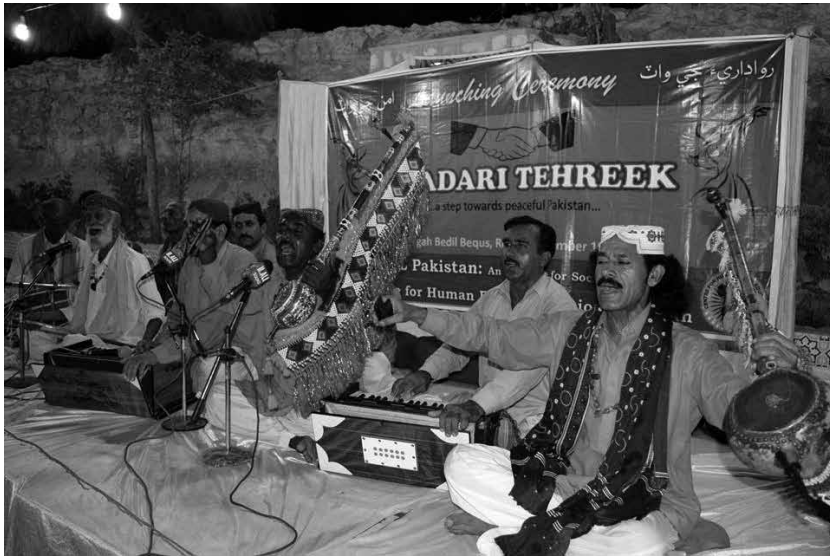
Appreciation from Muslim religious scholars.

erance in the society which has created an atmosphere of fear among citizens and has riddled public life, particularly for those belonging to religious minorities.

The Caravan began from Lahore on 14 March 2016 and ended at the Shrine of famous Sufi saint and poet of Sindh Hazrat Sachal Sarmast on 18th March 2016. Seventy members of CHRE and Rwadari Tehreek travelled from Punjab and Khyber Pakhtunkhwa (KPK) and were joined by many others from Sindh Province.

The Caravan travelled by road and was warmly welcomed in ten different locations on the way. On arrival at Sukkur, a rally was held which started from Sukkur Bypass and ended at Sukkur Press Club where a Press Briefing was held by the leadership of *Rwadari Tehreek*.

During its stay in Sukkur, the members of *Rwadari* Caravan held goodwill exchange visits of Imam Bargah, a Hindu Temple, a Church and shrines in Sukkur to express solidarity with the religious minorities and to spread the message of religious tolerance and respect for diversity for a pluralistic society.



Sufi (mystic) music at *Rwadari* festival.

***Rwadari* Festival**

CHRE organized the *Rwadari* Festival in 2014, 2015 and 2016 as annual programs which brings approximately 1,000 people of different faiths and walks of life at one platform to pledge for exercising *Rwadari* (Pluralism) and work for its promotion all around the country.

The following are the specific objectives of the *Rwadari* Festival:

- To enhance the scope of religious tolerance and respect of diversity in Pakistan's multi-religious, multi-cultural and multi-ethnic society;
- To display the expression of commitment and belief of people on *Rwadari* and sending a message of unity against religious extremism and terrorism;
- To put pressure on the government to express its seriousness and to take appropriate measures for the implementation of counter extremism and terrorism policies.

CHRE's alumni, volunteers and member-organizations from different parts of the country participate in the *Rwadari* Festival; CHRE likewise invites different civil society organizations as collaborators in the organizing of the festival.

The festival consists of different items including lectures on the importance of religious tolerance and respect for diversity in a multi-religious society, theater performances, speech competition for students, panel discussions, Sufi music performance, etc.

Democracy Festivals

CHRE held “Democracy Festivals” in 2013, 2014 and 2015 to commemorate International Democracy Day and International Human Rights Day with the theme “Non-Discrimination: The Basic Principle of Democracy” in different cities throughout Pakistan.

Why Democracy Festival on International Human Rights Day? Democracy and Human Rights are interlinked. Democratic values - freedom of expression, freedom of assembly, respect of human beings and their rights, right to vote through election, non-discrimination, respect for diversity, equal citizenship etc. are similar to the principles of human rights.

Since human rights are not being respected in Pakistan and violations of human rights are at such a large scale, the democratic system is not powerful enough and democracy is struggling to cement strong roots in society. Therefore, this situation requires greater support for democracy which could effectively protect and promote human rights. Human Rights Day is an international day which has enormous importance and impact. Therefore Democracy Festival was held on this day with the following aims:

- To show the commitment and belief of people of Pakistan on democracy and giving a message to every entity and anti-democratic force to respect democracy and to avoid derailing it;
- To make the democratic forces realize that they should follow the principles of democracy - equality, non-discrimination, rule of law, respect of diversity, etc.;
- To highlight and promote the culture of non-discrimination which is the core value of democracy and a basic standard of human rights.

The theme of Democracy Festival “Non Discrimination: The Basic Principle of Democracy”, is derived from Article 2 of the Universal Declaration of Human Rights.

Discrimination is prevailing in Pakistani society on the basis of faith, ethnicity, sex, political affiliation, language, language, social status, political

affiliation etc. Therefore this theme was selected to address the problem of discrimination and to demand actions to end all types of discrimination.

Campaign on Political Participation

In order to generate debates for a transparent and credible electoral process in the context of general elections in 2013, CHRE launched a campaign which included interaction with the political parties, the Election Commission, and awareness-raising forums to enhance the scope for transparency of the election process. At the same time, the Election Commission initiated significant changes in the electoral system and the citizens displayed greater sense of responsibility on their political participation, especially in the electoral process.

Frequent interaction with the Election Commission enabled a healthy working relationship with this important stakeholder. The Election Commission considers CHRE as one of the active and effective organizations and participates in the CHRE's activities.

CHRE's slogan for the Election Campaign "Paisay se na Josh se-----Vote dalo Hosh se" (Not for money and Not emotionally--rather--Cast your Vote with Sensibility) has become a powerful slogan through frequent use of SMS (short message service) technology, social media and public education materials.

The participation of the members of marginalized communities remained the priority, especially those of religious minorities and the transgender community of Pakistan. In a very rare attempt, a Charter of Demand was developed and announced for the political participation of the transgender community and a resolution was moved in the Provincial Assembly. It is very encouraging that members of transgender community from Multan, Sukkur, Gujarat, Karachi, and Sargodha contested in the general elections for the first time in the history of Pakistan, while women from FATA also contested the elections.

Concluding Remarks

CHRE is one of the most vibrant organizations at the forefront in responding to emergencies, e.g., protesting against incidents of terrorism, hate speech,

persecution of minorities, violence against women, torture and other human rights issues.

The response from CHRE comes through protest demonstrations, rallies and also through press statements. This is why the Facebook page and website of CHRE and of *Rwadari Tehreek* are quite popular in Pakistan.

But CHRE also believes in the slower process of increasing the capacity of human rights activists who have to continuously face various issues as part of their work. Thus, there is a need to ensure that their knowledge and skills as human rights defenders are adequate and their institutions are working properly not only to address human rights issues but also to operate based on democratic principles such as transparency and accountability.

Education for Global iEARN Family: Challenges of JEARN

Yoko Takagi

BEFORE GETTING IMPRINTED with a discriminatory attitude towards countries, religions, and colors, children should be provided with the opportunity to learn respect for each other, compassion to others and find solutions to problems in a safe global educational environment using information and communications technology (ICT) and real time conferences. Various kinds of projects can create a sense of “Global Family” among children, and students. Furthermore, these projects will allow teachers to become aware of human rights, which children possess. This is what the International Education and Resource Network (iEARN) does.

History of JEARN

I was born in Fushun, at the then Republic of China in 1940. I learned practical English in my late 30s, a skill which opened me to the idea of international communication. My career as Coordinator of Global Education started with Luma phone, a still image video phone. In 1985, I worked at Teleclass International (a project organized in collaboration with the Department of Education of the State of Hawaii using Luma phone). This project surprised me because it was the first time I had learned about an international educational project, which uses modern communications technology. Since then I have coordinated more than six hundred video conferencing between schools in Japan and other countries.

One day, I received news about the delivery of three hundred new Luma phones to many schools in different countries by an American educational organization in New York. Upon further research, I learned of iEARN, a global educational network.

In 1996, with limited knowledge of the iEARN, I attended an iEARN conference in Budapest, Hungary. After attending this third iEARN Annual Conference, I decided to start an iEARN chapter in Japan. I applied for support under the “New 100 Schools Project” of the Ministry of Education of



Luma phone project. (Opposite page) Youth summit.

Japan, and started the Japan Education and Resource Network (JERN) as iEARN Japan Center in 2000. The center received non-profit organization (NPO) status in 2003.

JERN now has about one hundred twenty members who facilitate seven active iEARN projects. The biggest JERN event for the last fifteen years was the Tenth iEARN Annual Conference held in Awaji Yume Butai in 2003, with four hundred participants from fifty-five countries, six hundred Japanese school teachers, and four hundred volunteers.¹

What is iEARN?

iEARN promotes the idea of “Learning with the world, not just about it.” The iEARN Constitution states:

The vision and purpose of iEARN is to enable young people to undertake projects designed to make a meaningful contribution to the health and welfare of the planet and its people.

It is:

- a safe and structured environment where young people can communicate;
- an opportunity to apply knowledge in service-learning projects;
- a community of educators and learners making a difference to the educational process.

iEARN is a non-profit organization made up of over 30,000 schools and youth organizations in more than one hundred forty countries. It empowers teachers and young people to work together online using the internet and other new communications technologies. Over two million students are engaged in collaborative project work worldwide. iEARN International is registered as a non-governmental organization (NGO) in Spain and has an international office in Callus, Spain.

Since 1988, iEARN has pioneered on-line school linkages to enable students to engage in meaningful educational projects with peers in their countries and around the world.

iEARN has the Collaboration Center, an interactive curriculum-based online group where students create, research, share opinions and become global citizens. I consider the Collaboration Center as the heart of iEARN that keeps it alive and active. See videos of the iEARN activities at <https://iearn.org/multimedia>.

Most iEARN projects have their own space – digital forums. Facilitators of the projects organize the “forum” and invite students and teachers to log-in and post messages.





Youth Summit.

The annual conference of iEARN attracts educators and students. Each conference, hosted by an iEARN country, is a week-long program with project presentations, poster sessions, workshops, new project discussion, culture nights, media festivals, local bus tours, and shared meals together with singing and dancing. It is a week that creates family bonds across countries, religions, and appearances. Participants leave the conference full of energy and make friendships that keep them active online for a whole year.²

JEARN Program

JEARN holds a number of activities such as workshops for educators, projects in the classroom, and local and international conferences.³ It has an “Office” that helps teachers and students find partners in Japan for their projects. It guides students and teachers who would like to participate in the Collaboration Center.

It implements three programs and seven special projects:

a. Programs

- Japan-Korea High School Exchange Program;
- JEARN Tokyo Kids Program(new);



Japan-Korea Exchange Program.

- ANNE FRANK Meet & Learn;

b. Projects

Natural Disaster Youth Summit (NDYS);

- Pen Friend Club;
- Teddy Bear Project;
- Taisho Koto Project;
- Origami Project;
- Girls Rising; and
- Hiroshima for Peace.

Among these projects, several have human rights components to it. Three of these projects have been developed by JEARN through the years, while one project is an international project.⁴

Girls Rising Project

Girls Rising is a global social action campaign for girls' education, created by Ten Times Ten, LLC. Its purpose is to "make sure people everywhere



(Top) Japan-Korea Exchange Program. (Above) Natural Disaster Youth Summit.

are talking about girls' education, that they understand its transformative power, recognize the barriers, and choose to get involved in order to make a difference."⁵ It involves nine videos of nine girls in different countries:⁶

- Sokha – Cambodia;
- Wadley – Haiti;
- Suma – Nepal;

- Yasmin – Egypt;
- Asmera – Ethiopia;
- Ruksana – India;
- Senna – Peru;
- Mariama - Sierra Leone;
- Amina – Afghanistan.

iEARN participates in this project and promotes it among its members. The project has participants from iEARN members from many countries in different parts of the world.⁷

This is a project for students who are asked to watch video on “Girl Rising” (or excerpted chapters such as Nepal Chapter [<http://youtu.be/Hk2Q7WLzns>] and Peru Chapter [<http://youtu.be/7P6nL7PXILw>] if the full DVD is not available) and, asked to share their reflections on the videos by posting them on the Girls Rising forum of iEARN.

The students are encouraged to share ideas about what they can do to make the situation of girls in the world and in their own country better. Where possible, students are invited to arrange skype conferences with those from other countries and share what they have learned while learning from each other in the process.

Hiroshima for Peace: Machinto

With books such as *Machinto* and *My Hiroshima*, participants learn about the consequences of the atomic bombing in Japan during the Second World War. They research and discuss why the little “birds” (war-affected children) are still crying in the world and how nuclear power plants today affect people. Participants express ideas of peace, friendship, and a safe world



through creative picture books, videos, and media that can be shared with those little “birds” in the world.

I started this project during the iEARN Annual Conference held in the Netherlands in 2006. Every year at subsequent conferences, iEARN organizes a *Machinto* workshop and display



Machinto Forum.

all the picture books created by children and students. Two hundred picture books are available in the JEARN office and circulated to schools whenever requested. In recent years, the participants created videos more than picture books.

The discussion at the Machinto Forum in May 2015 was interesting.

Group: Machinto

Topic: Let Hiroshima, Chernobyl or Fukushima never occur again!

Country: Ukraine

Message:

Having read the book *Machinto* by Matsutani Miaoko and on the eve of the 29th anniversary of the tragic accident at the Chernobyl Nuclear Power Plant, I would like to dwell upon those awful events, their reasons and consequences. I think that it is very important for mankind to draw a conclusion from those “lessons” of the past in the hope of preventing the recurrence.

As it is known, two atomic bombs were dropped on Japanese cities of Hiroshima

and Nagasaki by the American troops at the end of World War II. Nuclear bomb “Little Boy” was dropped on Hiroshima on 6 August 1945. And bomb “Fat Man” was dropped on Nagasaki on 9 August 1945. Those were the only cases of nuclear bombs during World War II. But I began to understand the terrible consequences of those events better after reading the book *Machinto*. The awful pictures of effects of those bombings, the crippled fates of children and adults arise in my eyes from its pages again and again.

My memory also keeps in mind the event that occurred a decade later in my home country Ukraine. On 26 April 1986, the fourth nuclear reactor exploded at the Chernobyl Atomic Station and caused radioactive contamination of a vast area around the plant.

When I compare those two tragedies, it seems to me that the accident at Chernobyl has more serious consequences. I think so, because it is known, that nowadays about 1.6 million people live safely in Hiroshima and Nagasaki, but Chernobyl and its so-called exclusion zone (with thirty kilometers in diameter) still remain uninhabited.

Why can people live in Hiroshima and Nagasaki and not in Chernobyl?

Our (Ukrainian) and foreign scientists explain this difference by two factors. There was much more nuclear fuel in the reactor of the Chernobyl Atomic Station. It splashed about ten tons of nuclear fuel. The second important factor was that explosion happened on the ground, not in the air. As the result, there was contamination by radioactive isotopes such as cesium-137, strontium-90 and iodine-131, and it made the living of people unsafe in a Chernobyl zone.

According to experts, the victims of the accident numbered 15,000 to 30,000 people. More than 2.5 million Ukrainians have health problems related to the Chernobyl accident.

Fortunately this was not observed in Hiroshima. “Little Boy” and “Fat Man” exploded about 500-600 meters above the ground. The response was very strong in both cases. A lot of people perished and later died from cancer in Hiroshima. The “Fat Man” bomb had less losses of life. It fell in the valley and most of the city was not affected.

And if it was impossible for the Japanese people to avoid those two cases of atomic bombing, it was possible to prevent the Chernobyl accident. It is the worst accident in the history of my country, a combination of human mistakes and a faulty design.

Has humanity made conclusions from this? It seems not.

Some days ago our media reported that South Korea and the USA are going

to sign a new agreement on the use of “a peaceful atom”. As for me, I consider that a man should search for the alternative kinds of energy because the use of so called “peaceful atom” is always unsafe. The nuclear disaster at Fukushima nuclear power plant in Japan proves it once more. To my mind, nuclear technology should be abolished. It is very dangerous for mankind.

And what do you think about it?

Group: Machinto

Topic: Chernobyl in the Life of My People

Country: Ukraine

Message:

I have never been to Chernobyl. . . . Chernobyl is not a historic place or a cultural centre. But everybody in Ukraine and even in the world knows it. It is known as the Chernobyl disaster.

The Chernobyl catastrophe happened in April of 1986. Today we realize that this disaster was the result both of the flawed reactor design and of serious mistakes made by the plant operators. It also was a direct consequence of cold war isolation. Four hundred times more radiation was released by the disaster than what had been released by the atomic bombing of Hiroshima. The radiation had been later detected in almost all parts of Ukraine. Over one million people have suffered from the radiation. The radiation has caused numerous problems, including Down syndrome, chromosomal aberrations, leukemia, thyroid cancer and birth defects.

I know that apart from increased thyroid cancers, there is evidence of a major public health impact attributable to radiation exposure nearly thirty years after accident.

The radiation has affected all parts of the environment surrounding the plant, killing plants and animals and infecting the soil and groundwater in Ukraine.

Today, radiation levels in Chernobyl are still higher than in the areas surrounding the plant, but have dropped considerably from the levels twenty nine years ago. It is estimated that it will take 20,000 years for the reactor core to be completely safe.

I suppose, people must prefer some other alternative power stations, because health and life are more important and expensive than economic effect.

There are many postings from Russian students. Some talked about the Russian atomic plant disaster too. I took their postings to JEARN's open discussion forum, but unfortunately there were no student replies from Japan.

There were people from many countries participating in this project including Argentina, Australia, Brazil, Canada, China, Colombia, India, Indonesia, Iran, Japan, Moldova, New Zealand (Aotearoa), Pakistan, Romania, Russia, Slovenia, Spain, Sri Lanka, Taiwan, Tajikistan, Tunisia, Ukraine, United States of America.

ANNE FRANK Meet & Learn

JEARN keeps thirty-four panels from the ANNE FRANK House in Amsterdam and bring them out in panel exhibitions at schools, universities, and peace museums in Japan. It has added Japanese text on the panel descriptions.

JEARN invites Japanese students to participate in posting reflections on the life of Anne Frank and the situation in Europe regarding the treatment of the Jews during the Second World War. The messages appearing in the website of the Global Campaign for Peace Education Japan (GCEPJ)⁸ mention issues such as Nazism, discrimination, racism, killing; and also human



Anne Frank Meet & Learn.

rights, equality and even the Universal Declaration of Human Rights. JEARN works with GCEPJ on the Anne Frank project.

The following is a reflection of a student from Senri International School of Kwansei Gakuin (Minoh city, Osaka prefecture) who visited the exhibition:⁹

How does one man change the world? (You can choose who that man is in connection to the story or today's study.)

Chiune Sugihara is a Japanese Consul-General in Kaunas who saved over 6000 people of Jewish during WW2. He disobeyed the order from the Ministry of Foreign Affairs, and issued visa for Jewish people. He had cut down on his sleep to spend more time to issue visa. When Chiune Sugihara left Kaunas, he kept issuing visa until the train [was] leaving. I heard the news that a descendant of Chiune Sugihara and a descendant of Jewish who were helped by Chiune Sugihara were meet each other, and a descendant of Jewish was very thankful to a descendant of Chiune Sugihara few years ago.

Another student from the same school wrote:

What resulted at the end of ww2? What effect do you think this has had on the world?

The United Nations was founded in 1945. On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights. Since that time nearly 200 countries have signed up to the Declaration, and thereby committed themselves to respecting and upholding human rights in their national legislation. I think this [has] effect on only [...] advanced nations. I have lived in Japan, America, and Canada, which are classified [as] advanced nation[s], and in those countries, I lived peacefully and there were no war in [those countries]. However, in the developing countries, there still have war, and people were killed for no reasons. Therefore, I think there still no human right[s] in the developing countries.

JEARN also hosts visiting officials from the ANNE FRANK House in Amsterdam and organizes special activities to allow these officials to speak to students and to other people in schools regarding the life of Anne Frank.

Teddy Bear Project

This project aims to foster tolerance and understanding of different cultures. Classes in Japan are paired with classes in other countries. Once paired, students in the paired classes send each other Teddy Bear or other soft toys by airmail. The bear sends home diary messages by e-mail or through the iEARN Teddy Bear Forum at least once a week. The students write the diary messages as if they were visiting the bear, or describing their experiences in the new culture.

I consider the Teddy Bear project (TBP) as one of the oldest projects in iEARN. I was fascinated learning about it during the 1996 iEARN Annual Conference in Budapest in 1996. Some years later, when the Australian iEARN team was about to stop TBP, I asked to take the role of TBP facilitator under JEARNet. Since then, JEARNet members have been taking care of TBP matching and supporting activities and over eight hundred TBP couples have been born.

In most cases, a child takes the Teddy Bear home, lets it experience the child's daily life, and reports the experience in a diary. On the next day, another child takes the Teddy Bear home and does the same activities. When all children have written their diaries, they say goodbye to Teddy Bear who goes back to its home country with the diary. It is important for children to receive the diaries and read about the positive news from the Teddy Bear, and not the negative news that newspapers or the TV often report, so that children keep good memories of the partner country and its people.

The TBP has participants from the following countries: Argentina, Australia, Azerbaijan, Belarus, Brazil, Canada, China, Colombia, France, Germany, India, Iran, Iraq, Israel, Italy, Japan, Kenya, Kuwait, Lebanon, Lithuania, Malaysia, Mexico, Moldova, Morocco, Nepal, New Zealand (Aotearoa), Pakistan, Peru, Puerto Rico, Romania, Russia, Slovenia, Spain, Sri Lanka, Taiwan, Tajikistan, Thailand, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United States, Vietnam, and Yemen.

Working for a Global Family

In a 2007 interview, I made these statements:¹⁰

We often think that peace comes by through a big power... from someone who has a huge power such as [economic power]. People often wait for peace to come from somewhere else, but I should say that peace is from you and me. And by creating a little

smile and a few lovely words for your friends or other persons around you, that moment gives you peace. iEARN is the place that we learn how to create peace. I love it!

iEARN also promotes the idea of “Global Family” for all.

After twenty or thirty years, when those children grow up and become active members of society, the things learned and experienced through iEARN projects will stay long in their memories as they remember being part of the “Global Family.”

This is what iEARN aims at in promoting involvement in iEARN and its projects by more schools, teachers, and children/students so that the world can listen to their voices through the iEARN forums.

Endnotes

1 Visit the website of the conference for more information: www.jearn.jp/2003conference/.

2 The annual conference had been held in Argentina (1994), Australia (1995), Hungary (1996), Spain (1997), USA (1998), Puerto Rico (1999), Republic of China (2000), Russia (2001), South Africa (2002), Japan (2003), Slovakia (2004), Senegal (2005), Netherlands-Poland (2006), Egypt (2007), Uzbekistan (2008), Morocco (2009), Canada (2010), Taiwan (2011), Virtual Conference (2012), Qatar (2013), Argentine (2014), and Brazil (2015).

3 iEARN big events during the last fifteen years:

- The 10th iEARN Conference & the 7th Youth Summit in Japan (2003)
- NDYS 2005 at Awaji Yume Butai (2005)
- The First iEARN Asia/Pacific Conference in Tokyo (2006)
- iEARN International Conference 2007 in Aichi (2007)
- The Second iEARN Asia/Pacific Conference
- Global Education Future Conference 2007 in Tokyo
- Youth Environmental Summit in Kobe (2008)
- The First Global Education Forum “Jyukugi” in Tokyo (2010)
- The Second Global Education Forum “Jyukugi” in Tokyo
- The Third Global Education Forum “Jyukugi” in Tokyo (2012)
- The Fourth Hyogo Youth Summit
- The 1st AYV Japan Media Festival in Tokyo (2014)
- AYV Create Media Day in Tokyo
- Natural Disaster Youth Summit in TOYOTA city? (2015)
- iEARN International Youth Summit in Kobe
- The 2nd AYV Japan Media Festival in Tokyo
- iEARN Tokyo Kids Program.

4 For more information on iEARN activities in Japan visit www.jearn.jp/eng/index.html. Additional information is available at iEARN website: <https://iearn.org/>.

5 What is Girl Rising?, <http://girlrising.com/faq/what-is-girl-rising/>.

6 Girls Rising, <http://girlrising.com/about-the-film/>.

7 Countries where participants of the Girl Rising Project come from: Armenia, Australia, Brazil, Cameroon, Canada, China, Egypt, France, India, Iran, Japan, Korea (South), Mali, Morocco, Pakistan, Palestine, Qatar, Russia, Senegal, Somalia, Sri Lanka, Suriname, Taiwan, Tajikistan, Tanzania, United States of America, and Yemen.

8 See <http://gcpej.jimdo.com/link/annefrank/> for more details on GCEPJ.

9 See for example the student reflections after seeing the Anne Frank panels in <http://gcpej.jimdo.com/link/annefrank/r7/>.

10 Interview at the 2007 iEARN Annual Conference and Youth Summit, hosted by iEARN-Egypt, <https://iearn.org/testimonials>.

Creating a Rights Respecting Society in India: The Human Rights Education Program of Amnesty International India

The HRE Team, Amnesty International India

“I WISH THIS WORKSHOP was longer. Time just flew by. At the beginning of the first day, I thought my school was human rights friendly and we were doing everything right. But after these three days, I know that we have much more to do.”

These were the words of a teacher from one of the first workshops that we conducted in India on human rights education. It is this idea that we wanted to bring in - that the seeds of human rights exist in schools but our program would help it strengthen and grow.

The Human Rights Education program at Amnesty International India (AI India) began in July 2012. With the inception of the Amnesty International Office in India in 2012, human rights education was conceived as an integral part of the India program of work. It would be part of the *pro-active* side of AI India's work and the “face” of the organization – building a future rights respecting society.

The AI India office was part of AI India's efforts for “Moving Closer to the Ground”. The international movement decided to set up regional hubs and national offices in key locations around the world in order to increase its legitimacy, relevance and impact as a human rights movement. Thus, the vision of AI India - *With strong roots in the country, Amnesty International is a key player in a movement delivering positive changes on the burning human rights issues of contemporary India, and contributing to the long-term effort of establishing a rights-respecting society in India.*

Human rights education evolved into an important component towards building such a rights respecting society. Education is a key ingredient to bring about systemic change. Bringing education and human rights together creates conditions for both enhancing learning environments and community values and has a long-term impact in building and sustaining a rights-respecting society. Human rights education can also create the platform and

environment to highlight critical current human rights issues in order to develop public opinion and action on protecting and promoting human rights.

Our Context

“Even if we are not allowed, I would run off and come to school.” says a student from one of our pilot schools who is also part of the National Child Labour Project.

Thus, although education is seen as a means of social transformation, research¹ reveals that Indian educational institutions practice and in a way perpetuate discrimination, segregation, and disparity. This inability of the education system to address issues around discrimination has contributed to the lack of educational progress and advancement of children, especially those belonging to marginalized communities.

In August 2009, the Indian parliament passed The Right of Children to Free and Compulsory Education (RTE) Act and incorporated the right to education in Article 21A of the Constitution. The Act entitles all children between the ages of six and fourteen to an education based on the principles of equality and non-discrimination. Further, India is a state party to the United Nations Convention on the Rights of the Child, and has laws against child labor, protection of children, etc. However, the story on the ground is overwhelmingly a story of power, unequal access and disparity driven by class, caste and religion with gender as a cross-cutting factor.

Access to education has always been difficult for those coming from weaker socio-economic circumstances. On the one hand, public school education is often impaired by a lack of adequate resources, which invariably affects the quality of educational facilities. If universalizing education only entailed providing a physical building of some sort, India would have been successful in its endeavor. However, most of these schools are under-resourced and single teacher or contract teacher-run.

On the other hand, both in the urban and rural contexts, there is a massive shift away from government schools, with preference for private schools. Although the assumption is that private schools offer quality education, these schools often discriminate against marginalized children. The RTE stipulates a 25 percent intake of underprivileged marginalized children, but many private schools are still resisting this measure, claiming

that it will adversely affect their reputation and the quality of their learning environment.²

There have been limited attempts to inform the larger society of the issues and the multiple layers of discrimination that marginalized children face in schools. Teachers and educators often lack sensitivity to these issues and thus continue to perpetuate the marginalization and discrimination of socio-economically underprivileged children. The persisting lack of access of these historically disadvantaged groups to quality education severely affects their opportunity to change their socio-economic conditions. Further, these learning environments are highly stratified. And this stratification exists across all categories of schools, which creates deeper adverse conditions across the board.

For example, let us look at the situation of children from Dalit and Adivasi communities. An alarming number of them, largely girls drop out of school before they reach the age of fourteen. Even if these children remain in school, they face discrimination that often pushes them out of the education system.³

Civil society organizations and grassroots movements have been working in the area of child rights and human rights in India for decades. But there was a need for a new approach that looked at schools and education from a wider human rights perspective, not only from a child rights perspective. It is from this perspective that we brought in the Human Rights Education Program.

Our Context & the Global Space

AI India's initiative was developed in the context of the United Nations (UN) World Programme for Human Rights Education (WPHRE). The global definition of human rights education was adopted by Amnesty International's program. The first phase of the WPHRE (2005-2009) emphasized integration of human rights education in primary and secondary school systems across the world. It advocated a holistic approach to human rights education, encouraging national governments to not only support schools to teach children about human rights, but also to ensure that the schools were run in a manner consistent with human rights values and principles.⁴

As part of the WPHRE, the UN Declaration on Human Rights Education and Training encourages states to promote and ensure that human rights

education and training are developed and implemented. As Article 1 of the Declaration states: “Everyone has the right to know, seek and receive information about all human rights and fundamental freedoms and should have access to human rights education and training.”

AI India uses this framework and Amnesty International’s global Human Rights Friendly Schools approach to run its program in India.

What Do We Do and How Do We Do It

Our Approach – The Whole School Approach

A Human Rights Friendly School (HRFS) adopts a Whole School Approach. It is where human rights values and principles are integrated into

all aspects of school life - Curriculum & Co-curricular Activities, School Relationships, School Environment and School Governance.

In the area of *Curriculum & Co-curricular Activities*, human rights issues and principles are integrated into the school curriculum through various methodologies and approaches that enhance teaching practices and co-curricular activities and the knowledge of human rights.

With *School Governance*, every member of a school community contributes to informed decision making. Sharing responsibilities helps create trust and respect in the environs of a school. For example, an empowered student council can effectively communicate students’ grievances or suggestions and incorporate them into a school’s vision and annual plan.

In the *School Environment*, when a school observes equality irrespective of gender, faith, class and caste, and the school community remain respectful of inclusiveness in the classroom, the play area and the staff room; they are on their way to becoming a human rights friendly school.

And finally, in the area of *School Relationships*, to establish interactions based on non-discrimination and respect, schools integrate activities on addressing issues like bullying and conflict resolution.



HUMAN RIGHTS EDUCATION PROGRAMME
AMNESTY INTERNATIONAL INDIA

The Global Principles of Education and Training,⁵ which include *non-discrimination & inclusion, participation, accountability* and *empowerment* through learning and teaching, provide the basis for what needs to be achieved in qualitative terms on the ground.

Principles of the Program

The program established a set of principles to facilitate a deeper and consistent integration of human rights education into school life. These principles bind our work, informing our actions and assessment:

1. **Create Ownership** - Ownership of the program happens when schools recognize the role of human rights education to enhance the quality of their school life.
2. **Build Relevance** - Relevance of human rights education is initiated when the school community identifies the importance of respect, dignity, non-discrimination in school life, while “good practice” in learning, teaching and overall interaction is ensured through broad-based participation and inclusion.
3. **Learning By Doing** - Human rights education is not taught as a theoretical topic. Instead, it is enabled through learning by experience and introduced through activities and fun exercises.
4. **Create Advocates** - For human rights education to contribute to broad-based impact that creates a rights respecting society, practitioners and advocates become the torch bearers of the program and work actively towards spreading human rights education in the wider community.

How Does it Work: On the Ground

“Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood [s]he lives in; the school or college [s]he attends; the factory, farm, or office where [s]he works... unless these rights have meaning there, they have little meaning anywhere.”

—Eleanor Roosevelt, 1948, one of the principle drafters of the Universal Declaration of Human Rights.

We begin all our introductory workshops with this quote. It helped us break down the theoretical concept of human rights education and ensure that it becomes relevant to all.

For our **pilot phase** (end of 2012 – mid 2013), we ensured that all our “pioneer schools” went through an introductory workshop. This workshop provided a self-assessment, visioning and an action planning process. Each school self-assessed itself, came up with a vision to turn the school into a human rights friendly one and then created action plans to make this vision a reality. The schools identified key issues that they would like to work on in the areas of Curriculum & Co-curricular activities, School Environment, School Relationships and School Governance (Whole School Approach). These plans were taken forward by the newly-formed schools human rights education units. We at AI India liaised with these units to ensure that the issues and activities were being taken up in a smooth manner. Our first set

The Student Council at AI Azhar Foundation

The AI Azhar Foundation, a non-governmental organization (NGO)-run school in Bangalore's Goripalya settlement imparts mainstream education facilities to the children from the surrounding areas. The school is one of the pilot schools under the AI India program.

The AI-Azhar Foundation has been a pioneer school in adopting the human rights education program. As part of their human rights education school plan, it suggested the establishment a student council to inform students of their role in the school's decision making process.

During elections, students were nominated, canvassed and elected as student council members through a democratic process. This exercise allowed teachers and students to explore the scope and influence of a student council.

To ensure that the student council did not just function as a token body, elected members were trained and made aware of their responsibilities to identify their role and formulate their student council plan. In their first year, they set up a suggestion box, inviting their contemporaries' solutions and concerns on the issue of bullying. These issues were regularly discussed and resolved by the student council members.

In its second year, the student council is working towards its next step: reaching out to the local community. Watch on YouTube how this process happened, www.youtube.com/watch?v=yLiXSWNtfv4.

of resource materials was developed in a “demand-drive” fashion - from the issues that were raised in these first school action plans.

It was then time to grow and expand! Next phase saw the piloting of our scale up plans (mid 2013 to end 2014). Our plan was to work with other organizations that work with schools in order to integrate human rights education into their respective agendas. This involved training their staff on human rights education so that they could take these ideas forward on their own terms. Many meetings to understand each other’s work, identify the common areas and issues that could be worked on and human rights education training programs were part of this human rights education integration process. In this case, the organization would identify a person or persons with whom AI India could work with and who would keep us informed of how the program was being taken up in schools. For this phase, we also decided to work through two main approaches – deep engagement (focused work concentrated on fewer schools) and wider reach (wider dissemination to a broader set of schools). We introduced ideas such as the student council, teacher training in an intensive hands-on manner through the deep engagement approach. In the wider reach space, we chose to give out modules on the Amnesty Student Clubs and activities that teachers could initiate.

In the past couple of years, we have consolidated our work and we have sharpened our understanding as to ways in which schools tend to take up human rights education.

Scaling-up – Developing Wide Human Rights Community in Schools

Zee Learn works with a network of high-end private schools in India. The organization supports and monitors quality education in schools. The regional directors of the organization are responsible for the implementation of the program. Introductory workshops on human rights education were held in various schools involving teachers and regional school directors. Based on the plans developed in these workshops, students built an understanding on the relevance of human rights through various activities. Students linked up with organizations that worked on women’s literacy and conducted an awareness campaign on the importance of women’s education. They also visited the local police station and commemorated the efforts of the police towards ensuring safety in their communities. Various other activities involving the local communities have been conducted in these schools. These schools have also

marked their school calendars to celebrate global days such as International Women's Day and Amnesty's Human Rights Month.

To ensure the development of a strong public opinion on integrating human rights education in schools among the wider community, the organization plans to highlight on its social media page the importance of human rights. It is also thinking of taking the program to all its schools and systematically involving parents in this effort.

To read more on what is happening in these schools visit - www.amnesty4education.org/hre/homesee?section=see#tab1.

We have also initiated conversations with government departments to work towards integrating human rights education more systemically within the country.

The details of these approaches and what emerged from them are provided in the next section.

Our Role

Our engagement with schools begins, as touched upon earlier, with an introductory workshop. We take the schools on a journey at the end of which they come out with an Human Rights Education Plan that initiates the integration of human rights education into their school life.

Our key role is as a facilitator and a mentor:

- **As facilitator**, we engage with key stakeholders - school management, teachers, parents and students – to ensure that they adopt relevant means to integrate human rights education into their school;
- **As mentors**, we guide the implementation of activities schools have chosen in their school plan and/or support them to come up with their own activities.

Apart from this, we provide content to schools on various human rights education related issues. This content is written up in the form of human rights education modules that consist of simple stimulating activities and lesson plans to communicate the issue in an engaging manner.

At AI India, we believe in working through collaborations to make human rights education a *visible* reality. Through such collaborations (be it

civil society or the government), we create models for implementation of human rights education, based on their own objectives for school education. These stakeholders owning human rights education on their terms ensures a greater possibility for human rights education to be taken forward in a sustainable and systematic manner.

The Story So Far

The Timeline

- July 2012 – Human rights education in AI India is born
- November 2012 – Introductory Workshops with Pilot schools
- December 2012 - 1st Human Rights Day celebration with the Pilot schools



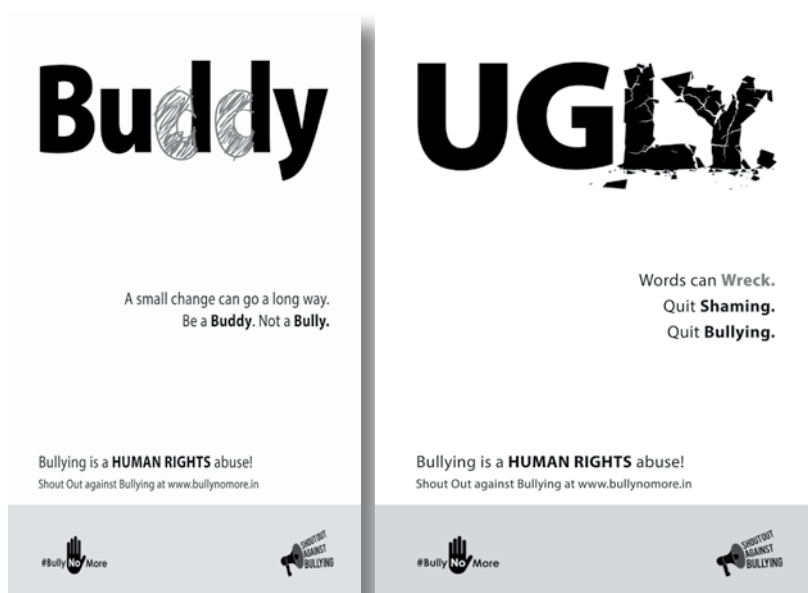
Amnesty event. (Photo: Hari Adevarekar)

- July 2013 – Twenty-seven schools in Bangalore sign-up as pioneers of the Human Rights Education Program in India composed of ten Government Schools, ten alternate schools and seven private schools. The Human Rights Education Program reached out to 26,000 students, 540 teachers and around 35,000 parents.
- September 2013 - First Student Council implemented in Al Azhar School, Bangalore, informing AI India's Student Council Module



Classroom activity.

- October 2013 – Activity on how to effectively address the issue of bullying in 20 schools, leading to the creation of a bullying module
- November-December 2013 - Human rights education goes public! Human Rights Month Celebrated with the Pilot and Partner Schools
- December 2013 – Launch of the Human Rights Education Website – www.amnesty4education.org
- August 2013 - The Human Rights Education Program establishes collaborations in seven states across India with organizations working with education and networks of schools - Tamil Nadu, Kerala, Karnataka, Maharashtra, Rajasthan, Goa and Bihar
- In 2014, AI India was invited by the National Human Rights Commission and the Vice President of India's office to give a presentation on human rights education
- August 2014 – Amnesty Club begins in *Delhi Public School (DPS) Patna!*
- December 2014 – Launch of the BullynoMore campaign with an all India competition – www.bullynomore.in.



Anti-bullying posters.

- March 2015 – Launch of the Implementation Report documenting the pilot and scale up phase of the program
- September 2015 - AI India Attends national conference for India International Model United Nations (IIMUN) in Aamby Valley City, Mumbai. We had a session with the teachers introducing them to the Human Rights Education Program and the possibilities of an Amnesty Club. We ended up with thirty-three registrations for Amnesty clubs.
- November 2015 - Amnesty International's first Massive Open Online Course launched - Human Rights: The Right to Freedom of Expression. Over eight hundred people registered from India including students and teachers from our partner schools and universities.
- November 2015 - Write for Rights launched - Students from the Human Rights Education Program join the annual Global 'Write For Rights' campaign to show solidarity with Phyo Phyo Aung. Students were presented with the case of Phyo Phyo Aung



Amnesty at IIMUN.

and briefed on what the campaign was about. In response, some schools hold a peace march, while others wrote letters, held debates and gave speeches on freedom of expression. The campaign saw the participation from more than one hundred schools across India and a total of 29,000 actions were taken by students.

- December 2015 - Human Rights Week – The Human Rights Education Program celebrated Human Rights Week (1st December - 10th December) by building awareness on the issue of bullying, and helping schools in their pledge to stand up against all forms of bullying. As a result of Human Rights Day celebrations and activities, schools pledged to take action against bullying.
- December 2015- The Human Rights Education Program reaches one hundred thirty-four schools across eleven states in India through seven partners
- February 2016 – ‘Equality is Gender Free’ toolkit ready for dissemination to schools
- March 2016 – Memorandums of Understanding (MOUs) aimed to be signed with the Government in Madhya Pradesh, Karnataka Government and the National Institute for Open Schooling.



(Top and above): Write for Rights campaign.

Reaching Out With Diversity

We have evolved a diverse set of ways in which to expand our reach.

Our Campaign - #BullyNoMore

We discovered first through our introductory workshops that bullying is an issue all schools face. To explore the theme of bullying and build aware-

ness and action on the issue as a human rights abuse, the Human Rights Education team introduced approaches as well as tools in schools and communities. The team came up with a set of engaging and exciting ideas – ranging from classroom activities, to a special assembly plan, to ways in which schools can engage with their local communities. These ideas were put together in an activity kit. The kit was a guide to facilitating activities on the issue of bullying with students, their parents and the local community. It also gave pointers to help in drafting an anti-bullying charter with the participation of students, parents and community members that could facilitate action against bullying. We also collaborated with theater groups to showcase plays that talk about this issue and explore new ways for schools to take action. With our engagement, schools have come up with techniques of their own - such as scripting their own plays and coming up with policies to counter bullying.

Once we shared the activity kit with our collaborating organizations and schools, schools enthusiastically participated in the activities through skits, street plays, mimes, and quizzes. A website www.bullynomore.in was created for public engagement activities and as one-stop for all resources on bullying. A video explaining the problem of bullying, entitled BullyNoMore is available on YouTube - www.youtube.com/watch?v=7NJkjiOIIZE.

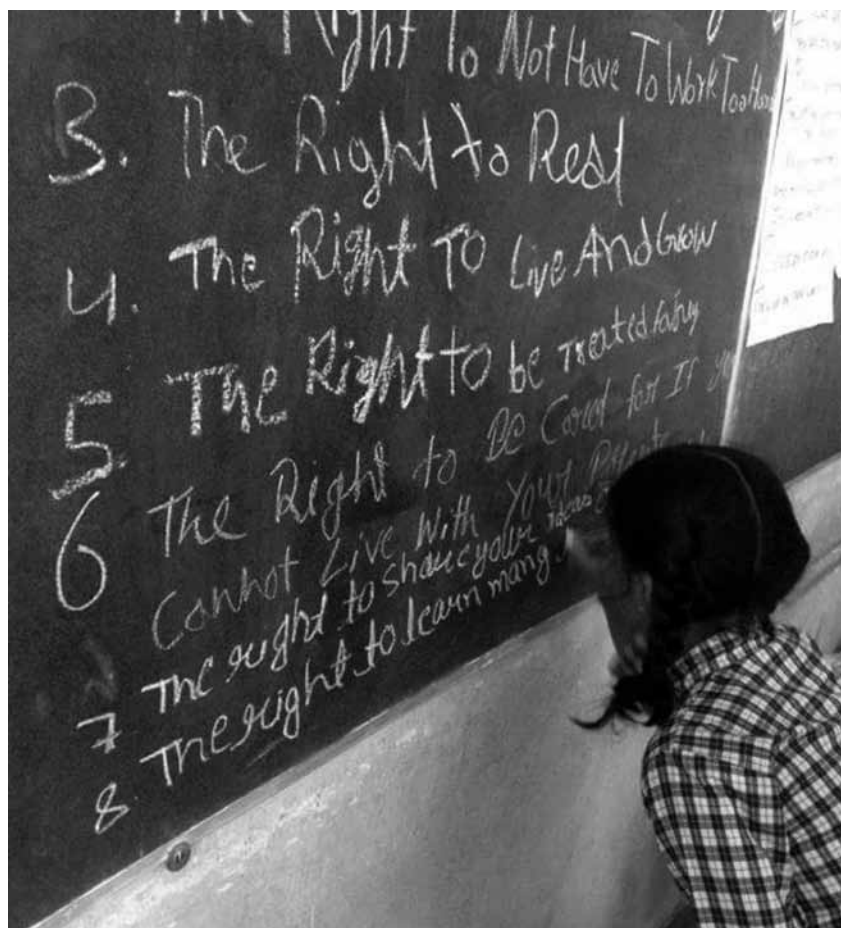
Platform for Human Rights Discovery – Amnesty Clubs

Currently, as part of piloting Amnesty Clubs, AI India's Human Rights Education Program has helped start thirty-five AI India clubs across the country. We share an Amnesty club starter kit with schools that are interested in initiating a club of their own. Clubs then take up issues they relate most with and plan and conduct activities. For example, one such club picked up the issue of Syrian refugees and wrote letters to them in solidarity, while another school took up the issue of women's rights.

Similarly, any new campaign created by us is shared with schools for clubs to take up.

Annual Celebration - Human Rights Month

10th of December, being Human Rights Day, is an important day for the program. In 2011, we organized on December 10th a banner making events in all our pilot schools. The following year, we decided to go big by celebrating Human Rights Month, stringing three key dates - 14th of November,



Classroom activity.

Children's Day; 20th of November, Child Rights Day, and; 10th of December, Human Rights Day. In 2013, we decided to go public and organized our first public event near a prominent metro station in Bangalore. Students put up installations on how they perceived human rights. Letters written to Prisoner of Conscience Irom Sharmila were also exhibited in this space.

By 2014, we felt it was important to have discussions around a theme so that we could bring all our schools to focus on ONE issue of importance for Human Rights Month. The theme chosen was bullying. Seventy-eight schools across the country received activity packs which consisted of fun in-

teractive games and quizzes designed to help parents, students and teachers understand why bullying is a human rights abuse and how it affects children in the long-run.

These are examples of the activities for the Human Rights Month across the years:

- a. #BullyNoMore Playing Cards: based on the card game “Taboo,” team-mates guess words that relate to bullying by using the least number of cue words;
- b. Body Mapping: on a given body outline, team-mates stick notes with characteristics (both negative and positive) and discuss the impact of bullying on an individual;
- c. #BullyNoMore Contest: This contest reached out with flyers and posters to over five hundred schools across India to get students aged between ten and sixteen to suggest solutions to bullying. With over two hundred voice call entries and video entries, the contest went well;
- d. Activities in Schools on Bullying: parents were invited to be part of the activities using the Anti-Bullying Tool-kit (a set of activities and games that were specifically put together for schools) to build a collective understanding across the school community about bullying.

A Platform for Expression - Write for Rights



Phyoe Phyoe Aung.

Write for Rights (W4R) every year focuses on hundreds and thousands of people around the world by encouraging them to show solidarity for people whose rights have been violated. To show support, people write letters, e-mails, petitions, posters or banners to these prisoners of conscience. In 2015, we initiated the global Write for Rights activity in a big way. For this activity, we chose to show support for Phyoe Phyoe Aung's release.⁵

The campaign was launched in various public, private and NGO-run schools across India. We shared a presentation on Phyoe Phyoe, along with a banner and encouraged students to click a picture with it and write letters to show solidarity.

More than one hundred schools participated and approximately 29,000 actions were taken. We received pictures of students taking action via mail and whatsapp. Some schools did a peace march with the banner, while some engaged through letter writing, debates and speeches on freedom of expression. Teachers and support staff also participated in the activities.

Enabling the Spread of Human Rights Education

Engaging with the Government

The Human Rights Education Team met the Union Minister for Human Resources Development, Smriti Irani, on the issue of bullying. The Minister interacted with six students and four teachers from schools where the Human Rights Education Program is implemented, in an exclusive round table event. The objective was to raise awareness on bullying in schools and to highlight to the Ministry the work done by schools to address the issue.

A more current work involves engaging with different state and national government entities such as the National Institute of Open Schooling (NIOS). NIOS is the largest open schooling system in the world. AI India in collaboration with NIOS proposes to implement a certificate course on human rights for the medical health workers in some districts in the State of



Meeting with Smriti Irani.



(Top and above): National Institute of Open Schooling.

Bihar. We will lead the content development for course and the examination, while the NIOS will conduct the examination and provide accredited certification to successful participants. We will also work closely with the state government department of health in ensuring that the certified health workers share the learning and information on human rights with the larger community.

Based on the pilot phase, the program will be scaled to other districts of Bihar.

With the Karnataka Government we are currently working on compiling an anthology of short stories on human rights in collaboration with other civil societies and children book writers. The Karnataka State Board plans to provide the anthology in June to students as a supplementary book that will introduce the concept of rights & responsibilities.

AI India is also a knowledge partner of Bharat Gyan Vigyan Samiti (BGVS) and will be training approximately one hundred resource group members to set up and implement *Bal Cabinets* (Student Councils) in 1,372 government schools in two districts in Madhya Pradesh. Through democratic election and participatory functioning of student run cabinets, we aim to encourage and initiate youth awareness and activism on relevant human rights issues in the state.

Our Learnings

The Approach

The approach is and continues to be non-prescriptive and “demand-driven.” Our stakeholders appreciate this and we believe this is one of the core reasons for the program being received well by schools. Over time, some principals, teachers and students have emerged as key advocates of human rights education in schools. These stakeholders understand the relevance of human rights education and the necessity for sustained human rights education in their schools. They have also begun to recognize the need to involve parents in integrating human rights education in their schools. Some of these schools have also started preparing their own human rights related campaigns. We consider this an extremely positive sign resonating *ownership* from the school, which is one of our core principles. There is also a peer community of human rights educators being formed to take forward and spread human rights education in the country.

One area which has not worked very well is involving parents and the local community to ensure the human rights friendliness of the school. This will be our core focus in the years ahead. As we further develop the program, we will continue to apply the principles of ownership, relevance, experiential learning and building a peer-to-peer community consistently.

The Content

We continue to create relevant, age appropriate content. This has been the strength and the value that we bring into the human rights space in India. Some of the issues that have been taken up in a big way by schools are awareness on human rights, bullying, internalizing rights & responsibilities, setting up and running a student council.

Once schools begin to implement their Human Rights Education Plans, students, teachers, principals and the management gradually build their understanding of human rights and its relevance to their school life – in their teaching practice, in understanding the relationship between rights and responsibilities, in their relationships. Over time, students and teachers have begun to articulate human rights issues that exist in their school. They are able to form their own campaigns and look for solutions to issues that bother them. They have also kept to the principles of experiential learning.

Going forward, the feedback loop becomes essential to ensure that we learn from the users of human rights education to keep our content relevant and accessible. We would also like to work with schools to introduce more topics on stereotypes (gender and others) and power relations into their human rights education discussions along with bringing in global human rights education issues and relating them to the local context.

The Platforms for Action

Our model for human rights education is to bring in permanent *platforms* to the school space so that there is continuity in discussion and action on human rights issues. Such platforms include the Amnesty Clubs and the Student Councils. These are platforms for student activism, for them to relate to human rights issues and explore avenues to influence. It is also the space for students to be recognized as stakeholders within the school system and to play their role in decision making in their school.

As part of these spaces, students have imbibed participatory decision making values and understand their relevance in the school. They have also gained leadership skills and use them to mobilize others on their chosen human rights campaigns.

We feel that certain platforms for human rights education, such as the student council although enabled by the school managements, need to be more driven by students. However, hierarchy among different stakeholders still seems to be a big issue that needs tackling.

The presence of such platforms is extremely useful to sustain human rights education, and they become a channel through which the program can be integrated into other areas of school life.

The scale up

The other aspect of the program that has worked well is our relationship with partners and our **collaborative approach**. Such a model is essential in the Indian civil society space as it prevents us from reinventing the wheel and also allows us to use our resources in an efficient manner. Moreover, it is only through these kinds of partnerships that we can ensure a more sustained spread of human rights education in the country.

Collaborating with organizations was initiated to expand the program based on the approach and content developed in the pilot phase. These organizations have integrated human rights education into their organizational plans and consistently implemented the program in their schools to enable schools in turn to embed it in their context. Key staff members have emerged as advocates of the Human Rights Education Program. They have adapted the program's approach and are implementing it in their schools in a relevant manner.

Organizations choose modules in a way that creates potential human rights education advocates among some of the members of the school community, such as through student council, teacher training and Amnesty Clubs.

Human Rights Education Trainers

One area where there is a clear need for improvement is to increase the number of human rights education facilitators and trainers in the country. The reliance on AI India is increasing and thus causing bottlenecks for schools to take forward the program.

Looking ahead, the program is going to concentrate on creating a growing pool of **Human Rights Education trainers**. These 'facilitators of Human Rights Education' can build momentum to bring this issue into the national focus while providing local solutions for specific school community needs. Such a movement will also hopefully advocate for the integration of human rights education into the education system.

Government Engagement

The reason we choose to collaborate with the government is because it is a means for accelerated scale up and spread of human rights education. There are two approaches here – national level policy influence and state level human rights education implementation. The actual implementation of human rights education at the state level is a more recent development. This will provide us with the experience to sharpen our approaches to more exponential growth. State-level human rights education implementation is a scale at which we see actual adoption of human rights education practice made possible and viable. This process has begun but needs to cover more ground in the future to make human rights education visible. National level policy influence is a more long-term goal that will need to be embedded in and informed by state-level implementation.

Our Future Possibilities

The Human Rights Education Program in AI India is currently at a stage of consolidation. We will continue to encourage and engage more young people to know their rights and claim them. Along with this, we will continue encouraging and coaxing different parts of the government system to integrate human rights education practice. We have identified two main approaches – Youth Activism and Policy Integration. We see these as two sides of a coin.

Youth activism lies at the core of Amnesty International's mandate. It is only when we have a substantial number of young people who know and can claim their rights that we can say we are a true human rights movement. It is this movement that can influence the government to take up the human rights education agenda. Working increasingly with the government directly will remain one of our priorities. Since education is both a State and Central Government subject in India, it is not enough for us to focus on any one. Hence we will seek to work with both State departments and the Central Ministry.

The opportunities are many; both externally and internally within the organization. Internally, human rights education is now a strategic goal within Amnesty International's program of work and thus has finally been given the importance it deserves. Externally, the response from different parts of the Indian government so far is positive and promising. In the com-

ing Universal Periodic Review for India, next year, lies another opportunity to highlight human rights education.

While we are witness to the nature and extent of human rights violations in the country, there is no better time to seize opportunity for human rights education. Moreover, with 45 percent of India's population being below twenty-five years old, building a rights respecting society for the future just became that much more significant.

Endnotes

1 Quality Education Survey from Educational Initiatives and Wipro Applying Thought in Schools, 2011. Survey report available at www.wiproapplyingthoughtinschools.com/?q=qes.

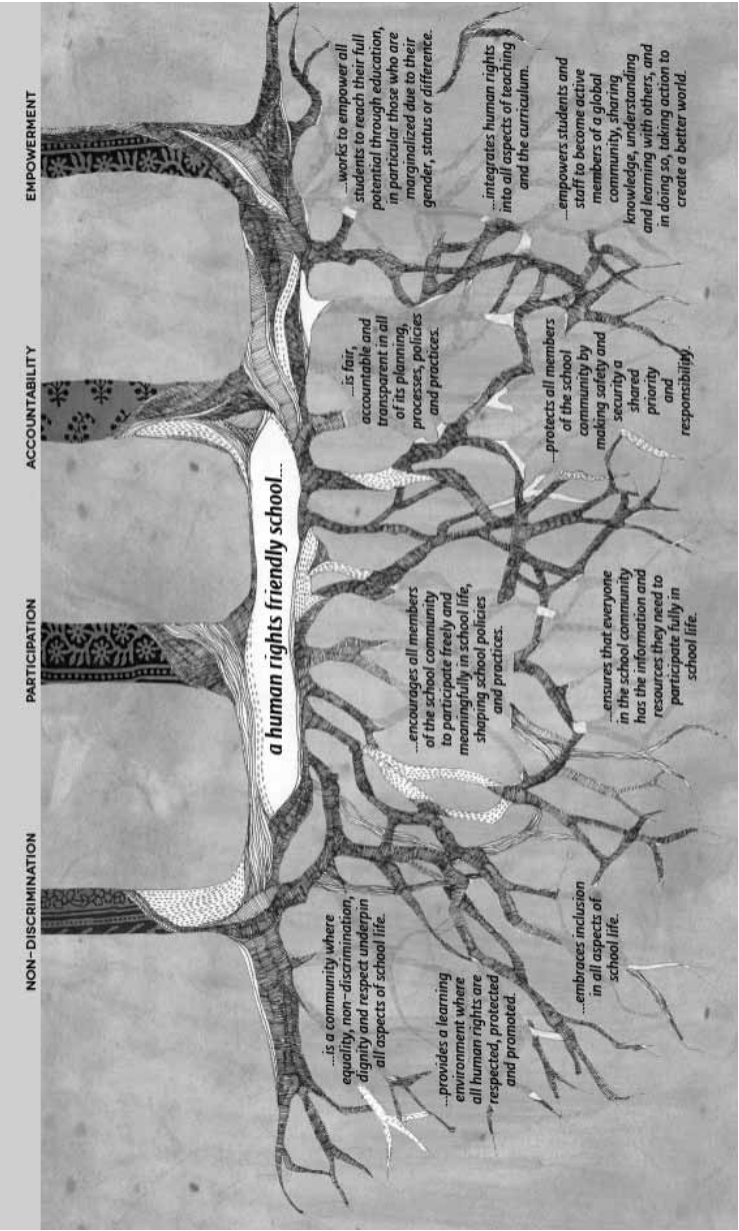
2 See recent news articles such as "RTE Seats a distant dream for many," *Times of India*, <http://timesofindia.indiatimes.com/city/nashik/RTE-seats-a-distant-dream-for-many/articleshow/51904458.cms>; "Private schools protest 25% seats quota under RTE," *Times of India*, <http://timesofindia.indiatimes.com/city/bengaluru/Will-25-RTE-quota-stay-ask-worried-parents-and-schools/articleshow/50404686.cms> that regularly portray the image of public schools versus private schools.

3 Ramachandran Vimala, "Can Rights go Wrong? The RTE Conundrum in India," *International Centre Quarterly*, July 2012.

4 The second phase of the World Programme for Human Rights Education began in 2010 and focused on higher education, while also emphasizing the importance of continued efforts to integrate human rights education into the school system. We are currently in the third phase of the World Programme, which aims at strengthening the work done in the first two phases and providing human rights education for media professionals and journalists.

5 Phyo Phyo is a student activist from Myanmar, who has been imprisoned for being part of the peaceful protests against the New Education Act launched by the Myanmar government. Phyo Phyo has been imprisoned since March 2015 and has been subjected to physical torture and threatened with sexual abuse.

Annex
Global Principles of Education and Training



“Imagining Transitional Justice in Israel/Palestine”: Experiential Collaborative Learning at Tel Aviv University’s Minerva Center for Human Rights

Sigall Horovitz

THE PRESENT contribution discusses a project that brought together Israeli, Palestinian, and South African law students for the purpose of considering whether transitional justice approaches can help transform the Israeli-Palestinian conflict. For context purposes, the contribution also includes a brief discussion of the concept of transitional justice, and relevant background about the Israeli-Palestinian conflict.

The project was initiated and coordinated by the author, under the Minerva Center for Human Rights at Tel Aviv University’s Faculty of Law. It was academically supervised by the Center’s director, Prof Leora Bilsky, and implemented through a partnership with Prof Mia Swart of the University of Johannesburg (Faculty of Law) and Prof Mutaz Qafisheh of the University of Hebron (Dean of Law). The project was funded by the German Minerva Foundation, under a special grant for the project Imagining Transitional Justice in Israel/Palestine. The Minerva Foundation was also a source of inspiration throughout the implementation. Additional financial assistance was provided by Prof Hennie Strydom of the University of Johannesburg, and the Cegla Center for Interdisciplinary Research of the Law at Tel Aviv University. The venue of the Johannesburg workshop, the project’s main component, was made available by Prof Strydom and adapted to the project by Prof Swart and her teaching assistant, Ms. Karin Krisch. The project could not have materialized without the support of the above-mentioned persons and institutions, and especially the remarkable efforts and enthusiasm of Prof Leora Bilsky and Prof Mia Swart.

The Project

Can transitional justice approaches help transform the Israeli-Palestinian conflict? This was the central question animating the project Imagining Transitional Justice in Israel/Palestine. The project’s guiding principles were



Project participants with Justice Richard Goldstone (front row, fifth from left).

that students from Israel and Palestine must consider this question together to ensure that all perspectives are taken into account, and that an effective consideration of this question requires not only an understanding of transitional justice theories but also empirical knowledge of how these theories play out in reality. Following a competitive selection process, twenty law students from the Israeli Tel Aviv University, the Palestinian Hebron University, and the South African University of Johannesburg were chosen to participate in the project. They were taught transitional justice theories on campus, and were then sent to “experience” transitional justice “in action” in a special workshop in Johannesburg. The transition from Apartheid to democracy in South Africa was accompanied by a variety of transitional justice processes, some of which continue to take place today, and the country therefore offers unique opportunities to observe firsthand transitional justice processes and their effects. The project thus combined two approaches that are still uncommon in Israeli law schools: experiential learning and Israeli-Palestinian collaboration.

The workshop in South Africa was dedicated to assessing that country’s transitional justice experiences, including from critical perspectives, and drawing lessons for Israel/Palestine. The workshop lasted two weeks and combined lectures, study sessions, site visits, film screenings, and discussions with activists. Traveling to South Africa enabled the Israeli and

Palestinian students to observe ongoing transitional justice practices, critically assess past transitional justice processes, meet relevant experts, and study with local students who were “beneficiaries” of transitional justice. The trip also allowed the Israelis and Palestinians to interact with each other, a rare occurrence given the current political climate in Israel/Palestine. Drawing on the workshop, the students wrote research papers on possible transitional justice approaches for Israel/Palestine. The project culminated with academic conferences in Tel Aviv and Hebron, where the students presented their papers and discussed them with local and international scholars. Before addressing the project in further detail, in order to understand it in context, the following paragraphs provide an overview of the field of transitional justice and background information about the Israeli-Palestinian conflict.

Conceptual Framework: Transitional Justice

Transitional justice is an interdisciplinary field of study and practice concerned with addressing legacies of human rights abuses in the context of transitions to peace and democracy. Transitional justice theories posit that acknowledging and rectifying past injustices helps foster conditions for peace, reconciliation and democracy. Transitional justice approaches can be judicial or non-judicial, and they include criminal trials, institutional and legal reforms, truth commissions, reparation schemes and memorialization programs. These approaches are considered both normatively required (as a response to human rights violations) as well as pragmatically important for consolidating peace and democracy in the aftermath of conflict and repression. The victim-centeredness and backward-looking aspects of transitional justice distinguish it from fields such as conflict resolution and peace building.

The field of transitional justice started attracting international attention, among both scholars and practitioners, after the operation of the South African Truth and Reconciliation Commission in the 1990s. Transitional justice approaches are most commonly invoked in transitions from civil wars and repressive regimes, where former rival groups seek to consolidate peace within one political system. However, transitional justice is increasingly discussed in connection with post-conflict transitions involving two or more political systems. For example, post-World War II accountability

and reparation mechanisms, such as the Nuremberg trials and the German-Israeli Reparations Agreement, have been examined from a transitional justice perspective. Dealing with the past through these approaches can be conducive to reconciliation between peoples.

Another important development in the field is the initiation of transitional justice approaches when the conflict is still active, in an attempt to bring it to an end. For example, accountability and reparation mechanisms have been adopted in Colombia as part of an effort to foster conditions for an effective peace agreement. Transitional justice approaches are sometimes adopted in times of conflict due to the “shadow effect” of a new global justice actor that could intervene in active conflicts – the International Criminal Court (ICC). The ICC, established by an international treaty in July 2002, adjudicates atrocities that states do not investigate. States can thwart ICC interventions by addressing their conflict-related abuses domestically, including through transitional justice mechanisms.

Background: The Israeli-Palestinian Conflict

The Israeli-Palestinian conflict revolves around competing claims by Jews and Palestinians to historical rights over the land between the Mediterranean Sea and the Jordan River. The conflict started in the early 20th century, when the relevant land was referred to as “Palestine” and was governed by the British under a League of Nations mandate. The majority of the inhabitants at the time were Arab Muslims, but there was also a Jewish presence. Jews fleeing from persecution in Europe immigrated to mandatory Palestine, which they considered their historical land and where they sought to establish a national homeland. Competing national interests of the Arab and Jewish populations of mandatory Palestine escalated into violent riots in 1929 and again in 1936-1939. Jews continued to immigrate to the area, especially during and immediately after World War II and the Holocaust.

In November 1947, the UN issued a resolution ending the British mandate over Palestine and dividing the area into two states – one Jewish and one Arab. This partition plan was met with local resistance and a civil war erupted between the Jews and Arabs of Palestine. The Jewish forces won the war and, in May 1948, established the State of Israel in the area defined today by the “green line”. In response, the surrounding Arab nations attacked Israel and sparked a war which lasted until July 1949. The local and inter-

national hostilities are considered by Jews as different stages of Israel's War of Independence, while Palestinians refer to them as the "Nakba" (which in Arabic means "catastrophe") because of their mass displacement and dispossession. Some commentators refer to the hostilities as the 1948 Arab-Israeli War.

During the 1948 Arab-Israeli War, approximately 700,000 Palestinians fled or were forced out of the green line. Most of them settled in refugee camps in Gaza and the West Bank, areas that were controlled by Egypt and Jordan. Another war between Israel and the surrounding Arab nations broke out in 1967, ending with the occupation by Israel of Gaza and the West Bank, territories inhabiting large Palestinian populations. Today, the West Bank remains under Israeli occupation although the Palestinian Authority controls parts of it. The Jews who settle in the West Bank are known as "settlers." Gaza is under Israeli blockade and is effectively controlled by Hamas, an Islamist fundamentalist party.

In addition to competing land claims, the Israeli-Palestinian conflict is fueled by the parties' mutually exclusive narratives of the past, their denial of each other's nationhood and national aspirations, and their competition over victimhood. While Jews blame the Palestinians for resorting to violence in 1947-1948 and for terrorist attacks ever since, Palestinians blame Israel for their 1948 displacement and dispossession and for occupying their lands and using force against them to this day.

In 2012, the UN recognized the existence of a State of Palestine with-in Gaza and the West Bank. Having been recognized as a state, Palestine joined a number of international treaties including the Rome Statute of the ICC. Recently, the Palestinian Authority requested the ICC to investigate and prosecute alleged war crimes committed by Israelis against Palestinians in the West Bank and Gaza.

Relevance of Transitional Justice to Israel/Palestine

Many argue that transitional justice is inapplicable to the situation in Israel/Palestine, because the conflict is still ongoing and since the sought resolution is one of separation rather than unification. Indeed, thus far, transitional justice approaches aimed at officially acknowledging and addressing historical injustices – most notably events around the 1948 Israeli-Arab War and their consequences – have not been adopted in connection with the

Israeli-Palestinian conflict. The idea of addressing past injustices in Israel/Palestine was rejected in the Oslo peace process and in many of the peace initiatives since then. However, as explained earlier, transitional justice approaches can be initiated when the conflict is active, and in connection with transitions involving two or more political systems.

In this light, it is worth considering the relevance of transitional justice to the Israeli-Palestinian conflict. For example, could transitional justice institutions such as truth commissions or reparation programs, or other responses that acknowledge and address historical injustices, help resolve the Israeli-Palestinian conflict? Could they provide some measure of justice? Could they at least help determine to whom justice is owed and for what? Are there any transitional justice theories or lessons from transitional justice practices that could be helpful to Israel/Palestine? Absent official transitional justice measures, can civil society actors advance alternative forms of transitional justice through bottom-up initiatives? These were the questions confronting the students participating in the project *Imagining Transitional Justice in Israel/Palestine*.

Collaborative Transitional Justice Project

Imagining Transitional Justice in Israel/Palestine involved law students from Tel Aviv, Hebron and South Africa, and encouraged them to collaboratively consider transitional justice's applicability to the Israeli-Palestinian conflict. The participants were chosen following interviews and a competitive selection process that took into account their merits, interests and personality. The project had three stages: (1) The preparatory stage, in which the students gained relevant theoretical knowledge by completing a transitional justice course at their respective universities; (2) The experiential stage, in which the students traveled to South Africa to study transitional justice "in action" through a special workshop designed for this purpose; (3) The concluding stage, in which the students wrote research papers on possible transitional justice approaches for Israel/Palestine and presented these papers in academic conferences in Israel and Palestine.

The preparatory courses were taught in parallel in Tel Aviv, Johannesburg and Hebron, in accordance with a syllabus developed especially for the project. These were conventional university courses focusing on transitional justice theories, but they were also designed to prepare the students for the trip



Israelis, Palestinians and South Africans studying together.

to South Africa. The students participating in these courses were delighted to discover a new approach to conflict resolution, one that simultaneously focuses on the individual and the collective, and has justice as a central element. In addition, the Israeli and Palestinian students were enthusiastic about the idea of traveling to South Africa, and the prospects of meeting students from the “other side” of the conflict. Given the strong social pressure on both sides to refrain from engaging in such collaborative projects, and the prevailing mutual stigmas, we were quite impressed by the students’ interest in meeting and studying with their counterparts from the other side.

It should be mentioned in this context that Israelis and Palestinians are prohibited by law from entering each other’s cities. This lack of direct contact entrenches mutual fears and stigmas that fuel the conflict. It also makes it very difficult for students from both sides to engage in collaborative programs in Israel or Palestine. Israeli-Palestinian interaction in third states is also quite limited, given the financial and logistical difficulties involved in traveling abroad (especially for Palestinians, whose international travel is severely restricted by the Israeli authorities). Another obstacle to such interactions is the policy of “anti-normalization,” a grassroots movement in Palestine that urges Palestinians to refrain from collaborating with Israelis, as a form of non-violent resistance to the occupation.

We decided to carry out the project despite these challenges. Sadly, every step of the way revealed how the Israeli-Palestinian conflict itself obstructs any efforts to transform it. Within weeks of receiving the grant for

the project, our original Palestinian counterparts withdrew from the project. The Johannesburg workshop was two months away. Determined to go ahead with the plans, we welcomed an initiative to involve a student delegation from Hebron University's College of Law. The new group of Palestinian students made great efforts to complete the on-campus transitional justice course in a very short period. The project was saved. Or so it seemed.

Days before the start of the Johannesburg workshop, three young Israeli settlers were abducted by Palestinians near Hebron. This led to serious political tensions and the imposition of a travel ban on Hebron residents by the Israeli Defense Forces. Without special permits, the Palestinian students would be prohibited from traveling to the airport to catch their flight to Johannesburg. The chances of getting such permits were slim. Believing in the importance of the workshop for the future of Israelis and Palestinians, the South African Ambassador to Israel decided to intervene. Addressing top Israeli government and military officials, the Ambassador explained how important it was that Israelis and Palestinians learn from his country's experience with peace and justice. The Israeli officials listened, and eventually granted the Palestinian students special travel permits. The workshop in Johannesburg would take place after all.

Experiential Workshop In South Africa

South Africa was chosen as the trip's destination because this country demonstrated how transitional justice mechanisms, such as the Truth and Reconciliation Commission (TRC) and a new Constitution and Constitutional Court, can help a society transition from conflict and repression to peace and democracy. The South African society still engages with transitional justice today, as discussions continue to take place regarding the opening of criminal investigations and the delivery of reparations for Apartheid-related crimes. South Africa's intensive and continuous engagement with transitional justice in the last twenty years makes it an exciting place to observe transitional justice processes "in action." While many lessons can be learned from South Africa's transitional justice practices, important insights can also be gained from the weaknesses and failures of these experiences. For example, some argue that the endemic corruption, high crime rates and extreme racial inequalities in today's South Africa suggest that reconciliation and the rule of law have not entirely been attained.



Group photo at workshop venue.

The activities in South Africa were organized under a special workshop held at the University of Johannesburg. Twenty law students from Israel, Palestine and South Africa participated in the workshop. The Israelis and Palestinians met each other for the first time in Johannesburg, as all attempts to organize a meeting of the two groups in Israel/Palestine failed due to the political realities. The involvement of South African students allowed the Israelis and Palestinians to study and interact with youth who were raised under Apartheid but have since become part of a racially mixed democratic society. The South African students enriched the program by sharing their perspectives as beneficiaries of transitional justice processes. They also extended a warm welcome to the Israeli and Palestinian students, making them feel at home at every stage of the program.

The workshop was designed especially for our project, and was dedicated to assessing South Africa's transitional justice experiences and drawing lessons for Israel/Palestine. It combined didactic approaches with experiential learning methods. Both the experiential and the didactic parts of the workshop were designed to encourage extensive interactions among the participants. The workshop was based at a beautiful villa with spacious

classrooms, charming gardens, and a dining room. While the villa belonged to the University of Johannesburg, it was removed from the main campus and thus offered an intimate and informal setting that was conducive to our interactive program.

During the workshop, the students met inspiring South Africans such as retired Constitutional Court Justice Richard Goldstone and TRC Commissioner Pumla Gobodo-Madikizela. The students also received lectures from over a dozen leading South African scholars, who covered topics ranging from the history of Apartheid, to the South African Constitution and Constitutional Court, the TRC and its amnesty regime, post-Apartheid prosecutions, reparations, land reforms, restitution, memorialization, the African Ubuntu philosophy, reconciliation, forgiveness, and gender equality. Some of the scholars presented critical perspectives on South Africa's transitional justice processes. For example, it was argued that transitional justice failed as far as its economic dimensions were concerned. Every lecture was followed by a Q&A session and a group discussion. In addition, the students discussed transitional justice with Apartheid victims who are members of the famous "Khulumani Support Group," and with activists



Group photo at the Apartheid Museum.



Students at Regina Mundi (site of South Africa's TRC).

from the Ahmed Kathrada Foundation, the International Center for Transitional Justice, the Johannesburg Holocaust and Genocide Centre, Liliesleaf Trust, and the Helen Suzman Foundation.

In addition to lectures and discussions, the workshop included study sessions, film screenings, and site visits. During the study sessions, the students split into small multinational teams of three or four individuals and together explored certain topics from the various national and academic perspectives of the group members. The students chose their respective topics at the beginning of the workshop, and were asked to research these topics by posing relevant questions during the workshop meetings and study sessions. After the workshop they were asked to develop their initial research into an academic paper, which they later presented at university conferences in Israel and Palestine.

Some of the documentary films shown during the workshop focused on the Israeli-Palestinian conflict. The films addressed unique aspects of the conflict, which presented opportunities for justice and reconciliation. The screenings were followed by group discussions, and supplemented with lectures by Israeli and Palestinian experts, including historian Dr Adel Manna of the Jerusalem Van Leer institute. These activities provided a structure for the participants to deliberate on different perspectives of the Israeli-Palestinian conflict. The participation of both Jewish and Palestinian students generated rich discussions about each group's interpretation of the past and visions of the future. Heated debates revolved around competing perceptions of past injustices and the appropriate reparations. As discussed below, agreements were not always reached but the discussions promoted empathy and understanding among the participants. Interesting and non-obvious perspectives were offered by the two members of the Tel Aviv University group who were Palestinian citizens of Israel, and who represent a minority in Israel that has a tense relation with Jews and is separated geographically from their Palestinian brothers in the West Bank.

The sites visited during the workshop included the South African Constitutional Court as well as a number of relevant museums and memorials such as the Women's Prison, Liliesleaf Farm, the Apartheid Museum, the Hector Peterson Museum, Mandela House, the Regina Mundi church, and Museum Africa. At some of these venues, special activities were organized for the students. For example, during their visit at the Apartheid Museum, the students met the museum's curator and heard from her about the creation, purposes, programs and development of the museum. The students also went to the landmark Market Theatre, where they watched John Kani's latest political play "Missing." These special programs exposed the students not only to transitional justice processes in South Africa but also to the very injustices these processes were supposed to remedy. The site visits were stimulating and allowed the students to "experience" South Africa with all their senses rather than merely hearing or reading about it. These excursions also provided great opportunities for social interactions (especially the bus trips they entailed).

The workshop was an eye-opener for the students. They not only acquired special insights into South Africa and its transitional justice mecha-



Students attending lecture at the Constitutional Court of South Africa.



Students at Hector Pieterse Museum.

nisms, but they also began thinking about new approaches that could help transform the Israeli-Palestinian conflict. South Africa's experience shows that local context is critical for the design of transitional justice processes. But this did not deter the students from considering the relevance of these processes back home; instead, it made them think creatively about ways to adapt transitional justice approaches to Israel/Palestine, whether in connection with land reforms, collective apologies, education programs, etc.

Another significant lesson from South Africa concerned the role of civil society. While national involvement was critical for the success of transitional justice processes in South Africa, civil society bottom-up initiatives that took place for about a decade prior to the TRC were essential for building the legitimacy of later official transitional justice institutions. This is an important lesson for Israel/Palestine, where any official involvement in transitional justice is far from sight. The students also reflected on the value and challenges of compromise. Interestingly, while the Israel-Apartheid analogy was raised, it was not central to the discussions, which rather focused on ways to address and rectify the respective experiences of injustice in Israel and South Africa.

At the end of the workshop, one of the Israeli participants considered that “just as they teach about the Holocaust, they should teach about apartheid. I find apartheid to have universal significance, and the fact that we got to listen, know, meet and learn about apartheid, and not just from an ‘academic’ perspective, but really closely, was for me an experience that changed me and my way of thinking ... reality is complex, but it does not change the fact that the apartheid legal regime has ended, and therein lies an enormous power that inspires confidence and hope.” A Palestinian student noted that the workshop had filled him with hope for “a new beginning in which we can engage in a genuine reconciliation process” in Israel/Palestine.

Meeting the Other

In addition to the above-mentioned lessons and insights, the workshop had another important achievement: It forced the students to meet and listen to each other. This had a transformative impact on their perception of the other, the conflict and themselves. A Palestinian student admitted that this was the first time she saw Israelis without army uniform, and was glad to meet them and hear their views. An Israeli student added that this was “one of very few incidents in my life that I had the opportunity to deeply discuss the situation in Israel-Palestine not from within the Jewish-Israeli perspective, but with Palestinians who are not citizens of Israel.” Another participant, a Palestinian citizen of Israel, repeatedly noted how grateful he was for the unique opportunity to study with Palestinians from the West Bank. A Jewish-Israeli student noted that “meeting with the Palestinian students, and especially in South Africa, caused me a kind of split personality. On the one hand I felt the hurt and anger of the Palestinian side, but on the other hand I could not completely erase my Israeli side and it was hard to feel that my voice lacked legitimacy ... it took me a while to digest the complexity and transform it into something positive rather than threatening.”

Students were also affected on a more personal-individual level. For example, one participant explained that “above all, the journey made me realize that it’s ultimately all about men and women. The interpersonal relationship that was forged, even if for a short time, was the most significant thing for me.” Another student described the workshop as “eye-opening because there is so much that goes into making Palestinians the ‘other’ that it came as somewhat of a shock to see that they are exactly the same in more ways

than can be imagined". A Palestinian participant boldly acknowledged that the workshop had taught him that he could change.

Throughout the two-week workshop, despite the conflict back home, the Israeli and Palestinian students interacted freely and easily. They expressed different views and opposing narratives about the conflict, but were still able to voice their own perspectives and listen to the others. While some of the discussions in class were heated, they were always civil, and after class the students often enjoyed light conversations over dinner and at the dormitories. They spent many hours together, from brushing their teeth every morning in the communal bathrooms, to classroom activities, bus trips, site visits, sharing meals, and watching the occasional soccer game on TV. One of the female participants recalled that "hanging out with the girls in the dormitory housing provided ample opportunities to have informal conversations about the normal stuff girls talk about in dormitories." The students maintained their solidarity even when the harsh reality back home knocked on our door. This was stressed by a participant who described one evening in Johannesburg: "I will never forget sitting at one of our last dinners together while every single person in the room was on their phone, checking for news updates on the status of the three missing Israeli students [who were abducted near Hebron before the workshop]. There were rumors that their bodies had been found, and each of us checked our own preferred source ... news bulletins in English, Arabic, and Hebrew were compared one against the other. There was a collective sense of anger, disbelief, sadness, and tension about what was to come."

Conferences in Israel/Palestine

After two weeks together in Johannesburg, the Israeli and Palestinian students were sad to part ways. Unfortunately, they returned home to a very tense environment. The violence in and around Gaza had blown into full-scale war. There was very little email-interaction between the groups, despite their earlier intentions to remain in touch. After returning home, one of the students noted that "coming back from South Africa to some of the most violent months the Israeli-Palestinian conflict has seen in years was extremely frustrating, and reminded me how far the political discourse that took place in the workshop was from the current discourse in Israel-Palestine." Other participants experienced things differently. For example, one Israeli student noted that "the war had more depth and context for me because of the weeks



Conferences in Israel/Palestine.

I spent with Israeli, Palestinian, and South African students. I was able to more easily personalize and humanize the people on the 'other side', and I felt that maybe the other students were able to do the same."

In any event, during and after the Gaza war, the students continued working on their project research papers. These papers addressed possible transitional justice approaches for Israel/Palestine and were based on the students' experiences in South Africa, the multinational study sessions, and complementary individual research. Thus, in a way, the students continued their joint learning experience despite the lack of direct Israeli-Palestinian communication. This was an important legacy of the workshop.

The project culminated with two academic conferences in Tel Aviv and Hebron, where the students presented their research papers and discussed their insights from South Africa. The conferences also brought together international and local scholars from various disciplines, who shared their perspectives on the potential and pitfalls of transitional justice processes in Israel/Palestine. International participants included Prof Kai Ambos of Goettingen University, Prof Mark Osiel of the University of Iowa, Dr Regula Ludi of the University of Bern, and Dr Annette Weinke of the University



Lecture session.

of Jena. These world-renowned scholars not only presented their own research projects, but also took the time to review the students' papers and offer detailed comments. One of the students later noted that this "was the first time I wrote an academic paper which was totally mine, and presented it like a 'real' academic at a conference where professionals treated me as an equal, expressed their interest, and conveyed their honest reviews. I learned a lot from this process and I am grateful for the opportunity I was given to take part in this program." The conferences were open to the public. They were held in November 2014. The Johannesburg workshop was conducted in June-July 2014.

Concluding Thought

Restoring inter-group relations does not require groups to achieve consensus or agree on all contentious issues. But it does require them to accept members of the other group as human, and their collective narrative as legitimate. South Africans have proved it possible to achieve these goals. Over the course of two weeks in Johannesburg, Israeli and Palestinian law students have also achieved these goals. For them, the workshop was a transitional justice process on its own right. For all, it demonstrated that dialogue and even reconciliation between Israelis and Palestinians is possible.

Teaching LGBT Rights in Japan: Learning from Classroom Experiences

Sonja Pei-Fen Dale

IN THE PAST YEAR, there has been a surge in the discussion of lesbian, gay, bisexual, transgender (LGBT) issues in the media. Events such as the nationwide legalization of same-sex marriage in the US (which occurred in June 2015) and the more recent debate regarding the toilets that transgender individuals may use have been publicized internationally, and have also led to other countries focusing more on their own LGBT populations. In Japan, LGBT issues have been in the media not only because of what is happening overseas, but because of the changes happening within Japan as well. In April 2015, the Shibuya-ward in Tokyo made it possible for same-sex couples to apply for partnership certificates, and other wards and municipalities are following suit. This marked the first official recognition, and granting, of partnership rights to same-sex couples. However, not all news has been good. A recent report from the Human Rights Watch showed that bullying of LGBT youth is widespread in schools in Japan, and the government has not done much to ameliorate the situation.¹

In this paper, I discuss the issue of education and LGBT rights in Japan. First, I discuss the current context of LGBT rights in Japan and issues currently under discussion. Second, I provide an overview of how LGBT issues are discussed in educational settings, as well as government attitudes towards teaching such material in schools. Drawing on my own experience from teaching LGBT issues in universities in Japan, I discuss teaching methods and student reactions to these issues, and conclude with a discussion of teaching methods that I found to be effective as well as possible tactics for discussing LGBT issues in class. As my experience has been limited to the university classroom, most of the following discussion focused on the university.

LGBT Rights in Japan

Around the world, people are discriminated against or become targets of violent acts simply because of their gender or perceived sexual orienta-

tion. The extent of such discrimination and violence differs from country to country, but it is generally recognized that individuals may be at risk of discrimination or violence for expressing affection or desire towards someone of the same gender, or for not conforming to social gender expectations, be it in terms of dress or behavior. In addition, individuals may be denied certain rights based on the sex² of their partner, or may be denied certain social benefits based on their own legal sex. The Yogyakarta Principles, which were established in 2006, are hailed as a milestone in the discussion of LGBT rights. Although the Principles have never been adopted by the United Nations (UN) and have not been made into binding law in any country, they demonstrate how human rights law can be applied to argue for the rights of LGBT people, as well as how in many cases LGBT individuals are denied basic human rights as defined by the UN.

Among the rights that the Yogyakarta Principles mentions are the right to “Universal Enjoyment of Human Rights, Non-Discrimination and Recognition before the Law” and “Rights of Participation in Cultural and Family Life,” both of which are relevant to Japan. Applied to LGBT individuals, these rights pertain to the right to legal recognition and treatment of partnerships, as well as to protection from discrimination based on one’s gender identity or sexual orientation.

Since the establishment of the Yogyakarta Principles, the UN has made several statements condemning violence and discrimination based on gender identity or sexual orientation. Notably, Japan has supported these statements, demonstrating that the Japanese government is, at least on paper, committed to protecting LGBT rights. However, despite the government’s position in the UN, it should be noted that at present there exist no laws that explicitly protect the rights of LGBT people in Japan. As a 2008 shadow report submitted to the International Gay and Lesbian Human Rights Commission (IGLHRC) also argues, “Japanese law does not guarantee substantive equality on grounds of sexual orientation and gender identity, nor does it protect from discrimination and abuses.”³ Some of the issues that are often referred to include the rigid conditions for transgender individuals to legally change their sex, lack of legal protection (in employment, accommodation and housing, partner violence, partnership rights) and discrimination (bullying at school and work).

For a long time, Japan had no hate speech law, and it was only in May 2016 that the first anti-hate speech law was passed. The main targets of hate

speech in Japan are mostly individuals who are not ethnically Japanese, such as Koreans in Japan, but the passing of such a law could influence public remarks about LGBT issues as well. In February 2011, the then governor of Tokyo Ishihara Shintaro said he “felt sorry” for LGBT people, and that LGBT people were “deficient somehow.”⁴ His comments sparked outrage in the LGBT community, and activist groups were quick to take action and organized events to discuss his problematic statements and the social recognition of LGBT people in Japanese society.⁵

The issue that has received the most attention recently is that of same-sex partnerships. In April 2015, the Shibuya ward in Tokyo made history by becoming the first ward in Japan to officially recognize same-sex partnerships. Same-sex partnerships were not legalized per se, but rather the ward office offers same-sex couples partnership certificates which certify that the couples are to be given the same treatment as couples that are legally married. Setagaya-ward in Tokyo soon followed suit, and most recently Takarazuka in Hyogo Prefecture made the move to recognize same-sex partnerships. There certainly seems to be a domino-effect in place, with movements to recognize same-sex partnerships in Sapporo (Hokkaido) and Naha (Okinawa) taking place as well. In all of these cases, certificates recognizing partnership rights have been issued, and on this basis same-sex partnerships have been recognized.

On the business front, there are increasingly more companies that are publicly declaring themselves “LGBT-friendly.” These companies, which include Sony, Panasonic, and Dai-ichi Life Insurance, are taking a stance towards making their workplaces more welcoming for LGBT employees.⁶ These moves were made recently, and it is yet to be seen how these practices will play out in the long run. However, with the impending Tokyo Olympics in 2020 as well as increasing international pressure from abroad and the work of local activists, it seems that this is a transitional phase for LGBT rights in Japan. There seems to be a movement towards recognizing the existence of LGBT individuals, and at least in the immediate moment, towards implementing policies to bring about more equality and social support.

Since 2003, it has been possible for transgender individuals in Japan to change their legal sex. However, the conditions for doing so are rigid. In order to change one’s legal sex,⁷ one must meet the following conditions:

- Be above the age of twenty;
- Not presently married;

- Not currently have a child who is a minor;
- Not possess reproductive functions;
- Possess genitals that resemble that of the opposite gender.

These conditions have been criticized for forcing transgender individuals to fit into a specific mold. They are also in stark contrast to the most recent changes in Denmark, for example, where individuals are allowed to decide their own legal sex.⁸ Legal sex in Japan is still heavily controlled by government institutions. Transgender individuals who do not desire to undergo sterilization or bodily modification surgeries are not able to legally change their sex. As such, many of them still have their assigned sex (as opposed to gender that they identify as) as their legal sex. This causes problems in cases where legal documentation is required, as there will be incongruence in how the individual identifies and presents her/himself, and the sex indicated on the individuals' legal documents.

The Ministry of Education has recently taken action to address the treatment of LGBT students in schools, and in 2015 issued guidelines for the treatment of transgender students.⁹ The guidelines state that schools should allow students to wear the uniform of the gender that they identify as, as well as be recognized as having such gender. A pamphlet for educators was also released in April 2016, providing information about sexual orientation and gender identity, albeit with a focus mostly on the latter.¹⁰ School textbooks are also to include information about LGBT identities and issues, although how and what information is to be included is still up for debate and dependent upon the textbook publisher.¹¹

As this section has shown, in terms of rights there seems to be a recent move towards providing more legal recognition of LGBT individuals. However, they are still not given equal treatment – same-sex partnerships are not given the same recognition as marriage, and transgender individuals still face many obstacles in being recognized as the gender they identify as. Despite the strides being made, LGBT individuals are still regarded as different, and not quite equal. In terms of human rights there are many more changes that need to be made in order to assure that LGBT individuals have sufficient social support and equal recognition.

LGBT and Education

On a recent edition of Ogiue Chiki's radio show, LGBT activists Endo Mameta and Muroi Maika discussed their experiences in school as a transgender man (Endo) and lesbian woman (Muroi).¹² In both of their experiences, they mentioned the lack of support from school personnel, and Muroi even stated that statements made by her homeroom teacher making fun of gay men created an unwelcoming school environment for her. Both activists emphasized that there seems to be a lack of awareness and knowledge of LGBT issues in school, and one of the main problems is that of ignorance. Although teachers may be required to cover LGBT-related topics in class, many of the teachers themselves do not possess the knowledge to teach these issues. For example, due to media representations of LGBT individuals which do not distinguish between drag queens and transgender women, many individuals believe that all gay men desire to become women, and lesbian women to become men. Many educators do not possess sufficient knowledge about LGBT issues, and do not recognize the needs or existence of such students in their midst. I myself have borne witness to this in an educational context. At a recent staff training session about suicide prevention at the university I work at, LGBT issues were mentioned. However, the speaker giving the talk seemed to conflate LGBT with transgender, and discussed LGBT issues in terms of "disability" (*shōgai*). The speaker even said that LGBT individuals are prone to have developmental disabilities. I was shocked to hear that such misinformation was being passed on in a training environment.

There seems to be an effort to include more discussion in classrooms, but the issue is not only one of classroom materials, but also teacher training. Educators themselves need to be more aware of these issues and the fact that LGBT students do exist in their schools and classrooms. In addition, schools should provide support for instructors who teach these issues. On the aforementioned radio show, it was also discussed that one of the problems of covering LGBT issues in the classroom and for LGBT educators to come out is not the reaction of other staff members or students, but rather the reaction of parents or guardians. Schools should be willing to defend covering these issues in the classroom, and to inform guardians of the relevance of studying LGBT issues. They should also be willing to protect employees and students who are themselves LGBT.

LGBT Rights in the Classroom

I have had the opportunity to teach LGBT rights in a number of classroom settings in Japan. Here, I will detail my experiences teaching at a university in the Kanto region¹³ over three years, in three different classes. All three classes consisted of mostly Japanese (in terms of nationality and ethnic background) students; two of the courses were taught in English, and one (international law) was taught in Japanese. Each class consisted of between fifteen to thirty students, and included class discussions. None of the classes were solely about LGBT issues, but I made it a point to include these issues in my classes. As such, depending on the class, LGBT issues were discussed alongside women's rights, gender roles, ethnic minorities, and wider social issues of discrimination.

Teaching LGBT issues in the university classroom is different from the primary and secondary levels of education discussed in the previous section. As university students are above the age of eighteen and legally considered to be adults, considering what the students' guardians may think is not of the highest concern. The ability to cover these issues in the classroom may also depend on the university or faculty department, but from my own experience I have only been met with enthusiasm when discussing the issue of teaching LGBT issues in class with colleagues. However, my own teaching career has been relatively short, and I only started teaching these issues when there was already a substantial global and local movement to think of LGBT rights as human rights. It can be assumed that teaching these issues in the past may have been met with some opposition.

In addition, my own research focuses primarily on LGBT issues, and universities seeking to hire me would most likely do so with the expectation that I teach about these issues in the classroom as well. There does seem to be more of an effort by universities to offer courses on LGBT-related issues, as a recent job posting by Waseda University for a tenure-track post in Queer Studies would indicate.¹⁴

Class: Japanese society (2013)

The first time I taught LGBT issues was in a class about Japanese society, in which I focused on diversity and social minorities, looking at issues such as ethnic minorities, people with disabilities, and sexual minorities in Japan. I allocated two classes (out of fifteen) to cover LGBT issues.

This was my first time broaching LGBT topics in the classroom, and I was unsure about what students thought or knew about such issues. I went in with the assumption that most of them would have a minimal understanding of LGBT issues, and associate LGBT with the drag queens or transwomen they saw on variety television shows. As such, one of my main aims was for them to understand the different identities encompassed within the acronym of LGBT, as well as to address the issue of discursive violence and how terms which are often used in the media (such as *okama*, *nyū hafu*, and *onabe*) are actually regarded as discriminatory by some LGBT individuals. As this class was taught in English, we also discussed the issue of pronouns and the inappropriate use of pronouns to refer to transgender individuals. My aim in this class was for students to be able to discuss LGBT issues respectfully – to give them a new vocabulary to understand LGBT individuals, and to refrain from using language that is discriminatory.

I wanted students to shift their understandings of LGBT individuals as media figures to be laughed at, to everyday situations – the awareness that LGBT people are everywhere. The second class focused on visibility, and how LGBT people are represented in the media, as well as how they are discussed online. As a case study, I showed them comments on *Ni-channeru*, an online messaging board, regarding an article about two models who had recently come out as being lesbian.¹⁵ The comments included a range of opinions, from discriminatory (“that’s disgusting”) to voyeuristic (“hurry up with your porn debut”) to incredulous (“what a waste!”, “why a woman?”), to accepting (“there are people with prejudices in all countries and I feel that Japan is one of those with less prejudice ... I personally feel that you are free to love whoever you want”). We discussed what such statements reveal about perception of homosexuality (in particular homosexual women) in Japanese society.

At this time, another lesbian couple had started making the news for holding their wedding ceremony at Tokyo Disneyland. We discussed this case, but also the fact that in Japan, any such wedding between two individuals of the same legal sex is purely symbolic – the two women did not gain any rights or benefits or any change in legal status based on their wedding. The case had received a fair amount of media coverage both in Japan and overseas, and provided a springboard to discuss LGBT rights. We discussed the significance of partnership rights and why they are desirable (or even necessary) for many couples. Many of the students were not aware that same-sex

marriage was legal in some countries, and we discussed LGBT rights around the world and the legal status of LGBT individuals in Japan.

At the end of the second class, I got students to fill in an anonymous survey to share their thoughts about LGBT issues in society. The results were largely positive, and many students wrote that they had never really thought about the status of LGBT individuals in Japan but were now encouraged to continue doing so. There was one student, however, who wrote about still feeling uneasy about same-sex partnership, and felt that people also had the right to disagree.

Although it was only this one student who expressed negative opinions about LGBT people, I found it interesting that such disagreement is always expressed as a right as well – the “right to disagree” or the “right to freedom of speech.” This made me think that this student still did not think of rights such as partnership rights as a human right, and also made me rethink how I could teach these issues in a way that made it clear that LGBT individuals were being denied what are considered fundamental human rights.

Class: Current issues, focusing on gender and migration (2013-2015)

The next opportunity I had to teach LGBT issues was in a class about current issues, in which gender was a theme. As the class looked at issues from an international perspective, I discussed LGBT issues not just in the context of Japan, but in other countries as well. Rather than focus on terminology, I decided to focus on the issue of potential violence and discrimination, and discuss how LGBT individuals have experienced discrimination around the world and at the risk of violence because of their sexuality or gender identity.

Students were initially puzzled that LGBT individuals were the targets of violent acts, as many felt that in Japan, LGBT people do not experience such problems. This led to a discussion about why LGBT people may be targeted, and what the reasons for such violence and discrimination may be. From there, we moved to looking at the situation of LGBT people in Japan, including a discussion of Ishihara Shintaro’s remarks on LGBT people, as well as the conditions for legal sex change in Japan.

In this class, I also showed students a documentary called *Shinjuku Boys*, which is about a bar in Shinjuku in which all the servers are female-assigned individuals who are masculine-presenting¹⁵ and identify as “*onabe*.”¹⁷ The individuals in this documentary discuss their identity and what it means to identify as *onabe* and to be transgender. For students who were used to

seeing drag queens, transwomen, and gay men referred to as *onee kyara* (big sister characters) on variety shows, this documentary gave them a new perspective to what being transgender means, and the experiences such individuals have in society. Students had some time to discuss the documentary and ask questions in class, and also wrote a short reaction paper about their thoughts on the film. What they wrote was overwhelmingly positive, and many said that it made them think more about gender identity and roles in society, in addition to what it means to be transgender.

We ended the sessions (I usually spent two to three out of 15 classes on gender classes on LGBT issues) with an exploration of LGBT rights movements around the world, including discussion of Pride parades and why such parades are necessary, and LGBT-friendly spaces in Japan and beyond, as well as politicians in Japan who have come out as being LGBT.

Class: International law (2014)

This class dealt explicitly with the issue of law. The class was co-taught with a colleague, and the sessions that I taught dealt mostly with international law and issues pertaining to gender, sexuality, race and ethnicity. I allocated one class to LGBT issues.

The format of this class was similar to the Current Issues class, and we started off by looking at the discrimination that LGBT individuals face around the world today. As the Sochi Olympics and LGBT rights in Russia were being discussed in the media at the time, I started off by discussing this issue, and why there were many protesting the Olympics being held in Sochi. We also looked at how in some countries, discrimination against LGBT individuals is legal. This moved to a discussion of international rights, and students were introduced to the Yogyakarta Principles as well as current UN efforts to bring about recognition of LGBT rights, such as the Free and Equal campaign. I then told students about what rights LGBT individuals have in certain countries, such as partnership and marriage rights, and the right to change one's legal sex and the conditions for doing so. The situation in Japan was then explored after this. We looked at problems of discrimination, as well as current movements promoting recognition of LGBT rights.

Effective Methods for Teaching about LGBT Rights in Japan

Although my approach to teaching LGBT rights depended on the course I was teaching, my teaching methods also changed throughout the years.

Given the limited time to address these issues, I decided that although discursive violence is an important issue, understanding the social situation of LGBT individuals should take priority. As such, I started to devote more time to addressing discrimination, as well as to discussing how LGBT rights have progressed around the world and in Japan, as well as discussing how LGBT rights are in fact human rights.

From teaching LGBT issues in the same university over three years, I can also say that I have observed a change in how students respond to and become aware of these issues. In each class, there is at least one student who has a friend who is LGBT, and they are open to discussing their experiences with their friend. As more young LGBT individuals have openly discussed their sexuality and identity with the people around them, awareness about these issues has increased as well. In addition, students who are LGBT have also come out to me privately after discussing these issues in class.

LGBT issues in context

There is a tendency to discuss Japan as “lagging behind” when it comes to LGBT rights. As I have outlined earlier in this paper, there is little recognition of LGBT rights in Japan, and much needs to be done in terms of social recognition and support. However, framing the discourse in terms of “progress” also has the danger of creating a specific trajectory that needs to be followed for LGBT rights. It is important to understand that the issues LGBT individuals experience vary depending on cultural context, and how rights develop in specific contexts also has to do with the issues that LGBT people experience there. Violent hate crimes against LGBT people, for example, have not been prominent in Japan, which is also what some say has led to a lack of urgency in the government’s handling of these issues. I try to discuss rights not only as universal (which human rights also tend to be), but also as locally situated.

Time for discussion – Overcoming stereotypes and prejudice

Many students do possess stereotypes and prejudices, and I feel that it is important for them to be able to express these potentially discriminatory opinions in the classroom. I have encountered a student who said that same-sex marriage should not be legalized because the birthrate in Japan will further decrease, and another who said that he did not think it was appropriate for same-sex couples to show affection for each other in public, as

a child may see them. It is important to be able to discuss these issues in the classroom, such that students can see what is potentially problematic about such statements. When I talked with these students about their opinions, they came to learn about other perspectives.

First-person experiences

A recent nationwide survey about awareness of LGBT issues in Japan showed that most people in Japan, while generally aware of the existence of LGBT people, do not think that there are LGBT people within their own vicinity.¹⁸ Because of this research and because of my own classroom experiences where a majority of students say they have never met someone who is LGBT, I realized the importance of exposing students to LGBT people. One way I could do this was by using documentaries, or inviting LGBT activists to speak in class. Another way was by simply for me to come out to my students.

As someone who is queer and teaches about LGBT issues, the question of coming out is something I have always struggled with. Is there a need to come out in class? Will students treat me differently if I do? Initially, I decided not to come out directly to my class, but to be open about my relationship with someone of the same sex if students asked me about such issues.

Coming out in a public setting is an individual choice, and also depends upon the environment one is in and how comfortable one feels in it. Inspired by the survey discussed above, I decided to start a guest talk at a university by telling students about my sexuality, and assuring them that they know at least one person who is LGBT (me!). This proved to be a conversation starter, and in the question and answer session afterwards students asked about my experiences in a same-sex relationship, and also about public perceptions of LGBT people. One student also asked if people in same-sex couples should be allowed to show affection for each other in public. Being open about my sexuality allowed students to open up about reservations they had about LGBT people, and to become more aware of their own surroundings. I also received very positive feedback from the session. This experience has also encouraged me to be open with students if it is relevant to what we are discussing, as I have found that it will also encourage them to be more open with me.

I have had very positive student reactions from dealing with these issues in the classroom. Students have spoken with me and written about their

own gender identity and sexuality in reaction papers, as well as moved on to studying these issues in more detail for their graduation projects. The classes I discussed in this paper did not focus only on LGBT issues, and as such served to introduce students to thinking about LGBT issues and rights. It is possible to integrate these issues into classes about human rights, gender, sociology, and Japanese society. In fact, discussing LGBT issues in the wider context of Japanese society will also help students realize that these are not just minority issues, but societal issues.

Resources for educators

In my classes I relied mostly on newspaper articles, as well as including snippets of online discussions that students might be familiar with. I tried to engage students in discussions that they may have encountered online on message boards such as *Ni-channeru* or on Twitter. The internet, as such, served as an important resource.

As mentioned above, personal experiences are important, and recently there are more online resources which include first-person accounts by LGBT people. The Conference on World Sexualities (COWS) is one such online project, and includes interviews with LGBT activists and scholars (including myself) in Japanese or English, with English, Japanese, and Chinese subtitles.¹⁹ There are also various LGBT organizations which can be called upon to give talks about these issues, such as ReBit²⁰ and Kyosei-Net.²¹ Some members of these organizations are bilingual, and are able to give talks in English as well.

Conclusion

LGBT issues are being discussed in the media in Japan now more positively and with more urgency than in the past. From my own experience, students are also interested in discussing these issues, and are starting to become more aware of how LGBT issues relate to their own surroundings. More materials are also being produced by LGBT organizations and activists for classroom use. Education can be a form of activism, and I hope that through learning about these issues students will be more inclined to work towards the social change necessary not just to talk openly about LGBT rights, but also to bring about tangible changes in current legislation.

Endnotes

1 Human Rights Watch, “Japan: Bullied LGBT Students Unprotected,” 5 May 2016; www.hrw.org/news/2016/05/05/japan-bullied-lgbt-students-unprotected (last accessed 20 June 2016).

2 I use the term “sex” to refer primarily to legal sex.

3 Gay Japan News, Global Rights, International Gay and Lesbian Human Rights Commission, International Human Rights Clinic, Human Rights Program, Harvard Law School, “The Violation of the Rights of Lesbian, Gay, Bisexual and Transgender Persons in Japan,” 2008. Available online: www.iglhrc.org/sites/default/files/159-1.pdf.

4 Human Rights Watch, “Japan: Governor should retract homophobic comments,” 1 February 2011; www.hrw.org/news/2011/02/01/japan-governor-should-retract-homophobic-comments (last accessed 16 June 2016).

5 More information about this can be found on the homepage for the People United Against Tokyo Governor Ishihara’s Homophobic Comments:

<http://ishiharakougieng.web.fc2.com/> (last accessed 16 June 2016).

It should be noted that a month after his comments the Tohoku earthquake happened, which also derailed the LGBT activist movement.

6 Nikkei Asian Review, “Japanese workplaces inching toward LGBT inclusion,” 22 June 2016; <http://asia.nikkei.com/Business/Trends/Japanese-workplaces-inching-toward-LGBT-inclusion> (last accessed June 30, 2016).

7 Legal sex refers to the sex that an individual is legally recognized as, and which is listed on official documents such as birth certificate, driving license, or in the case of Japan, on the family register. This is in contrast to the sex or gender that an individual identifies as. It is possible, for example, to be legally female but identify as male.

8 It should also be noted that Denmark is in the minority in this regard – there are few countries in which transgender is not recognized as a medical condition and in which individuals are allowed to decide upon their own gender without the confirmation of a medical specialist.

9 Japan Ministry of Education, “Sei dō itsu sei shōgai ni kakawaru jidō seito ni taisuru kime komaka na taiō nado no jisshi ni tsuite,” 30 April 2015; www.mext.go.jp/b_menu/houdou/27/04/1357468.htm (last accessed 30 June 2016).

10 Japan Ministry of Education, “Sei dō itsu sei shōgai ya seiteki shikō, seijinin ni kakawaru, jidō seito ni taisuru kime komaka na taiō nado no jisshi ni tsuite,” 2016; www.mext.go.jp/b_menu/houdou/28/04/___icsFiles/afieldfile/2016/04/01/1369211_01.pdf (last accessed 30 June 2016).

11 Mainichi Shinbun, “LGBT hatsu tōjō tayō na sei, kōkō de manande,” 18 March 2016; <http://mainichi.jp/articles/20160318/koo/ooe/040/232000c> (last accessed 30 June 2016).

12 Information about the show can be found here: www.tbsradio.jp/31870 (last accessed 30 June 2016). It is also possible to stream the recording online.

13 The Kanto region in northern Japan covers the prefectures of Chiba, Saitama, Tokyo, Gunma, Kanagawa and Tochigi.

14 See http://flas.waseda.jp/flas/wp-content/uploads/sites/7/2015/04/02-recruitment_information.pdf (last accessed 16 June 2016).

15 The comments were drawn from the following website: <http://awabi.2ch.net/test/read.cgi/mnewsplus/1361199687> (last accessed 16 June 2016).

16 This means that their legal sex is “female,” but they neither identify themselves as female nor do they present themselves as such. Some of the individuals in the documentary pass as men, and others as butch women (women who are masculine and/or dress like men).”

17 Although the term “onabe” is one that is generally recognized to refer to female-assigned, masculine-presenting (presumed to be lesbian) individuals, it is also regarded as a discriminatory term. We discussed some of the problematics of the term in class, but as the individuals in the documentary used it positively to refer to themselves it was also important to understand how this term could be used and differently understood.

18 Nihon ni okeru kuia sutadeizu no kōchiku kenkyū gurūpu, “Seiteki mainoritei nit suite no ishiki. 2015 nen zenkoku chōsa,” 2016; <http://alpha.shudo-u.ac.jp/~kawaguch/chousa2015.pdf> (last accessed 30 June 2016).

19 cows: Conference on World Sexualities homepage: <http://cowsjapan.wix.com/startup> (last accessed 30 June 2016).

20 ReBit homepage: <http://rebitlgbt.org/> (last accessed 30 June 2016).

21 Kyosei shakai wo tsukuru sekushuaru mainoritei shien zenkoku nettowaku homepage: www.kyouseinet.org/ (last accessed 30 June 2016).

Morals and Market: Changing Attitudes Toward Minorities

Mariko Akuzawa

IN SUPPORT of the United Nations (UN) Decade for Human Rights Education (1995-2004), Japan adopted a national plan of action for human rights education in 1997 that triggered the adoption of local action plans in more than five hundred prefectures and municipalities in the country.¹ However, this enthusiasm gradually subsided at the start of the 2000s.

Japan enacted the Law on the Promotion of Human Rights Education and Human Rights Awareness-Raising (LPHREA) in 2000. But this law failed to stop both national and local Governments from giving less attention to the international framework on human rights education and specifically the United Nations (UN) initiatives.

Japan's inward-looking political environment was reinforced with the change of the ruling party (Liberal Democratic Party) in 2012. In 2014, when the United Nations Human Rights Committee recommended that the Japanese Government should ban all racially discriminatory propaganda, the Cabinet immediately commented that this UN recommendation had no legal binding force.

Treating international human rights standards lightly, the LDP Government ignored human rights education and started to emphasize moral education. The Government is now bringing moral education back as an official subject at primary and secondary schools in 2018 and 2019 school years respectively.

Upgrading moral education to an official school subject negatively impacts on human rights education in two ways. Moral education in Japan was only taught as an informal subject in the post-war period due to the criticism that it instilled patriotism and militarism that led the nation to war. Consequently, moral education, with high flexibility as an informal subject, became a good vehicle to integrate anti-discrimination (DOWA) and human rights education. However, once upgraded as a formal subject, moral education has to follow the national school curriculum and provides little room for DOWA and human rights education.

Secondly, teaching abstract moral values as defined by the state will destroy the tradition of DOWA and human rights education, which has always focused on real issues, and problem-solving through empowerment of people. For example, the revised course of study of moral education for 1st and 2nd year primary students lists 19 items, such as honesty, sincerity, hope, courage, kindness, gratitude, politeness, friendship, trust, and so on. Stronger emphasis is given on values rather than rights, and on personal attitude formation rather than democratic participation.

Changes in political and educational environments are gradually influencing citizens' attitudes. In Japan, many local governments regularly conduct attitude surveys to evaluate the impacts of their human rights education programs. In their recent surveys unexpected changes in attitudes have been observed. The majority of respondents expressed their belief that private solutions are more important than institutional measures in dealing with social problems, prioritizing "moral actions" and "individual capacity and responsibility" over laws and administrative systems. "Morals" and "individual capacity and responsibility" mean minimized government intervention and more private initiatives in resolving problems.

On the other hand, preference for private initiatives should also be understood in the context of growing neo-liberal market economy. When the old model of welfare state is no longer providing protection to citizens' lives, citizens seriously react to it as a way to survive under the changed situation by supporting neoliberalism which translates to giving higher priority to private initiatives than to institutional measures.

Morals and market, although seemingly very different, have commonality at one point - they both promote private initiatives. In this paper I discuss how morals and market have influenced recent citizen's attitudes in Japan, using three separate local government surveys of this kind, conducted in three cities, two in Hyogo, and one in Osaka, which provide the examples that confirmed the changes. To supplement the findings of three attitude surveys, I present another survey conducted by Kyoto Human Rights Research Institute in 2014 in order to explain particular influence of changes in political and educational policies on the younger generation.

History of Attitude Surveys

The history of attitude surveys to measure citizen's human rights awareness dates back to the period of the special Dowa measures (1969-2002). Under

a series of national affirmative action laws that provided special financial assistance to improve the conditions of *Buraku* communities and to promote education to eliminate *Buraku* discrimination, both national and local governments regularly conducted attitude surveys to benchmark citizen's level of understanding of the issue and their attitude towards *Buraku* (both communities and persons with *Buraku* origin), in order to plan and implement effective anti-discrimination education programs.

After special Dowa projects ended, attitude surveys are still being continued, but currently under a different law, the LPHREA. Now the focus of attitude surveys is no longer limited to *Buraku* discrimination but they cover different human rights issues. According to Uchida (2016), more than 35 prefectures, out of a total of 47 prefectures, have conducted attitude surveys of this kind between 2000 and 2015, not to mention many more surveys by governments at the municipal level.

Surveys in Himeji and Tamba Cities

Himeji and Tamba are cities in the Hyogo prefecture in western Japan, but they differ in character and population size. Himeji is an urban city with a population of approximately 0.54 million (as of 2011). It has a long history and is now wellknown as a castle town due to the World Cultural Heritage status of Himeji Castle. It is also wellknown for its traditional leather production, which has historically been an occupation for the local *Buraku* communities. Tamba city is in a rural district with a population of sixty-thousand (as of 2012), and was created in 2004 after the merger of six townships. Tamba, a rural city surrounded by mountains, is famous for its agricultural products. Both cities have made significant commitment in adopting basic policies and local plans of actions for human rights education.

The attitude survey in Himeji was conducted in 2011 and in Tamba in 2012. In both surveys, respondents were asked to express their level of agreement or disagreement to ten statements that represent different views related to human rights, using a four-point ordinal scales: strongly agree, agree, disagree, and strongly disagree. The ten statements were the following:

1. People increasingly insist on their rights, while they lose patience;
2. Human rights have nothing to do with me. They are meant for those who are discriminated against;

3. If everyone is kind and considerate to others, there will not be any human rights infringements;
4. Schools should teach students to perform their duties rather than rights;
5. Inequality is unavoidable in a competitive society as individual abilities are different;
6. Benefits of the community should be given priority over individual rights;
7. Not only the person who discriminates, but also the person discriminated against has a problem;
8. Government holds primary duty to fulfill the human rights of the citizens;
9. In order to eliminate discrimination, anti-discrimination law needs to be legislated;
10. Persons under nursing care (i.e., the elderly and the persons with disabilities) should not insist too much.

The responses revealed two distinctive tendencies. First, the majority of respondents prioritized morals over rights. Table 1 lists the statements which have more “agree” responses than “disagree” responses. As seen in this table, more than 80 percent either strongly agree or agree to the statement that “people increasingly insist on their rights, while they lose patience,” expressing their negative views against human rights activism. More than 60 percent believed that teaching children to “perform duties” is more important than the teaching of rights, and that human rights infringement can be avoided if everyone is “kind and considerate to others.”

Interestingly, more than 60 percent also agreed with the statement “Inequality is unavoidable in a competitive society as individual abilities are different.” Inequality is certainly morally unjust, but it was justified as a result of differences in individual abilities. Inequality is recognized as a matter of personal ability and responsibility, not as a failure in social institutional systems.

Table 1

	Strongly Agree + Agree	
	Himeji (N=1450)	Tamba (N=1131)
People increasingly insist on their rights, while they lose patience.	83.0 %	81.6 %
If everyone is kind and considerate to others, there will not be any human rights infringements.	67.4 %	67.6 %
Schools should teach students to perform their duties rather than rights.	66.0 %	61.3 %
Inequality is unavoidable in a competitive society as individual abilities are different.	64.5 %	54.0 %

Second, contrary to their strong support to private solutions, the majority of respondents disagreed with institutional solutions. As seen in Table 2, over half of the respondents in Himeji and Tamba neither acknowledged the Government as “primary duty-bearer to fulfill the human rights of citizens,” nor agreed with the need for “anti-discrimination law” in order to eliminate discrimination. The majority of respondents distrust government intervention and democratic mechanisms of society.

Table 2

	Strongly disagree + Disagree	
	Himeji (N=1450)	Tamba (N=1131)
Government holds primary duty to fulfill the human rights of the citizens.	54.3 %	59.3 %
In order to eliminate discrimination, anti-discrimination law needs to be legislated.	63.5 %	65.3 %

In fact, the responses to the two statements in Table 2 are significantly co-related, and intriguingly, those who agree more strongly with the two statements manifest stronger discriminatory attitudes toward the Buraku. Thus the questions: why do those who support laws and government initiatives hold more discriminatory attitudes? Why not the other way round? This result is unexpected because those who support institutional measures (laws and government initiatives) should be pro-democracy and pro-human rights, and therefore, would not hold discriminatory attitudes.

In the case of Himeji, another interesting observation is that the respondents with the least willingness to commit themselves in alleviating *Buraku* discrimination manifested highest support to institutional measures. It can be interpreted that people are unwilling to make their own personal commitment and expect the government to do something for the minority. The attitude of supporting institutional measures may simply be a manifestation of indifference to the minority, and their habitual dependence on the government. In this sense, support for institutional measures does not mean support for democracy and human rights.

Taking those results into account, there is an indication that Japanese citizens seem to strongly support private solutions through morals and personal responsibility, while holding negative view towards institutional measures. Institutional measures are not properly understood as democratic mechanisms and processes, but misunderstood as abandoning one's personal effort and throwing the responsibility to the government. Therefore, those who support institutional measures manifested negative attitudes towards the minority.

Sakai City Survey: Market Reinforces Discrimination

Sakai city in Osaka prefecture is located alongside Osaka Bay, and has historically been a major port town in the region. It is a satellite city of Osaka, with the population of 0.85 million (as of 2015). Sakai city is also quite known internationally in relation to human rights. In one report, the city has been described as follows:¹

59. In 1980 Sakai City Government recognised the sanctity of human rights, affirmed that it would enlist the efforts towards the realization of a "Human Rights Protection City." Sakai City subsequently advanced policy based on the human rights principles and later joined other local governments in formulating its own education and enlightenment plan called the "Sakai City Action Plan for the United Nations Decade for Human Rights Education." Following on from previous efforts, in 2007 Sakai enacted the "City Ordinance for Community Development Respecting Peace and Human Rights" and the Sakai City Human Rights Policy Promotion Plan", and has since comprehensively and systematically advanced human rights policy.

Sakai city has been undertaking surveys on the attitude of its residents on human rights every five years since 1985. The latest survey in 2015 provides some explanation on the influence of market economy on discrimination.

There were two different types of questions in the survey in Sakai city: one that asked respondents' recognition of existing discrimination against the *Buraku* (whether they think discrimination still exists or not), and one that measured the level of discriminatory attitudes of respondents against *Buraku* (whether they do discriminate or not) in two situations; 1) at time of marriage with person with *Buraku* origin, and, 2) at time of renting or purchasing property within a *Buraku* community or within the same school district.

Figure 1 shows respondents' recognition of the existence of discrimination. More respondents thought that "discrimination exists" at the time of marriage (45.4%), than at the time of renting/purchasing a home (28.1%). Noting that *Buraku* discrimination derives from feudal class divisions, and that people during the feudal period were deprived of their freedom to marry, to abode and to choose one's occupation, *Buraku* discrimination is not only manifested in treatment of people with *Buraku* origin, but also towards occupations and the lands where *Buraku* communities have historically been assigned to be located.

Figure 1. "Do you think discrimination against *Buraku* still exists?" (N = 1293)

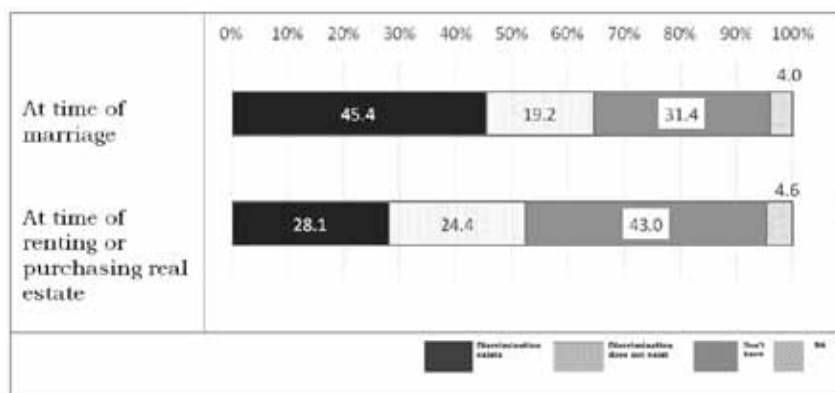


Fig. 2. “Do you agree with marriage of your child with a partner from *Buraku* community?” (N = 1293)

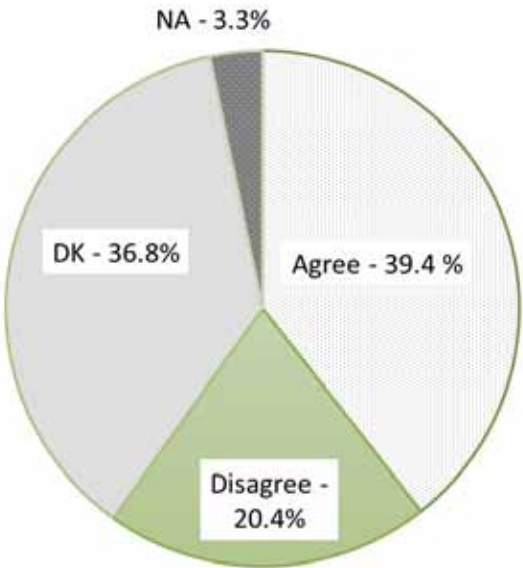
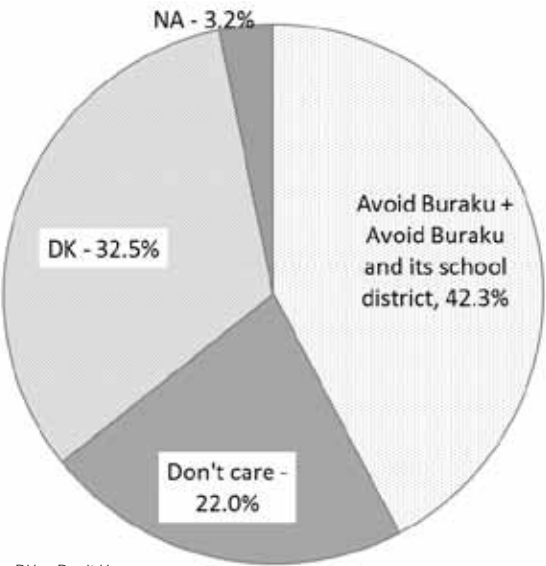


Fig. 3 “Do you mind renting/purchasing a house within *Buraku* communities and their school districts?” (N=1293)



Note: NA – No Answer; DK – Don't Know

Figures 2 and 3 show the respondents' attitudes towards *Buraku* in two situations: marriage of their child with a partner of *Buraku* origin (Figure 2), and renting/purchasing a house in a *Buraku* community or in its school district (Figure 3).

On marriage, 39.4 percent replied that they would "agree" to have their child marry a partner with a *Buraku* origin which is twice those who "disagree" (20.4 percent). On the contrary, in renting/purchasing a house, the percentage of those who would "avoid *Buraku* and its school district" (43.3 percent) is nearly twice as high as those who "don't care" (22.0 percent). The respondents tend to be more discriminatory regarding property located in *Buraku* community than persons from the *Buraku* community.

Interestingly, by comparing Figure 1 and Figure 2 data we can see that those who think discrimination exists at the time of marriage was 45.4 percent (Figure 1), but those who actually discriminate went down to 20.4 percent (Figure 2). In contrast, when comparing Figure 1 and Figure 3, those who think discrimination exists at the time of renting/purchasing a house was 28.1 percent (Figure 1), but those who actually avoid *Buraku* and its school district went up to 42.3 percent (Figure 3). Respondents' attitudes were clearly different in these two occasions.

More interestingly, exposure to DOWA and human rights education at school made a difference in attitude towards marriage, but not in attitude towards property. Table 3 makes a comparison of learning experience between the two groups; those who think discrimination exists but agree with marriage, and those who think discrimination exists and disagree with marriage. The former had more exposure to DOWA and human rights education in lower and upper secondary schools and in various trainings. Continuous and cumulative learning experience from school age to adulthood may have contributed in the formation of anti-discriminatory attitudes.

Table 3. Exposure to DOWA and human rights education (multiple responses, N=1293)

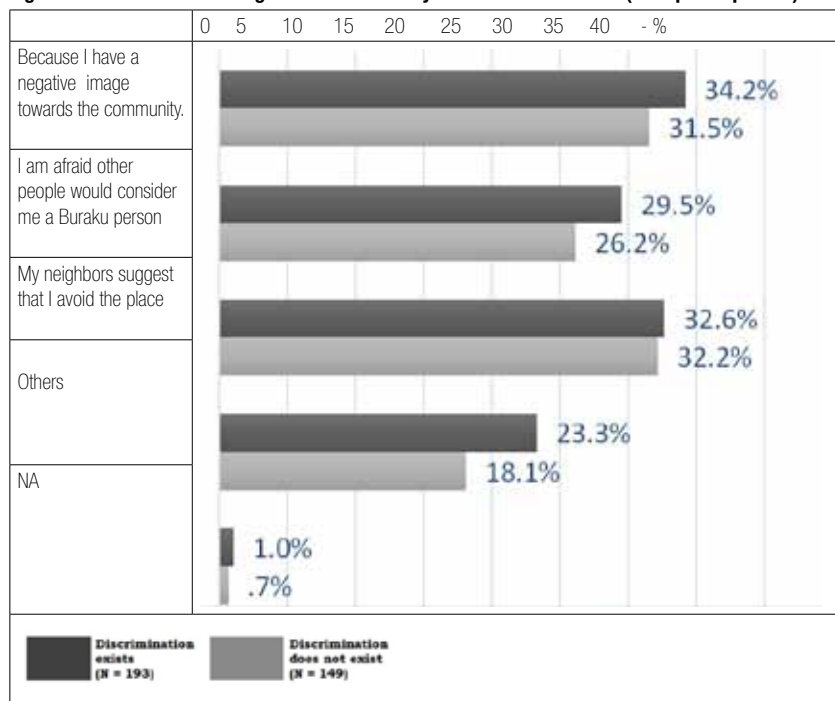
		Primary school	Lower secondary	Upper secondary	Tertiary	Training at workplace	Trainings organized by local govt.	Training organized by CSO	Others	Don't remember	No exposure	NA
Discrimination exists > agree with marriage	n=221	45.2	41.2	25.3	10.0	25.8	9.0	7.2	3.2	17.2	7.7	1.8
Discrimination exists > disagree with marriage	n=179	43.0	31.8	20.1	6.1	15.1	3.9	5.0	2.8	22.9	11.2	2.2

On the other hand, at time of renting/purchasing a house within a *Buraku* community and its school district, little difference was observed between the two groups, those who recognize discrimination still exist and those who do not. Regardless of their recognition of existing discrimination, around 50 percent of both groups replied that they would avoid *Buraku* communities similarly (Table 4). A question arises why do they, those who think discrimination do not exist, still avoid *Buraku* communities ?

Table 4. Avoidance of Buraku communities

		Avoid Buraku or its school district	Do not care
Discrimination exist	n=363	53.2%	18.2%
Discrimination does not exist	n=315	47.3%	25.7%

Figure 5 shows the reasons selected by those who avoid *Buraku* communities and their school districts. The upper bar shows the responses of those who thought discrimination exists (n=193), and the lower bar shows responses of those who did not think discrimination exists (n=149). Little difference is found between the two responses.

Figure 5. Reasons for avoiding Buraku community and its school district (multiple responses)

Regardless of their recognition of whether discrimination exists or not, the responses of the two groups showed similar trends. Respondents' negative image towards the *Buraku* (their own prejudice), their neighbors' suggestion to avoid the *Buraku* (prejudice in neighborhood), and their fear of being mistaken as *Burakumin* were almost equally selected by one-third of each group.

For those who selected "others," a space was provided for stating their own reasons. Eighty-eight of these respondents filled the space, and eleven among them referred to the lower asset value and low marketability of properties in *Buraku* communities. In the case of renting/purchasing property, the true motives of avoiding *Buraku*, whether they are discriminating *Buraku* or simply avoiding disadvantages in the market, is difficult to discern. At least, the impact of marketing on citizen's attitudes should not be overlooked. In the era of neoliberalism, discrimination against minorities may be reinforced by market economy, if people consider association with the minority might cause economic disadvantage.

Kyoto Human Rights Research Institute Survey

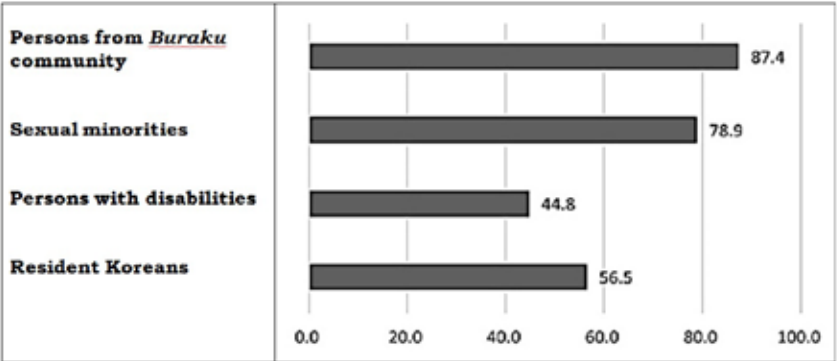
Moral education promotes private measures in resolving social problems, by emphasizing good personal relationships through teaching of values. The teaching of morals is based on presentation of abstract ideas, and keeps the students distant from engagement in real issues in society.

In fact, the understanding of *Buraku* issues has recently been getting more and more abstract especially among the young generation. This is partly because of the current form of moral education, and partly because of the end of special measures on the *Buraku* issue.

The Kyoto Human Rights Research Institute conducted a survey in 2014 in 12 colleges and universities in the Kinki region.² 2,867 undergraduate students (mostly junior and sophomore) were asked whether they had any contact with minority groups, including “persons with Buraku origin”, “residential Koreans”, “persons with disabilities”, and “sexual minorities (LGBT).” They were asked to choose their response from the following: “I have a close friend,” “I have a casual acquaintance,” “I have my family and relatives,” and “I do not know anyone personally.”

Figure 6 compares the percentages of respondents who selected “I do not know anyone personally” to four different groups. Those who do not have any personal contact with “persons with *Buraku* origin” was the highest (87.4%) among four groups, while the lowest was “persons with disabilities” (44.8%). Contact experience may be higher with more “invisible” minorities, and with the groups that schools do not, or hesitate, to teach about them.

Figure 6 Respondents who selected “I do not know anyone personally” (N = 2867)



The lowest contact experience with “persons from *Buraku*” is also explained as the outcome of the ending of special measures legislation. When the special measures legislation was still effective, *Buraku* communities were designated under the law as recipients of DOWA projects. Therefore, empowerment and coming-out of the communities and individuals with *Buraku* origin were preconditions for designation. However, since the termination of the law, many schools stopped teaching anything that might lead to identifying *Buraku* communities or persons with *Buraku* origin, since there were no longer designated communities under the law, believing that it was wrong to identify them without legal foundation. Many schools no longer have programs such as fieldwork, or programs inviting speakers from local *Buraku* communities for students to encounter the realities, which were popular among schools in the Kinki region² while the law was still in existence.

As a result of changes in schools and the learning experience of the young generation, feedback from students after discussing *Buraku* discrimination in my lectures at the university has also been changing. The typical comment goes: “without knowing any *Buraku* community or person with *Buraku* origin, I do not feel any serious discrimination still exists. I don’t think you need to teach about *Buraku* issues, as you may perpetuate discrimination by informing us.”

Conclusion

Changes in political and educational policies, and growing impacts of the market economy in accordance with neo-liberalization of society gradually changed the attitudes of citizens. Both morals and market promoted private initiatives, while weakening citizen’s trust in institutional solutions through the democratic mechanisms of society. Considering that human rights education facilitates participation in democratic decision-making processes, the results manifested in the recent attitude surveys in three cities were discouraging, and even alarming for human rights educators. The relationship among morals, market, and human rights education needs to be seriously discussed, and human rights educators must face these changes and provide continuous learning opportunities on rights and democracy.

At the same time, abstract teaching of morals raises risks that the understanding of human rights issues among younger generations will remain

abstract too, without having opportunities to encounter real issues and real people. As stated in the UN Declaration on Human Rights Education and Training (2011), “Human rights education ... should take into account the particular challenges and barriers faced by, and the needs and expectation of, persons in vulnerable and disadvantaged situations and groups.” (Article 5.2) Human rights educators should create space for both members of the majority and the minority sections of society to encounter each other and exchange views and experiences in order to foster a community that works for the realization of human rights.

Reference

Uchida, Ryushi. 2016. “Direction of Human Rights Education and Awareness-raising Viewed from Awareness Survey of *Buraku* Issues in Recent Years” (in Japanese). In *The Journal of Human Rights Education and Research*, Vol. 16. Hyogo: The Japan Association of Human Rights Education and Research.

Endnotes

1 See the final report of the United Nations Human Rights Council Advisory Committee (UN HRCAC) on the role of local governments in the promotion and protection of human rights (A/HRC/30/49) which was adopted at the 30th session of the UN Human Rights Council in September 2015.

2 Kinki region refers to an area in western Japan that covers the prefectures of Osaka, Hyogo, Kyoto, Shiga, Nara, Wakayama, Mie, and Tokushima, and the major cities of Osaka, Kobe, Kyoto, Ohtsu, Nara, Wakayama, Tsu, and Tokushima.

Raising Consciousness on Gender Equality and Women's Rights: Did It Make a Difference?

Rhodora Masilang Bucoy and Flora Generalao

THIS PAPER presents the findings of a study I conducted to ascertain the impact of teaching Gender in the General Education (GE) Program. I wanted to answer the question: Did the teaching of gender equality principles and substantive provisions of the Convention on the Elimination of All Forms of Discrimination Against Women make a difference in the knowledge and attitudes of the students taking a course on "Understanding Gender" in the Undergraduate Curriculum of the University of the Philippines, Cebu (UP Cebu). Did it promote gendered awareness in the students; instill in them an awareness of international covenant on women's rights as human rights and a recognition of the need to advance gender equality and women empowerment? Did the course enable them to see the unequal relations between men and women and the need for an affirmative action towards gender equality?

The Teaching of Gender and Development and CEDAW in UP Cebu¹

UP Cebu has started offering Social Science 5 (Understanding Gender) in 2005. Before the introduction of gender in the GE Program, there were already initiatives to incorporate feminist theories and gender and development concepts in courses in Political Science and Development Studies, Philippine History, Social and Economic Thought, Philosophy among others by Gender and Development (GAD) advocates and feminist faculty members. The offering of the Cebu campus was part of the entire UP Visayas² (UPV) Gender and Development Program's thrust to mainstream gender and development in the curriculum. I was one of the members of the UPV-wide Committee that crafted the course and pushed for its adoption as one of the options in the Social Sciences of the GE Program. All students of the University take a total of 45 GE courses, 15 units of which are in the Social Sciences. Together with GAD Advocates from UP Tacloban which included

Merlie Alunan and Nanette Pelino, UP Iloilo's Rosario Asong, Tita Torio and Ma. Luisa Mabunay, among others, we enhanced the draft prepared by UP Tacloban and produced a course which was a product of our collective effort. This course is still offered in the UP Visayas campuses. In other campuses of the constituent units of UP such as Diliman, Manila, Los Baños and Mindanao, gender courses are likewise taught. This in line with the UP's commitment to promote gender equality and women empowerment in all tri-functions of the University: teaching, research and extension or public service.

The adoption of the course in the UPV curriculum was aimed at broadening student's intellectual and cultural horizon through their exploration of the various theoretical frameworks in the analysis of key gender concepts, and root causes, forms and dimensions of gender inequalities and their manifestations in selected societies. The approved proposal to teach a gender course also prescribed that it be taught by faculty with expertise on gender and women studies and track record in gender advocacy. Every semester two to three sections of Social Science 5 are offered. I was among those who taught this course. In the beginning, we tried to team teach the subject. In the succeeding years, the course was taught solely by one teacher.

Sharpening of the Women's Rights Discourse in the Course

Starting 2004, the teaching of GAD was anchored on the rights-based perspective. In our initial Gender Sensitivity Trainings, we focused on the concepts of sex and gender and did exercises on the differences between male and female. Although clarification of the meaning of sex and gender is important in gender orientations, in order to drive home the point that sex is biological while gender is a social construction that varies through time and cultures, the discourse has moved to a higher plane where the subordination and marginalization of women are viewed as human rights violations and are obstacles to personhood and dignity of women.

The Rights-based Perspective

The rights-based perspective in teaching gender recognizes women's rights as human rights. It is anchored on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which was adopted by

the United Nations General Assembly on 18 December 1979 and ratified by the Philippines on 5 August 1981. This is considered as the definitive legal instrument regarding respect for and observance of human rights of women (Feliciano 2008, page 188). Filipino women played vital role in the crafting of this International Bill of Rights of Women. Noteworthy contributions were made by Filipinas in the United Nations like former Philippine Senator Leticia Ramos-Shahani and Ambassador Rosario Manalo.

To eliminate gender-based discrimination, CEDAW emphasizes that State Parties recognize the important economic and social contributions of women to the family and society. It stresses the need for a change in attitude, through education of both men and women, to accept equality of rights and responsibilities and to overcome prejudices and practices based on stereotyped roles (Feliciano, 2008, page 183; Sobritchea, 2008, page 21). CEDAW explicitly acknowledges the broad ranging discrimination against women which is defined under Article 1 as: any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

CEDAW is based on the core principles of equality and non-discrimination. It distinguishes between *de jure* equality and *de facto* equality. It recognizes the impact of social, customary and cultural practices which are based on the idea of inferiority or superiority of either sex of stereotyped roles of women and men (De Dios 2008, page 78). It looks at the connection between public and private spheres and contends that human rights violations occur in the private sphere as well (De Dios 2008).

The Integration of CEDAW in the Teaching of Gender Course

The University of the Philippines, a national university, is one of the leading universities in the countries of the Association of Southeast Asian Nations (ASEAN) that has mainstreamed gender in the curriculum and in the University organization and practices. As part of its commitment to advance gender equality and women empowerment the UP Center for Women Studies (UCWS) was established in 1988. UCWS played a pivotal role in mainstreaming gender and human rights in the curriculum (Lopez-Rodriguez,

2008, Foreword). In collaboration with United Nations Fund for Women (UNIFEM) under its CEDAW Southeast Asia Program and the Canadian International Development Agency, UCWS spearheaded the mainstreaming of CEDAW in the curriculums. The project included a training workshop on "Integrating CEDAW in the Teaching, Research, and Extension Programs of Regional Gender Resource Centers" in May 2006. The seminar which I attended provided the participants understanding of CEDAW and its salient provisions and the strategies and methods of incorporating CEDAW in teaching, research and extension work in the University. The participation of GAD focal persons in UP in this training has led to a conscious effort to include CEDAW in the relevant parts of the course syllabus. In the case of UP Visayas CEDAW was incorporated in the discussion on women's rights as human rights in relation to the concepts on marginalization, subordination and violence against women. It is part of the discussion on the international and national mandates on GAD and GAD mainstreaming. In my particular experience, my students analyzed the provisions of CEDAW and produced their advocacy materials and posters on the different provisions of CEDAW which they displayed during the Human Rights Week Celebration. The teaching of CEDAW remains to be integrated in Social Science 5 in UP Cebu, which is now an autonomous unit of the UP system.

Impact of Integrating CEDAW

UCWS led by Ma.Theresa Ujano-Batangan, PhD, has conducted an assessment of the teaching intervention of Integrating CEDAW in 2006. The findings of the study were included in the *Compendium of Teacher's Guidelines on Teaching CEDAW* (De Guzman, editor, 2008). The assessment included students enrolled in History 1, History 2, Rizal³ and Natural Sciences. The evaluation noted significant shifts in the knowledge, attitudes and behaviors of the students after going through a course that integrated CEDAW. Results showed that there has been significant change in the perceptions of students. There was an increased disagreement by students to the statement "no matter how accomplished she is, the woman is not truly complete as a person unless she has the love of a man" (Ujano-Batangan, 2008, page 157). Dis-agreement here suggests that students do not accept the stereotyped view about women.

With regard to the issue on substantive equality, UP Diliman students enrolled in History 1, History 2, Sociology and Science, except those taking Rizal, included in the assessment in 2006 showed their non-compliance with the traditional roles of women and men. Non-compliance with traditional roles was measured by the following statements for males: "When I get married, I will ask my wife to stay home and take care of children" and for females: "When I get married, I will stay home and take care of my children." Increased in disagreement to the statement "it is important that husbands continue to provide consent in decisions concerning their wives' fertility" was likewise reported by the UCWS assessment. Positive assertion of women claiming their rights was also confirmed by the study (Ujano-Batangan, 2008, page 158).

This same UCWS study reported that students recognized that the state has obligation to protect women's rights even in the post-test, with a high rate of agreement to the statement.

The UCWS study concluded that there were positive outcomes in the integration of CEDAW in the different tertiary courses included in the evaluation but also raised remaining challenges on the need for the students to further deconstruct stereotypes on gender and their implications to the discourse on human rights (Ujano-Batangan, 2008, page 164).

Positive Impact of Integrating Gender and CEDAW in UP Cebu

Using the instrument developed by the UCWS team headed by Ma. Theresa Ujano-Batangan, PhD, I conducted an evaluation of the outcomes of the teaching of gender using a rights-based perspective. At the start of the semester in 2012-13 a pre-test was conducted before the start of the semester. After taking the course Social Science 5 (Understanding Gender) a post-test was made to find out if there were significant changes in the attitudes, knowledge and behaviors on students on various domains of CEDAW particularly on the issues of Non-Discrimination, Substantive Equality, State Obligation, Human Rights, Women's Rights and the civil, political, economic, social and cultural rights and CEDAW integration in the curriculum (Ujano-Batangan, 2008, page 156). The non-discrimination domain developed by the UCWS team looked into the attitudes embodied in stereotypes and beliefs regarding males and females that shape discriminatory practices against women in the Philippine culture (Ujano-Batangan, 2008, page 157).

Objectives of the Study

This study aims to assess the impact of teaching gender equality and women's rights in Social Science 5 (Understanding Gender) on students' knowledge of, beliefs on, and attitudes toward women's attributes, roles, concerns, and rights. This study used the UCWS Team instrument developed by the group of Ujano-Batangan which looked at whether there existed shifts in the knowledge of the students after taking the course that integrated women's rights as embodied in the CEDAW (Ujano-Batangan, page 157). Its assessment indices included the five dimensions of CEDAW, namely, non-discrimination, substantive equality, human and women's rights, state obligation, and gender integration in the curriculum. The item pool was comprised of negatively and positively constructed statements, which students had to rate using the following scale: Strongly Agree, Agree, Don't Know, Disagree and Strongly Disagree (Ujano-Batangan, page 156). The study further aimed to determine if there were differences along these dimensions according to gender.

Participants of the Study

Eighty students enrolled in Social Science 5 classes in the first semester of School Year 2012-2013 participated in the study. Their average age was 17.65 ($SD = 1.74$) with 16 as the youngest and 24 as the oldest. Most (78.8 percent) were females while males comprised only 21.2 percent of the sample. Fine arts (30 percent) was the most frequent program of the respondents followed by Management (27.5 percent) and Political Science (25 percent). Only 10 percent came from the Computer Science program while the rest were from Psychology (3.8 percent), Math (2.5 percent), and Mass Communication (1.3 percent).

Instrument

The instrument used in the study was a 46-item 5-point Likert scale constructed by the UCWS team. It contained 13 items for non-discrimination, 15 items for substantive equality, 29 items for human rights, women's rights and CEDAW, 8 items for state obligation, and 3 items for gender integration in the curriculum. It was administered twice – in the beginning and at the end of the semester. Students indicated whether they strongly agree, agree, are undecided, disagree or strongly disagree with each item.

Data Analyses

Each item in the instrument was evaluated for its positivity or negativity. A positive item cohered with the teachings of Social Science 5 while a negative item reflected the opposite. For a positive item, the coding was from 0 for strongly disagree to 4 for strongly agree. For a negative item on the other hand, the coding was from 0 for strongly agree to 4 for strongly disagree. Summated scores for the five dimensions were calculated. High summated scores connote greater agreement with the teachings of Social Science 5 particularly on women's rights as human rights. Unlike the UCWS Study, where responses were presented in percentages, the statistical analysis used paired sample t-tests.

Paired samples t-tests were conducted to determine differences between pre-test and post-test for each dimension. When differences were significant, eta squared values⁴ were solved to determine size effects. Independent samples t-tests were conducted to determine differences between males and females across the five dimensions in both pre-tests and post-tests. When differences were found to be significant, size effect values were determined. The level of significance was pegged at .05.

Results and Discussion

Non-Discrimination

Eleven items comprised the non-discrimination domain. The domain looked into the attitudes embodied in stereotypes and beliefs regarding males and females that shape discriminatory practices against the latter in our culture (Ujano-Batangan, page 157). (See Annex A for the eleven items on non-discrimination dimension). Eight of the items were negatively stated and as such, a strongly disagree response was coded 4 and a strongly agree response was coded 0. A strongly agree response to the positively stated item was coded 4. There was a statistically significant increase in summated mean scores from pre-test ($Mean = 25.68, SD = 3.74$) to post-test ($Mean = 27.86, SD = 3.90, t(79) = 4.323, p = .000$). The eta squared statistic was .19, considered a large effect size based on Cohen's 1988 guidelines. This significant shift reflects substantial changes in gender beliefs and stereotypes among the students. A closer look at these changes though at the scaled score levels (summated scores were reduced into a 0 to 4 scale by dividing the summated scores with the number of items) revealed that the shift was

from undecided at 2.33 to slightly positive at 2.53. This means that more still needs to be done in deconstructing gender stereotypes and gender discrimination.

Of the eleven items under this domain, six resulted to significant differences between pre-test and post-test. These included the following:

1. An accomplished woman is already complete as a person even without the love of a man (from $Mean = 2.37, SD = 1.22$ to $Mean = 2.88, SD = 1.20, t(79) = 3.25, p = .002$). There is an observed change in the perception of the students on the statement "No matter how accomplished she is, a woman is not truly complete as a person unless she has the love of the man". Students disagreed to this stereotype that a woman becomes complete only if loved by a man;
2. Green jokes about women are not funny nor entertaining as shown in the mean scores (from $Mean = 2.54, SD = 1.16$ to $Mean = 2.89, SD = .98, t(79) = 2.84, p = .006$);
3. On the need to celebrate women's month, statistical analysis showed significant shifts of mean scores (from $Mean = 2.76, SD = .88$ to $Mean = 3.118, SD = .90, t(79) = 3.23, p = .002$);
4. The students' view about women should not stop complaining about the way they are being treated indicated their support for women's standing up against discrimination with mean from $Mean = 2.65, SD = .96$ to $Mean = 3.06, SD = .97, t(79) = 3.165, p = .002$).

Significant shifts were noted from disagreeing with the statement that women do not use their gender to obtain special privileges, to being undecided (from $Mean = 1.68, SD = 1.09$ to $Mean = 2.19, SD = 1.08, t(79) = 3.5, p = .0001$).

There was a shift from being undecided to disagreeing with the statement that men and women enjoy the same rights in our laws (from $Mean = 2.11, SD = 1.2$ to $Mean = 1.7, SD = 1.2, t(79) = 2.88, p = .005$). These respondents still perceive women as not enjoying the same rights as men in our laws.

In both pre-test and post-test, responses were relatively neutral with the statements that women are better than men in nurturing jobs and that women have a quality of purity that few men possess. This may imply that the students who took the course did not essentialize the character of men and women. This may further mean they did not ascribe solely to women the capacity of nurturance and purity of character.

Independent samples *t*- tests were conducted to determine if gender was a significant variable in the pre-test and post-test in the non-discrimination domain. Results revealed that in the pretest, the summated mean score of females was significantly higher than the summated mean score of males ($Mean_{female} = 26.11, SD = 3.43, Mean_{male} = 24.06, SD = 4.46, t(78) = 2.04, p = .044$). This significant difference was gone in the post-test, $t(78) = .19, p = .19$. This change among males is reflective of the success of Social Science 5 in deconstructing gender stereotypes, with male students expressing positive view about women and their struggle for gender equality.

Substantive Equality

Twelve items comprised the substantive equality domain. This part of the instrument looked into the knowledge, attitudes and behaviors that promote or hinder substantive equality among females and males (Ujano-Batangan, page 158). Eight items were negatively stated and four were positively stated. (See Annex B for the twelve items on the substantive equality domain) A high summated score in this dimension evinced recognition of factors that facilitate or thwart efforts to achieve equality between men and women. Results revealed a statistically significant increase in summated means from pre-test to post-test (from $Mean = 24.14, SD = 3.74$ to $Mean = 27.16, SD = 4.1, t(79) = 5.62, p = .000$). The eta squared statistic was .29, indicating a large size effect. The corresponding scaled scores showed that the change was from 2.01 to 2.26. These scores are actually within the undecided point of a 0 to 4 continuum. Although significant shifts are noted between the pre-test and the post-test, a lot still needs to be done in this dimension. It is highly recommended that the instrument be enhanced to capture the nuances of students "knowledge and attitude" about discrimination and women's rights.

There was a significant shift from disagreement to more disagreement with the statement that women do not seek to gain power by getting control over men (from 1.85 to 1.28, $t(79) = 3.5, p = .001$). There was also a significant shift from disagreement to undecided with the statement that many women are not really seeking special favors such as having policies that favor them over men under the guise of asking for equality (from 1.45 to 2.34, $t(79) = 4.85, p = .000$). These results apparently reflect students' beliefs that the women are not fighting for dominance over men and they have a positive view of women's struggle for their rights. This item has to be rethought in

future evaluation in order to clarify meanings of empowerment of women. It is noted here that there exists differences among feminist groups as to the specific goals of the feminist movement. Some groups are calling for women's autonomy and ending of male domination or patriarchy. Other groups seek mainly equality and legal reforms. And there are groups that clamor to end capitalist domination, among other issues. Students' responses showed some ambivalence on—whether the women's movement struggle is for equality or for dominance over men. The unclear perspective of the students on this ideological divide could be possibly traceable to the limits of the scope of Social Science 5 as a General Education course. There are also limits to students' recall of these concerns. Deeper issues on feminisms and the variations in feminist ideologies are not given much time in the course content. This aspect could be given future consideration by the faculty in both the substantive aspect of the course as well as its pedagogy.

On students' responses to other items on advocacies for pro-women policies, both pretest and post-test, respondents expressed agreement with the statements about the reasonable demands of pro-women policies. They likewise expressed agreement on women not just staying at home when they get married. In both pre-test and post-test, though, respondents agreed with the statement that husbands should provide consent in decisions concerning the fertility of their wives. This response could be interpreted to mean students' adherence to a couple's shared decision-making even on matters of fertility. This may reflect students' non-adherence to the view of feminist groups advocating for women sexual and reproductive health rights and women's autonomy over their bodies.

In terms of gender, females significantly scored higher than males on the substantive equality dimension in the pretest ($Mean_{female} = 24.81, SD = 3.58, Mean_{male} = 21.65, SD = 3.33, t(78) = 3.28, p = .002$). The size effect was moderate at .12. In the post-test, there was also a significant difference but the size effect at .06 was small ($Mean_{female} = 27.67, SD = 4.13, Mean_{male} = 25.29, SD = 3.45, t(78) = 2.17, p = .033$).

Human rights, Women's Rights and CEDAW

Nineteen items comprised the domain of human rights, women's rights, and CEDAW. Nine of these items were negatively stated. (See Annex C for the nineteen items on human rights, women's rights, and CEDAW domain) High

summated scores reflect awareness of the universality of human rights and women's rights as well as the role of CEDAW in promoting these rights.

A significant increase in pre-test and post-test summated means was found (from 53.39, $SD = 5.07$ to 56.4, $SD = 5.94$, $t(79) = 4.72$, $p = .0000$). The eta squared valued was .22, a relatively large size effect. The corresponding scaled scores reflect an increase in agreement from 2.81 to 2.97 with the rights of women as human rights and the role of CEDAW in promoting these rights. This was reflected in the student's recognition of equal pay for men and women, women's role in governance and women pursuing career choices even in field dominated by men.

These positive views on rights of women were reflected in the views of the male and female respondents. While women were significantly more positive in their views in the pre-test ($Mean_{female} = 54.17$, $Mean_{male} = 50.48$, $t(78) = 2.79$, $p = .007$), the post-test showed that gender gap is erased with male students expressing support for women's rights. ($Mean_{female} = 56.89$, $Mean_{male} = 54.59$, $t(78) = 1.42$, $p = .16$).

State Obligation and CEDAW integration in the Curriculum

Seven items comprised the domain of state obligation while three items tapped the domain of gender integration in the curriculum. (See Annex D for the seven items on the domain of state obligation and CEDAW integration in the curriculum). A significant shift was found in the summated mean scores of the state obligation domain between the pre-test and the post-test (from 19.21, $SD = 2.61$ to 20.88, $SD = 2.95$, $t(79) = 4.31$, $p = .000$). The size effect was large at .19. The corresponding scaled scores showed that initial views were relatively positive and became more positive in the post-test (from 2.74 to 2.98). Similarly, both males and females were positive in their views on the obligation of the state to promote women's rights.

On the other hand, respondents' views on the integration of women's issues in the curriculum did not differ significantly between pre-test and post-test. Their views were positive in both instances. Similarly, male and female respondents shared the same positive views with regards to the integration.

Summary, Conclusion and Recommendation

Paired samples t-tests evinced significant changes in the views on, attitudes toward, and beliefs on women's attributes, roles, rights, and issues among

Social Science 5 students from the start of the semester to the end of the semester in four of the five dimensions measured by CEDAW's instrument. Size effects were generally large, which indicate substantial differences between the two time frames. Greater positivity was found in both dimensions of human and gender rights as well as state obligation. The shift in the non-discriminatory dimension was from undecided to slightly positive while the shift in the substantive equality dimension was within the undecided point of the 0 to 4 continuum. There was no significant change in the views of the students with regards to the integration of gender in the curriculum. Their views were already positive even in the beginning.

Gender as a variable was found to be significant in the pretest on the dimensions of non-discrimination, substantive equality and women's rights. Female respondents had more positive views on these dimensions. The post-test results revealed the absence of gender differences on the dimensions of non-discrimination and rights. A significant difference remained in the substantive equality dimension but size effect became smaller. These results mean that men's views can be changed when their existing views are challenged in classes like Social Science 5.

Social Science 5 indeed contributed to the shift in students' views, beliefs and attitudes. The researcher recognizes that these changes are not solely attributable to the impact of Social Science 5. The study's design is not experimental and as such, there are a number of variables that can confound the results and can serve as alternative explanations. There is also a need to incorporate findings of the qualitative assessment that used students' journals and focused group discussions probing on the students' meanings of discrimination and issues that could not be captured by a structured questionnaire. Lastly, there is a need to enhance the instrument and assess its internal consistency. Face validity is not an adequate measure of its psychometric property. But despite this limitation, the study found out the positive impact of integrating women's rights principles on the students who took the course on gender. Integrating CEDAW indeed made a difference in the knowledge and attitudes of students.

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Endnotes

- 1 Flora Generalao, PhD, of UP Cebu Social Sciences Cluster provided technical assistance by doing the crucial statistical analysis for this study. The researcher gratefully acknowledges her substantial role in providing meaning to statistical data and applying appropriate statistical tests beyond the usual presentations in percentages.
- 2 The University of the Philippines Visayas has campuses in Cebu, Iloilo and Tacloban.
- 3 Rizal is a university course on the life and writings of Jose Rizal, a 19th century Philippine hero.
- 4 Eta square or the size effect is the degree of departure from null hypothesis (no difference) of the alternative hypothesis (there is a difference).

Annex A

Survey Items

Domain: Non-discrimination

Statement	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree
1. No matter how accomplished she is, a woman is not truly complete as a person unless she has the love of a man.	SA	A	DK	D	SD
8. Many women have a quality of purity that few men possess.	SA	A	DK	D	SD
13. Men are complete with woman.	SA	A	DK	D	SD
14. Women are better than men in professions or jobs that entail care giving and teaching.	SA	A	DK	D	SD
15. It is important that men and women get the same compensation for the same job or work.	SA	A	DK	D	SD
23. Many women use their gender to obtain special privileges.	SA	A	DK	D	SD
27. I find green jokes about women funny and entertaining.	SA	A	DK	D	SD
28. Men and women enjoy the same rights in our laws.	SA	A	DK	D	SD
30. Celebrations such as "Women's Month" are not necessary because women enjoy the same rights as men.	SA	A	DK	D	SD
33. Women should be allowed to pursue career choices even in fields dominated by men.	SA	A	DK	D	SD
37. Women should stop complaining about the way they are treated, and simply get on with their lives.	SA	A	DK	D	SD

Annex B
Survey Items

Domain: Substantive Equality

Statement	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree
2. Many women are seeking special favors, such as hiring policies that favor them over men, under the guise of asking for "equality."	SA	A	DK	D	SD
3. In a disaster, women ought not necessarily to be rescued before men.	SA	A	DK	D	SD
9. Women should be cherished and safeguarded by men.	SA	A	DK	D	SD
10. Most women fail to appreciate fully all that men do for them.	SA	A	DK	D	SD
11. Women seek to gain power by getting control over men.	SA	A	DK	D	SD
17. A good woman should be set on a pedestal by her man.	SA	A	DK	D	SD
21. Individuals pushing for policies that are pro-women are making entirely reasonable demands.	SA	A	DK	D	SD
34. People should stop describing women as depressed and exploited.	SA	A	DK	D	SD
37. Women should stop complaining about the way they are treated, and simply get on with their lives.	SA	A	DK	D	SD
38. For males: When I get married, I will ask my wife to stay home and take care of our children. For females: When I get married, I will stay home and take care of my children if that is what my husband wants.	SA	A	DK	D	SD
40. For Females: I expect men to shield me from harm. For Males: I think that is my role to insure that women are shielded from any harm.	SA	A	DK	D	SD
51. Do you know of any policies in your school/university that discriminates against women? [] YES [] NO 52. What are these policies? _____ _____ _____	SA	A	DK	D	SD

Annex C

Survey Items

Domain: Human Rights, Women's Rights and CEDAW integration in the curriculum

Statement	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree
4. It is not for men to be sued for sexual harassment just because a woman feels violated by the former's sexual jokes and remarks.	SA	A	DK	D	SD
6. Women should leave the field of governance to men.	SA	A	DK	D	SD
7. Women should not be allowed to work in the night shift, so they could be shielded from sexual assault.	SA	A	DK	D	SD
12. Human rights belong to each individual from birth.	SA	A	DK	D	SD
14. Women are better than men in professions or jobs that entail care giving and teaching.	SA	A	DK	D	SD
15. It is important that men and women get the same compensation for the same job or work.	SA	A	DK	D	SD
16. CEDAW protects men and women from all forms of discrimination	SA	A	DK	D	SD
18. Human rights are universal.	SA	A	DK	D	SD
19. The Philippines is a signatory of CEDAW and its optional protocol.	SA	A	DK	D	SD
20. Women should be willing to sacrifice their own well-being in order to provide financially for their families.	SA	A	DK	D	SD
22. Rape can occur even in intimate relationships (e.g. husband and wife, boyfriend-girlfriend, partners)	SA	A	DK	D	SD
25. Policies that promote more active participation of women in the everyday life of the community are not necessary.	SA	A	DK	D	SD
26. Given the chance I want to be actively involved in the promotion of women's rights.	SA	A	DK	D	SD
28. Men and women enjoy the same rights in our laws.	SA	A	DK	D	SD

30. Celebrations such as "Women's Month" are not necessary because women enjoy the same rights as men.	SA	A	DK	D	SD
31. Rape should have remained as a crime against chastity.	SA	A	DK	D	SD
35. Despite the gains in making the issues of women heard, it is still important for government to push for affirmative actions on women.	SA	A	DK	D	SD
36. Our laws allow for married men and women individually own properties.	SA	A	DK	D	SD
38. For males: When I get married, I will ask my wife to stay home and take care of our children. For females: When I get married, I will stay home and take care of my children if that is what my husband wants.	SA	A	DK	D	SD

Annex D

Survey Items

Domain: State Obligation and CEDAW Integration in the Curriculum

Statement	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree
5. The state has the obligation to protect women's rights.	SA	A	DK	D	SD
18. Human rights are universal.	SA	A	DK	D	SD
24. Having the women's desk in police precincts is a laudable attempt of the government to promote women's rights.	SA	A	DK	D	SD
25. Policies that promote more active participation of women in the everyday life of the community are not necessary.	SA	A	DK	D	SD
31. Rape should have remained as a crime against chastity.	SA	A	DK	D	SD
34. People should stop describing women as depressed and exploited.	SA	A	DK	D	SD
39. In today's tough economic times Filipinos' tax money shouldn't be used to support the implementation of courses on women's rights in government-run universities and schools.	SA	A	DK	D	SD

Human Rights Education in China: Motivations and Difficulties

Songcai Yang

IN A SOCIETY that lacks human rights tradition, human rights education is perhaps the most efficient way to popularize the concept of human rights, to spread human rights knowledge, to build human rights attitude and to cultivate a human rights culture.

Human rights education is even more important in China compared to other countries. Because of the long-term accumulation of feudal culture, China did not have such experience as the Renaissance movement in western society, which is of great significance for the formation of the concept of human rights.

During the past quarter of century, human rights education has been developing gradually through the effort of the academic community, the support of the government, and the help of international institutions. Since early 1990s, some universities have opened human rights courses and held a variety of human rights lectures that made human rights education one of the most active and vigorous courses in the field of legal education in China. The beginning and development of human rights education in China is not accidental. For quite a long time, the Chinese government practiced the “rule of man” as a basic policy, which reached its peak during the Cultural Revolution. Since the policy of China’s reform and opening up was adopted, the whole society has reached a consensus that the “rule of man” should be replaced with the “rule of law,”¹ which was followed by a vigorous legislative movement including the rewriting of the Constitution.

Rule of Law and International Standards

Why do we need the rule of law? It is obvious that legislation is not equal to the rule of law. As the Declaration of the Rights of Man and the Citizens states, “A society in which the observance of the law is not assured, nor the separation of powers defined, has no constitution at all.” (Article 16). As the discussion of the aims of the rule of law continued, more and more people realized that “the essence of rule of law is human rights.” “Where human rights are properly protected, there is rule of law.”² This philosophy

was also accepted by the Communist Party of China (CPC). As a result, the terms “human rights” and “rule of law” appeared in one document of the 15th Congress of CPC at the same time. Human rights education entered the classroom confidently with this turning point of ideology and rise of theoretical research of human rights.

At the international arena, China reiterated its willingness to respect international human rights standards in order to show that it is a responsible member of the international community and to repair its damaged relations with the West after the Tiananmen Incident. China’s active participation in international human rights affairs and its leaders’ statements about human rights show that the Chinese government is fulfilling its solemn promises to protect human rights; which consolidates the foundation of human rights education.

Despite of these optimistic elements or motivations, human rights education development in reality is not as satisfactory as people expected. There are still some major difficulties to face. The government should adopt more concrete measures to strengthen human rights education such as the policy framework, financial support and other practical approaches.

The Motivations

a. Political Commitments - Human Rights White Paper(s)

The Chinese government held cautious and even negative attitude toward human rights until late 1980s. In early 1990s, academics held a series of seminars about human rights under the encouragement of the government.³ One of the key ideas of these seminars was that human rights were not the patent of capitalism. The mainstream discussion of human rights turned to differentiation of “Marxist human rights” and “western human rights,” the former being good and the latter being bad, instead of taking all human rights as something unfavorable.

On 1 November 1991, the State Council Information Office released the white paper entitled *Human Rights in China*, which is not only the first human rights white paper but also the first white paper of the Chinese government. In this paper, human rights were regarded as “a long-cherished ideal of mankind” and a “great term.” It admitted that “China has suffered from setbacks while safeguarding and developing human rights.” It declared that “promoting human rights and striving for the noble goal of full implementa-

tion of human rights” is “a long-term historical task for the Chinese people and government.”⁴

It announced to the world the Chinese government’s position, view-point and policy on human rights. The release of the white paper shows that the Chinese government began to recognize the value and rationality of human rights, and realized that it was a strategic initiative to adapt to the situation of human rights development both at home and abroad. Since then, the development of human rights in China entered into a new stage. Its release not only surprised the international community, but also delighted the domestic academia. The 2003 White Paper gave people even deeper impression:

China believes that the development of human rights is an important symbol of civilization and progress of human society. It is an important part of the progress of world peace and development. Full enjoyment of human rights is the common goal of all countries in the world, and is also an important goal for China to build a well-off society in an all-round way.

This official understanding of human rights broke the long forbidden zone in domestic theoretical circles, which has greatly promoted the development of the theory of human rights in China. Since then meaningful academic discussion and study of human rights started. Topics of human rights gradually entered into the classroom. Since then, the Chinese government has issued around a hundred white papers, half of which are directly or indirectly related to human rights.⁵

b. Political Commitments - Human Rights in the CPC’s Documents

Though the white papers were issued in the name of the government, they also reflect the determination of the Communist Party of China (CPC) to discuss human rights. At the same time, CPC proclaimed its commitment to human rights in its own official documents. In 1997, the official report of the 15th CPC’s National Congress stated “to guarantee the lawful enjoyment of a wide range of rights and freedoms, respect and protect human rights,” which was thought to be “a key breakthrough”⁶ in the ideology of the CPC. In 2002, the official report of the 16th CPC’s National Congress made exactly the same statement, making “a must choice toward the establishment of socialist political civilization”⁷

In 2007, the report of the 17th CPC National Congress vowed “to respect and protect human rights, guarantee the right to equal participation and

development of all members of the society.” “Human Rights” was mentioned twice in the report and it treated the cause of human rights as an important part of the cause of CPC and the state. The report was regarded as “a new guidance on human rights development in China.”⁸ In the same year, the idea of human rights protection was also included in the revised Charter of the CPC.

In 2012, the Report of the 18th CPC’s National Congress emphasized “human rights are ACTUALLY respected and protected”. In the following report of the 3rd session of the 18th CPC National Congress, the party declared “to promote the judicial protection system of human rights.”⁹ As an immediate result, the fifty-seven-year-long highly criticized System of Reeducation through Labor was abolished at the end of the year. In 2014, at the 4th session of the 18th CPC National Congress, the CPC called for “raising the consciousness of human rights respect and protection of the whole society” besides “strengthening the judicial protection of human rights.” The evolution of political atmosphere has desensitized the topic of human rights, which is favorable to human rights education in China.

c. Political Commitments - Legal Reform

On 14 March 2004, the 4th amendment to the Constitution was passed by the second session of the 10th National People’s Congress. Among the fourteen revised articles, Article 33 attracted special notice. In this article, a new paragraph was added, which reads “the State respects and protects human rights.” “Human rights” constitute one of the basic principles of modern constitutions, and it has become a widely acknowledged standard in the world. Respecting and protecting human rights is the fundamental aim and the top principle of modern constitutionalism. Stipulating “human rights” in the constitution is a new landmark in the history of Chinese constitutionalism.¹⁰ This change was rapturously acclaimed by the academic circle.

The constitutional provision on human rights has several implications.

First, “Human rights” changes from a political concept into a legal one. “To respect and protect human rights” as a policy of the party and the state rises to a principle of the Constitution of the land.

Second, it tells people about the sacred status of human rights by highlighting them in the Constitution, making any violation of human rights unconstitutional.¹¹ The human rights provision in the Constitution, not only confirms that human rights are the basic rights enjoyed by everyone in the

country, but also emphasizes the obligation of “human rights respect and protection” of the state. Neither state organs nor their agents, including the National People’s Congress and its legislations can violate human rights. Any legislation violating human rights should be regarded as unconstitutional and declared null and void.

Third, the inclusion of human rights into the Constitution will promote the general public’s consciousness of understanding rights, loving rights and safeguarding rights, because “the ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments.”¹² With the development of the Popularizing-law Education Program,¹³ which includes education on the Constitution as a major component, more and more people have increased their understanding of human rights. Accordingly, human rights has become an increasingly popular term within the classroom.

The Constitution has been influential in the inclusion of the term “human rights” into four additional pieces of legislation and five regulations or judicial interpretations.¹⁴

International Environment——Human Rights Education Movement

The emergence of human rights education dates back to late 1940s. The Universal Declaration of Human Rights (UDHR) underscored the importance of “teaching and education to promote respect for these rights and freedoms”. Article 26.2 of UDHR demands education to “be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms”.

The first formal plea for human rights education came from UNESCO’s 1974 Recommendation concerning Education for International Understanding, Cooperation and Peace, and Education Relating to Human Rights and Fundamental Freedoms. In 1978, the participants of the International Conference on the Teaching of Human Rights met in Vienna to discuss what should be included into a formal curriculum for human rights education. Unfortunately, China was completely insulated from these events.

In 1993, the World Conference on Human Rights in The Vienna Declaration and Programme of Action reconfirmed the importance of human rights education.¹⁵ Actually, China played an active role in the confer-

ence. China once acted as the vice-chair of the preparatory conference and the coordinator of the Asian Group. The Chinese government even gave financial support to the least developed countries (LDCs) to help them attend the conference.¹⁶

China also enthusiastically supported and welcomed the United Nations General Assembly's resolution on the United Nations Decade for Human Rights Education (1995-2004). China's then vice-premier Qian Qichen said: "the Chinese government has taken an active part in the activities of the 3rd Decade of Human Rights Education in line with the national conditions, and put in considerable resources in such a huge project..."¹⁷

On 10 December 2004, Mr. Xie Bohua, the representative of the Chinese government made a speech at the 59th UN General Assembly. He highly appreciated the program of the United Nations Decade for Human Rights Education. He expressed that the Chinese government would continue to support the World Programme for Human Rights Education (2005-ongoing), including its First phase (2005-2009) and Second phase (2010-2014). The international human rights education movement has not only brought pressure to the Chinese government, but also brought strength and opportunity for the development of human rights education in China.

Institutional Development

In the process of human rights development in China, human rights research institutions have played key roles on human rights promotion by carrying out human rights research and education. Looking back at the history of the development of human rights in China over the past decades, we can see that the Chinese human rights research institutions have become the main force in the development and innovation of the theory of human rights in the new era.¹⁸

The emergence of human rights research institutions in China is closely related to the political agenda. The first human rights research institution, the Research Centre for Human Rights of Chinese Academy of Social Sciences, was established in 1991.¹⁹ In early 1991, in order to fulfill the research task of human rights theory assigned by then President Jiang Zemin, the original research group of human rights theory (established in late 1980s) was changed into a research center for human rights. The research center has mainly focused itself on human rights materials preparation, whose

published books and translations include *The International Human Rights Instruments and Human Rights Institutions* (1993), *The Encyclopedia of Human Rights in China* (1998), *UN Covenant on Civil and Political Rights CCPR-Commentary* (2003), and *The Economic, Social and Cultural Rights* (2003). These materials are vital for human rights education.

In May 1992, the Rights Protection Center for Vulnerable Groups, Wuhan University, was established, which combines legal aid, research and education and has published a book series called *Theory and Practice of Rights Protection for Vulnerable Groups*, among which are *Introduction of Social Vulnerable Groups* (1997), *Cases Selection of the European Court of Human Rights* (1999).

In January 1993, The China Society for Human Rights Studies (CSHRS) was founded, which is the largest national non-governmental organization in the field of human rights in China. CSHRS is a member of the United Nations Conference of Non-Governmental Organizations (CONGO), which enjoys a special consultative status with the United Nations Economic and Social Council (ECOSOC). Taking popularizing and publicizing human rights knowledge as one of its main objectives, CSHRS has conducted a series of activities such as establishing the China Human Rights Net (www.humanrights.cn) (1998), publishing the bimonthly magazine *Human Rights* (2002), producing the research report *China's Human Rights in Action*, and *Yearbook of Human Rights in China*.

In 1994, the Research Centre for Human Rights, the Central Party School of CPC, was established. One of its major objectives is to conduct human rights education for senior leaders of CPC. In 2000, the Human Rights Course became a compulsory course of the Training Department for all trainees in the Central Party School.²⁰

In April 1997, Peking University established its human rights research center.²¹ The purpose of the center is to promote domestic and international academic exchanges in the field of human rights and humanitarian law, to promote the development of human rights and humanitarian law education, and to raise the awareness of human rights of Chinese citizens. The center's major mission is to carry out academic research and teaching in the field of human rights and humanitarian law. Though it is not the oldest human rights research institution in China, it has played a leading role in human rights education. It provides the most comprehensive human rights courses for students, among which are Human Rights and the Rule of Law (compul-

sory), International Human Rights Mechanism (compulsory), International Humanitarian Law (optional),²² Specific Issues of Human Rights (optional), International Bill of Rights (compulsory), Regional Human Rights Systems (optional), Rights of the Vulnerable Groups (compulsory) and Business and Human Rights (optional). It has also published the first e-book in China, *Introduction to International Human Rights Law*, for free download. Since 2004, the RCHRHL and Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) jointly organized a human rights Masters program. By 2015 there were around 300 graduates from the program.²³

Other human rights research institutions established in the 1990s include Shandong University Research Centre for Human Rights (1994), China Foundation for Human Rights Development (1994), Shantou University Research Centre for Human Rights (1996), and the Justice Research Centre for Human Rights affiliated with the Ministry of Justice (1999). All the other human rights research institutions were founded after 2000. Up to now, there are about fifty human rights research institutions altogether.²⁴ It is proper to say that these human rights research institutions are the driving force of human rights development in China, based on which human rights education is flourishing and growing.

The Roadmap: National Human Rights Actions Plans

a. National Human Rights Action Plan of China (2009-2010)

In April 2009, the Chinese government issued National Human Rights Action Plan of China (2009-2010), which is the first document of such kind. The introduction of this document further shows that the Chinese government has changed the attitude of the past. The government sets human rights as a national goal and decides to achieve this goal through specific actions. This document was released shortly after the conclusion of China's first Universal Periodic Review before the Human Rights Council as a response to international concerns.

The document is composed of five chapters, including human rights education as a separate chapter (Chapter IV). It promises that "...the state will actively rely on the present systems of compulsory education, secondary education, higher education and vocational education, training organizations in state agencies, as well as the media, including radio, television, newspapers, magazines and the Internet, to carry out education in human rights

in various forms in a planned way, popularizing and spreading knowledge of the law and human rights.”²⁵ Besides encouraging current human rights education in universities, the government plans to initiate human rights education in primary, junior and senior secondary schools by adding human rights to the course on Ideological and Moral Standards, and carrying out human rights education in the course, as “basic rights and obligations of citizens” in the Constitution and international human rights knowledge.

The document also confirms the importance of human rights training and education for government employees, especially for law enforcement officers and judicial staff such as police officers, prosecutors, judges, wardens, urban management officers, etc.²⁶

The 2009-2010 National Action Plan is a “major milestone in creating a culture of human rights education, giving tacit approval to a number of education projects and prompting academic developments.”²⁷ It admits that state is the “duty-bearer” of human rights education.²⁸ It also tells the world whom to educate, what to educate and what approach to be employed in terms of human rights education.

In July 2011, the Information Office of the State Council released the Assessment Report on the Implementation of the National Human Rights Action Plan of China (2009-2010). It announced that human rights education and training were conducted in various forms to promote the ideas of human rights and to spread the knowledge of human rights in the past years. Accordingly, “the set task in the Action Plan was fulfilled.”²⁹ Specifically, the achievements in human rights education include the following aspects:

- (1) Students are guided to love life and to be familiar with children’s rights through the primary school course on Moral Character and Life;

- (2) Seventeen contents of law and human rights, as well as the laws and regulations on the protection of minors, are introduced in the secondary school course on Ideological and Moral Standards;

- (3) In the senior secondary school course on Ideology and Politics, contents of civil rights and obligations stipulated in the Constitution and the relevant content of the international human rights convention are presented;

- (4) Human rights education also has made progress in universities. New national textbooks endorsed by the Ministry of Education are published,³⁰ which help dozens more universities to open human rights law and human rights education curriculum for Undergraduates, Master students

and even PhD candidates. Human rights research institutions in Nankai University, China University of Political Science and Law and Guangzhou University are selected as national human rights education and training bases;

(5) More human rights training courses are organized, mainly targeting law enforcement officers.

b. National Human Rights Action Plan of China (2012-2015)

On 11 June 2012, the National Human Rights Action Plan of China (2012-2015) was released, which “designates an arrangement for the aims, tasks and measures of human rights development in China in the following four years.”³¹

The action plan is composed of six chapters. As in the previous one, human rights education occupies a single chapter (Chapter IV), which is more simple than the first one. Besides a few advocatory statements, two ideas are worth highlighting. First, it encourages enterprises and public institutions to respect human rights, and develop corporate cultures that honor and protect human rights. Second, realizing the importance of national human rights education and training bases, it promises to open “at least five new such bases.”³²

The assessment report of the action plan was released on 14 June 2016. According to the report, the achievements include the following aspects:

(1) The State Council Information Office and the eight human rights education and training bases held a total of 144 training sessions about human rights for Party cadres and government employees at various levels, judiciary and media personnel;

(2) The contents of personal rights, economic rights and the right to receive education have been included in courses and textbooks in all primary and secondary schools in accordance with both the newly-revised course standard for every subject of nine-year compulsory education since 2012;

(3) Institutions of higher learning strengthened the development of human rights related majors, offered related courses for four-year college students majoring in law, compiled human rights teaching materials and accelerated the education for special talents on human rights;

(4) In April 2014, five new national-level human rights education and training bases were opened,³³ which “achieved planned goals in advance.”³⁴

The outside world doubts the objectivity of the assessment reports because both reports were made by the government itself instead of an independent assessment agency.³⁵ The reports can be more persuasive if they can give more concrete data or make statements less ambiguously.

The Difficulties

a. The Ideological Influence

The discussion of human rights in China's academic circles began with the discussion of "humanitarianism," which is of less political sensitivity.³⁶ During the 1990s, the official viewpoint of human rights was confusing. The mainstream view was that human rights existed as two separate theories, "Marxist human rights theory and western human rights theory, and human rights research should be guided by Marxist human rights theory."³⁷ The two theories are contradictory, which caused difficulty for teachers.

The mid 1990s saw some scholars support the "Asian Values" viewpoint on human rights, advocated by Singapore and Malaysia, in order to demonstrate the legitimacy of the human rights theory of Chinese characteristics.³⁸ For quite some time, the academia focused on topics such as universality, particularity, cultural relativism, Asian values and Chinese characteristics of human rights. During this time human rights research and education were at the very initial stage, with most educators even lacking basic human rights knowledge. The complicated and politicized issue such as "Asian Values" or "Cultural Relativism" was beyond their comprehension.

In the late 1990s, China and Western countries entered a new round of confrontation in the field of human rights when Falun Gong (a Chinese spiritual practice) was officially banned on 22 July 1999, which is an obvious violation of human rights in the eyes of the western society. Since 1999, numerous Western governments and human rights organizations have expressed condemnation of the Chinese government's ban of Falun Gong.³⁹ The US Congress has made several pronouncements and introduced several resolutions in support of Falun Gong.⁴⁰ The Chinese government thinks Falun Gong is a cult and is "trampling on humanity and violating human rights";⁴¹ The government insists that it is "in line with the international human rights conventions" to ban Falun Gong.⁴² ⁴³ Anti-Falun Gong movements finally entered the Chinese education system, including all levels of academic institutions of human rights. In this period, the research and education topics

of many scholars and institutions are on the relationships between human rights and freedom of religion, state sovereignty and human rights.

As a course in social science, human rights should enjoy the same status as philosophy, history or civil law. An extra-politicized, dogmatic or foreign struggle-oriented ideology may bring negative influence on human rights education.

The Chinese Government is concerned that Western countries are using the issue of human rights in an attempt to suppress China and to discredit the image of the country. It has cited the United States' entanglement of the issue of The Most Favored Nation (MFN) and human rights, the U.S State Department's release of the annual human rights report, and the West's attempt to link the Beijing Olympic Games with human rights as part of the reason for this.⁴⁴ Consequently, this has undermined the incentive of the Chinese Government to develop human rights education.

b. Ambiguity of Policies

The first National Human Rights Action Plan came out in 2009, which vowed to develop human rights education in China. On 29 July 2010, the Central government issued the Outline of the National Medium and Long Term Educational Reform and Development Plan (2010-2020), which is "a programmatic document guiding the development of China's educational reform in a decade".⁴⁵ Its main aims are "to implement the strategy of rejuvenating the country through science and technology, strengthen the strategy of reinvigorating through human resource development, give priority to the development of education, improve the modern education system of socialism with Chinese characteristics."⁴⁶ Unfortunately, it does not include any specific arrangement for human rights education.

On 28 December 2012, at the 24th session of the Standing Committee of the Eleventh National People's Congress, Mr. Yuan Guiren, the Minister of Education, made a report on the implementation of the Outline. Again, there was no mention of human rights education.

China's human rights education is in its infancy; its development needs the strong support of national policy. Therefore, human rights education needs not only action plans, but also specific policy arrangements. After the action plan has promised to vigorously carry out human rights education, the outline did not make any arrangements for human rights education, which is a very regrettable thing. Obviously, this will have a very nega-

tive impact on human rights education in China.⁴⁷ The policy ambiguity has slowed down the development of human rights education.

c. Absence of Duty-Bearer(s)

The States are duty-bound, as stipulated in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and in other human rights instruments, to ensure that education is aimed strengthening respect for human rights and fundamental freedom.”⁴⁸ The Chinese government has made several commitments to strengthen respect for human rights and fundamental freedoms through education. One of the fundamental principles of the “National Human Rights Action Plan” (2009-2010) is the “pursuit of the basic principles prescribed in the Constitution of China, and the essentials of the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights.” The making of the 2009-2010 plan “involves broad participation by the relevant government departments and all social sectors.”⁴⁹ It states that “the government and government departments at all levels shall make the action plan part of their responsibilities, and proactively implement it in line with the principle of each performing its own functions and sharing out the work and responsibilities.” From this statement, the government or the government departments are the compulsory duty-bearer(s) of human rights education.⁵⁰ Neither this statement nor the Human Rights Action Plan (2012-2015) outlines which government department takes charge of human rights education.

Generally speaking, the Ministry of Education (MOE) is the main duty-bearer to implement the content of human rights education within the National Human Rights Plan. According to the document of the State Council, one of MOE’s responsibilities is “to formulate guidelines, policies and plans for the reform and development of education, draft relevant laws and regulations and supervise the implementation of the relevant laws and regulations.”⁵¹ As above-mentioned, it failed to include human rights education into the Outline of the National Medium and Long Term Educational Reform and Development Plan. Though the MOE has established eight national bases for human rights education and training, which are the leading institutions of human rights education, it does not make any budget arrangement for human rights education.⁵²

At the policy-making level, the Information Office of the State Council is very much relevant to human rights promotion. It has not only released all the human rights whitepapers, but also headed the making of the two national human rights action plans. But it does not take charge of human rights education. Its scope of responsibilities is “to introduce China’s internal and external policies, economic and social development, the history of China, and the status of China’s science and technology, education, culture and other development to the world.”⁵³ Its responsibilities can be understood better from its other name—the International Communication Office of the CPC or the Foreign Propaganda Office of the CPC.

One of the approaches of human rights education is to develop it “along with the dissemination of knowledge of the law among the general public.”⁵⁴ The dissemination of knowledge of law is a function of the Ministry of Justice (MOJ) with the coordination of the Propaganda Department of the CPC.⁵⁵ Hundreds of thousands of lectures have been delivered at various levels of governments, among these legal knowledge dissemination lectures, there is no specific lecture on human rights.

d. Fragmentation of Human Rights Education

Currently, there is no systematic human rights education, either at the primary, junior, or senior secondary schools, or at the higher education level. Basically, human rights education is fragmented.

At the primary school level, the knowledge of human rights is scattered in the ideological and moral course, which is divided into “Moral Character and Life” (pinde yu shenghuo) and “Moral Character and Society” (pinde yu shehui) according to the different grades. The former is for Grades 1 and 2, and the latter is for Grades 4, 5 and 6. There are different versions of textbooks used in different regions of the country, which are more or less related to “human rights” knowledge.

The “My Body” unit in the old People’s Education Press version for Grade 1, simply introduced physical structure and established the consciousness of protecting the body, it did not emphasize the protection of the basic rights to personal integrity and privacy.

The unit on “Our Democratic Life” in the new People’s Education Press version for Grade 5, talks about the class cadre election, “my” participation and social life of democracy in order to help students build up “a preliminary form of democracy, the concept of the rule of law and consciousness of

rules.” But, the term “human rights” is not in either the old or new, national or local versions of textbooks for primary students.

In the textbooks on Ideology and Moral Standards for secondary school students, there are some human rights-relevant contents such as “right to life,” “right to education,” “right to election,” and “freedom of religion,” etc. In the textbook on Ideology and Politics for senior secondary school students, relevant contents on human rights is concentrated in the units on “Political Life” and “Common Sense of Law in Life.” Regrettably, “human rights” does not appear in either the junior secondary school course or the senior secondary school course.

In universities, human rights education is conducted in an autonomous way, which means the relevant universities carry it out independently and voluntarily. Human rights education is basically limited to law schools (or faculties). The course is mostly offered to undergraduate law students as an optional course. Only a few law schools set it as compulsory course, which depends entirely on the involved law schools themselves. Some universities even carry out human rights education for Master and PhD students and set a human rights course as compulsory, which is designed without any guidance from MOE or based on any law or policy.⁵⁸ For law students, there are a total of fourteen core courses. Unfortunately, the human rights course is not included, which has marginalized human rights education in law schools.

e. Lack of Resources

i. Human Resources

Effective human rights education means that teachers must master and impart related values, knowledge, skills, attitudes and methods. To deliver human rights courses to students, teachers must become the believers and practitioners of human rights. Teachers’ awareness of human rights is closely related to the teachers’ professional qualities and professional ethics. In other words, human rights education needs qualified human rights educators. The lack of human resources is the bottleneck of human rights education in schools, colleges and universities.⁵⁹ Human rights constitutes a comprehensive subject, which requires teachers to have a profound and comprehensive knowledge of human rights, and other areas of humanities and social sciences.

At present, China’s human rights educators are mainly ideological, political and legal professionals. In recent years, several human rights teach-

ers' training projects have been held. But these training courses are usually short-term ones. The number of participants are limited due to budget issues. Almost all the training courses are financially supported by international institutions.⁶⁰ The Chinese government has not organized any training course for human rights teachers as of yet. A National Meeting of Human Rights Education in Universities in China is held annually since 2008. Each year, there are about 60-80 teachers whose work fields are closely relevant to human rights education. The total number of participants is about 500, which includes almost all the human rights teachers in China. But it is still a very tiny number compared to the total number of universities in China.⁶¹

ii. Material Resources

Human rights materials are the carriers of human rights knowledge. During the last two decades, people witnessed the vigorous development of human rights research. Many human rights books are published, but most of which are theoretical and not suitable as textbooks for students.⁶²

At present there have been no human rights textbooks produced for primary and junior secondary school students. There are a dozen textbooks available for University students however, all of these have been written by legal experts and students of law.⁶³ These textbooks are therefore difficult to understand for those who do not have a background or knowledge of law. There is an online book Introduction to International Human Rights Law, which is also a textbook for law students. The insufficiency and limited focus of human rights textbooks have seriously affected the development of human rights education.

Concluding Remarks

There are many ways to realize the ideal of human rights, including political, economic, cultural, scientific and technological approaches.

Human rights education is the approach to realize human rights through educational activities. From the perspective of society, human rights education is meant to improve the human rights situation, form the emotion related to human rights, improve understanding of their concept of and ultimately enhance the social consciousness of human rights through the popularization of human rights knowledge. From the perspective of ed-

ucation, human rights education is the practice and process to improve the human rights situation.

On the one hand, China's human rights education is actively or passively driven by several motivations, which are also the bases of its development. On the other hand, human rights education in China is hindered by various factors, which have frustrated and will continue to frustrate people who are concerned about human rights education.

It is of vital importance to make full use of the motivations and to minimize or get rid of the hindrances on the path of human rights education. In the 21st century, the respect for human rights has become the goal of the world, and the promotion of human rights has become the sacred mission of education. As a permanent member of the United Nations and a major power with significant impact on world affairs, China's true meaning of human rights education is still at the initial stage, whose systematic theoretical research on human rights education is basically a blank.

Human rights education is not only relevant to China's international image and reputation, but also significant to its establishment of the rule of law and its construction of the Chinese people's spirit. Above all, human rights education is about the living conditions of Chinese children and their quality of life in the future.

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17 Li Baodong, "Human Rights Education in China", in *Human Rights Law: From Dissemination to Application*, 2006, available at booksandjournals.brillonline.nl.

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19 Actually, some scholars argue that Shandong University Research Centre for Human Rights is the oldest human rights research institution in China. See Qu Xianghui, "Shandong University Research Centre for Human Rights", in Yang Songcai and Chen Youwu, editors, *Human Rights Research Institutions and Human Rights Education in China*, page 96. After careful investigation, the author has found that Shandong University Research Centre for Human Rights was established in 1994, whose pioneer was named Human Rights Research Division, affiliated with the Law Research Institute of Shandong University.

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45 *China Education Daily*, 11 July 2013.

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53 See www.scio.gov.cn/xwbjs/index.htm (6 July 2016).

54 National Human Rights Action Plan (2009-2010).

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Back to School: Human Rights Education in the Asian School Systems

Jefferson R. Plantilla

HURIGHTS OSAKA started collecting documentations on human rights education in the school system in 1995. Aside from collecting teaching/learning and other materials used by different institutions (both governmental and non-governmental), HURIGHTS OSAKA has compiled a substantial amount of information on the human rights education initiatives in the different countries in Asia and the Pacific. Most of these documented initiatives have been published as articles in the annual publications of HURIGHTS OSAKA as well as research reports.¹

Recent news on human rights education in the school system in several Asian countries triggered a quick and limited review of these published articles. The review brought out interesting aspects of the progression of the human rights education initiatives in three countries: Sri Lanka, India and the Philippines. There are certainly many significant human rights education initiatives in other countries, but information available in HURIGHTS OSAKA on these three countries have been quite substantial to merit special citation here.

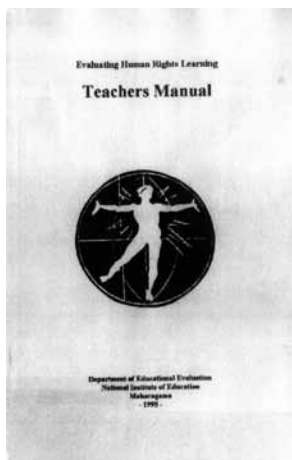
Continuity and Improvement

Specific initiatives on the teaching and learning of human rights in the school systems in Sri Lanka, India and the Philippines started in the 1980s in Sri Lanka and the Philippines, and in the 1990s in the case of India, and continued till the present. These initiatives have the support of the government and private and public schools. A brief review of these initiatives follows.

Sri Lankan experience

The teaching of human rights in Sri Lankan schools started way back in mid-1980s. Social studies curriculum incorporated human rights themes based on the initial human rights education program of the Human Rights Centre of Sri Lanka Foundation. The Human Rights Centre supported the

training of teachers, enrichment of the curriculum and “discovery-based” activities for students. The National Institute of Education partnered with the Human Rights Centre in developing “suitable instruments to assess student achievement levels on Human Rights and facilitate the teachers to make the teaching a more pleasant experience.”² This partnership led to the publication of *Evaluating Human Rights Learning – Teachers Manual* in 1995. This publication is apparently the earliest human rights education evaluation manual produced in Asia.



The civic education curriculum of Sri Lanka has integrated human rights content for a long time. A 2009 report of the Regional Unit for Social and Human Sciences in Asia and the Pacific - UNESCO states that the “subject of Civics and Governance, taught in grade 11 includes units on the concept of Human Rights.” It also states that the National Education Institute (NIE) of Sri Lanka has produced a teachers’ instruction manual to support the teaching of civics and governance.³ The integration of human rights content in the civic education subject has been proposed several years before. Sri Lankan educator-participants in the 2006 South Asian workshop on human

rights education organized by HURIGHTS OSAKA presented proposed human rights content in civic education.⁴ Their proposed contents on the topic “Human Rights and Duties” are very similar to the approved human rights content of the current civic education curriculum in Sri Lanka. The recent human rights education initiative came about as a direct response to the ending of the internal armed conflict in 2009.

Sri Lanka has started the work on recovering from the trauma brought by the internal armed conflict and of preparing the ground for lasting peace. The Sri Lankan government established the Lessons Learnt and Reconciliation Commission (LRRC) on 15 May 2010 to do a fact-finding on the internal armed conflict covering the February 2002 to May 2009 period and to propose measures to prevent the recurrence of the conflict and hopefully pave the way for reconciliation.

The Sri Lankan government informed the United Nations Security Council Interactive Briefing on 5 June 2009 that it was in the process of ini-

tiating a domestic mechanism for fact-finding and reconciliation as way to express its “commitment to the promotion and protection of human rights.” Then Sri Lankan President, Mahinda Rajapaksa, explained that “in order to accomplish this task it has become necessary to set in motion a mechanism which will provide a historic bridge between the past of a society characterized by inflicted strife and a future society founded on the continued recognition of democracy and peaceful co-existence and the affording of equal opportunities for all Sri Lankans as guaranteed by the Constitution.”⁵

The Commission released its report entitled *Report of the Lessons Learnt and Reconciliation Commission* in November 2011 after holding a series of public hearings in various parts of Sri Lanka. Section 9.6 of the report provides:⁶

There is also a fundamental need to ensure that lessons from these past incidents be learnt in a manner that they will never be repeated again. In this regard, the Commission also stresses the need for comprehensive, island-wide human rights education programmes targeting the school children, youth, members of the Security Forces, and the Police etc.

The Ministry of Education of Sri Lanka supported the implementation of the education-related recommendation of the LRRRC through the project on developing supplementary reader for secondary students on human rights and the trainers training manual that includes an activity on human rights.

In 2015, the Ministry of Education along with partner institutions (National Institute of Education, German Cooperation, Deutsche Gesellschaft für Internationale Zusammenarbeit, and Save the Children) released two publications, namely, *Protecting Rights for a Peaceful Tomorrow* and *Trainers Training Manual - Empowering Teachers for Learning-Teaching Process (Civic Education)*.

Both publications support the implementation of the Civic Education Curriculum. The supplementary reader publication is entirely devoted to learning about human rights under the Civic Education curriculum. The Sri Lankan Minister of Education explains the importance of the supplementary reader:⁷

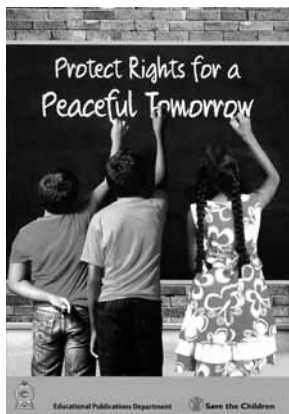
It is an accepted fact among the academia that although there was awareness of rights and freedoms, flaws in translating knowledge into action was one of the main reasons for the crisis that prevailed in the country for over three decades. Imparting

knowledge, promoting human rights and providing school children with a rights friendly education will certainly make school children today, the citizens of tomorrow, gain a deep understanding of their rights and duties. I firmly believe that such an understanding will lead to peace, unity, brotherhood and development within the country and school children who are part of the knowledge economy will contribute to a human rights knowledge centred society, when they leave school and step into the wider social spectrum.

The supplementary reader has twenty stories that are grouped under 1) “Civil and Political Rights and Responsibilities,” 2) “Economic, Social and Cultural Rights and Responsibilities,” and “Collective Rights and Responsibilities.” Each story contains simple statements about human rights, which are further explained by the texts of relevant provisions of the Universal Declaration of Human Rights and also Convention on the Rights of the Child.

The supplementary reader has one chapter explaining the basic principles of the Convention on the Rights of the Child. Its final chapter includes

a list of institutions that work for the protection and care of children, and simple presentation of the provisions of the Convention on the Rights of the Child.

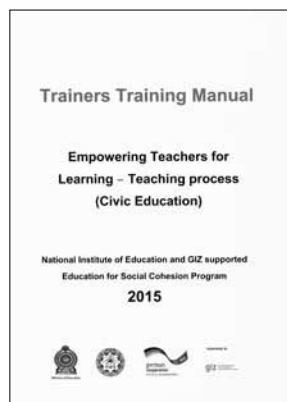


The trainers training manual is a “Manual of Instructions on Civic Education... [and] an important contribution to the implementation of the National Policy on Education for Social Cohesion and Peace.”⁸ It covers all topics/contents of the Civic Education subject from grade 6 to 11 and the activities related to the different topics.⁹ This training manual has a section on “Student Parliament,” which is an “exceptional

program introduced as a co-curricular activity by Circular No. 14/2016 of the Ministry of Education.”¹⁰

While one activity is devoted to human rights, there are two other activities that can relate to human rights, namely, the themes on “Management of Conflicts” and “Multicultural Society of People.”¹¹

The production of the two materials on civic education strengthens the continuity of efforts on teaching human rights in the Sri Lankan school



curriculum from the 1980s to the present. The current context of building the structure that would support lasting peace in Sri Lanka is also an opportunity for further development of human rights education in the school system.

Indian experience

In India, what started as an experiment in 1996 by the People's Watch Tamil Nadu (PTWN) has grown into a full-blown program in the state of Tamil Nadu. The experiment covered nine schools in 1997 under Phase I, while for the 1998-2000 period under Phase II different rights were included (children's rights, women's rights, the dalit's rights, and refugee rights) for one hundred thirty five schools.¹² PTWN subsequently established the Institute of Human Rights Education (IHRE) in 1997.¹³

From the latter half of 2005, the program spread to nine other states (Gujarat, Tripura, West Bengal, Orissa, Chattisgarh, Andhra Pradesh, Karnataka, Kerala, and Rajasthan).¹⁴ In expanding to other states, IHRE translated its human rights modules initially written in Tamil into English and the other Indian languages (Telugu, Kannada, Malayalam, Oriya, Bengali, Gujarati and Hindi). The modules were "dynamically adapted and rewritten to reflect the local reality and is relevant to local human rights issues."¹⁵ Its expansion to other states allowed thousands of students to join the program.

The program continued to grow through the years. IHRE initiated the establishment of Human Rights Clubs in "250 schools across 15 districts in Tamil Nadu" during the 2016 academic year. This "initiative, started last year (2015) with the support of the School Education Department ...[that] ensured the functioning of the clubs in 120 schools across six districts in the State."¹⁶

The IHRE program has gained much support from government and non-governmental institutions in several Indian states and also from the school teachers and officials. While there is yet no exhaustive evaluation of the program, there are indications of transformation of teachers and students. As explained in 2007,¹⁷

The stories of transformation of human rights education teachers and students and the social impact of the human rights education program we have so far gathered from our work have

touched the hearts of all those who have come to know of them. Stories keep trickling in, from the remote corners of the states, of questions asked that were never before asked, silences broken, voices raised, a little hand of help extended, adults shamed, alcoholics transformed, a silently suffering mother surprised by her little son confronting the drunken father, daughters of fiercely patriotic communities daring to demand education. A twelve-year-old student of human rights education in an area notorious for female infanticide, intercedes when the life of another female infant is to be snuffed out, quotes his human rights education lesson, runs from pillar to post to save the life and ultimately succeeds. Where young girls are married at the age of thirteen or fourteen, a little girl's marriage is stopped by the collective intervention of her classmates. In a place of rampant child labor, a ten-year-old boy being physically abused in a roadside shop is saved by the intervention of human rights education teachers, keeping vigil through the night and bringing the abuser to law. The evidence we are marshalling is, till now, mainly anecdotal, but each anecdote is a stone thrown into the cesspool of centuries of oppression and indignity.

Philippine experience

The many years of implementation of the human rights education initiative of the Philippine government produced a number of teaching exemplars and teacher training materials for Philippine primary and secondary schools. The first teaching exemplars way back in 1987 were developed through a series of activities consisting of consultation workshops, writing workshop, field testing, a Parents and Educators Forum and subsequent distribution of printed copies of teaching exemplars to the schools.¹⁸

The holding of Parents and Educators Forum on HRE was primarily aimed at tapping Parents-Teachers Associations, student councils and faculty clubs in the promotion of human rights. It was "deemed appropriate for parents to know that school children are taught about their rights so that the exercise of these rights are reinforced at home. The teaching of human rights [had] to be cooperatively carried out by teachers and parents. Involving the parents in this endeavor could minimize, if not eliminate, the exploitation and violation of their rights (e.g., ensuring that school-age children [were] in school and [were] not forced to work to help the family financially)."¹⁹ The 1999 forum helped raised a number of issues related to human rights:²⁰

- the increasing number of child laborers, in spite of government's campaign to provide education for all and the existence of free primary and secondary school education;
- the alarming reports of rape of daughters by their fathers or incestuous relationships between them, and the factors that lead to the exploitation of young women;
- the aggressiveness, disrespect and disobedience displayed by children against their parents, relatives and other adults; and
- physical and emotional harm inflicted on school children by teachers and parents.

The forum likewise identified the stance of parents regarding human rights, gender-fair education and peace education.

With the change of school curriculum in 2002 (Basic Education Curriculum [BEC]) for primary and secondary schools, the DepEd revised in 2003 its human rights teaching exemplars to fit the new curriculum. The BEC focused on five learning areas: reading, writing, arithmetic, science, and patriotism. These learning areas are contained in the following subjects at primary school level: English, Filipino, mathematics, and *Makabayan* (Nationalistic), with Science and Health being integrated into English; and at the secondary school subjects: English, Filipino, science, mathematics, and *Makabayan*.²¹

For the primary schools, aside from teaching of human rights concepts using "different approaches, strategies, and techniques," DepEd also²² prepared interactive instructional materials on preventing child abuse...[and] guidelines on indigenization and localization of curriculum to respect cultural diversity. This encourage[d] the use and improvement of local resources. Localizing the curriculum [was] a way to preserve and develop the cultural heritage of the different regions.

For the secondary schools, considering that "the level of discussion, particularly on sensitive issues, is high....case studies are [usually] given where students can analyze and synthesize what they learn about human rights, and decide and commit that they will be respected."²³

DepEd, along with the Commission on Human Rights of the Philippines and non-governmental organizations, undertook the revision of human rights teaching exemplars through a number of steps:²⁴

- Analysis of competencies for all learning areas, year levels, and quarters;
- Identification of suitable human rights concepts (using a research-based list [prepared] by the Commission on Human Rights of the Philippines of the most common human rights violations);
- Preparation of lesson exemplars as part of a module;
- Orientation and training in the use of the module;
- Updating and review of modules;
- Development of instructional materials and devices on human rights (such as posters, flyers, handouts, reading materials, case studies, pamphlets, and fact sheets); and
- Monitoring and evaluation of the program.

The educational policies further evolved in 2000s. The 2002 law, “An Act Declaring December 4 to 10 as National Human Rights Consciousness Week in the Country and for Other Purposes,” led to Department Order no. 31 that required the celebration of Human Rights Week every December of the year. Furthermore,²⁵

In May 2003, DepEd, in partnership with the Commission on Human Rights of the Philippines (CHRP), undertook its initial activities to integrate human rights in the national curriculum (DepEd Memorandum 160, s. 2003), and by 2004, the first training of trainers on human rights education was held (DepEd Memorandum 16, s. 2004). All Divisions of the Department were then enjoined to include human rights in their in-service training (inset) for teachers from May 2004 to 2005 (DepEd Memorandum 130, s. 2004).

In 2005, a law entitled “Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act” (Republic Act 7610) led to the adoption of the educational policy on child protection. It also adopted in 2011 the educational policy for indigenous children; which was described as the right step towards a “rights-based comprehensive, and systemic policy on culturally responsive education for indigenous children and youth.”²⁶ This educational policy resulted in the formal adoption of indigenous people’s education (iPED), a broad educational program that covers the rights of indigenous peoples.

DepEd started implementing IPed in 2016 by identifying three hundred priority sites of indigenous peoples in various parts of the country for basic education access. It has started hiring almost six hundred “new teachers with permanent positions for the new schools in Regions IX, X, XI, XII and XIII where they will be trained to implement the IPed program.” It also aimed to develop at least five hundred “indigenized lesson plans by end of 2016.”²⁷ As of August 2016, “a total of 7,767 teachers and school heads nationwide have undergone basic retooling on IPed.”²⁸

The current debate on the lack of understanding by the students of the martial law era in the 1970-1980 period including the human rights violations that occurred led the DepEd to suggest a “collaborative effort in improving human rights education under the new K to 12 basic education curriculum.”²⁹ The Secretary of DepEd “highlighted as well that while lessons on human rights and democracy, and chapters on martial law are already integrated in the curriculum, capturing and teaching a bigger picture of the era remain to be a challenge because the figures at hand cannot be deemed conclusive.” Also, DepEd³⁰

works with competent people in various disciplines to provide evidence-based and age-appropriate content and context. “Older kids might be more able to handle narratives, but as for the younger children, we will have to be very careful. Balancing authenticity of sources and making it age-appropriate are the challenges...”

Essential Elements

There were many more initiatives in Sri Lanka, India and the Philippines on human rights education in the school system aside from those supported by government as discussed above. Since these other initiatives were mainly programs or projects of the non-governmental organizations, many were implemented in direct partnership with schools, and not necessarily as part of any relevant education ministry program. They contributed significantly to the general experience on human rights education in the school systems in these countries. But as in any program, sustainability is a major issue. Many of the non-government initiatives could not be continued due to a number of reasons including financial and human resource limitations.

The experiences of Sri Lanka, India and the Philippines show the essential need for government support in their human rights education pro-

grams. The support for these programs went beyond the partnership with schools. They involved the national government, and in the case of India the support of state governments, that provide policy and logistical support to the wider implementation of the program in the entire school system.

Equally essential is the role of the non-governmental institutions in maintaining human rights education programs. The Indian experience is a very good case of non-government-led initiative that progressed from an experiment to an institution-based program, and from several schools in one state (Tamil Nadu) to hundreds of schools in several Indian states. The Sri Lankan experience has likewise shown the need for support from non-government institutions, especially in the recent teaching and training materials projects. The Philippine experience shows also a strong link with non-government institutions. This is seen in the process the DepEd adopted in implementing its program. It has the consultation and workshop activities that allowed representatives of non-governmental organizations to contribute to the development of teaching and training materials needed in its human rights education program.

The role of the academe is also essential especially in incorporating the human rights content in these education programs. In India and the Philippines, there were representatives from the academe who helped implement the programs. In the Sri Lankan experience, the staff of the National Education Institute (which is the main institution in integrating human rights in the civic education curriculum) can be considered not only as educational officials but academics as well.

Final Note: Challenges

These experiences however have to be seen in a broader context that directly and indirectly impacts on human rights education.

The issue of relativist view of human rights has not gone away. It comes back every now and then. This is an important context that can directly affect the human rights content being taught and learned inside the classroom, but also the kind of support that governments provide to human rights education. There is a need to maintain the international human rights standards, based on agreements adopted by states, and thus ensure that human rights are not defined differently. The manner by which the international human rights standards are taught and learned should certainly be

contextualized, and made interesting, creative and effective. Human rights are important not only because of their nature, but also because they have been agreed upon by states (necessarily also by their governments) since 1948 as a necessary component in achieving a better world.

In terms of contextualized teaching and learning of human rights, any human rights education initiative should also be culturally rooted. This does not mean changing the meaning of human rights as defined by the international standards, but enhancing the general human rights concepts by the riches of the relevant local cultures and wisdom. As one education official saw it:³¹

It is not only about bringing children to school, but more important[ly] ensuring that education is culturally rooted and that the elders, culture bearers and the whole community are actively engaged and empowered in the learning process. This is at the core of the DepEd mission and our shared commitment with IP [indigenous peoples] communities as we journey with them in their struggle for self-determination and their aspirations for their ancestral domain...

And yes, human rights education should add to the effort to make children dream about a better future for themselves, their families, and their communities.

With these, it is time for HURIGHTS OSAKA to go back to school in its human rights education program after some years of hibernation.³²

Endnotes

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11 *Ibid.*, pages 81-95.

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13 Vasanthi Devi, “Institute of Human Rights Education: India Experience,” in *Human Rights Education in Asian Schools*, Volume X, page 41. For the full text of the article, visit www.hurights.or.jp/archives/pdf/asia-s-ed/v10/04Institute%20of%20HRE,%20India%20Experience-reduced.pdf.

14 *Ibid.*, page 45.

15 *Ibid.*, page 46.

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19 *Ibid.*, page 158.

20 Text based on Nerissa Lansangan-Losaria, “Parents and Educators Empowerment Program on Human Rights,” *Human Rights Education in Asian Schools*, Volume II, 1999, page 30. Full text of the article is available at www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/1999/03/parents-and-educators-empowerment-program-on-human-rights.html.

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30 Ibid.

31 Alcober, op cit.

32 During the past three years, HURIGHTS OSAKA has focused on researching on the business and human rights issue in Northeast Asia and developing a training manual for this subregion.

Appendix

Kawasaki City Ordinance on the Rights of the Child

Enactment

The “Kawasaki City Ordinance on the Rights of the Child” was passed by the Kawasaki City Council on Dec. 21, 2000, and came into force on Apr. 1, 2001.

The “Ordinance on the Rights of the Child” was established based on many views and opinions of the City’s citizens and children.

Under the motto of “Together with Our Citizens, the City as a Whole, Rooted in Kawasaki”, the Ordinance was compiled through over 200 meetings and opinion exchanges with citizens and children which took place in a period of about two years.

Understanding

The “Ordinance on the Rights of the Child” was established based on our desire to further common understanding of the rights of the child for both children and adults, to respect the child as an individual human being (an actor of the rights), to protect the child from infringement of his/her rights, and to support the child in pursuing his/her own unique life. As such, the Ordinance consists of two parts; the first part prescribes the rights of the child and the philosophy of the Ordinance, and the latter part prescribes the measures to be taken in order to protect the rights of the child in different areas of the child’s life, as well as concrete systems to protect the rights of the child.

It is our sincere wish that the 21st century will be an age in which the rights of the child are guaranteed, and in which children can live a vigorous life and care about both themselves and others.

Preamble

Each and every child is an individual human being, who has unique worth and dignity. The child wishes that his/her individuality and difference from others be accepted and that respect be given to what he/she naturally is.

The child is a full subject of rights. Under the international principles including the best interest of the child, non-discrimination and respect for the views of the child, his/her rights shall be guaranteed comprehensively and in reality. These rights are indispensable for the child to realize him/herself and lead a life of his/her own with human dignity.

Children can go through affluent childhood when their rights are guaranteed. Through learning about their rights and exercising them in practice, they can have a better understanding of rights and acquire skills to realize their own rights as well as skills and

responsibilities to respect the rights of others. In order that one's rights are respected and guaranteed, the rights of others must be respected and guaranteed in the same manner; it is indispensable that the rights of one's own and others are mutually respected.

Children are partners, who form society with adults. As members of the present society and as responsible actors of the future society, children have specific roles to play through the involvement in the design and formation of society as well as the right to participate in society. For this and other purposes, society shall be open to children.

Children have essential roles to play in promoting mutual understanding and exchanges with their counterparts in and outside Japan as global citizens who live in the same generation, in wishing coexistence and peace, in preserving nature and in creating better urban environment.

Efforts to guarantee the rights of the child in the City will have the effects to promote coexistence among all the residents in the City, leading to the protection of the rights of the residents themselves.

Bearing in mind the first call for children and other international principles, we will seek to ensure that the necessary rights to live as an individual human being are guaranteed for each and every child.

On the basis of the above considerations as well as the philosophies of the Convention on the Rights of the Child, adopted by the U.N. General Assembly on November 20, 1989, we proclaim that we will promote the better implementation of the rights of the child and enact the present Ordinance.

Children have Child's Rights — A Child is any Person Under 18

The rights of our children to grow, learn and live life in a way that matches who they naturally are are enshrined in the following 7 pillars.

The following rights were assembled by taking into account the opinions of Kawasaki's children, and we are required to respect them.

1. The Right to Live in Security

The child shall be nurtured in love and understanding and be protected against all forms of discrimination/violence so that they might be able to live life in a peaceful and safe environment.

2. The Right to be One's Natural and Comfortable Self

The child shall have his/her individuality and difference from others recognized and shall be protected against interference with his/her important personal secrets. In addition, he/she shall be able to rest/have leisure in a place of security and shall not be

treated unfairly on the basis of his/her childhood.

3. The Right to Protect Him/Herself and to be Protected

In order to protect him/herself, the child shall be able to seek shelter, escape all violations of his/her rights, and to be provided with appropriate opportunities for complaints and counseling.

4. The Right to Enrich Him/Herself and be Empowered

The child shall be able to enrich him/herself and grow by playing, learning, and participating in any number of different ways, and the child shall be able to receive support in pursuing these activities.

5. The Right to Make Decisions by Him/Herself

The child shall be able to make decisions on matters concerning him/herself in accordance with his/her age and maturity, and shall receive appropriate information/advice in making such decisions.

6. The Right to Participate

The child shall be able to express him/herself as well as his/her opinions and views, and shall be able to participate in the society.

7. The Right to Receive Support in Accordance with Individual Needs

The child shall not be discriminated against or disadvantaged due to or on the grounds of nationality, ethnicity, religion, sex, disability, or other circumstances. In addition, in order to ensure that children with disabilities/foreign children are able to live in a way that matches who they naturally are and to proactively participate in society, these children shall be able to receive support in accordance with their situation.

Source: Kawasaki City, www.city.kawasaki.jp/en/page/0000037109.html

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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.

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