



# HUMAN RIGHTS EDUCATION IN ASIA-PACIFIC VOLUME THIRTEEN

HURIGHTS OSAKA

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



*Human Rights Education in Asia-Pacific—Volume Thirteen*

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## Foreword

In May 2023, WHO has formally declared that COVID-19 was no longer a public health emergency, which led to lifting of various different measures that restricted our freedoms in one way or another during the pandemic that began in 2020. It was a welcoming shift for many of us, especially for those working in hospitality sectors such as tourism and entertainment.

What we should not forget, however, is that we had experienced numerous forms of serious human rights violations during the pandemic. In Japan, COVID-19 patients as well as doctors and nurses who took care of them became targets of discrimination and exclusion. According to media reports, there were cases where an ex-COVID-19 patient had to move due to relentless notes posted on a front door to blame infection or children of doctors and nurses had to hide professions of their fathers and mothers in order to avoid discriminatory remarks from classmates.

Human rights violations that we witnessed during the pandemic should serve as an important basis for advancing our awareness on and understanding of human rights and, for that purpose, human rights education will play a crucial role.

The Volume Thirteen of Human Rights Education in Asia-Pacific covers a wide range of initiatives and experiences of human rights education from Asia and the Pacific. In this volume, we are delighted that two articles address issues of human rights in Japan, one about experiences of Corporate Federation for Dowa and Human Rights Issue, Osaka and the other on human rights education in Japanese universities. It is our pleasure also that an article by Pacific Islands Students touches upon nexus between climate crisis and human rights, which is one of the most pressing issues globally.

The present crises in Ukraine and Gaza inform us that the war is the most serious form of human rights violation. It is our sincere hope that human rights education will pave a way to restore peace.

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

ATSUKO MIWA

Director

Asia-Pacific Human Rights Information Center



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# Introduction

**T**HE EBBING OF THE COVID-19 PANDEMIC caused a seeming increase of human rights promotion and education activities in 2023 in Asia-Pacific to almost pre-pandemic scale. National-level human rights promotion and education activities are being held alongside those at the Asia-Pacific level.

Volume 13 of this publication reflects this situation and highlights activities that reach out to communities and provides examples of programs in both formal and non-formal education systems.

## New International Guide

2023 is also the year when UNESCO adopted the revised version of the 1974 Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms.

UNESCO announced on 20 November 2023 that “194 UNESCO Member States adopted the Recommendation on Education for Peace, Human Rights and Sustainable Development at UNESCO’s General Conference.”<sup>1</sup>

This 2023 Recommendation is considered necessary for a number of reasons, such as the following:

Our generation is facing threats such as democratic backsliding and the spread of violent and hateful ideologies and conspiracy theories. Our life on our planet is also under threat due to pollution, climate change and the loss of biodiversity which are causing unforeseen tensions, and challenges to health and well-being.

On the positive side, the international community is equipped today with a solid array of normative instruments and technological tools to foster peace and non-violence, which didn’t exist in 1974. We also have data and a rich body of research in education to develop sound policies and monitor their impact.

The revised Recommendation is the “only global standard-setting instrument that lays out how education should be used to bring about last-



ing peace and foster human development through 14 guiding principles.” It wants to ensure<sup>2</sup>

all people, throughout their life, are **equipped and empowered** with the knowledge, skills, including socio-emotional skills, values, attitudes and behaviours needed for **effective participation in democratic decision-making processes, economic empowerment, awareness-raising and individual and collective actions at community, local, national, regional and global levels** that advance peace and promote international understanding, cooperation, poverty eradication and tolerance, in order to ensure the full enjoyment of human rights, fundamental freedoms, global citizenship and sustainable development through education. (emphasis mine)

The 2030 Agenda for Sustainable Development, “adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future.”<sup>3</sup> Among the Sustainable Development Goals (SDGs), Goal 4 mentions human rights in its Target 7:<sup>4</sup>

By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, **human rights, gender equality**, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development. (emphasis mine)

The indicator of target 4.7 states:<sup>5</sup>

Extent to which (i) global citizenship education and (ii) education for sustainable development are mainstreamed in (a) national education policies; (b) curricula; (c) teacher education and (d) student assessment.

It is notable that human rights education is not one of the “educations” in this SDG Indicator. The teaching of human rights in relation to the SDGs needs mainstreaming in the school system in many countries, or needs strengthening in countries that have formally adopted human rights education policies.

UNESCO explains that since Goal 4.7 mentions several topics,<sup>6</sup>

When resources are not sufficient to address all topics, it is only natural to prioritize. In this process, global citizenship education, if prioritized, can be treated as an entry point to address the other topics, such as human rights, culture of peace, non-violence, and cultural diversity.

## National Plans

Complementing the international guides on human rights promotion and education are national plans on specific tasks that both the government and the civil society or the non-governmental sector should implement.

The Ministry of Human Rights in Pakistan issued the National Policy Framework on Human Rights – 2022-2027 that includes the principles of<sup>7</sup>

- “emphasizing on the human rights education and training”
- “Modernizing the school, college and university curricula to include human rights concepts”
- “Improving the training and SOPs [standard operating procedures] of the police, prison staff and lower and mid-level judiciary.”

It has specific provisions on human rights promotion and education to address issues related to child rights, women’s rights, rights of minorities, rights of persons with disabilities, and senior citizen’s rights. There is a section on “Awareness Raising and Advocacy Campaign.”

The government of the Republic of Uzbekistan adopted on 7 February 2023 the National Programme for Human Rights Education. This National Programme was drafted by a National Commission for the implementation of the fourth phase of the United Nations World Programme for Human Rights Education. The National Programme is also supported by the National Human Rights Centre of the Republic of Uzbekistan.

More specifically, the National Programme aims

To foster a sense of respect for human rights and freedoms in society and ensure that the recommendations of international organizations are fully implemented, it is necessary to organize on a systematic basis work to improve the human rights expertise of judicial, law enforcement, and other state bodies.

In order to effectively carry out the tasks outlined in the National Strategy of the Republic of Uzbekistan on Human Rights, the issue of organizing human rights education, reflecting new approaches, methodologies, and practices is put on the agenda. This is done while taking into account the commitments made by the country within the framework of international documents, as well as new threats and problems caused by the pandemic and its consequences.

Shortcomings in this area impede the growth of the population's legal literacy, particularly among young people, the development of their sense of respect for human rights and freedoms, and the development of the knowledge and expertise of civil servants in the area of human rights and gender equality.

The National Programme has an accompanying "Roadmap" which provides details on how the human rights promotion and education activities should be implemented and identifies the government and other institutions that should work together to implement them. See the Appendix of this publication for the full "Roadmap" document.

National plans are important in guiding governments and non-governmental institutions in undertaking human rights promotion and education activities. They constitute a critical element in pursuing human rights promotion and education at the national and local levels. They minimize resistance to human rights and human rights promotion and education by government agencies and officials as well as some people in society.

## **Varied Initiatives**

This volume presents varied types of human rights promotion and education activities. The activities range from campaigns to outreach programs, and from non-formal training to formal education courses. There are different players involved from a student organization to non-governmental organizations, from a special court to national human rights institutions.

On awareness-raising, the articles from Cambodia, Pacific islands and Taiwan present concrete ways of making the general public aware and informed of human rights issues and concepts. The articles discuss study tours, museum visits, art competitions, rallies, and television and online media promotions. These activities have direct effect on people who participate or even watch or witness the activities.

On non-formal education, the training of human rights workers, government officials, company officials and employees, law students, paralegals and lawyers is discussed in articles from India, Cambodia, Japan and Yemen. The training programs vary from one group to another, but they all concentrate on providing practical skills of protecting and realizing the human rights of the people they work with (particularly the disadvantaged groups in society as in the case of the Indian article), or documenting them to hold people accountable for human rights violations and abuse (as discussed in the article from Yemen). The training content ranges from learning laws and legal procedures relevant to human rights, to learning skills in documenting human rights violations, to filing petitions in government offices and the courts, to working with communities to address human rights issues.

Human rights courses exist in tertiary education as shown in courses in a number of universities in Japan and in a teacher education university in Pakistan. The main concern is on the human rights content and teaching method that should be applied in teaching human rights at the tertiary level of education.

There is also integration of human rights education into the school curriculum discussed in the context of Global Citizenship Education. This is presented in the article from the Philippines. This article somehow follows the UNESCO view that in case of limited resources, human rights and other concerns can be learned through GCED. But in the context of the Philippines, this approach may overlap human rights education that has supposedly been integrated in the school curriculum.

The article from Hong Kong provides detailed discussion of the challenges of inclusive education. The needed support system can be expensive in terms of professionally trained staff, support from the teachers and school officials, and school facilities. There is likewise opposition from parents who want their children with disabilities to enter the competitive higher levels of education without considering the difficulties and disadvantage their children will face. Inclusive education is a vehicle for human rights education for educators and parents who make efforts to realize the right to education of children with disabilities.

These articles are indicative of the complexity of human rights promotion and education work at the ground-level in the Asia-Pacific. Issues in society as well as the institutions that undertake human rights promotion and



education determine the variety of programs and activities being developed for specific contexts and objectives.

JEFFERSON R. PLANTILLA  
Editor

## Endnotes

1 UNESCO adopts landmark guidance on education's cross-cutting role in promoting peace, UNESCO, [www.unesco.org/en/articles/unesco-adopts-landmark-guidance-educations-cross-cutting-role-promoting-peace](http://www.unesco.org/en/articles/unesco-adopts-landmark-guidance-educations-cross-cutting-role-promoting-peace).

2 UNESCO adopts landmark guidance on education's cross-cutting role in promoting peace, *ibid*.

3 History, Sustainable Development Goals, United Nations, <https://sdgs.un.org/goals#history>.

4 Global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development, United Nations, [https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202023%20refinement\\_Eng.pdf](https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202023%20refinement_Eng.pdf).

5 Global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development, *ibid*.

6 The ABCs of Global Citizenship Education, UNESCO, <https://unesdoc.unesco.org/ark:/48223/pf0000248232>.

7 National Policy Framework on Human Rights – 2022-2027, Ministry of Human Rights, <https://mohr.gov.pk/SiteImage/Misc/files/NPFW%20on%20HR%2022-27.pdf>.

# Japan: Human Rights in Corporate Management and in Society

Corporate Federation for Dowa and Human Rights Issue, Osaka

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**I**N RECENT DECADES, the important role that companies play in promoting human rights has been attracting attention not only in Japan but also internationally. In particular, in March 2011, the United Nations Human Rights Council adopted the “Guiding Principles on Business and Human Rights,” requiring member-states to formulate national action plans. In response, in October 2020, Japan adopted its National Action Plan on Business and Human Rights (2020-2025).<sup>1</sup>

This global trend is expected to grow even stronger in the future. But prior to the global focus on linking business to human rights, it is not well known that companies in Japan had started in late 1970s to develop and implement initiatives to address human rights issues. This was the initiative of corporate liaison associations that were formed in various parts of the country to address the Dowa problem (Buraku discrimination issue) in response to a 1975 discrimination case involving companies.

This article introduces the human rights education program of the Corporate Federation for Dowa and Human Rights Issue, Osaka (Osaka Doukiren), which was formed in late 1970s in Japan and has been actively implementing activities on the business and human rights issue. It is hoped that this article would be useful in revitalizing efforts by companies to address human rights issues not only in Japan but also around the world.

## Osaka Doukiren

In February 1978, fifty-two companies established a voluntary organization called the Corporate Federation for Dowa Issue, Osaka with the aim of solving the Dowa problem (Buraku discrimination issue). This organization was composed of companies with head or branch offices in Osaka Prefecture. More companies became active members later on. This organization was later known as Corporate Federation for Dowa Issue and Human Rights Issue, Osaka (Osaka Doukiren).

Osaka Doukiren adopted these goals:

Aiming for “corporate management that respects human rights” and “realization of a society where human rights are promoted” from a corporate standpoint.



Meeting on establishment of Osaka Doukiren on 22 February 1978.

### Coalition of Companies in Osaka

Directories of the Buraku communities collectively referred to as *Buraku Chimei Soukan* (部落地名総鑑) were uncovered in 1975. These directories listed the locations and names of places of discriminated Buraku people across the country. They were purchased by more than two hundred twenty groups, mainly companies, nationwide. Companies purchased these to help them avoid hiring residents of the Dowa district (discriminated Buraku residents). This incident exposed the companies' discriminatory nature.

After these discriminatory directories were exposed and protested by the Buraku liberation movement, companies initiated concrete measures to address Dowa issues (Buraku issues) and human rights issues. This discrimi-

natory book incident was taken up in the Diet at that time, and became a major social issue.

This became known as the Buraku Lists Incident.

The establishment of Osaka Doukiren started with the purchase of this “Buraku lists” by companies. The failure of the companies that purchased the list to notice the discriminatory nature of purchasing it, to try to correct this discriminatory act, and to express regret for their discriminatory act, led to the establishment of Osaka Doukiren.

### **Corporate Federation for Dowa and Human Rights Issue, Osaka**

In 1965, the Japanese government’s Dowa policy council reported that resolving the Dowa issues was “a state responsibility and at the same time a national issue.” The Law on Special Measures for Dowa Projects, was subsequently enacted in 1968 to address the issue. The special measures law lapsed in March 2002, and after that, the special measures under this law were integrated into the general measures of the government.

In April 2003, Osaka Doukiren changed its name to the Corporate Federation for Dowa and Human Rights Issue, Osaka, with the words “human rights” being added.

Today, in order to eliminate various forms of discrimination, including the Dowa issues, Osaka Doukiren further strengthens its promotion of the idea of companies that respect human rights. It is undertaking various activities in cooperation with relevant government agencies and civil society organizations with the aim of realizing a “society where human rights are promoted” from a corporate standpoint.

### **Activities of Osaka Doukiren**

Osaka Doukiren holds various activities including those on human rights awareness-raising.

It sees the importance of member-companies themselves promoting management system and business activities based on the spirit of respect for human rights. Human rights awareness-raising is an extremely important initiative in helping companies establish systems and standards for making judgments, etc. from the perspective of human rights and in conducting business in a manner that respects human rights.



## Start of Human Rights Awareness-raising activities in 1978

In the same year of its establishment, in 1978, Osaka Doukiren published a booklet entitled *Kigyo to Dowa Mondai* (Business and the Dowa Issue) and distributed 13,000 copies to member-companies to deepen the correct understanding of the Dowa issue, based on the view that an urgent solution to the Dowa issue was a national challenge and a social responsibility that companies were expected to tackle.

In April 1978, a training session for new employees of member-companies was held, and in November 1978, a training program for mid-career employees, who play a central role in raising human rights awareness within member companies, was started.

Osaka Doukiren continues to hold human rights awareness-raising activities and workshops, mainly for member-companies, with the aim of providing opportunities for company officials and staff to participate in human rights training and in the sharing of human rights information.

It started holding in-house training, study groups led by member-companies, and lectures for managers of member-companies.

It fosters human rights awareness by learning about various human rights issues, including the Dowa issue, directly from the local community.

Groups of member-companies meet to learn from each other's experience on human rights-related activities such as those on employment and awareness-raising, and make use of the experiences in their companies.

In addition, by actively participating in training sessions organized by related organizations, Osaka Doukiren established a system of sharing the latest information on various human rights issues that helped officials of member-companies to have a high level of awareness of respecting human rights.

Osaka Doukiren believes that it must continue to communicate the importance of respecting human rights to member-companies at every opportunity. In this way, awareness-raising activities through Osaka Doukiren in cooperation with the top management of member-companies and other responsible persons and personnel will lead to human rights awareness-raising being held continuously within each member-company.

From February 2020, in view of the serious situation brought by the COVID-19 pandemic and to prevent the spread of virus infection, much of the activities Osaka Doukiren shifted to online mode.

## Activities from 2022 and Onward

From 2022, the following activities were held:

### I. Introductory Course on Awareness-raising on Dowa and human rights issues

This course was meant mainly for young and new company employees. It was held online on 6-22 April 2022, with one session being held in L Osaka (Osaka Prefectural Labor Center). The course had the following program:

Lecture I, Theme: “Business and Human Rights – Considering Human Rights from the Perspective of the SDGs “

Lecturer: Masaaki Shibamoto (Director, Support Center, Osaka Business and Human Rights Council)

Lecture II, Theme: “Current Situation of Buraku Discrimination - Elimination of Discrimination Based on Human Rights Awareness Surveys”

Lecturer: Ryushi Uchida (Professor, Faculty of Sociology, Kansai University)

The course was attended by seven hundred ninety-four participants. They gave the following feedback:

- I used to be careful not to discriminate against anyone. But now, since I am a member of society, I feel that I must be aware of actions to eliminate discrimination and encourage the achievement of Sustainable Development Goals (SDGs).

- I was in awe of the fact that the consciousness of “defilement” that was born hundreds of years ago has remained to this day. I have learned about Dowa issue many times before, but from now on, as a member of society, I would like to take responsibility for respecting human rights and make efforts to eliminate discrimination. If I ever encounter a situation of discrimination, I would like to confront it with correct knowledge.

- The two lectures were very informative with easy-to-understand materials and stories. I realized once again that it is important to incorporate human rights issues into our daily lives.

- As an employee of a global company that also deals with overseas customers, I would like to think more about what I can do to build a better society, without being misled by misinformation.

- I strongly felt that I would like to become fully aware of [human rights] and intentionally prevent discrimination based on a solid understanding of their true nature.

- I am now aware that I knew about the SDGs, Buraku discrimination, and the Dowa issue after listening to the entire lecture. Therefore, I am glad that I am able to learn about these issues at this time, when I will become a new member of society.

- I have been thinking that “if everyone forgets about Buraku discrimination, it will disappear, and that will be fine,” but today’s lecture made me understand that “knowledge is necessary to make the right decision.” It was a very informative lecture.

- I am aware that this is a very sensitive and difficult issue. It seems that there is either a goal or no goal in learning human rights. If there is a goal, I sometimes wonder if a new problem will sprout. I am aware that if there is no goal, and even if there is one, the next problem may sprout. This course reminds me to become aware of human rights issues in my daily life.

## II. Dowa and human rights issues awareness-raising course (Managers)



Dowa and human rights issues awareness-raising course for managers.

This course was meant primarily for company managers. In addition to attending lectures at the venue (L Osaka) on 22 July 2022, online lectures were held with both live and recorded streaming on 8-26 August 2022.

The course had the following program:

Lecture I, Theme: “Making Majorities’ Privilege Visible ~ Seeing discrimination as our own concern ~

Lecturer: Makiko Deguchi (Professor, Faculty of Foreign Studies, Sophia University)

Lecture II, Theme: “What I was asked by the reality of Buraku discrimination ~Thinking about “resolution” and “liberation”~”

Lecturer: Norio Takahashi (NPO Human Rights Center Nagano).

A total of one thousand thirty-three participants attended the course. Some participants expressed their feedback on the session:

- The presentation was easy to understand and explained the image and awareness of “privilege” by using the analogy of an automatic door and introducing activities that can be done in the classroom.
- I felt that it is important for the majority to take action.
- The lecture was not only understandable intellectually (head), but also touched the hearts of the participants because of his passionate talk about the reality of discrimination and his desire to resolve it and liberate people from it.
- It was a good reminder. I especially noticed the importance of community support.
- The real voices from the field resonated with me. I felt that we have to think about discrimination as our own. I felt that I have to think about discrimination as my own.
- It was a great opportunity for me to learn new things and to complement what I have learned so far.
- This was my first time to participate [in the course]. The contents were easy to understand and meaningful. I would like to use this as an opportunity to gain access to a variety of information

### III. “Top Management Meeting” of member-companies



A “Top Management Meeting” of member-companies.

The heads of human rights department of member-companies gather to share information on how to manage their companies in a way that respects human rights.

On 22 February 2023, the company officials met in the Osaka Chamber of Commerce and Industry building and held a human rights education session. They came together to study contemporary human rights issues, including the Dowa issue, and the activities of the Osaka Doukiren. The officials reported on the achievements of the member-companies on human rights activities, explained the outline of the activity policy from the new fiscal year onward, and provided information on human rights initiatives of member-companies that they would implement.<sup>2</sup>

A lecture on the theme “Change: Respecting Diversity and Making a Company Where All Can Shine in Their Own Ways.” was delivered by Takao Ando (Chairperson, Sanyo Chemical Industrial Company).

The session was attended by two hundred eighty-six participants.

Some participants expressed the following feedback on the session:

- I realized that it is important to utilize diverse human resources from the perspective of “fairness.”
- I sympathized with the idea of difference between “Equality” and “Equity.”
- I shared the idea of reforming the way to work with the company’s very diverse and unique approaches.
- I found the human resource system and culture reforms and the measures to promote the advancement of women very helpful.
- I would like to think about the implementation of human rights due diligence and its assessment at my workplace.
- It was very useful for me to reorganize my knowledge and awareness of human rights issues.
- I was able to deepen my understanding of the human rights situation in Japan, where comprehensive legislation is lagging behind.

### *Group activities*

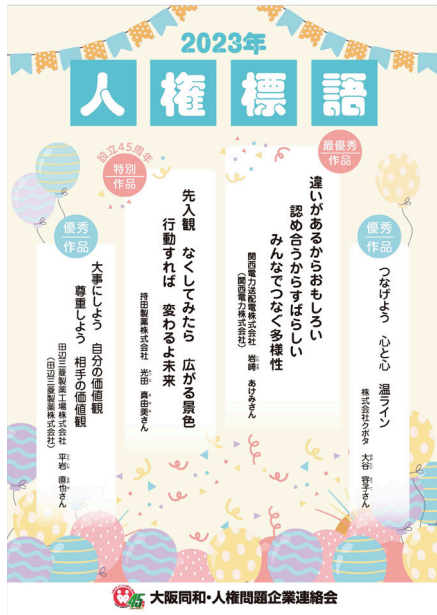
Osaka Doukiren holds meetings attended by representatives of member-companies. These company representatives are divided into different groups to discuss issues/topics independently.

The groups, with eleven to thirteen representatives of member-companies in each group, do the following activities:

- Introduce specific initiatives by group

- Meet once a month
- Do on-site training (one-day trip and overnight stay once a year)
- Have mutual learning and awareness-raising, etc.

## Call for Human Rights Slogan Entries



Osaka Doukiren holds an annual human rights slogan competition. It calls on its member-companies (including group companies<sup>3</sup>) and three economic organizations in Osaka (Osaka Chamber of Commerce and Industry, Kansai Economic Federation, KANSAI Association of Corporate Executives), etc., to submit human rights slogans to the competition to raise awareness of human rights among employees of member-companies and their families.

The best entries are selected in February of each year and given awards at the annual meeting of top executives of member-companies held in the same

month.

Posters of the best human rights slogan are printed and used as educational materials by member-companies and related organizations.

This competition has been going on since 1979, the year after the establishment of Osaka Doukiren, as part of the Human Rights Week celebration in December each year. This is one of the most important activities of Osaka Doukiren.

In the 2022 human rights slogan competition there were four hundred eleven entries from member-companies (each member-company submitted three entries).

There is no information on how many entries were collected by each company from which it selected three entries for the competition. The number of entries ranges from a few dozen to more than 10,000, depending on the company.

Fifteen entries were chosen from which the best entries were categorized. The following were the categories of the best entries:

- 45th anniversary special work: one work (only in 2023)
- Excellent work: two entries
- Honorable Mention Award: eleven entries (one slogan from each group)

The best entries were the following slogans:

a. Best work

It's fun because there are differences, and it's wonderful because we accept each other's differences.

(違いがあるからおもしろい 認め合うからすばらしい みんなでつなぐ多様性)

b. 45th Anniversary Special Prize

If you try to eliminate your preconceptions, you will see a wider view, and if you take action, the future will change.

(先入観 なくしてみたら 広がる景色 行動すれば 変わるよ未来)

c. Excellent works

Let's connect heart to heart

Respect your own sense of values, respect others' sense of values

(つなげよう 心と心 温ライン)

大事にしよう 自分の価値観 尊重しよう 相手の価値観)

## Human Rights Information and Osaka Doukiren Website

The website of Osaka Doukiren provides information on its activities on human rights to deepen understanding of respect for human rights not only among member-companies but also among a wide range of people.

The "Topics" page contains information about the various activities of Osaka Doukiren.

The "Series" and "Information Board" sections contain different types of information such as Q&A on human rights, historical figures related to human rights, and other information.





QR Code of the Osaka Doukiren website, [www.osaka-doukiren.jp](http://www.osaka-doukiren.jp).

The website had been accessed in 2022 as follows:

Number of accesses per year: 72,910 visits

Number of accesses of main pages:

- About Osaka Doukiren: approximately, 23,000 visits
- “Q&A” series: about 20,000 visits
- “My history Tour” series: about 8,000 visits.

### Public Relations Magazine



*Hotline 21* magazine

Osaka Doukiren publishes a public relations magazine named *Hotline 21* twice a year to provide information on its activities and various human rights-related topics.

It has 2,700 copies per issue that are distributed to member-companies, government agencies, civil society organizations, National Corporate Federation for Dowa and Human Rights Issue, etc.

The basic contents of *Hotline 21* consist of featured articles, on-site training reports, NEWS BOX (projects of Osaka Doukiren and related organizations), Q&A (commentary on the latest human rights keywords), essays, etc.



Special Feature: “On the 100th Anniversary of the Founding of the Osaka Suiheisha (Levelers Association)”

- The historical significance of the Osaka Suiheisha and the thoughts and significance of the future liberation movement
- The 100<sup>th</sup> Anniversary of the Founding of the Osaka Suiheisha.

Special Feature: “Scenes of blind women in the past” - Remembering blind traveling women entertainers from the sound of their playing the shamisen”

Field Trip Report: Visit to Senzaki and Shimonoseki, Yamaguchi Prefecture, to learn about human rights

NEWS BOX: Responsible person meeting, training session for newly-appointed responsible persons and training session for newly-appointed responsible persons

Lecture on awareness of Dowa and human rights issues (management level)

Buraku Liberation and Human Rights West Japan Summer Course  
Multi-Ethnic Human Rights Research Meeting

Buraku Liberation and Human Rights Summer Course (Koyasan)

Human Rights Seminar

Human Rights and Dowa Issue Corporate Lectures

- What is “SDGs Achievement Ranking”?
- What is “microaggression”?
- What is psychological safety?
- What is “wellbeing”?



Osaka Doukiren publications

## Other Publications

Osaka Doukiren has been coming out with various other publications since 1983. The main publications are the following:

- *In Search of the Origin of Discrimination: A Trip to India to Study the Caste System* (June 1983)
- *Five Years of Transformation of the Heart* (September 1983)

- *Spring in the Land of Winter: A Report on Training on Ainu Issues in Hokkaido* (December 1984)
- *Enclave of Lamentations: Discriminatory Precepts in the Tōshin Region of Nagano Prefecture* (March 1987)
- *What the Old Documents Knew: Gorobei Water Supply and the People* (February 1991)
- *Awareness-raising and Employment: A Record of Practice: Results of the exchange of practical experience over the past 10 years* (October 1991)
- *Record of Friends Who Walked Together: A Collection of Experiences of Participating in the National March and the Osaka Prefecture Aminome [Networking] Action* (November 1992)
- *Testimony from Inside the Company: Facing the Buraku Issue* (August 1998)
- *You Can Do It, Too: A Corporate Human Rights Training Handbook* (March 2005)
- *30 Years of the Buraku Lists Incident: Lessons Learned and Challenges Ahead* (July 2005)
- *Activities and History of Osaka Doukiren* (July 2006).

## Symbol of Osaka Doukiren

Osaka Doukiren adopted this symbol:



The two “circles” represent the head of a person, and the “heart,” which appears as a body part, is represented by a single thick line in the motif of a river, which played an important role in the development of culture and commerce in Osaka.

The symbol was created in 1992 to commemorate the 15<sup>th</sup> anniversary of the founding of Osaka Doukiren, and is still in use to this day.

## **National Corporate Federation for Dowa and Human Rights Issue**

Osaka Doukiren and similar corporate federations were organized in different prefectures of Japan since the late 1970s to address Dowa issues. These federations in turn established in 1985 the National Corporate Federation for Dowa and Human Rights Issue.

Since its establishment, the National Corporate Federation for Dowa and Human Rights Issue has been holding a national meeting every December during the Human Rights Week that brings together members from all over Japan to deepen exchanges and cooperation. Currently, there are thirteen federations with 1,493 member-companies.

In addition, it participates in the Central Executive Committee for Buraku Liberation and Adoption of Human Rights Policies, which calls for the establishment of a legal system for human rights at the national level, and in the International Movement Against All Forms of Discrimination (IMADR), which has consultative status with the United Nations and participates in efforts to eliminate discrimination from the entire world.

In addition, it cooperates with government agencies and civil society organizations from the standpoint of companies in each region to exchange and share useful information as a national federation of companies.

## **Osaka Doukiren's Basic Direction for the Future**

From the standpoint of the business sector, Osaka Doukiren aims to contribute to the “establishment of corporate management that respects human rights” and the “realization of a society where human rights are promoted” by conducting various activities and programs centered on “employment” and “awareness raising” on various human rights issues, including the resolution of the Dowa issue, in cooperation with relevant government agencies and civil society organizations. It aims to be an advanced human rights organization.

In October 2020, the National Action Plan on Business and Human Rights of Japan was released and disseminated. Since companies are required to exercise human rights due diligence in their operations, Osaka Doukiren will continue to strive to disseminate useful information and implement its programs in support of this requirement.

## **Endnotes**

1 National Action Plan on Business and Human Rights (2020-2025), available at [www.mofa.go.jp/files/100173319.pdf](http://www.mofa.go.jp/files/100173319.pdf). For more information on this document, see Business and Human Rights, Ministry of Foreign Affairs of Japan, [www.mofa.go.jp/fp/hr\\_ha/page23e\\_000551.html](http://www.mofa.go.jp/fp/hr_ha/page23e_000551.html).

2 For more information on this matter, visit [www.osaka-doukiren.jp/activity/enterprise](http://www.osaka-doukiren.jp/activity/enterprise).

3 Group company refers to any business entity consisting of different companies or a company and its subsidiaries.



# Educating on the Khmer Rouge: Legal History and Practice

## e-Learning and Training Program

Legal Aid of Cambodia

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**F**ROM 17 APRIL 1975 to 7 January 1979, the Khmer Rouge controlled Cambodia and committed a wide range of mass atrocities amounting to war crimes, crimes against humanity, and genocide. Millions of people were killed, injured, and displaced as a result of these acts, and the intergenerational trauma continues to affect the Cambodian people to this day.

To pursue accountability, seek the truth, and promote healing, discussions commenced in 1997 to establish a tribunal to try members of the Khmer Rouge for their actions. This resulted in the establishment of the Extraordinary Chambers in the Courts of Cambodia (ECCC), also commonly known as the Khmer Rouge Tribunal, which became operational in 2006 and concluded its final case in December 2022, with the residual functions currently in place. As a hybrid, internationalized court based in Cambodia, the ECCC's jurisdiction was limited specifically to the senior leaders of the Democratic Kampuchea and those who were most responsible for the international and domestic crimes committed during the relevant period of the Khmer Rouge's rule as specified above.

Throughout the lifetime of the court, a number of cases were investigated, and several senior leaders of the Khmer Rouge were convicted. A massive amount of evidentiary materials were documented and preserved in various formats, and a large number of victim-survivors had the opportunity to participate in these proceedings as civil parties and have their stories heard, with various reparation awards ordered by the court. From a legal perspective, the jurisprudence of the court has contributed to the development of international criminal law, and the procedures and application of law at the ECCC have had positive impact on the Cambodian domestic court system. However, the court has also had its weaknesses and has received constructive criticism, which provides an opportunity for learning.

Although there were various outreach efforts by the court, there was a general lack of easily accessible and understandable learning resources that comprehensively covered the legal work of the ECCC and its impact, available to anyone in Cambodia, as well as those abroad who desired to learn about the ECCC. In addition, though a few law programs at Cambodian universities offered courses and activities in international law, there was a need to expand the availability of free and interesting materials to train law students, young legal professionals, and other interested individuals on international criminal and human rights laws and foundational skills for legal processes such as investigation and trial preparation.

To satisfy this need, the Legal Aid of Cambodia designed and implemented a program entitled “Educating on the Khmer Rouge: Legal History and Practice e-Learning and Training Program”, funded by the European Union through the United Nations Office for Project Services (UNOPS), and in partnership with the Global Diligence Alliance and the Amrin Law and Consultants Group. The overarching goal was to build the next generation of public interest lawyers and legal professionals who can preserve the legal history of the Khmer Rouge and the legacy of the ECCC, and who can thereby strengthen the rule of law in the country. It believed that an understanding of the country’s pursuit of justice for the atrocities of the past can enable law students and young lawyers to better advocate for today’s most marginalized members of society and ensure that history does not repeat itself.

The e-learning platform is available at [www.elearning-lac.org](http://www.elearning-lac.org).



 **Educating on the Khmer Rouge:**  
**Legal History and Practice**  
**e-Learning and Training**  
**Program**

[www.elearning-lac.org](http://www.elearning-lac.org)



## Course Development

The program consists of six e-learning courses, which have been developed jointly by the Legal Aid of Cambodia, legal experts, and the lecturers for each lesson. The course development process also involved contributions from various stakeholders, including an Advisory Group, the ECCC, legal interns, pilot run par-

ticipants, and e-learning specialists. Additional information is available in the Program Syllabus provided on the e-learning platform.

### **Legal Aid of Cambodia (LAC)**

LAC is an independent, non-governmental legal aid organization that provides free, quality legal services for Cambodia's indigent population in both criminal and civil cases. Having provided legal services for the most marginalized members of society since its founding in 1995, LAC strives towards access to justice for all and the protection of fundamental human rights. LAC's current core programs consist of the General Legal Aid Program, the Women's Justice Program, the Child Justice Program, and the Land and Natural Resources Program. For nearly a decade, LAC provided legal representation for over 1,200 civil parties to multiple cases at the ECCC to ensure that the survivors are able to access justice, while also conducting educational sessions in the communities to ensure that they are able to better understand the purpose and procedures of the ECCC proceedings.

### **Legal Experts**

The work of legal experts Kristin Rosella of the Global Diligence Alliance and Sok Sopheakmonica of the Amrin Law and Consultants Group were integral in developing the courses, including laying the foundation for the course outline and structure, developing lecture materials and practice exercises, securing and supporting the lecturers, and contributing holistically to the implementation of the program. They also served as lecturers in Course 1, based on their experiences at the ECCC and background in international law. In addition, legal expert Meas Bora, PhD, made significant contributions to the outline of the courses, in addition to serving as the lecturer for Course 6.

### **Lecturers**

The course development involved a total of twenty-six lecturers across the various sections of the ECCC, including national and international staff from the judicial chamber, prosecution, investigation, defense, and civil parties. As a combination of practitioners and academics, they collectively bring a wealth of firsthand knowledge regarding the ECCC and international law, including from the early stages of the court's establishment. The lecturers participated in the course development in their personal capacities



rather than on behalf of the ECCC, and their views may not necessarily represent those of the ECCC.

In addition, the six exclusive interviewees represent the Cambodian judiciary, prosecution, civil society, and the Bar Association. Together, the lecturers and interviewees provide perspectives and insights both from within and outside of the ECCC.

### Advisory Group

An Advisory Group was established consisting of partners across sectors, to more effectively develop the courses, avoid duplication in efforts, enhance synergies, ensure diverse content and sustainability, and promote collaboration. The Advisory Group members provided input into the curriculum, course materials, course delivery approaches, and implementation design, among others. The Advisory Group members consisted of:

- Center for the Study of Humanitarian Law (CSHL), Royal University of Law and Economics (RULE)
- Documentation Center of Cambodia (DC-Cam)
- Faculty of Law and Public Affairs (FLPA), Pannāsāstra University of Cambodia (PUC)
- Kdei Karuna Organization (KdK)
- Lawyer Training Center (LTC), Bar Association of the Kingdom of Cambodia (BAKC)
- Office of the United Nations High Commissioner for Human Rights (OHCHR)
- Raoul Wallenberg Institute (RWI).

In addition, though not a member of the Advisory Group, the ECCC's Public Affairs Section supported the project by supplying helpful documents and resources for the e-learning courses, such as the recordings of the hearings in Khmer and English.

### Legal Interns

Cambodian and foreign legal interns provided essential support to develop the e-learning courses.

## Pilot Run Participants

Four pilot runs were conducted during the course development process to ensure that the course materials, course delivery approach, and e-learning platform are user-friendly and effective. The pilot runs were conducted with law students of various backgrounds, including Cambodian students between their first and fourth years in university, master's students in international human rights law and international relations, and a foreign law student.

## e-Learning Specialists

The platform was developed using Moodle, with the technical support of e-learning specialists from Beekee.

## Program Syllabus

Each course is available in both English and Khmer on the e-learning platform. There is no enrollment fee to take the courses, and they are open to anyone for self-enrollment.

The program is comprised of six courses divided into two segments:

- Four academic courses: ECCC's legal history, framework, and application of international criminal law and international human rights law in Cambodia;
- Two skills-based training courses: Foundational knowledge of select practical skills, including investigation, collection and assessment of evidence, witness interview and examination, and preparations for trial. These courses are only meant to provide basic knowledge and tips, rather than qualifications for practice.

## SITE HOME

The screenshot shows the 'SITE HOME' of the ECCC e-learning and training program. The page is in Khmer. At the top, there is a header with the program title 'Educating on the Khmer Rouge: Legal History and Practice e-Learning and Training Program'. Below the header is a large image of Angkor Wat. To the right of the image is a 'About' section with text in Khmer. Below the 'About' section are three buttons: 'Program syllabus', 'Enroll now', and 'Platform introduction'. On the right side of the page, there is a grid of course thumbnails. Each thumbnail has a map of Cambodia and a title in both English and Khmer. The thumbnails include: 'Course 1: Legal history and framework of the ECCC', 'Course 2: International criminal law', 'Course 3: International human rights law', 'Course 4: Investigation, collection and assessment of evidence', 'Course 5: Witness interview and examination', and 'Course 6: Preparations for trial'. The website is in Khmer, and the URL www.elearning-lac.org is visible at the bottom.

## Course Content

Most of the course content was developed between May and September 2021, while some contain information that was current as of December 2021. Thus, the jurisprudence of the ECCC that developed further since then could not be covered by the courses. In addition, given the development timeframe, the lessons do not all contain identical information about the progress in the cases at the ECCC. However, the reading excerpt in Course 2 Lesson 2 Section 2 provides the most updated progress as of 31 December 2021.

The content has been produced using a variety of sources, including primary and secondary sources.

In addition to the expertise and experiences of each lecturer, the course developers also drew upon domestic and international laws, ECCC and international court decisions, other ECCC documents like the Internal Rules, and legal publications, among others. Direct citations are provided either in the lecture slides or transcripts, and only documents properly classified and posted for public circulation have been referenced. For the photos and graphics used in the lecture slides and videos, permission has been sought for their use where necessary, and the appropriate credits are specified.

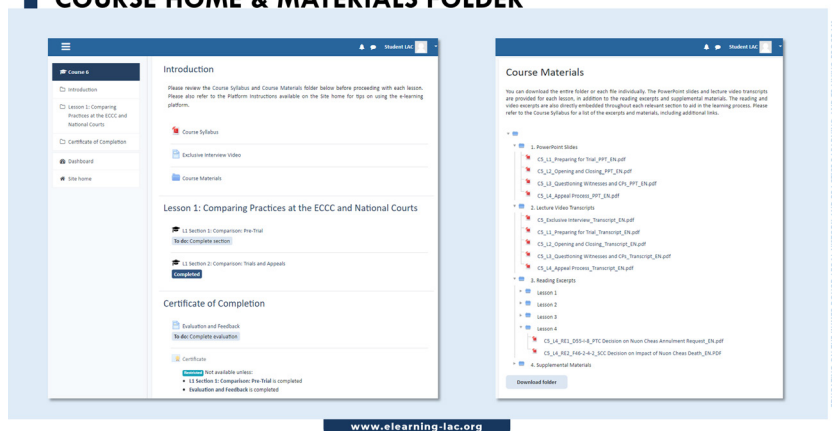
## Course Composition

Course participants are able to jump between courses and lessons according to their interest, as there are no prerequisites. Each lesson is designed to take on average 1 to 1.5 hours to complete, though this will vary according to the participant's learning style and level of engagement with the materials.

Each course is divided into multiple lessons comprised of up to four sections that contain lecture videos (with their transcripts), PowerPoint lecture slides, reading and video excerpts, retention practice exercises, and supplemental materials. All lesson documents are available in the Course Materials folder provided in each Course Home.

Each course is equipped with a Course Syllabus that provides the details for each lesson, including the learning objectives, types of practice exercises, and a listing of all the associated excerpts and supplemental materials, including relevant links. The expected completion time for each course is also identified, but the Khmer courses will generally take longer than the English courses to complete due to the longer lecture videos despite the same con-

## COURSE HOME & MATERIALS FOLDER



tent. The syllabus also provides the biographies of the lecturers for each lesson and any further instructions. Note that the consolidated biographies of all lecturers and interviewees are provided in the Lecturer and Interviewee Biographies document.

The lecture videos consist of the lecturer's introductory video in the first section and closing video in the last section of the lesson, along with the PowerPoint audio recording videos for each section.

Where the English or Khmer lecturers are specified in the Course Syllabus, the recordings have been conducted by these lecturers. For lessons that do not specify lecturers in both languages, the audio recording was conducted by LAC or the legal experts utilizing a translated version of the course materials. The introductory and closing videos are provided in English, Khmer, or French, as these are the three working languages of the ECCC. Subtitles are only provided where the lecturer speaks in a language different from the language of the course, but the full text is available in the lecture video transcript.

Transcripts have been provided for all lecture videos and exclusive interview videos for course participants who prefer to read the text while watching the videos, or for those who may have difficulty understanding the videos. Some transcripts also contain additional information that is not introduced in the lecture videos.

The practice exercises combine retention and critical thinking questions, which may cover content from the same, previous, or upcoming sec-

tions to enhance the learning experience. A variety of exercise types are utilized, including multiple choice, scenario application, matching, drag and drop, true or false, fill in the blank, flashcards, video/reading extracts, and writing/documentation, among others. Explanatory feedback on the answer choices is provided where helpful.

Certain sections also contain reading and/or video excerpts after the lecture videos, which are meant to provide a better context and understanding of the lesson content. Not all excerpts are available in both English and Khmer. Furthermore, lessons are complemented by supplemental materials in the form of documents, videos, websites, online courses, and other forms, which are specified in the Course Syllabus and partially provided in the Course Materials folder. Common readings are provided in certain courses for helpful documents that are relevant to all lessons in that course. Many of the readings and videos are only available in English and are identified as such in the syllabus.

## LESSON SECTION PAGES

The image displays three screenshots of the eLearning-LAC platform interface. The first screenshot, titled 'L1 Section 1: Comparison: Pre-Trial', shows a lecture video player with a thumbnail for 'COURSE 6 Lesson 1: Comparing Practices of the ECCC and National Courts'. The second screenshot, titled 'L1 Section 2: Specific Intent of Genocide', shows a 'Reading Excerpt' from the 'Case 002/19 Trial Judgment' explaining the elements of genocide. The third screenshot, titled 'Practice Exercise: True or False', contains several true/false questions about the ECCC's jurisdiction and temporal jurisdiction, with a progress indicator showing 1/11 questions completed. A vertical text on the right edge of the interface reads 'EDUCATING ON THE KHMER ROUGE: LEGAL HISTORY AND PRACTICE LEARNING AND TRAINING PROGRAM'.

[www.elearning-lac.org](http://www.elearning-lac.org)

In addition, each course begins with an exclusive interview video with a Khmer legal practitioner or expert to set the stage for the course and to share their insights in the field. These videos were produced to further motivate law students and young lawyers to advance their studies and research to improve their understanding of the law and advance their careers in the legal field. At the end of the course, an evaluation and feedback form is provided for participants to submit their comments. Automated certificates are

issued for individuals that complete entire courses, and separate certificates can be obtained for the English and Khmer versions of the same course.

Prior to taking a course, it is suggested that the participant review the Platform Instructions document that provides explanations and tips for using and navigating through the platform and its functionalities.

## DOCUMENTS



## Course Description

### COURSE 1: Legal Implications of the Khmer Rouge Regime

Exclusive Interview Video	
<b>So Farina</b> Principal Deputy Director, Documentation Center of Cambodia	
Lessons and Sections	Lecturers
<b>Lesson 1: A History of the Khmer Rouge</b> <ul style="list-style-type: none"> <li>Section 1: 1970-1979: Rise and Fall of the Khmer Rouge</li> <li>Section 2: Structure and Leadership of the Democratic Kampuchea</li> <li>Section 3: Acts Underlying the Crimes Committed During the Khmer Rouge</li> </ul>	<b>Kristin Rosella</b> Partner, Global Diligence  <b>Sok Sopheakmonica</b> Lawyer, Amrin Law and Consultants Group
<b>Lesson 2: An Overview of the Legal Process</b> <ul style="list-style-type: none"> <li>Section 1: Legal Terminology</li> <li>Section 2: Understanding Jurisdiction</li> <li>Section 3: Stages of a Case</li> </ul>	
<b>Lesson 3: Accountability Mechanisms</b> <ul style="list-style-type: none"> <li>Section 1: Introduction and National Courts</li> <li>Section 2: Human Rights Mechanisms</li> <li>Section 3: Ad Hoc Tribunals and International Criminal Court</li> <li>Section 4: Hybrid and Special Courts</li> </ul>	

<b>Lesson 4: Formation of the ECCC</b> <ul style="list-style-type: none"> <li>• Section 1: Political Developments in 1991-1998</li> <li>• Section 2: Establishment Process of the ECCC</li> <li>• Section 3: Goals of the ECCC by Cambodian Civil Society and the People</li> </ul>	<b>Sok Sam Oeun</b> Chief Attorney, Amrin Law and Consultants Group
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## COURSE 2: The ECCC Legal Framework

Exclusive Interview Video		
<b>Sok Sam Oeun</b> Chief Attorney, Amrin Law and Consultants Group		
Lessons and Sections	Lecturers	
<b>Lesson 1: Structure of the ECCC</b> <ul style="list-style-type: none"> <li>• Section 1: ECCC Hybrid Structure</li> <li>• Section 2: Jurisdictional Limitations of the ECCC</li> <li>• Section 3: Stages of a Case and Applicable Standards</li> </ul>	<b>Juliette Esneau</b> Legal Consultant, Pre-Trial Chamber, ECCC	
<b>Lesson 2: Cases Before the ECCC</b> <ul style="list-style-type: none"> <li>• Section 1: Introduction to the Cases</li> <li>• Section 2: Case Developments</li> <li>• Section 3: Case Study of a Key Legal Development: Detention of the Accused</li> </ul>	<b>Liv Sovanna</b> Secretary General, Bar Association of the Kingdom of Cambodia  <b>Dy Socheata</b> Lawyer	<b>Doreen Chen</b> International Human Rights Lawyer
<b>Lesson 3: Fair Trial Rights at the ECCC</b> <ul style="list-style-type: none"> <li>• Section 1: Defining Fair Trial Rights</li> <li>• Section 2: Three Important Rights</li> <li>• Section 3: Minimum Guarantees for Accused</li> <li>• Section 4: Fair Trial Rights After Trial</li> </ul>	<b>Michael G. Karnavas</b> International Co-Lawyer, Case 003 Defense Team, ECCC	
<b>Lesson 4: Victim Rights at the ECCC</b> <ul style="list-style-type: none"> <li>• Section 1: Victim Participation at the ECCC</li> <li>• Section 2: Procedures for Civil Party Participation</li> <li>• Section 3: Rights and Roles of Civil Parties</li> <li>• Section 4: Reparations</li> </ul>	<b>Pich Ang</b> National Lead Co-Lawyer for Civil Parties, ECCC  <b>Keo Sothie</b> National Legal Officer for Civil Parties, ECCC	<b>Megan Hirst</b> International Lead Co-Lawyer for Civil Parties, ECCC  <b>Lauren Tipton</b> International Legal Consultant for Civil Parties, ECCC

## COURSE 3: International Criminal Law, Human Rights, and the ECCC

Exclusive Interview Video
<b>Sin Soworn</b> Civil Party Co-Lawyer, ECCC   Deputy Director, Department of Defense for the Poor, Bar Association of the Kingdom of Cambodia

Lessons and Sections	Lecturers
<b>Lesson 1: Genocide of the Cham and Vietnamese Groups</b> <ul style="list-style-type: none"> <li>Section 1: Genocide and its Elements</li> <li>Section 2: Specific Intent of Genocide</li> <li>Section 3: Protected Groups Under Genocide</li> <li>Section 4: Underlying Acts of Genocide</li> </ul>	<b>Tomas Hamilton</b> Senior Legal Consultant, Case 004 Defense Team, ECCC
<b>Lesson 2: Crimes Against Humanity During the Khmer Rouge</b> <ul style="list-style-type: none"> <li>Section 1: Crimes Against Humanity and its Contextual Elements</li> <li>Section 2: Underlying Acts of Crimes Against Humanity (Part One)</li> <li>Section 3: Underlying Acts of Crimes Against Humanity (Part Two)</li> <li>Section 4: Underlying Acts of Crimes Against Humanity (Part Three)</li> </ul>	<b>Kristopher Yue</b> Legal Consultant, Pre-Trial Chamber, ECCC  <b>Nataliia Voitseshyna</b> Legal Consultant, Pre-Trial Chamber, ECCC
<b>Lesson 3: War Crimes During the Armed Conflicts from 1975-1979</b> <ul style="list-style-type: none"> <li>Section 1: War Crimes and its Contextual Elements</li> <li>Section 2: Underlying Acts of War Crimes (Part One)</li> <li>Section 3: Underlying Acts of War Crimes (Part Two)</li> </ul>	<b>Janine Ensing</b> Legal Consultant, Pre-Trial Chamber, ECCC
<b>Lesson 4: Modes of Liability</b> <ul style="list-style-type: none"> <li>Section 1: Introduction to Modes of Liability</li> <li>Section 2: Direct Commission and Joint Criminal Enterprise</li> <li>Section 3: Aiding and Abetting</li> <li>Section 4: Command Responsibility</li> </ul>	<b>Marc Tiernan</b> Ph.D. Researcher, University of Amsterdam

#### COURSE 4: Investigative Practice at the ECCC

Exclusive Interview Video		
<b>You Bunleng</b> Deputy President, Supreme Court of Cambodia   National Co-Investigating Judge, ECCC		
Lessons and Sections	Lecturers	
<b>Lesson 1: Introduction to Evidence</b> <ul style="list-style-type: none"> <li>Section 1: Types of Evidence</li> <li>Section 2: Evidence Assessment and Corroboration</li> <li>Section 3: Source Evaluation and Biases</li> </ul>	<b>Laura-Lou Moreau</b> Legal Counsel, Civitas Maxima	
<b>Lesson 2: Fundamentals of Investigation</b> <ul style="list-style-type: none"> <li>Section 1: Investigation at the ECCC</li> <li>Section 2: Key Investigative Principles</li> <li>Section 3: Beginning the Investigation</li> <li>Section 4: Drafting an Investigation Plan</li> </ul>	<b>Ajit Tiwana</b> Investigator Police Officer Retd.	<b>Nivedha Thiru</b> Associate Appeals Counsel, International Criminal Court
<b>Lesson 3: Collecting and Preserving Documentary Evidence</b> <ul style="list-style-type: none"> <li>Section 1: Collecting Documentary Evidence</li> <li>Section 2: Chain of Custody</li> <li>Section 3: Case Management</li> </ul>		
<b>Lesson 4: Collecting Testimonial Evidence</b> <ul style="list-style-type: none"> <li>Section 1: Introduction to Testimonial Evidence</li> <li>Section 2: The PEACE Model (Part One)</li> <li>Section 3: The PEACE Model (Part Two)</li> <li>Section 4: Challenges and Gender Aspects in Interviewing</li> </ul>	<b>Brenda J. Hollis</b> International Co-Prosecutor, ECCC	



**COURSE 5: Trial and Appellate Practice at the ECCC**

Exclusive Interview Video	
<b>Song Chorvoin</b> Deputy Prosecutor, Phnom Penh Municipal Court   Former National Deputy Co-Prosecutor, ECCC	
Lessons and Sections	Lecturers
<b>Lesson 1: Preparing for Trial</b> <ul style="list-style-type: none"> <li>Section 1: Fundamental Principles of Trial Preparation</li> <li>Section 2: Case Study: Trial Preparation as a Defense Lawyer</li> </ul>	<b>Anta Guissé</b> International Co-Lawyer, Case 002 Defense Team, ECCC
<b>Lesson 2: Opening and Closing Statements</b> <ul style="list-style-type: none"> <li>Section 1: Advocating Your Case</li> <li>Section 2: Opening Statement</li> <li>Section 3: Closing Statement</li> </ul>	<b>William Smith</b> International Deputy Co-Prosecutor, ECCC
<b>Lesson 3: Questioning Witnesses and Civil Parties</b> <ul style="list-style-type: none"> <li>Section 1: Preparations for Questioning</li> <li>Section 2: Question Types</li> <li>Section 3: Presentation Tips and Objections</li> <li>Section 4: Questioning Vulnerable Witnesses</li> </ul>	<b>Vincent de Wilde d'Estmael</b> Senior Assistant International Prosecutor, ECCC
<b>Lesson 4: Appeal Process</b> <ul style="list-style-type: none"> <li>Section 1: Difference Between Trial and Appellate Stages</li> <li>Section 2: Pre-Trial Chamber</li> <li>Section 3: Supreme Court Chamber</li> </ul>	<b>So Mosseny</b> National Co-Lawyer, Case 004 Defense Team, ECCC

**COURSE 6: Application of ECCC Law and Practice in the National Courts**

Exclusive Interview Video	
<b>Ly Chantola</b> President, Bar Association of the Kingdom of Cambodia	
Lessons and Sections	Lecturers
<b>Lesson 1: Comparing Practices at the ECCC and National Courts</b> <ul style="list-style-type: none"> <li>Section 1: Comparison: Pre-Trial</li> <li>Section 2: Comparison: Trials and Appeals</li> </ul>	<b>Meas Bora</b> Lawyer and Law Lecturer

The biographies of all lecturers and interviewees are provided in the Lecturer and Interviewee Biographies document, as well as in the syllabus of each course. The specified job titles are current as of September 2021.

**Training**

Utilizing the e-learning platform, LAC also implemented two terms of a 12-week training program, along with a separate training of trainers (ToT) throughout 2022. The programs combined synchronous (live) and asynchronous (self-study) learning that were both academic and clinical in nature, for law students, young lawyers, and young legal professionals in Cambodia.

## **Discussion on Project Implementation**

The e-learning platform was launched at the end of March 2022, and over seven months, there were over two hundred forty platform users and six hundred eighty course enrollments, with the completion of over 4,600 sections across the seventy sections of the six e-learning courses. The vast majority of users were under the age of 35 and based in Cambodia, which were the main target groups of the platform. Over half of the users either completed or were pursuing a university degree, while almost half either completed or were pursuing a graduate or post-graduate degree. The vast majority of users were majoring in law and human rights, with quite a few in international studies/relations and public administration, among various other majors, and the vast majority were law students, lawyers, legal specialists, and educators, among various other occupations. The evaluation forms submitted through the platform by the users have generally contained positive feedback of the e-learning platform and courses, with words of appreciation for making these learning materials available to the public.

In addition, the first term of the separate twelve-week training program was conducted from April to June 2022, and the second term was conducted from August to October 2022. A total of thirty-eight participants completed the program, focused on Cambodian law students, young entry-level lawyers, and young legal professionals or trainees. On top of the completion of the six e-learning courses following a pre-set curricular schedule, the participants also took part in weekly Q&A sessions, periodic check-ins, career talks with legal practitioners and experts, live trainings on additional topics, and extracurricular activities, including a mock trial exercise that took place at the ECCC courtroom and critical thinking assignments.

Furthermore, a ToT was conducted from August to September 2022, where ten participants were provided with the opportunity to learn about online teaching methodologies and to practice producing and altering content on a separate test Moodle platform that was developed for them. As part of their practicum, they also had the chance to put their learnings into practice by teaching a session at a university, as organized by the project staff.

Through various partnerships and outreach efforts, the platform has reached a wide audience. The Bar Association of the Kingdom of Cambodia decided to include parts of this program in their mandatory training for

legal trainees, and some universities considered providing credit to their students, integrating parts of the program into their courses, or including parts of the program as a way to satisfy the requirements for certain degrees. Various stakeholders from the government, United Nations agencies, development partners, academic institutions, civil society organizations, and communities commended the platform for being the first of its kind in Cambodia to impart legal knowledge, especially in a synthesized, comprehensible, and accessible manner. In addition, individuals assessed that the platform was able to bring the ECCC closer to the people in Cambodia and abroad, especially for law students, lawyers, and legal scholars, as well as for the civil parties and other victim-survivors.

The project officially ended in November 2022, but the e-learning platform has been sustained through the support of the Global Diligence Alliance and the Amrin Law and Consultants Group.

Separately from this project, LAC designed a six-month International Law Fellowship Program in Cambodia utilizing the e-learning platform, with the financial support of USAID. Ten fellows were selected to participate in the program from January to June 2023. This program provided a platform for academic learning, clinical training, career mentorship, and exchange to equip young Cambodians with the substantive, practical, and institutional knowledge and skills needed to pursue a career in international law, either internationally or domestically. The Fellowship Program drew on the experience of the ECCC and its pursuit of justice and accountability against the Khmer Rouge, so that the fellows could properly understand the court and its work. Furthermore, the clinical training provided practical exposure to legal case and project work as would be conducted by a lawyer or legal professional, especially in international law. In addition, the career mentorship opportunities enhanced the fellows' understanding of the procedural and technical details of a career in international law, drawing on the experiences of Cambodians and foreigners who have pursued this path. Through this program, the fellows were placed at a better position to apply for jobs related to international law in Cambodia or abroad, both in terms of qualifications and the recruitment process. In addition, they were able to pursue their legal careers in a more sensitized, informed, and competent manner as future experts and leaders, with a proper understanding of the country's past.

## Annex A. Legal History and Practice e-Learning and Training Program



### COURSE 1: LEGAL IMPLICATIONS OF THE KHMER ROUGE REGIME

- A History of the Khmer Rouge
- An Overview of the Legal Process
- Accountability Mechanisms
- Formation of the Extraordinary Chambers in the Courts of Cambodia (ECCC)



### COURSE 2: THE ECCC LEGAL FRAMEWORK

- Structure of the ECCC
- Cases Before the ECCC
- Fair Trial Rights at the ECCC
- Victim Rights at the ECCC



### COURSE 3: INTERNATIONAL CRIMINAL LAW, HUMAN RIGHTS, AND THE ECCC

- Genocide of the Cham and Vietnamese Groups
- Crimes Against Humanity During the Khmer Rouge
- War Crimes During the Armed Conflicts from 1975-1979
- Modes of Liability



### COURSE 4: INVESTIGATIVE PRACTICE AT THE ECCC

- Introduction to Evidence
- Fundamentals of Investigation
- Collecting and Preserving Documentary Evidence
- Collecting Testimonial Evidence



### COURSE 5: TRIAL AND APPELLATE PRACTICE AT THE ECCC

- Preparing for Trial
- Opening and Closing Statements
- Questioning Witnesses and Civil Parties
- Appeal Process



### COURSE 6: APPLICATION OF ECCC LAW AND PRACTICE IN THE NATIONAL COURTS

- Comparing Practices at the ECCC and National Courts



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# Facilitating Access to Justice and Social Change: Legal Education and Empowerment

Centre for Social Justice and Legal Empowerment

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**T**HE CENTRE FOR SOCIAL JUSTICE (CSJ) is a socio-legal, non-governmental organization (NGO) initiated by the Institute for Development Education and Learning (IDEAL). CSJ is one of the first organizations of its kind in India that uses the judicial system to fight for the rights of marginalized people.

CSJ first began operating through a network of law centers across Gujarat in 1993. Today, CSJ has expanded to several states, including Madhya Pradesh, Rajasthan, Chhattisgarh, Bihar, Jharkhand, Assam, Odisha, Andhra Pradesh and Karnataka and responds to nearly 3,000 cases a year.

Its law centers in different states have lawyers, paralegals and researchers who are passionate about making a difference. They affect change every day by ensuring minorities like women, Dalits, tribals and other socially vulnerable groups get access to the rights guaranteed to them. The lawyers, paralegals and researchers have been handling cases of different sectors such as women, laborers, fisherfolk, consumers, farmers and children, and issues involving land, identity, amenities and social security.<sup>1</sup>

It intervenes at various points including providing legal aid, helping document complaints and leading fact-finding activities, filing cases, contacting relevant authorities, pushing entitlement claims, spreading legal awareness, public advocacy campaigns, training young lawyers and paralegals, identifying violations of civil liberties and serving as a watchdog for human rights violations and abuses.

It is registered under the Societies Registration Act (1860) and Bombay Public Trust Act (1950).

## Vision, Mission and Programs

CSJ has adopted the following vision and mission:

### *Vision*

To strengthen human rights culture and an all-inclusive pluralist society, free of violence, injustice, discrimination, prejudices and stereotyping.

### *Mission*

- To use law for social change to ensure access to justice to vulnerable communities and to secure social justice, equity and equality, and fraternity;
- To promote an enabling policy and legislative environment that respects, promotes and protects human rights of vulnerable communities.

## Core Engagements

As an organization that uses the law to bring about systemic changes to remove barriers in accessing justice, particularly for marginalized communities, CSJ also works to expand the reach of mechanisms already in place.



Csj engages in the following programs:

- Legal awareness - disseminating information about legal rights and entitlements through awareness programs including campaigns, radio shows and street plays;
- Legal aid - addressing legal issues of individuals and communities by assisting them in litigation and facilitating their entitlements and claims under various laws and enactments;
- Alternative dispute resolution - using formal and informal dispute resolution mechanisms to resolve a legal dispute between two parties by activating formal state agencies such as permanent conciliation boards and mediation centers. It also involves activating and working with informal spaces including *Anjuman*, *mahila mandals*, village heads, etc.;
- Legal capacity-building - conducting various capacity-building programs to develop the capacities of young lawyers, paralegals, volunteers, Civil Society Organizations and government stakeholders to use the law to ensure that rights and entitlements are guaranteed to the vulnerable;
- Legal reform - using experiences, learnings and best practices from grassroots intervention to critique existing laws and policies to make them more sensitive to the needs of vulnerable groups.

Further, it has always advocated for the formation of platforms that would expand the reach of justice by making legal processes and mechanisms more responsive to the needs of communities.

Csj implements its programs through the following activities:

#### **a. Strengthening Institutional Mechanisms**

It works with the *Asil Manch* (Litigant's Forum), a forum for litigants to come together to generate awareness about their rights, provide legal support and raise issues of efficiency, transparency and accountability of the judiciary.

Csj provides support to the *Asil Manch* in generating awareness about the rights of litigants, and provides legal support in raising issues of efficiency, transparency and accountability of judiciary. *Asil Manch* works as a countervailing force against the erring justice delivery mechanisms and



operates from the perspective not of rights to be needed but of rights to be exercised and demanded.

The legal support of CSJ to *Asil Manch* facilitates the participation of the community at large in accessing the justice delivery mechanisms. It aims at setting up of a system where the forum itself, the justice delivery mechanism and CSJ are mutually accountable. *Asil Manch* also contributes in building the efficiency and effectiveness of the social justice lawyers by demanding a more transparent approach towards its stakeholders.

*Asil Manch* advocates different issues through its centers and field units. These include:

- Activating Consumer Redressal Forum
- Permanent office of Assistant Labour Commissioner
- Abolishing the time limit in cases of recovery
- Litigant defending herself/himself
- Active participation of women in *nyay panch* (traditional court)
- Demand for full-court hearing
- Asking for clarity regarding the powers of District Panchayat or the Collector under Section 73 (A) (A)
- Issues of human rights violations and labor rights
- Issues pertaining to police
- Issue of speedy disposal of cases in the labor court
- Administrative and civic amenities in the court
- Pressuring the judiciary for disposal of maintenance-related cases within three months of their admission.

## **b. Advocacy Efforts**

CSJ joined the development of the only comprehensive quantitative index using the government's own statistics to rank the capacity of the formal justice system operating in various states. This is known as the India Justice Report (IJR) that was first issued in 2019.<sup>2</sup> This is a groundbreaking national periodic reporting initiative that systematically evaluates the performance and capacity of the key pillars of the justice delivery system in each Indian state. Focused on the police, prison system, judiciary, and legal aid, the report uniquely brings together previously segregated information to measure each state's justice system against its own declared standards. By employing criteria such as human resources, infrastructure, workload, and diversity, the IJR assesses the collective ability of these pillars to fulfill their mandates.

The report includes a trend analysis over a five-year period, offering insights into the ongoing efforts of state governments to enhance the administration of justice and adapt to evolving needs.

Recognizing the inadequacies of the government's relief measures and the exacerbated difficulties in implementing Direct Benefit Transfer (DBT) schemes, CSJ embarked on a multifaceted approach named *Talatod*. It was a strategic response to the profound challenges faced by marginalized communities during the COVID-19 lockdown in India. This innovative initiative involved the institutionalization of paid telephone volunteers, activating District Legal Services Authorities (DLSAs) for service camps, and crafting a comprehensive COVID-19 Lockdown Monitoring Toolkit. The intervention not only facilitated the direct delivery of entitlements to around 3,000 individuals in vulnerable areas but also extended its impact through awareness-building and training programs, engaging over seven hundred participants from diverse organizations across the country. *Talatod* stands as a testament to CSJ's commitment to social justice lawyering, demonstrating the integration of legal expertise with creative solutions to address systemic issues and advocate for holistic policy designs.

### c. Engagement with the Legal Services Authorities

CSJ makes recommendations on how legal service authorities in India can help women and other marginalized groups in availing justice. Constant advocacy with the Department of Justice and National Legal Service Authority (NALSA)<sup>3</sup> is a key step in ensuring implementation of three key reforms, namely:

- Ensuring effective implementation of the NALSA Standard Operating Procedures for Undertrial Review Committees;
- Strengthening the free legal aid system;
- Ensuring effective implementation of the 2018 Victim Compensation Scheme.

Recently, CSJ also initiated action research to understand how well these schemes have been implemented and presented some recommendations.

### d. Research and knowledge creation

Since its inception, CSJ has been involved in extensive action-based research on various themes of social justice and human rights. CSJ has pro-

vided a grassroots perspective to the application and implementation of numerous laws related to abortion, forest rights, disaster relief, gender and land rights, labor rights, rights of religious minorities, right to information, Scheduled Castes and many more.

CSJ produced a compelling compilation showcasing transformative stories of lawyers it has trained. The book entitled *Appearances and Beyond* reflects on the challenges faced by young lawyers from vulnerable communities, emphasizing the importance of identity-building in their professional journey. CSJ's approach combines legal training with broader social awareness, creating a cadre of lawyers committed to social justice lawyering. Through this book, CSJ aims to inspire others and contribute to the larger discourse on access to justice for the vulnerable.

Social Justice Lawyering, within the framework of CSJ, represents an activist legal practice aimed at transforming power dynamics and facilitating the assertion of rights for the marginalized. CSJ's approach involves not only providing legal aid but also focuses on social transformation through principles of empowerment. The organization strategically strengthens and sensitizes systems for ensuring human rights, develops paralegals as community bridges, and fosters community lawyers as change agents. This methodology creates a cadre of lawyers recognized for their commitment to social justice, challenging traditional legal paradigms and contributing to broader human rights advocacy.

## Capacity-building

CSJ engages in extensive capacity-building activities because empowering communities is an institutional mandate. It undertakes various activities to build internal capacity-building of members of the organization, while engaging with various stakeholders who aid or assist its goal of furthering access to justice for all.

Capacity-building is defined as the process of developing and strengthening the skills, instincts, abilities, processes and resources that organization and communities need to survive, adapt, and thrive in the fast-changing world. It is a combination of knowledge (the underlying mental and psychological readiness to use the knowledge) and the threshold of skills that encourages self-practice. It includes:

- Human resources development, which is the process of equipping individuals with understanding and skills, along with access to information, knowledge and training to enable them to perform effectively;
- Creation of an enabling physical and infrastructural environment to promote development;
- Organizational development, which includes the elaboration of management structures, processes and procedures, not only within organizations but between the different organizations and sectors;
- Institutional and legal framework development, the scope of which includes making legal and regulatory changes to enable organizations, institutions and agencies at all levels and in all sectors to enhance their capacities.

It works in the lawyer-paralegal framework and trainings are not just aimed at strengthening the understanding of legal systems but also to ensure inclusion of the voices of members of marginalized communities to help them understand the reality of the legal systems.

It adopted the following Guiding Principles for its capacity-building efforts:

1. We are: Recipient oriented—

It is imperative that the curriculum is tailored to suit the participants to ensure its relevance. Systems undertaking training are mindful of the participants' social context, their surroundings and experiences, and assimilate this into the curriculum.

Using CSJ's clear perspective on vulnerability and victimhood, the capacity-building process should result in empowerment of the marginalized communities. This makes it essential that the collective and ever-changing understanding of vulnerability that CSJ has developed is constantly reflected in the implementation of its capacity-building initiatives.

CSJ approaches vulnerability and victimhood with a transformative lens, aligning with the ethos that vulnerability is a strength rather than a weakness. CSJ embraces collective vulnerability derived from

Freirean pedagogy, emphasizing a rights-based perspective that transcends a simplistic win-lose framework. Vulnerability becomes a powerful tool for societal change, fostering a collective effort for social development.

Csj rejects the notion of victimhood as a stagnant state and, instead, focuses on developing identities of community leaders and activists who become agents of social change. Its commitment to strengthening media messaging, utilizing technology, and engaging with diverse stakeholders reflects a nuanced understanding of vulnerability as a dynamic force that propels meaningful discourse and societal transformation.

Csj's perspective on vulnerability transcends traditional victimhood narratives, aligning with Freire's vision by embracing collective vulnerability as a catalyst for action and progress. This approach translates into the idea that acknowledging and navigating vulnerability is integral to fostering genuine connections, building authentic relationships, and creating a society grounded in self-acceptance and empathy. Csj recognizes the pivotal role of vulnerability in understanding complex social situations and navigating through messy data to arrive at clear outcomes.

## 2. Pedagogy Matters—

The content used in capacity-building reflects its core philosophy: the need for alternative legal education with a focus on the identity of the individuals and their collective identities, combining skills, information and perspective.

Csj believes that traditional capacity-building curriculums place undue emphasis on cognitive aspects. Its approach has a wider reach and considers other aspects such as perspective building, identity formation, in addition to skill development, to facilitate individual learning.

It also takes into account the fact that individuals benefitting from this are adults, and therefore, they prefer and even appreciate a self-

determined pace to learning. As a consequence, the curriculum is not designed to spoon-feed but to enable them to learn for themselves. This means learning is a continuous process, and must remain flexible to newer ways, ideas and changes.

3. **Sharing the Responsibility—**

The responsibility to learn and empower must be shared jointly by individuals participating in these activities and in the structures responsible for designing capacity-building initiatives.

4. **Must Enable Interacting with the External Environment—**

Since the intervention is systemic and feeds into the work that CSJ does, it is imperative that capacity-building initiatives further the contact between recipients (participants) and their surroundings as opposed to being seen as independent from social and economic contexts.

This means that economic and social empowerment is a logical extension of such activities. Ensuring that individuals are equipped in more than one way and are able to see connections between what they are taught and their circumstances are essential. For instance, securing property rights for women involved in domestic violence cases or obtaining compensation in instances of rape not only ensures justice but also prevents undue compromises compelled by adverse circumstances.

**Land Rights: An intersection of law and multiple identities**

CSJ is actively involved in the crucial work of promoting legal empowerment for land rights, with a particular focus on rural women. The aim is to address the multifaceted challenges faced by women in controlling and owning land, considering both social and legal factors. CSJ also operates through coalitions of civil society organizations and development professionals dedicated to advancing women's land ownership rights.

The land rights work undertaken by CSJ is driven by the recognition of key factors influencing women's control and ownership of land that include social barriers and lack of legal empowerment. Social factors include prevailing mindsets against women owning land, limited social status, and inadequate skills in managing land. Legal empowerment encompasses creating awareness, establishing responsive mechanisms, removing procedural/systemic blocks, and ensuring a positive legal environment.

Since its establishment, CSJ has been actively involved in legal interventions concerning various aspects of Adivasi rights. This includes forest land rights, addressing atrocities, labor cases, and ensuring the effective implementation of constitutional amendments, particularly the 73rd amendment (establishment of self-government institutions [called Panchayats] in rural areas).

Operating within a comprehensive framework that systematically analyzes the intricate relationship between Adivasis and the State, CSJ engages proactively with progressive laws such as Forest Rights Act (FRA), Panchayats (Extension to Scheduled Areas Act (PESA), and government schemes tailored for the education and skill development of Adivasis. CSJ is committed to generating awareness, filing claims, and collaborating with communities to facilitate the realization of their forest rights.

CSJ collaborates with voluntary agencies on land and forest rights, providing logistical and media support to Adivasi Mahasabha—a movement dedicated to tribal rights. The establishment of Adivasi Mahila Manch and Swabhumi Kendra underscores CSJ's focused intervention in women's rights, emphasizing the mutation of women's names in property records and the transfer of property titles as per customary practices and laws within Adivasi communities.

Through targeted interventions, CSJ operationalizes PESA at the Gram Sabha level, creating awareness, mobilizing communities, and collaborating with the state for law implementation. Its intervention deploys preventive measures to unite the community based on its Adivasi identity, prevent conflict, and preserve cultural heritage. Legal aid, legal advice, strengthening alternate dispute resolution mechanisms, investigation of human rights violations, legal awareness, and social-legal research are key activities undertaken. CSJ has also conducted an action research project on the implementation of the 73rd amendment. Additionally, it works on issues related to the FRA, ensuring the passage of pending claims and undertaking legal actions for wrongly rejected claims.

CSJ's work involves a comprehensive strategy, including the creation of awareness through trained paralegals, innovative approaches like games, quizzes, and educational materials. The implementation of a paralegal training program, initiated as an action research, proved instrumental in enhancing women's ability to claim their land rights. This process included the selection, identity-building, and assimilation of paralegals within organizational settings.

Guided by CSJ, the initiative goes beyond awareness creation and also focuses on creating a mechanism to respond to claims. Trained paralegals under this program have successfully settled numerous land claims, underscoring the need for responsive mechanisms. Additionally, CSJ addresses procedural and systemic blocks by working at two levels: fostering a positive environment among duty bearers and understanding and overcoming systemic hindrances.

The ongoing efforts by CSJ exemplify a transformative approach towards achieving women's land rights. Through targeted legal empowerment strategies, the initiative not only raises awareness but also actively engages in creating practical mechanisms and advocating for systemic changes to ensure a more just and equitable land ownership landscape for women.

### *Women's Rights: CSJ's Impact in Legal Empowerment*

CSJ has been actively involved in the pursuit of social justice, particularly concerning the intricate challenges faced by women within the socio-legal framework. It is dedicated to unraveling com-



plexities hindering women's access to justice and has made substantial progress in enhancing the implementation of legal provisions related to violence against women. Through strategic capacity-building initiatives, it cultivates women's leadership, especially in marginalized communities, and conducts awareness campaigns to sensitize officials, thereby fostering a more responsive legal environment for women.

CSJ's impactful interventions extend to strengthening existing mechanisms and advocating for crucial reforms. Key initiatives include the evaluation study on Nari Adalats, spearheading the appointment of Protection Officers under the Prevention of Domestic Violence Act, and successfully campaigning for the establishment of Family Courts in Gujarat. Its research and knowledge creation efforts, collaborations with key stakeholders like Working Group on Women's Land Rights (WGWLRL), and policy recommendations significantly contribute to shaping a more equitable legal landscape for women.

CSJ actively engages in targeted interventions, such as addressing the alarming issue of witch hunting, demonstrating its commitment to effecting positive change and ensuring justice for all women.

#### *Socio-legal intervention: Amidst court and community*

In dealing with cases of sexual harassment, rape, and child abuse, CSJ implemented strategic interventions to safeguard the rights of the individuals affected.

One instance involved a child sexual harassment case, where CSJ meticulously prepared the survivor for court proceedings. The outcome included a compensation of Rs 50,000 and a three-year imprisonment term for the accused. In another case, where a pregnant minor was raped, CSJ provided vital support during the trial, securing a conviction and advocating for the victim's protection under Child Welfare Committee care. Despite initial challenges, CSJ's efforts resulted in an interim compensation of Rs 175,000 for the survivor.

For cases related to false allegations and domestic violence, CSJ employed conciliation strategies to facilitate resolution, emphasizing community involvement and awareness. The organization effec-

tively navigated threats and arrests, ensuring safety for the victims. In a different case, false abduction charges were withdrawn as CSJ sensitized families about respecting individual choices and preventing the misuse of legal provisions.

These interventions not only achieved legal justice but also addressed socio-economic aspects, including compensation for survivors and heightened awareness about additional compensation for rape-related pregnancy. Furthermore, community sensitization initiatives sought to create an atmosphere of respect and understanding, curbing the misuse of legal mechanisms.

CSJ's multifaceted legal interventions, spanning various issues, exemplify its commitment to economic and social empowerment. By strategically navigating legal processes, providing essential support, and securing fair compensation, CSJ not only ensures legal justice but also empowers survivors economically and socially, fostering broader community awareness and understanding. It actively engages in capacity-building, equipping individuals and communities with the knowledge and skills necessary to navigate legal systems effectively. Through international collaborations, CSJ extends its impact globally, contributing to a collective effort to address global challenges and promote legal empowerment. Advocating for minority rights, prisoners' rights, and socio-economic rights, CSJ champions inclusivity, equal opportunities, and social justice. In its pursuit of access to justice, CSJ's interventions transcend normative legal boundaries, fostering positive change and empowering communities worldwide.

5. Keep in Line with CSJ's Systemic Intervention—

Capacity-building efforts should be aligned with the ongoing work of the organization. The usefulness or application of learnings must have a direct relationship with enhancing CSJ's work. This means training inputs are linked directly to action in the field.

To illustrate, CSJ works on land rehabilitation issues in Katni district in Madhya Pradesh. The issue was identified through a campaign organized in May 2015. After following up with the residents, sur-

veying the area for rehabilitation beneficiaries was considered imperative to carry forward the efforts. The Capacity Building Unit, in consultation with the operational unit in the district, scheduled training activities on land awareness and land rights so that paralegals and volunteers are trained to contribute to interventions that pertain to these issues.

The outcome of these guiding principles accounts for two ideas: maintaining a balance between the bare minimum knowledge and skills that must be ensured to be learned and the emerging practical realities that have to be considered in applying the knowledge and skills learned. CSJ developed a structure based on its decades-long experience of working in the field of access to justice that is best suited to accommodate these principles.

### **Capacity-building Interventions**

Broadly, people working in the field of legal advocacy comprise the legal community. Capacity-building interventions for the people in the legal community take the following forms:

- a. Awareness campaign (Level 0)  
Expected outcome: Identifying volunteers.
- b. Orientation of Identified Volunteers (Level 1)  
Expected outcome for institution: Link to the community.  
Expected outcome for target group: Formation of a new identity, understanding vulnerability better and learning to identify human rights issues.
- c. Training for Paralegals (Level 2)  
Expected outcome for institution: Solidifying grip on identification of issues through volunteers: first step towards identifying individuals who are capable of furthering the access to justice framework.  
Expected outcome for target group: Familiarity with basic laws like Right to Information, basic schemes, etc.

d. Training for Paralegals (Level 3)

Expected outcome for institution: Solidifying the pool of individuals, assistance in drafting, learning to file basic applications, etc.

Expected outcome for target group: Drafting skills, understanding the legal system and its processes, and participating in those processes at an elementary level.

Paralegals play a pivotal role in bridging the gap between communities, legal processes, and the judicial system. Trained to simplify complex legal procedures, they empower individuals by disseminating legal information, aiding in pre-litigative work, and facilitating out-of-court settlements. Their unique ability to convert social problems into legal cases contributes to a rights-based approach, addressing injustices through strategic use of the legal system. Paralegals serve crucial roles in delivering services, enhancing legal awareness, updating dispute resolution systems, and adding a social perspective to courtroom proceedings. Their involvement spans diverse areas, from family counseling centers and family courts to environmental issues, prisons, and *Gram Nyayalayas*. Recognizing the need for formal legitimacy, paralegals can be strategically appointed in various capacities to ensure effective access to justice. Their role extends to training and education, emphasizing a contextualized, need-based, and rights-focused approach that goes beyond mere information dissemination. Integrating pedagogical strategies and socio-legal justice principles, paralegal training becomes a key element in empowering communities and fostering legal empowerment.

*An Account of a Paralegal (From Appearances and Beyond):*

Dipak Acharya's journey from paralegal volunteer at CSJ to a recognized lawyer showcases the impact of hands-on legal experience. Trained by CSJ, he gained insights into human rights, labor rights and environmental laws. His role in securing compensation for farmers without court intervention demonstrates the effectiveness of alternative lawyering. Now, with over five years of experience, Acharya emphasizes solving cases at minimum expense and prioritizing client satisfaction over monetary gains. His story underscores the significance of paralegals in delivering justice and earning the trust of the community.

## Human Rights Education in the School System

In its fifteen-year journey, CSJ realized that reactionary strategies for justice do not suffice. In order to truly see justice, the following aspects also need to be considered:

1. The root causes of human rights violations/abuses must be identified;
2. Children are part and parcel of a larger system and are also perpetrators, victims, and bystanders of human rights abuses;
3. Awareness about rights among vulnerable communities is essential;
4. Respect for human rights must be instilled in perpetrators;
5. Human rights education is serious business but the process for the same can be positive which supports the larger mission of establishing human rights culture in society;
6. Human rights education must be integrated in the existing National Curriculum Framework (2005) in the state curriculum.

Recognizing the need to take not only a reactive approach to the protection of human rights, CSJ decided to initiate a human rights education program in order to take a more proactive preventative approach to human rights violations/abuses. The program was envisioned to employ democratic teaching/learning processes, provide space for dialogue, address stereotypes and prejudices, and internalize respect for human rights for all.

Therefore, in 2005, when the Institute of Human Rights Education in Tamil Nadu was looking for a partner in the State of Gujarat, CSJ agreed to take on the task. Over the course of three years, CSJ extended its human rights education program to fifty schools in three districts of Gujarat. Human rights were taught as an independent subject matter for two periods a week of forty-five minutes each.

Human rights education has been understood by different stakeholders in different ways. The 2005 National Curriculum Framework takes a Democracy-centered approach where democracy is not just as mode of governance but rather a set of principles to be internalized consisting of Equality, Social Justice, Freedom, and secularism all of which are inherent in the Constitution of India. The curriculum also mentions the diversity of the country and specifies that education should enhance respect for this diversity. The curriculum also presents the importance of peace education, specifying that education has a special role to play in establishing peace.

### **CSJ human rights education curriculum**

Considering all aspects of human rights education, and recognizing the situation in Gujarat, CSJ decided to adapt an integrated framework where diversity, peace and citizenship education were merged with human rights education. Following the Godhra carnage in 2002,<sup>4</sup> it was strongly felt that conflicts between communities were increasing and that tolerance levels were being reduced. Thus, after a three-year effort of research and training, CSJ developed the first curriculum for peace, citizenship, diversity and human rights education in the state of Gujarat.

CSJ started its human rights education program for school children in 2005 on a pilot phase. Teachers and human rights education experts in Gujarat initiated the first steps by building their understanding of diversity, discrimination, peace, conflict, methods of conflict resolution, and citizenship in relation to human rights at a five-day workshop. At the end of five days, teachers were able to design the framework and lesson plans for the CSJ Human Rights Education curriculum. This framework was then given to a team of artists who worked on creating poems, stories, dramas and other creative methods for the themes of each lesson. Following the two steps of curriculum development, the program went into its final stages and three booklets and two audio cassettes were produced.

### **CSJ methodology**

It was clear from CSJ's earlier experiences with ALE and training sessions for different cadres on Access to Justice that a simple knowledge of human rights does not lead to the internalization of human rights values. Along with knowledge, it is critical that the right attitude and belief as well as the skills to exercise one's own rights are developed.

Therefore, in designing the human rights education curriculum for school children, the CSJ team chose to focus on three areas:

- Knowledge
- Values, beliefs and attitudes
- Action.

Through its human rights education program, CSJ hoped to achieve the following objectives:

- To strengthen respect for human rights and fundamental freedom;

- To facilitate the full development of the human personality and its inherent dignity;
- To internalize respect for diversity; and
- To inculcate courage to take a stance against rights violations.

These are important objectives in creating a model for human rights education for school children and for advocating with the government to integrate human rights education in the state education curriculum.

### **Teacher's training methodology**

The educator plays a central role in human rights education. The human rights educator is the change agent in this whole process. Thus, looking at the traditional teacher-student relationship which is very constricted and based on fear and give and take, CSJ initiated a change process among the teachers through training.

CSJ had the following objectives in mind:

- To train the teachers to become co-learners with the students in order to create a democratic environment where the facilitator self-introspects in terms of his or her own stereotypes, prejudices, and attitudes;
- To motivate educators to adapt creative, interactive methods of teaching rather than using only lecture methods;
- To foster new skills for human rights education and develop the educators' knowledge base on human rights; and
- To strengthen the educators' conviction to bring about change in society, be an agent for change and take stands as and when needed.

CSJ developed several training programs for human rights education facilitators. It took the following steps in the trainings:

#### **1. Basic training on human rights education**

The basic training is mainly a change-oriented training. For this training, the participating teachers preferably constitute a mixed group in terms of caste, class, gender and religion. This situation helps the teachers to explore their own identity, understand the politics of identity, delve into their own stereotypes and prejudices, and explore the skills and methods necessary to facilitate the teaching of human rights education lessons.

## 2. Module-specific training

After the basic training, there are module-specific trainings designed to take up different issues including diversity, discrimination leading to violation of rights, peace, conflict, conflict resolution skills and citizenship. The module-specific trainings rigorously integrate knowledge, attitude and skills. This phase is focused more on building understanding on issues.

## 3. Methodology training

Methodology trainings focus on designing teaching and learning materials, building clarity on methodology as well as practicing it.

The experience built during the initial human rights education phase in CSJ later led to conducting national-level Training of Trainers on human rights education in eight states of India.

## Awareness-raising Materials

CSJ has produced films on several topics, particularly on the issues affecting women, for its public awareness program. It produced a film on witch-hunting that affects women in southern Gujarat. The film entitled “Aad” is explained as follows:<sup>5</sup>

Aad is a *dangi* word which literally means Allegation (*Ilzam*). Witch hunting is [a] superstitious practice from medieval ages which targets people especially women to rob [them of] their land and property, to blame them for any incident. The film is in *dangi* dialect which is spoken in southern Gujarat. The film accounts interviews of lived experiences of women - widows, middle aged, from districts of Dangs, Dahod, [who] are ostracized, targeted to rob their property [and grab] land from them. The film also talks about legal remedies for witch hunting.

It also has two other films on the women issue:

- “Bhage Padti Bhoie” - Gujarati film on women’s land rights;
- “Bharan Uposhan” - Maintenance right for women in case of domestic violence, rape and violence against women.

All CSJ films are available on YouTube.<sup>6</sup>

CSJ reviews the impact of its materials through different engagement strategies such as campaigns. The awareness materials employed in the dif-



ferent campaigns as well as engagement strategies, such as *patrikas* (cards), audios, videos, posters, music, and *sutras* (religious texts), were strategically utilized to disseminate socio-legal information. Door-to-door campaigns leveraged *patrikas* effectively for emotive responses and addressing language barriers. In public spaces and *Anganwadi* (rural child care centers), *patrikas* initiated discussions on key legal issues. Audio and video materials were impactful in public spaces, schools, and *bastis* (group of houses), facilitating discussions and engagement, although some information-heavy videos required planned interactions for optimal responsiveness. Posters were effective in public spaces and *Anganwadi*, drawing attention and fostering awareness. Music, while effective in gathering people at service camps and *shivirs* (camps), was identified as the least engaging medium. *Sutras*, painted on walls during conversations, garnered attention, particularly in focused spaces like Adivasi communities, requiring strategic engagement for meaningful discussions.

The materials include a series on domestic and sexual violence as well as atrocities against Scheduled Caste/Scheduled Tribes through the Neela audio and video series and the film “Main Chup Nahi Rahungi,” videos on labor compensation, a short film of pocso through Komal and songs in regional languages along with posters on the various labor, gender, caste, land, farmers issues and rights that CSJ works on.



Screening “Komal” for villagers.



Screening “Main Chup Nahi Rahungi.”



Showing “Nyaypur ki Neela” through flex where screening is not possible.

### Young Professionals Program for Legal Empowerment<sup>7</sup>

Law students are CSJ’s specific target group. In 2014, it started the Young Professionals Program for Legal Empowerment (YPPLE) with the objective of equipping young legal professionals to become powerful change agents by giving them the opportunity to develop a holistic understanding of how legal empowerment at the grassroots play a catalytic role in bringing social change.

YPPLE is a two-year program open to young law graduates/legal professionals who wish to pursue a career in the field of human rights. Willingness to engage with field realities, to live in challenging conditions and to travel extensively, are things every candidate must be willing to do. Candidates must, above all, display a strong drive, motivation and commitment towards working for social change.

A group of young legal professionals is assigned to support the implementation of CSJ activities. Each young legal professional spends a substantial duration in the field areas and the remaining time is dedicated towards research and writing, reflections, inputs and capacity-building. They undertake the following activities:

- Conduct field-based research on law and policy issues for formulating interventions and creating policy documents;
- Coordinate training and capacity building programs;
- Collaborate/coordinate programs with stakeholders including representations with various government authorities;
- Contribute to the legal work of the organization;
- Organize events to initiate public debate on issues; and
- Bring in creative approaches and perspectives to the existing work of the organization.



YPPLE volunteers with children.

YPPLE is now entering its tenth year. Till now, CSJ has placed around forty young aspiring researchers in its field areas, where they engage with





YPPLE volunteers with children.

grassroots realities and in the process grow immensely both professionally and personally. The program allows these young minds to pursue their true interests, with each individual finding something that they can call their own, be it a particular sphere of law, a work profile or a social cause they care about.

Many YPPLES continue to be associated with CSJ beyond the duration of the program and are helping CSJ work towards realizing its vision for a just and equitable society.

## **Conclusion**

Since its inception in 1993, CSJ has expanded its reach across Gujarat, Chhattisgarh and Jharkhand, responding to thousands of cases annually. The organization's dedicated team of lawyers, paralegals, and researchers operate across diverse sectors, addressing issues faced by women, laborers, fisherfolk, consumers, farmers, and children.

CSJ's core engagements, rooted in its vision and mission, aim to strengthen a human rights culture and foster an all-inclusive, pluralist society free from violence and discrimination. The organization pursues systemic changes through various programs, including legal awareness campaigns, providing legal aid, alternative dispute resolution, legal capacity building,

and legal reform. CSJ is committed to ensuring that vulnerable communities have access to justice and advocating for an enabling policy environment that respects and protects human rights.

Looking ahead, CSJ envisions expanding its impact through digitizing programs, mainstreaming grassroots learning, and collaborating with colleges to run courses. The organization remains dedicated to its mission of creating a more just, equitable, and fraternal society, empowered by the transformative potential of law.

## Endnotes

1 See the 2022-2023 Annual Report of the Centre for Social Justice for the number of cases handled during the 2022-2023 period, page 6.

2 See the 2022 report, *India Justice Report: Ranking States on Police, Judiciary, Prisons and Legal Aid*, [https://indiajusticereport.org/files/IJR%202022\\_Full\\_Report1.pdf](https://indiajusticereport.org/files/IJR%202022_Full_Report1.pdf).

3 For more information on the National Legal Services Authority (NALSA), visit <https://nalsa.gov.in/about-us>.

4 Also known as the 2002 Godhra train burning case that occurred in Gujarat. For more information, read What is the 2002 Godhra train burning case?, *The Indian Express*, <https://indianexpress.com/article/what-is/what-is-godhra-case-gujarat-riots-sabarmati-express-narendra-modi-4881537/>.

5 Text from Aad: Film by Centre for Social Justice on social issue of Witch hunting in Dangi Dialect, [www.youtube.com/watch?v=-rKB2lmV2HU](http://www.youtube.com/watch?v=-rKB2lmV2HU).

6 Centre for Social Justice YouTube channel:

“Aad” - film by Centre for Social Justice on social issue of Witch hunting in Dangi Dialect, [www.youtube.com/watch?v=-rKB2lmV2HU](http://www.youtube.com/watch?v=-rKB2lmV2HU).

“Bhage Padti Bhoye” - Gujarati film on Women Land Rights, [www.youtube.com/watch?v=uaMGN2uvvuw](http://www.youtube.com/watch?v=uaMGN2uvvuw)

“Bharan Poshan” - Maintenance Right #Women\_Rights #fundamental\_rights, [www.youtube.com/watch?v=3B8l\\_gHjKsE](http://www.youtube.com/watch?v=3B8l_gHjKsE)

7 For more information on YPPLE, see its 2023 brochure, [www.centrefor-socialjustice.net/wp-content/uploads/2023/02/ypple\\_brochure\\_2023\\_24.pdf](http://www.centrefor-socialjustice.net/wp-content/uploads/2023/02/ypple_brochure_2023_24.pdf).

## **Annex A. Stakeholders**

### **1. Trainers**

Internal: Apart from the pool of people in the RaCB unit and the Rehbar group, other members of the operational units also fall into this category. The CSJ's mandates require the conduct of capacity-building activities at the local level and to support the members of the operational units, CSJ conducts training sessions for trainers.

External: These include resource persons in the field, who have specialized information and engagement with laws and the legal system. They are invited to join the training activities of CSJ.

### **2. Recipients**

#### *Volunteers*

They are CSJ's connection to communities the organization works with. They primarily help in identifying issues relevant to the community. Thus, it is essential for them to develop an understanding of vulnerability and the rights framework CSJ focuses on.

(note: please add info on who are the volunteers and how are they recruited.)

#### *Internal Paralegals*

CSJ works on the lawyer-paralegal framework. Under this framework, paralegals compose the group of individuals who have been associated with the organization for a certain period and reflected a desire and competence to work in the field of access to justice since they were volunteers. They are expected to have a skill set which contributes to the work of the unit. In addition to having an identity in the community, they should aid the litigation and advocacy work being carried out by CSJ.

#### *External Paralegals*

They are paralegals associated with different outfits (institutions? organizations?) but work on the access to justice framework, i.e., use law to further their work. The capacity-building initiatives directed at them respond to the demand from the target group, or a result of the environment mapping undertaken by the RaCB unit. The specific objective of this program is determined using processes mentioned above.

#### *Internal Lawyers*

They are lawyers who work with the organization on interventions. CSJ assesses their needs and then designs the capacity-building activities for them.

*External Lawyers*

This is either the outcome of specific demands of target groups or identified by mapping the environment. They serve to add to the pool of social justice lawyers that CSJ is continually building.

*Organizations*

This includes organizations doing similar work, or those that need assistance in understanding laws to further their work.

*Public Representatives*

Since the organization has worked with legal systems to further access to justice, there are representatives at every level that constitute an important element when building capacity.

**Annex B. Architecture of CSJ***RaCB Unit*

It is the responsibility of CSJ's research and capacity-building unit to periodically assess internal training needs and mapping the environment to identify external capacity building requirements. The unit is also responsible for creating materials in addition to scheduling and organizing training events.

*Rehbar*

*Rehbar*, meaning "guide," is a virtual group to help implement the vision, strategic orientation and values of the organization. Rehbar is a group of individuals who have been trained by the organization and display an interest in continuing their association. Its members include:

- The young professionals for legal empowerment;
- The anchors from respective units who act as liaisons between the RaCB and field units;
- Consistent members assigned to each unit for regular hand-holding;
- Subject experts invited for specific inputs.

Each unit has been provided a dedicated person to hand-hold them through their journey. This reflects a flexible support model where trainers are expected to oversee the output of the operational unit in terms of the quality of legal aid and litigation undertaken, identify gaps, and offer support in terms of experience, practicality and innovation in strategies.

### *Local Systems*

In order to contextualize capacity-building, operational units are expected to conduct periodic reflection meetings. These reflection meetings encourage analysis of issues and laws where they originate. These meetings involve peer-learning practices and inputs from persons who are well versed with local laws.





# Training and Education for Human Rights at Mwatana-Yemen

Mwatana for Human Rights

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**T**HE BIRTH OF THE REPUBLIC OF YEMEN in 1990 led to the establishment of a constitution articulating the importance of democracy, political pluralism, freedom of the press, and the emergence of civil society organizations and unions. The government however became authoritarian and tried to control this emerging field by limiting activities and impact to prevent creating a “formal” democratic experience. Despite these repressive measures, many of the structures remained and the voices of organizations continued struggling to expand freedoms and defend democracy and human rights under an undemocratic Yemeni regime.

Sixteen years after the birth of the Republic of Yemen, the 2006 presidential election was held. This election was one of the most important landmarks in the emerging Yemeni democracy. During this time, two experienced human rights defenders, Abdulrasheed Al-Faqih and Radhya Al-Mutawakel, met. They agreed to establish a civil rights organization that would work to promote human rights and freedom. This organization was named Mwatana for Human Rights (Mwatana).

They tried to register the organization with the government in early 2007 but the Ministry of Social Affairs and Labor refused to grant the permit due to their past human rights work, which encompassed working to rectify human rights violations against the peaceful Southern Movement, during the Saada wars, and generally of supporting press freedom. In one attempt to obtain the permit, a government official said,

even if you come trying to establish a dancing group, you will not be given the permit. These are orders from above.

Despite this, they continued their human rights advocacy, eventually establishing relationships with international organizations such as Human Rights Watch, Amnesty International, and Open Society Foundation. Through these experiences, they were exposed to various mechanisms in human rights work such as monitoring and documenting violations under international humanitarian law and international human rights law.

Their exposure to these pioneering international human rights strategies reinforced their conviction that Yemen needed a Yemeni human rights organization that would work with human rights standards and mechanisms. They imagined an organization that enjoyed independence, competence, commitment, and faith towards rights causes, free from professional and institutional barriers that weakened civil society and reduced its impact. They felt that the organization should work within a victim-centered framework with staff of both genders handling various cases. It should be governed by clear policies, procedures, and rules of conduct with a focus on achieving impact in the short, medium and long terms. It should be committed to specialization within clear and strict limits, and avoid confusing political work with other related fields on one hand, and the human rights field on the other hand.

They learned about the standards and mechanisms for documenting human rights violations within the framework of international humanitarian law and international human rights law through their work with various international organizations. They understood the importance of information for any human rights action aiming to protect victims and achieve justice.

As a result, field investigations subscribing to professional standards became the base of Mwatana's efforts in advocacy, accountability, awareness-raising, training and legal support.

During this time, many questions came up. The most prominent question, however, was what new and different human rights work Mwatana could offer in Yemen. Reaching a final answer to this question required a number of years and several important events and transformations within Yemen.

The most prominent of these events was the Arab Spring. In Yemen, the protests began in early 2011, aiming to overthrow the regime of President Saleh. The protesters involved in the demonstrations faced widespread human rights violations under conditions of severe political polarization. That period tested the competence and independence of the existing Yemeni human rights and civil rights organizations and revealed an urgent need for new human rights, civil rights, and media actors who would maintain their stance and responsibilities under any circumstances.

In April 2013, Mwatana finally obtained its permit and was able to expand its institutional capacities and intensify its activities. It also adopted

a Code of Conduct as standard of behavior and ethics for all levels of the organization to achieve a high level of efficiency and professional work in promoting and protecting human rights in accordance with international laws, customs and standards relevant to the field of human rights work.<sup>1</sup>

Fieldwork research is the cornerstone of all activities of Mwatana and their outcomes are used and reflected in Mwatana's publications and other materials as well as in its lobbying, advocacy, accountability, and legal support work.

### **Vision, Mission and Objectives**

Mwatana adopted the following vision and mission statements:

#### **Our Vision**

A society where justice and full access to rights is guaranteed to everyone.

#### **Our Mission**

Mwatana advocates for human rights through the verification and documentation of violations, provision of legal support to victims, lobbying, as well as awareness-raising and capacity-building.

Mwatana aims/strategic goals:

- To contribute to the creation of a database on human rights violations;
- To exercise pressure towards ensuring redress for victims of human rights violations and accountability for violators;
- To create an environment of awareness of the culture and principles of human rights;
- To build and strengthen the capacities of the most interested and influential groups in the field of human rights.

### **Programs and Activities**

Mwatana has been implementing several programs and activities including the following:

- **Monitoring and Documentation:** Mwatana undertakes field visits and research on incidents of human rights violations, takes the

testimonies of witnesses, scrutinizes and studies the pieces of evidence in accordance with local and international laws. The data collected is then used in the production of statements, reports, letters or short films that include summaries, recommendations, and demands;

- **Studies and Research:** Mwatana conducts research studies regarding human rights issues that aim to obtain a clear understanding of the research subjects in order to diagnose the issue and find solutions;
- **Legal Support:** Mwatana provides legal assistance to the victims of human rights violations in their cases before the relevant courts, public prosecution offices and other law enforcement agencies by deploying professional and qualified lawyers;
- **Accountability and Redress:** Mwatana seeks opportunities for international criminal accountability for all violators under international criminal law in order to provide redress for the victims. Mwatana keeps track of precedents in various countries and international mechanisms and files complaints where appropriate. In collaboration with other international organizations, Mwatana has filed a criminal complaint, submitted a communication with the Office of the Prosecutor of the International Criminal Court, and filed a legal intervention;
- **Advocacy and Lobbying:** Mwatana lobbies relevant competent authorities through a specialized panel for advocacy to consider, accept and implement the recommendations and demands made in the studies and researches it conducted;
- **Awareness-raising:** Mwatana strives to raise awareness among people regarding their rights through different awareness-raising activities using modern tools that include films, the effective use of social media, brochures, and booklets. Such work is done to best serve the causes Mwatana works on;
- **Training and capacity-building:** Mwatana works on training qualified human rights workers and equip them with the necessary skills in order to work on human rights issues objectively and more effectively.

Mwatana has this core belief and mandate: “Accurate information is power.” This led it down the path of documentation and field research. Mwatana researchers conduct in-depth investigative fieldwork across all Yemeni governorates to uncover human rights violations, raise victims’ voices, and build a Yemeni human rights database as basis for accountability and redress.

## Work Units

Mwatana carries out fieldwork through its Research and Studies and Legal Support units. It has several other units namely, Accountability and Redress, Media and Communications, Advocacy, Projects and Programs Management, Evaluation, Monitoring and Learning Management, Finance Management, Human Resources and Operations Management, and Data and Information Management. Mwatana is also working on establishing an eleventh unit: a training unit that will eventually become the nucleus of Mwatana Academy.

The results of the investigative research are subject to several rounds of review and scrutiny by specialists and experts. Mwatana uses the research data to produce reports, studies, statements, blogs, letters, and human rights documentaries.

Mwatana has been recognized for the accuracy of information in its documentation of human rights violations. Many international platforms, including the United Nations Monitoring and Reporting Mechanism (MRM) on six grave violations against children in armed conflict, the United Nations Group of Eminent Experts formed by the Human Rights Council, and various international media outlets have used the reports of Mwatana.

## Publications

Mwatana produces a number of materials: press statements, reports, studies, articles, blogs and videos.<sup>2</sup>

Mwatana published more than one hundred human rights press releases addressing events that occurred during the war and its aftermath in Yemen.

In 2023, Mwatana published two important reports, namely, *False Exonerations* (November 2023) and *Transit in Hell* (December 2023).

In *False Exonerations*, Mwatana rigorously examined the conclusions and findings adopted by the Joint Incidents Assessment Team (JIAT) regarding the Saudi/UAE-led Coalition's attacks including seventy-nine airstrikes.<sup>3</sup> The report scrutinized the Coalition's adherence to international humanitarian law in its airstrikes and identified the civilian damages caused. It challenged the accuracy, credibility, and reliability of the conclusions and findings published by JIAT. It questioned JIAT's methodology and field investigation, even if they met minimal investigation standards. Based on documentation of its independent field researchers trained in accordance with the best international standards, Mwatana concluded that the Coalition's attacks on civilians and civilian objects must be regarded by the Coalition as violations of international humanitarian law. The Coalition should also take action to redress the victims and hold those responsible accountable.

*Transit in Hell* is a review and discussion of the horrific violations targeting African migrants during their journey across Yemeni territory.<sup>4</sup> This report highlights the violations faced by African migrants in Yemen by shedding light on the abuses and those responsible for them, and conveying a true picture of the suffering experienced by this vulnerable group. African migrants are one of the most fragile and marginalized sectors of Yemeni society, lacking the means to express their suffering and being exposed to various violations. This reality makes them a forgotten community, with their suffering often invisible to many. In other words, this report represents an attempt to convey the voices of migrants, expose their tragedies, and uncover the violations committed against them by the conflicting parties. It not only presents findings on these issues, but also discusses ways to alleviate their suffering and contribute to solving their problems and holding violators accountable through a series of recommendations. Mwatana documented all violations regardless of the perpetrator. In the report, Mwatana documented one hundred twelve incidents involving violations perpetrated against African migrants by the parties to the conflict in Yemen as well as abuses by human trafficking and smuggling gangs. These documented incidents include thirty-two incidents committed by the Ansar Allah (Houthis) armed group, forty incidents committed by Saudi/JIAT-led coalition forces including thirty-six incidents committed by Saudi border guards, ten incidents by Southern Transitional Council (STC) forces in their various formations, and six incidents committed by forces of the internationally recognized govern-

ment. Human trafficking and smuggling gangs operating in areas controlled by different conflict parties bear responsibility for twenty-four incidents.

Mwatana and partners issue different reports.<sup>5</sup> They also issue some studies such as the following:

- *Dynamics of Repression and Challenges*, 2023
- *Study on the Situation of Detention Centers in Yemen*, 2019
- *War of Ignorance - A field study of the impacts of armed conflict on access to education in Yemen, 2020-2021*
- *Courts for Abuse - A Case Study of Yemen's Specialized Criminal Courts*, 2015 - 2020
- *Fragile Walls - A study of domestic violence against women during the war in Yemen - 2014-2021*
- *Colored Coffins - recruitment and use of children soldiers in the armed conflict in Yemen - 2013-2018.*

## Videos

Mwatana produces videos to highlight patterns of violations. The videos include documentary films, awareness films, interviews with Mwatana team, and visual content that highlight its work.<sup>5</sup>

## Human Rights Education

Mwatana has for several years been building a professional team that works in accordance with high international standards in the field of human rights. Therefore, another important component of Mwatana's work is to build a community of effective human rights professionals.

Mwatana designed its courses and work environment as open workshops that have helped dozens of young women and men hone their knowledge and skills. The courses necessarily constitute a qualitative source of knowledge and skills for human rights work in the future, both within and outside Mwatana.

Mwatana promotes awareness of human rights values and issues to help create a culture of human rights (that includes opposing their violations) through positive communication with the public on various social media platforms. It engages continuously in constructive discussions with actors who influence the human rights situation in Yemen through available ad-



vocacy and pressure mechanisms (local and international). Furthermore, it creates strong partnership and cooperation with various parties and institutions that adhere to high professional and objective standards in order to convey the voices of victims of human rights violations in Yemen to active and influential parties. It also works to enhance its communication with the public by various means, and welcomes suggestions, observations, and questions with openness and positivity.

Mwatana aspires to create a generation of professional workers committed to the highest standards of human rights work. Therefore, it builds the capacities of its workers as well as those of other organizations through quality and specialized trainings. Mwatana's workers receive periodic training on the foundations and standards of research and investigation, legal support, advocacy, communication, accountability, and redress. The training includes the latest tools for documenting human rights violations; and periodic review, evaluation and verification of documentation mechanisms to ensure quality work, accuracy, adherence to the highest professional and objective standards, and effectiveness in achieving the desired impact.

### **Capacity-building and Trainings**

Mwatana seeks to educate and raise the awareness of people in the tribal societies of Yemen on their rights and how to defend those rights despite the lack of formal education system and implementation of national laws in the areas of tribal societies.

Due to this important concern, Mwatana made significant impact during the previous years, including building the capacity of local activists in defending human rights, raising and conveying victims' voices and messages to proper authorities, and documenting human rights violations in order to hold the violators accountable and seek justice for victims.

The main work of Mwatana depends on investigative field research done by its well-trained and qualified teams. The members of these teams had undergone different training sessions by specialized experts from Mwatana as well as by other local and international specialists. As a result of the experience gained over the years, Mwatana always responds positively to changes in the work environment and strives to enhance its capability and effectiveness.

Mwatana's teams provide workshops at the national and international levels. These workshops contribute to the development of Mwatana's technical and administrative work and are reflected on the skills of members of the teams.

Mwatana also holds workshops and awareness sessions for large and diverse sectors of society, including university graduates, journalists, media figures, lawyers, human rights researchers, workers in civil institutions and organizations, judges, professors in universities and schools, as well as community activists.

### **Training workshops**

Mwatana has provided training to different sets of people it works with including its own staff (consisting of those in the central office [central team], field lawyers, field researchers/data collectors/field monitors), trainees, members of community committees, NGO activists and representatives, and government officials.

The following section presents the training activities held from 2019 to 2023 for different groups.

#### **a. Members of the central team of Mwatana**

Mwatana held workshops on

- Provision of legal support services with more focus on developing mechanisms for documentation and follow-up (September 2019, five-day workshop for ten participants);
- Modes of liability, legal analysis and the required level of evidence for criminal litigation, international criminal law chapeau and elements of crime, and practical challenges on using evidence in Yemen (September 2021);
- Developing documentation forms for new patterns of violations, transferring the experience gained from the training and other courses to the rest of the central team, and working on solutions to gaps on field work (February 2021, twelve members of the central team);
- Interpersonal and business communication skills (November 2022, twenty central team members);



Workshop on strategic planning , August 2022.

- Practical guide to strategic planning in preparation for the development of a strategic plan of Mwatana (August 2022, twenty-five central team members);
- Research methods in the social sciences and humanities, trainees' skills in the field of research (October 2022, twenty-eight central team members);
- Digital data security (October 2022, four members of Information Technology and Data Management team);
- How to analyze war crimes and crimes against humanity, framework for gathering evidence of international crimes (focus on unlawful attacks), individual criminal responsibility (focus on chain of command) (May 2022, ten central team members);
- Documentation for accountability purposes and building files (March 2023, five-day online training workshop for the Legal Support and the Accountability Units).

#### b. Field lawyers

##### Mwatana held workshops on

- Legislations of Yemen, and concepts and case studies of arbitrary detention, torture, forced disappearance, and extrajudicial killing (October 2019, twenty field lawyers based in fifteen governorates);
- Skills on extraction of information consisting of interview and preparation of documentation reports. It also focused on expanding the field of lawyers' skills by covering the basic requirements of advocacy and accountability work (October 2020, seventeen field lawyers based in fifteen governorates);
- Enhancing the field lawyers' knowledge on the tools for scientific research and collecting data. The sessions were assisted by ICRC and law-





Workshop on tools of scientific research and data collection, October 2021.





yers who had long experience in providing legal support. (October 2021, five-day training workshop for eighteen field legal support assistants).



Workshop on reviewing the performance of the legal support field team, October 2022.



Workshop on reviewing the performance of the legal support field team, October 2022.

- Reviewing the performance of the legal support field team (October 2022, seventeen field legal support assistants from different governorates).

c. Field researchers/data collectors/field monitors

Mwatana held workshops on

- Skills on different topics including international accountability mechanisms, and impartial and independent international mechanisms (September 2019, twenty-seven field monitors from different governorates);
- Use of open online sources for investigation purposes, how to monitor and deal with sexual and gender-based violence (SGBV) cases, and the concept of genocide and war crime (September 2020, twenty-seven field monitors);



Workshop on difficulties and challenges faced by field monitors, January 2020.

- Identifying the difficulties and challenges faced by field monitors, guidance on how to solve them, sharing among field monitors of their own experiences, and enhancing their monitoring skills on certain patterns of violations. (January 2020, twenty-seven field monitors);



Workshop on methodology on data collection, June 2022.





Workshop on methodology on data collection, June 2022.



- Different topics related to human rights violations and new investigation tools with practical exercises on what they had learned (March 2021, twenty-four field monitors);



Workshop on accountability mechanisms and the International Criminal Court (ICC), March 2022.



Workshop on accountability mechanisms and the International Criminal Court (ICC), March 2022.



- Methodology on data collection, sampling of target groups for civic space study, and how to conduct successful interview. (June 2022, thirteen data collectors from different Yemeni governorates);



Workshop on understanding the situation in the field, March 2022.



Workshop on understanding the situation in the field, March 2022.

- Various topics such as aspects of accountability mechanisms and the International Criminal Court (icc) (March 2022, twenty-four field researchers from different Yemeni governorates);



Workshop on human rights principles, November 2021.



Workshop on human rights principles, November 2021.



- How to improve work, and understanding the situation in the field (March 2022, field researchers of the Research and Studies Unit including eighteen trainees, both male and female).



Workshop for data collectors, February 2023.



Workshop for data collectors, February 2023.



d. Community committees

Mwatana held workshops on

- Human rights principles (November 2021, sixteen male and female community members from different areas and governorates);
- Twenty-four data collectors in two training workshops under a UNICEF project (first group on 12 – 14 February 2023, and the second group on 19 – 21 February 2023).

e. Awareness sessions for trainees

Mwatana held training workshops and awareness sessions for trainees from the civil society. The sessions were held as part of different projects:



Workshop on monitoring and reporting documentation 1, January 2023.



Workshop on monitoring and reporting documentation 1, January 2023.

- Workshop on human rights work and principles consisting of four sessions with twenty-two trainees in each session for a total of eighty-eight participants from all governorates including lawyers, activists, engineers, teachers, and journalists held on 22, 23, 28, 29 November 2023;



Workshop on monitoring and reporting documentation 2, February 2023.





Workshop on monitoring and reporting documentation 2, February 2023.



Workshop on monitoring and reporting documentation 2, February 2023.

- Human Rights Capacity-Building Programme (HURICAP) project, Monitoring and Reporting Documentation 1 on the draft guide for monitoring and documenting human rights violations for sixteen male and female trainees from Sana'a held on 22-26 January 2023.
- Human Rights Capacity-Building Programme (HURICAP) project, Monitoring and Reporting Documentation 2 on a draft guide for monitoring and documenting human rights violations, for fifteen male and female trainees from several governorates held on 19 – 23 February 2023;
- German Embassy project on United Nations mechanisms for eleven male and female trainees from areas under the control of the Ansar Allah-Houthi held on 18 – 22 June 2023;



Workshop on German Embassy project, September 2023.

- European Union project on monitoring and documenting and United Nations mechanisms for twelve male and female trainees from several governorates held on 6-10 August 2023;
  - German Embassy project in cooperation with Pass Foundation for twelve male and female trainees from areas under the control of the internationally recognized Yemeni government (Aden, 10-14 September 2023);
- f. Activists and representatives of civil society organizations (CSOs)/ community activists from different non-governmental organizations (NGOs) Mwatana held workshops on





Workshop for activists and representatives of civil society organizations.



Workshop for activists and representatives of civil society organizations.

- Basic information about human rights, monitoring and reporting mechanism, skills on investigative research work (March 2019, twenty-four community activists from different NGOs from fifteen governorates).
- Monitoring human rights violations, monitoring and reporting mechanism and detailed documentation forms (July 2019);
- Starvation as a war tool, types of evidence used to monitor this phenomenon, basic verification criteria, and other related topics (February 2020, several activists and representatives of CSOs);
- Basic human rights (16-17 September 2023 for twelve male and female trainees from areas under the control of the internationally



recognized Yemeni government). This workshop was held in Aden Governorate under the German Embassy and the European Union projects.

g. Government officials

Mwatana held a training workshop to develop the capabilities and skills of members of a team, sixteen male and female officers, in the Ministry of Human Rights in Sana'a governorate (13-16 August 2023).

## Public events

At the end of each year, Mwatana organizes an online event as part of its annual briefing on various violations committed by all parties to the conflict that have been documented by Mwatana field team during the year.

As part of the annual briefing, the documented violations are disseminated to all audiences including activists, journalists, those interested in the human rights and humanitarian situation, and to the parties to the conflict.

This annual briefing has continued till the present and is followed by an annual report for each year.

Annual briefings held over the last three years:

- Continued Violations During 2023<sup>6</sup>
- A Dark Year Despite the Truce, 2022<sup>7</sup>
- A New Year Added to the Age of Bloody Conflict, 2021.

Annual reports issued during the last five years:

- *Continued Violations During*, 2023<sup>8</sup>
- *Tragedy Until Further Notice*, 2022<sup>9</sup>
- *A Country Falling Apart*, 2021<sup>10</sup>
- *A Tragedy Without Justice*, 2020<sup>11</sup>
- *Without Accountability*, 2019<sup>12</sup>
- *Withering Life*, 2018.<sup>13</sup>

Also, Mwatana holds periodic online forums with experts and specialists in international law and human rights law from Yemen and other countries, discussing important issues related to the field of human rights work. These forums are meant to raise the human rights awareness of the public.

## **Training and Capacity-building Unit**

The Training and Capacity-building Unit of Mwatana is a new unit that started to operate in 2023. This training unit cooperated with the Research and Study Unit in preparing a research and documentation manual/guide-line on the process of doing research and documentation.

The training program of this unit covers the first receipt of initial information, and the process of monitoring, verifying, documenting, gathering interviews and evidences at the field level. It includes the explanation of the main process of information verification and all the methods used for confirmation of information till their use in human rights statements and reports, etc.

This training unit is cooperating with an external consultant in developing an internal manual on the work processes of the Legal Support Unit at Mwatana.

## **Future Activities**

Early this year (2024), the Training and Capacity-building Unit held its annual comprehensive meeting for all members of the field teams (researchers of the Research and Studies Unit and lawyers of the Legal Support Unit) and the central team to discuss the previous year's work and the current year's work on all projects.

In March 2024, the Training and Capacity Building Unit at Mwatana held meetings with an external consultant to prepare a technical manual for the Legal Support Unit for the coming training sessions. The training unit will be organizing more training activities within the current projects, including training for the field support team on providing legal support to victims of human rights violations, five awareness-raising sessions for several groups in local communities, a capacity-building training workshop for CSOs and human rights defenders, and a six-month fellowship program for two members of CSOs.

Within the current plan of the Training and Capacity Building Unit, Mwatana seeks to build capabilities in the field of human rights through a longer and more complete program consisting of a series of online courses on human rights knowledge and practical fieldwork. This will consolidate human rights knowledge and current experiences that are necessary to

building a generation of qualified human rights defenders in various regions of Yemen. A series of online courses will cover international humanitarian law, monitoring and documentation basics, the six grave violations against children in armed conflict, basics of advocacy, and writing humanitarian stories.

## Endnotes

1 For more information on the Code of Conduct, please visit this page: [www.mwatana.org/en/about/code-of-conduct](http://www.mwatana.org/en/about/code-of-conduct).

2 Some of the publications include:

Reports:

- *"Returned to Zero": The Case for Reparations to Civilians in Yemen*, June 2022
- *Civilians with disabilities caused by the armed conflict in Yemen*, February 2022
- *Arms sales: France and the United Arab Emirates, partners in the crimes committed in Yemen?*, December 2021
- *A Tragedy Without Justice - Human Rights in Yemen in 2020*
- *Without Accountability - Human Rights in Yemen in 2020*.

Several videos and virtual content produced while working in the field or in the center are available on a special section of its website in a special tab ([www.mwatana.org/en/videos?ffid5310\\_page=2](http://www.mwatana.org/en/videos?ffid5310_page=2)) and other online platforms:

- "Mwatana: Here is the Story" - [www.facebook.com/mwatanaen/videos/457742895698416](https://www.facebook.com/mwatanaen/videos/457742895698416)
- "Amputated Life" - [www.youtube.com/watch?v=TRpMRvqo28c&feature=emb\\_logo](https://www.youtube.com/watch?v=TRpMRvqo28c&feature=emb_logo)
- "Chalk Dust" - [www.facebook.com/mwatanaen/videos/1412747022547216](https://www.facebook.com/mwatanaen/videos/1412747022547216)
- "Indelible Scars" - [www.facebook.com/mwatanaen/videos/593337088799762](https://www.facebook.com/mwatanaen/videos/593337088799762).

3 Full report available at [www.mwatana.org/reports-en/false-exonerations](http://www.mwatana.org/reports-en/false-exonerations).

4 Full report available at [www.mwatana.org/reports-en/transit-in-hell](http://www.mwatana.org/reports-en/transit-in-hell).

5 The videos are listed at [www.mwatana.org/en/videos](http://www.mwatana.org/en/videos).

6 See [www.mwatana.org/posts-en/continued-violations-during-2023](http://www.mwatana.org/posts-en/continued-violations-during-2023).

7 See [www.mwatana.org/posts-en/annualbreif2022](http://www.mwatana.org/posts-en/annualbreif2022).

8 See [www.mwatana.org/posts-en/continued-violations-during-2023](http://www.mwatana.org/posts-en/continued-violations-during-2023).

9 See [www.mwatana.org/reports-en/Tragedy-until-further-notice](http://www.mwatana.org/reports-en/Tragedy-until-further-notice).

10 See [www.mwatana.org/reports-en/falling-apart-4](http://www.mwatana.org/reports-en/falling-apart-4).

11 See [www.mwatana.org/reports-en/a-tragedy-without-justice](http://www.mwatana.org/reports-en/a-tragedy-without-justice).

12 See [www.mwatana.org/reports-en/without-accountability-6](http://www.mwatana.org/reports-en/without-accountability-6).

13 See [www.mwatana.org/reports-en/withering-life2018-o](http://www.mwatana.org/reports-en/withering-life2018-o).

# National Human Rights Commission, India:

## Awareness and Advocacy Activities

Aparna Tiwari

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**T**HE NATIONAL HUMAN RIGHTS COMMISSION (NHRC) is an embodiment of India's concern for human rights. It was established under the Protection of Human Rights Act (PHRA),<sup>1</sup> 1993. Since its inception, the NHRC India has been consistently doing a pioneering work in the field of protection and promotion of human rights across the country. NHRC India discharges multifarious functions: examines and reviews the safeguards provided by the various legislations for the protection of human rights and recommends measures for their effective implementation; inquires into violations of human rights and recommends initiation of remedial proceedings; studies treaties and international instruments; periodically reviews existing policies, programs and makes recommendations for their effective implementation; undertakes and promotes research in the field of human rights; spreads human rights literacy and creates awareness of the safeguards available for the protection of these rights through publications, media, seminars and other available means.

Over the years, NHRC India has consistently emphasized the key features of human rights framework, which are principles of universality, non-discrimination and equality, principle of participatory decision-making, the notion of accountability and recognition of interdependence of rights, in the course of its advocacy on matters related to persons belonging to Scheduled Castes, Scheduled Tribes; rights of women, children, persons with disabilities, LGBTQI+; vulnerable minorities and other marginalized communities.

NHRC India meticulously addresses the significant human rights issues either by taking suo moto cognizance, or when brought to its notice by the civil society, media, concerned citizens, expert advisers, etc. Furthermore, NHRC India strives for comprehensive partnerships with key stakeholders such as the judiciary, police personnel, media, representatives of non-governmental organizations (NGOs) and civil society organizations, industry

and academia. It functions most notably through sponsoring research, conducting consultations, seminars, workshops, internships, training programs and publications.

### **Mandate of NHRC India for Human Rights Advocacy and Training**

Section 12 (g) to (h) of PHRA mandates the NHRC India to perform the following functions:

- (g) Undertake and promote research in the field of human rights;
- (h) Spread human rights literacy among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means;
- (i) Encourage the efforts of non-governmental organisations and institutions working in the field of human rights;
- (j) Such other functions as it may consider necessary for the protection of human rights.

Further, the 1987 Principles relating to the Status of National Institutions (The Paris Principles)<sup>3</sup> state that a national institution shall have the responsibility to publicize human rights and efforts to combat all forms of discrimination, in particular racial discrimination, by increasing public awareness, especially through information and education and by making use of all press organs.

NHRC India uses a wide range of measures to discharge the function of human rights advocacy and education. Prominent among them are flagship training programs, conferences, seminars, workshops, media interactions, publications for education, outreach programs, etc.

In order to discharge these functions, NHRC India has a dedicated training division which is responsible for spreading human rights literacy among various sections of the society. As such, it trains and sensitizes various government officials and functionaries of the State and its agencies, non-government officials, representatives of civil society organizations and students on different human rights issues. For this purpose, it collaborates with the Administrative Training Institutions/Police Training Institutions

and Universities/Colleges, Education boards, Civil Society Organizations/ Non Governmental Organizations, etc.<sup>3</sup>

### Human Rights Education through Publications

Dissemination of human rights information and knowledge through publications is one of the prominent methods adopted by NHRC India. It publishes various priced and non-priced publications specifically designed to raise awareness regarding human rights among stakeholders, academia, public servants and the general public. NHRC India's publications cover a range of topics including Rights of Children, Criminal Justice system, Mental Health, Women's rights, Rights of Migrant laborers, etc. They also consist of some of the important guidelines, interactions, Annual Reports, various Standard Operating Procedures (SOPs), etc. Some of the prominent publications of NHRC India include *Handbook on Bonded Labour*,<sup>4</sup> *The Coasts, the Fish Resources and the Fishworkers' Movement*,<sup>5</sup> and *Human Rights Best Practices Relating to Criminal Justice in Nutshell*,<sup>6</sup> etc., among many others.

In the series of publications, the NHRC India has come up with a unique concept of *Know Your Rights*<sup>7</sup> series of booklets on International Human Rights Conventions, Shelter, Manual Scavenging, Bonded Labor, Child Labor, Sexual Harassment of Women at the Work Place, Rights of Persons with Disabilities and Human Rights & HIV/AIDS. Interestingly, these publications are also available in several vernacular languages such as Hindi, Telugu, Tamil, Malayalam, Kannada, Marathi, Assamese, Urdu, Punjabi, Bengali, Gujarati, Oriya, Nepali and Manipuri. Publishing them in major vernacular languages enhances the accessibility of information to the masses from far flung areas and maintains India's unity in diversity.

### MARG Booklets

The NHRC India undertook a project with the Multiple Action Research Group (MARG), an NGO working for legal empowerment of the vulnerable and the marginalized, to develop twenty-seven booklets on specific rights issues to generate awareness of human rights in the society. Each booklet of the series seeks to give information about a specific right and the remedies available for redressal of violations thereof. The booklets have been structured to deal with appropriate attitude towards the issue (respect for the right), explanation of rights (knowledge of law) and tips on how to use the

law (knowledge and skills to secure rights). These booklets are easy to use and accessible even to those with basic literacy skills. Booklets in the series have already been published in English and have been widely circulated to school education boards, stakeholders, and the general public.<sup>8</sup>

The booklets for ten subjects with a human rights perspective are the following:

- *Rule of Law*
- *Accessing Remedies in Law*
- *The Right to Information*
- *The Juvenile Justice Act*
- *Fundamental Rights and Directive Principles*
- *Child Labour and Child Marriage*
- *International Human Rights Covenants and Conventions*
- *The Right to Education*
- *The Criminal Justice System*
- *Protection of Children from Sexual Offences (POCSO).*



MARG booklets on human rights issues (Image credit: *Human Rights Newsletter*, vol. 26, no. 5, May 2019 edition<sup>9</sup>)

## Journals

NHRC India, in fulfilling its statutory responsibility of spreading human rights literacy among various sections of society and promoting awareness of the safeguards available for the protection of these rights, has been publishing the *Annual English Journal*<sup>10</sup> and *Annual Hindi Journal* titled *Nae Dishae*<sup>11</sup> (Know your rights). The first English journal was published in 2002 while the first Hindi journal was published in 2004. These journals have brought together research and opinions from various subject experts, scholars, practitioners, activists, jurists, public servants, rights defenders and distinguished domain experts.

## Seminars, Workshops and Conferences

NHRC India has been actively promoting a culture of human rights awareness and education by conducting workshops, seminars, and conferences. These activities aim to not only take up pressing human rights issues and present recommendations but also sensitize the general public about the basic human rights principles and standards. Through these means NHRC India has been able to empower individuals with knowledge about their rights and encouraged them to stand up against human rights violations. The activities are also useful in fostering a culture where human rights are respected and society and individuals have sound understanding of human rights and informed of human rights initiatives. Some of the recent activities of NHRC



NHRC INDIA's National Conference on "Moving Mental Health Beyond Institutions". (Image credit: NHRC Twitter account @India\_NHRC)



India include National Conference: Human Rights in Indian Culture and Philosophy, National Conference on Child Sexual Abuse Material (CSAM) and National Conference on “Moving Mental Health Beyond Institutions,” etc., among various others.

### Human Rights Trainings

NHRC India collaborates with many administrative training institutions for public servants set up by Central and State Governments, including the police training institutions, to hold training/sensitization programs on human rights issues. Members and officers of the NHRC India lecture at these institutes as part of ongoing interaction with members of the bureaucracy and police forces at all levels to inculcate a rights-based approach to public service. NHRC India collaborates with a large number of universities and colleges for sensitization of faculty members as well as students on human rights issues. In addition, it also partners with several NGOs and funds them to organize such human rights training and advocacy programs. In addition, it recently initiated residential training of the trainer course at its premises to train the police personnel and Central investigative agencies as these agencies play a crucial role in the protection of human rights of people at the grassroots level.



NHRC, India's 2nd one-week Residential Training of Trainers course for officers of Central Armed Police Forces (CAPFs) and various Central Investigation Agencies. (Image credit: NHRC Twitter account @India\_NHRC)

## **Course on Human Rights**

In order to reach out to the broadest possible audience, NHRC India in collaboration with National Law School of India University (NLSIU), Bangalore, uploaded a twelve-week Human Rights Online Course with four credits (Transferable) for undergraduate students on Swayam Online Portal of the University Grant Commission (UGC). NHRC India and NLSIU collaborated on unique online courses called Massive Open Online Courses (MOOC).<sup>12</sup>

The Course, videos, and materials have been put together by fifteen Faculty Experts from NLSIU. The topics discussed under the different modules reflect international mandates, national legislations, constitutional perspectives, comparative jurisdictions (which require a special reference), implementation mechanisms, etc. The topics covered relate to many important components of society, including the rights of the marginalized, including women, children, the elderly, workers, transgender people, refugees, etc., The Course follows a combination of discussion of theory, critical thinking, and problem-solving. Lectures and self-learning activities are included in the courses.<sup>13</sup>

## **Human Rights Internship Programs**

NHRC India holds short internship program in alternative months throughout the year and month-long winter and summer internship for undergraduate and postgraduate students from various streams across the country. During the internship program, the students are exposed to lectures and discussions on various human rights issues. They are taken on field visits to police stations, prisons, and NGOs for exposure. In these internships, NHRC India invites experts from various sections such as senior Officers of Government of India, academicians, Human Rights Defenders, Special Rapporteurs, Monitors, and representatives of eminent NGOs, Thinkers, etc. to address and interact with the students. In addition to giving hands-on experience, the students do field visits to Central Jail, District Jail, Police Stations, NGOs and Shelter Homes and Deemed Commissions.<sup>14</sup> The interns are also assigned to various Divisions of the NHRC India, and given project assignments on different aspects of human rights situation in the country to research and report on.



Visit of the interns of NHRC's month long winter internship program to Delhi's Tihar Central Jail. (Image credit: NHRC Twitter account @India\_NHRC)

During the COVID-19 pandemic, the short-term internship program of NHRC India successfully shifted to online mode which also resulted in maximum geographical coverage as it allowed students from far flung areas to participate easily.

### **Harmonization of International Treaties and Conventions with Domestic Laws: Comparative Studies by NHRC India**

The Protection of Human Rights Act, 1993 mandates NHRC to study treaties and other international instruments on human rights and make recommendations for their effective implementation. Accordingly, the NHRC India has undertaken harmonization of two United Nations treaties with domestic laws of India. The study on the United Nations Convention on the Rights of the Child (UNCRC) was conducted between 2017 and 2019 ti-

tled as *The United Nations Convention on the Rights of the Child (UNCRC) & Indian Legislations, Judgments & Schemes: A Comparative Study* By NHRC<sup>15</sup> and United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) titled as *Women's Rights in India: An Analytical Study* (2021).<sup>16</sup> For each study, a sub-committee consisting of subject experts, academicians, government representatives, Human Rights Defenders was formed. These committees held various consultations over the years to complete the studies. These comparative studies identified the gaps in implementing the UNCRC and CEDAW with respect to the Indian legislations, policies, schemes, judgments, and guidelines.

### Awareness through Media

NHRC India has been successfully using media as a tool for advocating for change, and ensuring protection of human rights in the country. The media and communication division of NHRC India is responsible for dissemination of information through media on different issues and aspects of human rights by issuing press releases and publishing monthly newsletters<sup>17</sup> in English and Hindi and by regular tweeting about various activities of NHRC India through its Twitter handle @India\_NHRC. The monthly newsletter of NHRC India reports on its ongoing work, landmark judgments, compensation awarded and other major monthly activities.

NHRC India also organizes press conferences, interviews of the Chairperson, Members and senior officers with national broadcaster All India Radio (AIR), DD news and several other print and digital media organizations. These interviews are published in several Indian languages such as Marathi, Punjabi, and Urdu along with English for wider outreach.

NHRC award winning short film “Chirbhog” that highlights the caste discrimination in society.<sup>18</sup> (Image credit: NHRC Twitter account @India\_NHRC)



Film Competition” which aims at recognizing the creative efforts towards promotion and protection of human rights. These films are accepted in any Indian language with a subtitle in English. The best three selected short films are awarded and few others get special mention.

### **Exposure Visits to NHRC India**

One day or half-day exposure visit to NHRC India is a popular concept introduced for the students, faculty members, and officers of various colleges and universities across the country. These visits aim to introduce people about the functioning of the NHRC as well as make them become aware about the human rights situation in the country.



Exposure Visit of Students & Faculty Members of Department of Social Work, Voorhees College, Vellore, Tamil Nadu. (Image credit: NHRC Twitter account @India\_NHRC)

### **Review of the Human Rights Education Initiatives**

NHRC India has a comprehensive program on human rights awareness and advocacy. Numerous activities have been undertaken in pursuit of the need to protect and promote human rights across the country.

To illustrate, in 2023 NHRC India organized three short-term internship programs of fifteen days involving two hundred eleven students of various disciplines from universities all over the country as participants. In addition, there were two month-long winter internship programs with one hundred

thirty-three students in total and another month-long summer internship program with sixty-eight students participating.<sup>19</sup>

Throughout the year, NHRC India also organized twenty collaborative training programs with over a thousand participants in the states of Uttar Pradesh, Odisha, Tamil Nadu, Andhra Pradesh, Kerala and many others. These collaborative training programs have been organized through various academic institutions such as law universities, colleges and NGOs. In addition, over a thousand students of schools and universities have also visited NHRC India in order to have first-hand experience of its operations.

As a new element to its human rights advocacy and awareness program, training of trainers for police personnel and officers of the central investigative agencies was introduced in 2023. Two residential training activities were held for twenty-one and twenty-five trainers respectively belonging to Police Academies of states and Union Territories and Central investigative agencies.

Hence it is pertinent to state that NHRC India is expanding its human rights awareness and advocacy activities with commendable results after undertaking them through the years. But there are still some issues to overcome.

NHRC India implemented human rights awareness and advocacy programs and activities for students, bureaucrats and police personnel by involving various stakeholders such as academicians and government and NGO representatives. These activities and engagements are limited to the people belonging to the upper strata of society and specially those who can have easy access to NHRC India. In addition, the training and advocacy of human rights activities involved are short-term in nature and do not aim towards any holistic solution. For example, NHRC India organizes regular visit of students of schools and colleges to its premises. It is an excellent way of educating students about human rights, but it does not have massive impact on the students from all corners of the country. Therefore, there has to be continuous long-term efforts such as policy intervention on incorporating the discourse of human rights and introduction of NHRC India into the school syllabus, introducing professional degrees on human rights at tertiary levels, etc. This will help the students to become aware of human rights as citizens and stand for the rights of their own and their communities.



Further, to a certain extent, the awareness efforts of NHRC India also lack the direct and continuous engagement with communities and people to understand their specific human rights concerns and ways to address them. NHRC India is yet to introduce effective ways of reaching out to the masses of the society. The grassroots approach to advocacy efforts to address the unique challenges faced by different communities is yet to become part of human rights awareness and advocacy initiatives of NHRC India. The activities being done need to be taken to the districts, villages and rural communities, especially those of the marginalized and disadvantaged.

To translate this into reality, NHRC India has to strengthen its engagement with State Human Rights Commissions (SHRCs) and local self-governance system. India has a comprehensive framework of local self-governance in the country including the *Panchayati Raj* institutions and Urban Local Bodies as mandated by the 73rd<sup>20</sup> and 74th<sup>21</sup> constitutional amendments of 1993.

There are two major forms of local self-government existing in India, one in the urban areas (towns and cities where local self-governance is carried out by municipalities and corporations) and other in the rural areas (villages and *panchayats*). The primary objective of these local governance bodies is to promote local economic development, infrastructure development, social justice and ensure the proper implementation of various development programs. These local self-governments have been playing extremely effective role in the development of the country and in ensuring people's participation and democracy even at the remotest corners of the country. NHRC India may effectively utilize these local self-governance bodies for human rights awareness and advocacy. As local self-governments function on the ground, they are better equipped with knowledge of the realities, challenges and the strategies needed to overcome them. Hence, they may play extremely vital role in spreading human rights awareness and advocacy at grassroots level.

At present, India has over 260,000 Gram Panchayats or equivalent bodies.<sup>22</sup> NHRC India may design mass human rights awareness programs with training of representatives of these local self-government units in order for them to implement human rights awareness programs for the people in the districts, blocks, villages and communities. Since such mass human rights awareness programs may require expertise in implementation, the participation of grassroots NGOs and SHRCs is necessary. Under the PHRA, SHRCs

have similar function<sup>23</sup> of spreading human rights awareness and advocacy; hence, SHRCs along with the NGOs may act as the implementation and execution partners for such mass human rights awareness programs in their respective States. A comprehensive framework of this kind will ensure a strong reach of NHRC India at the grassroots level, along with having informed, sensitive and aware citizens of the country and a culture of human rights in the society.

## **Conclusion**

As per its mandate and resources, NHRC India has developed a comprehensive mechanism for promotion of human rights, spreading human rights awareness and literacy and human rights advocacy at every possible level through a number of initiatives. These initiatives have been extremely important and commendable to produce societal changes and as response to social reality for the realization of a sense of social justice for weaker sections of society. Through its training and advocacy efforts, NHRC India has been paving the way towards creating a society that values and protects the inherent dignity and rights of its people.

Article 1(2) of United Nations Declaration on Human Rights Education and Training reads,

Human rights education and training is essential for the promotion of universal respect for and observance of all human rights and fundamental freedoms for all, in accordance with the principles of the universality, indivisibility and interdependence of human rights.

In the Indian context, few of the considerable efforts for human rights education and literacy are seen as inculcating the ideas of Article 1(2), through the formal education system. But the success of such efforts at large scale level is still a distant reality and hence, there is a long way to go.

India being a diverse country of 1.4 billion people, reaching out to all of them and making them become aware about their rights and stand for their rights remains a challenge. In such a context, the role of institutions like NHRC India becomes extremely important.



## Endnotes

- 1 The Protection of Human Rights Act, 1993, [www.indiacode.nic.in/bitstream/123456789/15709/1/A1994\\_10.pdf](http://www.indiacode.nic.in/bitstream/123456789/15709/1/A1994_10.pdf).
- 2 Principles relating to the Status of National Institutions (The Paris Principles), [www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris](http://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris).
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- 6 *Human Rights Best Practices Relating to Criminal Justice in Nutshell*, National Human Rights Commission, [https://nhrc.nic.in/sites/default/files/Human\\_Rights\\_Best\\_Practices\\_Relating\\_to\\_Criminal\\_Justice\\_in\\_Nutshell.pdf](https://nhrc.nic.in/sites/default/files/Human_Rights_Best_Practices_Relating_to_Criminal_Justice_in_Nutshell.pdf).
- 7 Non-Priced Publications, National Human Rights Commission, [https://nhrc.nic.in/publication-non-priced?field\\_publications\\_type\\_tid=All](https://nhrc.nic.in/publication-non-priced?field_publications_type_tid=All).
- 8 NHRC releases booklets on ten subjects with a human rights perspective, National Human Rights Commission, [https://nhrc.nic.in/sites/default/files/2019\\_05\\_EN.pdf](https://nhrc.nic.in/sites/default/files/2019_05_EN.pdf).
- 9 *Human Rights Newsletter*, [https://nhrc.nic.in/sites/default/files/2019\\_05\\_EN.pdf](https://nhrc.nic.in/sites/default/files/2019_05_EN.pdf).
- 10 *Journal*, [https://nhrc.nic.in/sites/default/files/NHRC\\_Journal\\_V21\\_2022.pdf](https://nhrc.nic.in/sites/default/files/NHRC_Journal_V21_2022.pdf).
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- 12 For more information on MOOCs of National Law School of India University, Bangalore, visit <https://nludelhi.ac.in/moocs.aspx>.
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Human Rights Commission, India, <https://nhrc.nic.in/media/press-release/nhrc-selects-marathi-short-film-%E2%80%98chirbhog%E2%80%99-first-prize-rs-2-lakh-%E2%80%98enabled%E2%80%99>.

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# Pacific Campaign on Climate Change and Human Rights

## Pacific Islands Students Fighting Climate Change

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**I**N MARCH 2019, an idea was hatched in a classroom in Vanuatu to create a youth movement to address the serious impact of climate change in the Pacific. Twenty-seven University of South Pacific (USP) law students from eight Pacific Island countries decided to join together to begin a campaign to persuade the leaders of the Pacific Island Forum<sup>1</sup> to take the issue of climate change and human rights to the International Court of Justice (ICJ). This movement was named Pacific Islands Students Fighting Climate Change (PISFCC).

It now has members in every Pacific island country and from all levels of education, from primary and secondary schools to postgraduate university students.

Its core campaign remains convincing the governments of the world to seek an Advisory Opinion from the ICJ answering a question that will develop new international law integrating legal obligations around environmental treaties and basic human rights.

It is also committed to educating and activating all Pacific island youth to become aware and take action to help prevent and fight against climate change.

Four years later, on 29 March 2023, the United Nations General Assembly adopted the so-called ICJ Climate Resolution.<sup>2</sup> This article discusses how the campaign unfolded and continues to reach people in the Pacific Island countries.

### **Mission**

Since climate change now threatens to destroy Pacific homeland and cultures, PISFCC choose to use the passion and knowledge of its members to fight against climate change at every level - from the grassroots of our communities to the highest levels of national and international government.

As stated by Cynthia Houniuihi - President PISFCC,

Climate action for the Pacific is non-negotiable and we see naming and shaming as not progressive in this critical decade. Instead, our focus is on advocating for forward looking global solutions to accelerate climate action. One way of achieving this is to take climate change to the world's highest court - the International Court of Justice.

PISFCC believes that,<sup>3</sup>

although not legally binding, the ICJ opinion will provide activists with a tool to lobby states for meaningful climate action. A progressive opinion would empower them to confront climate risks that have fallen on “deaf ears” in the Global North, including loss and damage, North-South reparations, and climate migration.

## **Climate Change and Human Rights**

It is widely recognized that the climate crisis is going to have a significant effect on human rights. Climate change has been shown to exacerbate pre-existing inequalities and human rights challenges such as poverty, well-being, wealth inequality, gender relations, and many others.

As one of the most potent threats to the human rights of the people in the Pacific, they must address the climate crisis through the “human rights lens” to allow for more robust climate justice solutions.

The climate change and human rights nexus is therefore prominently featured in the Advisory Opinion push.

## **The Campaign**

The campaign aims to refer the world's biggest problem to the world's highest court (International Court of Justice) by seeking an Advisory Opinion from the court on the issue of climate change and human rights.

PISFCC focuses on ensuring the protection of the rights of current and future generations from the adverse effects of climate change, and an Advisory Opinion will assist in serving as a legal catalyst for action while clarifying international law on the subject.

To this end, PISFCC wants Pacific Island Forum Leaders to urgently commence the process of seeking an advisory opinion.

**Background: Past Proposals**

In 2011 President Johnson Toribiong announced that the Republic of Palau would ask the United Nations General Assembly (UNGA) to seek an ICJ advisory opinion on climate change and human rights. He said that it was “time [that] we determine what the international rule of law means in the context of climate change.” The Marshall Islands and Bangladesh have also, at various points in time, expressed interest in pursuing an ICJ advisory opinion on climate change.

These initiatives remained embryonic, for a variety of contextual reasons. However, in the last decade, the context has dramatically changed, with the consequences of climate wreaking havoc all around the world and giving a renewed impetus for bold action now. It is also critical that Vanuatu’s current proposal gives voice to the “grassroots” of youth activism in places already experiencing extreme climate vulnerability, themselves supported by a global coalition comprising over a thousand civil society organizations from the four corners of the world.

In September 2021 the Republic of Vanuatu announced it would seek an advisory opinion from the ICJ to “set out with clarity the obligations of States under international law to protect the rights of present and future generations against the adverse effects of climate change.”<sup>4</sup>

Vanuatu successfully led a coalition of one hundred thirty-two nations in adopting by consensus a UNGA Resolution calling for a non-binding Advisory Opinion from the ICJ to gain clarity on how existing international laws could be applied to strengthen action on climate change, protect people and the environment and save the Paris Agreement.<sup>5</sup>

Vanuatu is leading a core group of nations which drafted a question<sup>6</sup> to ask the ICJ. Vanuatu was joined by Antigua & Barbuda, Costa Rica, Sierra Leone, Angola, Germany, Mozambique, Liechtenstein, Samoa, Federated States of Micronesia, Bangladesh, Morocco, Singapore, Uganda, New Zealand, Vietnam, Romania and Portugal in seeking the ICJ Advisory Opinion.

Substantial progress has already been made towards this goal:

- In March 2022, Caribbean Countries at the 33<sup>rd</sup> Inter-Sessional Meeting of CARICOM Heads of Government indicated their support for Vanuatu’s proposal;<sup>7</sup>

- In June 2022, the Organisation of African, Caribbean and Pacific States at the 114<sup>th</sup> session of the Council of Ministers endorsed Vanuatu's proposal;
- In July 2022, the 51<sup>st</sup> Meeting of Pacific Island Forum Leaders called on the UNGA for a resolution requesting the ICJ to provide an advisory opinion on the obligations of states under international law to protect the rights of present and future generations against the adverse impacts of climate change.<sup>8</sup>

The ICJ Climate Resolution was adopted by consensus on 29 March 2023 during the 77<sup>th</sup> session of the UNGA requesting the ICJ to provide an advisory opinion on the obligations of States under international law to protect the rights of present and future generations against the adverse effects of climate change.<sup>9</sup>

Solomon Yeo, campaign director of PISFCC remarked on this UN resolution:<sup>10</sup>

Young people across the world will recall the day when we were able to get the world's highest court, the international court of justice, to bring its voice to the climate justice fight.

The ICJ announced in April 2023 the dates for UN member-states to submit written statements and comments to contribute positively to the release of a powerful advisory opinion on climate change.

### **What Legal Question Should Be Asked on Climate Change?**

The question proposed by Palau in 2011 was: "What are the obligations under international law of a State for ensuring that activities under its jurisdiction or control that emit greenhouse gases do not cause, or substantially contribute to, serious damage to another State or States?" That question is explained and justified in the report "Climate Change and the International Court of Justice."<sup>11</sup>

PISFCC advocates a different approach. While the question ultimately presented to the UNGA by the Republic of Vanuatu is currently the subject of extensive negotiation, PISFCC believes that a better question would seek the Court's opinion upon all aspects of international law relevant to climate change with a focus on customary international law, the protection of human rights, and intergenerational equity. To illustrate, such a question might ask:



What are the obligations of States under international law to protect the rights of present and future generations against the adverse effects of climate change?

### **Endorsements**

PISFCC secured great support from eminent experts and professionals who believe in the ICJ Advisory Opinion (ICJAO) being a strong motivator in accelerating climate action globally. These are PISFCC's Friends of the Initiative.

### **ICJAO Campaign**

In 2019, the PISFCC's proposal was tabled by the Vanuatu government at the Pacific Island Forum meeting. There, the eighteen member-states of the Pacific Island Forum noted positively the proposal for a UNGA resolution seeking an Advisory Opinion from the ICJ on climate change and human rights.

PISFCC organized chapters in Vanuatu, Solomon Islands, Fiji, and Tonga and launched there a campaign it called ICJAO Campaign. The activities included art competitions, peaceful protests, outreach programs with some schools at different levels. It joined other non-governmental organizations (NGOs) and civil society organizations (CSOs) with similar initiatives, and so much more. For the last three years, it managed to engage youths of different ages from as young as kindergarteners to university students.

Since its establishment, it has always been understood that the ICJAO Campaign was unique, which meant that it would be unfamiliar territory not just for established CSOs, but especially for the general public. The priority for the PISFCC Chapters then was to facilitate activities that would firstly, engage and empower Pacific youth, and secondly, spread public awareness through these youth engagement activities.

The most common of these activities were beach clean ups in the Vanuatu, Solomon Islands, and Tonga Chapters of PISFCC. Beach clean ups were an obvious approach as it was an activity that many were familiar with and it was easy enough to coordinate eager youth members through the various chapter group chats. PISFCC Chapters would supply the chapter members with the essentials such as tools and food. Upon repetition of these clean ups, the PISFCC Chapters would go a step further and use these activities to simultaneously collect data as well on the types of litter that would be found on the shores of their beaches. This data would be shared

among the local CSO networks to assist in their respective activities that required such information.

In the attempt to utilize as many forms of media as possible, the PISFCC Chapters would often speak as guests on local radio shows. These radio talk shows were held in the local language which meant that a wider demographic would be reached. The chapter members would reach out to their respective radio stations and request that they be allowed to speak on their youth segment. During this segment, chapter members would break down the campaign to details and provide listeners with ways to join the initiative which again garnered more support locally from CSOs and government ministries alike.

PISFCC Chapters would also host outreach programs to schools in their respective countries. These programs would usually consist of general climate change advocacy for the younger demographic, and a bit more in-depth presentations on the ICJAO Campaign for the older youths and students as they would range from ages 16 and upwards to the university level.

PISFCC's Fiji Chapter participated and partnered with several other CSOs from all around the Pacific during the Pacific Solidarity Festival on the occasion of the Pacific Islands Forum (PIF) Leader's Summit of 2022 that created momentum toward the onboarding of all PIF member-countries to endorsing the ICJAO Campaign. This festival brought together CSOs, friends



PISFCC joined a gathering of Vanuatu CSOs in 2019 in a push to amplify grassroots initiatives.

of the initiative, and members of the public to bring to life a spectacular flotilla event, public speeches, cultural dance, solidarity protests, and so much more. This was the culmination of ambitious planning and coordination among like-minded individuals who were brought together by their shared commitments to protecting their blue Pacific, and their demand to take the world's biggest problem, to the world's highest court.



PISFCC Solomon Islands chapter members support the filming of the music video for “The Islands are calling”.



Pacific CSOs during the Pacific Solidarity Festival in 2022 pushing for the PIF Leaders Summit to endorse the ICJAO Campaign.





PISFCC joined Vanuatu CSOs gathering for the promotion of the Pacific Solidarity Festival that was promoted region-wide in 2022.



The flotilla event from the Pacific Solidarity Festival in 2022 calling for the endorsement of the ICJAO Campaign.

### Art Competition<sup>12</sup>

While the coronavirus (COVID-19) global pandemic has had an impact on PISFCC's work, it moved online and promoted a virtual youth art competition called the "Reimagining Pacific Futures, where Pacific youth aged 5-29 take action through their art revolving around the theme "climate change and human rights.""<sup>13</sup>

The “Reimagining Pacific Futures” (RPF) was launched on 30 April 2020 and ended on 17 July 2020. The event was opened to young people from the ages of 5-29 of the eighteen member-states of the PIF. There were two categories in the event, Art (painting, drawing, placard, literary etc.) and Digital (Audio and Film).

The event was hosted on a website and the promotion of the event was mostly done on Facebook, Instagram and Twitter. With the translation help of Vanuatu Climate Action Network, the RPF was also promoted in French as well to encourage our Francophone brothers and sisters especially in New Caledonia, Vanuatu and Tahiti to participate. The event was supported by PISFCC partners who shared and promoted the event through their respective networks.

There were three independent judges of high stature in the Pacific. Their assessment of the Artwork focuses on creative expression of the themes, originality of the idea and consistency in representing children and youth rights.

Deciding the winners to the event was very difficult as all artwork were exceptional in their own way. In their best judgment emerged nine inspiring children and youth. To highlight a few,

“Just Because” by Helava Muliaina

Scooping first in the children category is Ms. Helava Muliaina from Samoa with her powerful poetry ‘just because’, Heleva speaks true to her pacific voice of the reality of how undervalued a Pacific woman living and fighting at the front lines of the climate crisis is.

“Human Natures” by Justiqua Osonis

The second prize getter in the children’s category hails from the Federated States of Micronesia. Ms. Justiqua has painted an image that provokes a strong sense of contemplation in people about their actions towards the environment. Her “Human Natures” painting, depicts that harmony or chaos depends on how well we take care of our environment.

“Freedom for our Rights to Save our World” by Iona Margaret Janet Baura

Another brilliant artwork was by third place Solomon Islands youth Ms. Baura. She explained that her art calls for continuous climate solidarity for the sake of the future generations.

“Nature, Water and Human Rights” by Junior Patrick Kahu Makau

Patrick’s film on “Nature, Water and Human Rights” was indeed a sentimental portrayal of the harsh reality of the water crisis in his country (Solomon Islands) and his Island (Ong Tong Java) were currently facing. As a passionate young filmmaker and photographer who wishes to use his gift in film-making and photography to advocate for change for his people and country in the light of the global climate crisis this video has been a remarkable achievement in raising this very awareness.

### Youth Consultation<sup>14</sup>

PISFCC consulted youth throughout the Pacific to create a Pacific Youth Climate Declaration that would carry youth voices in the Pacific amplified by non-state actors, governments, academia in national, regional and international forums.

### The Islands are Calling

This is a creative production by PISFCC. It is a song that seeks to raise the voice of the youth calling for action against the climate crisis while showing the wonders of Pacific life, heritage, art, nature, culture and tradition which are all sadly under threat by the climate crisis.<sup>15</sup>

The song was composed by Camilla Anibirisi Batalibasi, a native daughter of Solomon Islands, Heinz Dee Koromako from Malaita and Tipokia in Solomon Islands, and William Kadi who is also from Solomon Islands with Melanesian and Polynesian roots.

A video of the song was shot in two places in the Solomon Islands. The first location of the Climate Change Music Video was shot in Talakali Village, along the Langa Langa Lagoon, Malaita Province. This place is well known for its skilled boat builders over the past years. Another special feature about this place is the history of man-made artificial islands built over the years here but now due to the adverse impacts of climate change, these people are forced to migrate to the mainland because their islands are sinking.

The second location was on the island of Telina situated in the Marovo lagoon, Western Province of the Solomon Islands. This place holds great importance because of its richness in biodiversity and marine life making it a spectacular tourist destination. But due to climate change, this richness and abundance of marine life is dying, affecting the livelihoods of people of the Western Province. One special scene that was shot here showcases the youthful warrior dancer's resilience towards this catastrophic climate event.

The music video of the The Islands are Calling can be viewed at [www.pisfcc.org/islands-are-calling](http://www.pisfcc.org/islands-are-calling) and on YouTube ([www.youtube.com/watch?v=C32yxdqUuN8&t=362s](https://www.youtube.com/watch?v=C32yxdqUuN8&t=362s)).

### Community events

An informal discussion on updates, next steps, and calls to action in the Pacific-led initiative to seek an advisory opinion from the ICJ on climate change and human rights was held on 1 August 2023 in Suva, Fiji.

In August 2023, the PISFCC team, together with friends from Greenpeace, hosted an Open Boat event on the Rainbow Warrior. The event welcomed local schools and communities and took them through a discussion on climate justice and the campaign for an #ICJAO4Climate.

The Open Boat event allowed for PISFCC to discuss the legal arguments and question-breakdown presented in the *Youth Climate Justice Handbook*. Fellow CSOs, academics, government officials, and friends of the initiative all attended to receive updates of the campaign, and to learn more about the plans of the CSO front on pushing for a more progressive and strong advisory opinion through their workings with government.

While the Rainbow Warrior was docked in the Suva Harbour, PISFCC hosted a tent that acted as a one-stop-shop of information for all the visitors to the vessel. This tent included a display of previous pieces of art collected over the years of campaign. The on-the-ground campaigners walked the visitors through this gallery of sorts and broke down the elements used in these art pieces and requested that the visitors provide their own interpretations as well. Another feature of the tent was the *Climate-Clock* display and the *Not Just Celsius Scale*<sup>16</sup> which were imagery pieces used by the campaigners to delve into concepts of climate justice and intergenerational equity.



## Handbook

Following the historic adoption of the UNGA Resolution asking the ICJ to issue an Advisory Opinion on climate change and human rights, PISFCC launched the *Youth Climate Justice Handbook*.

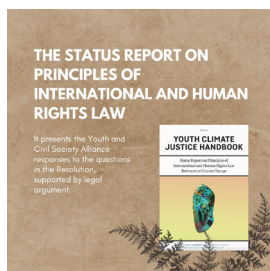
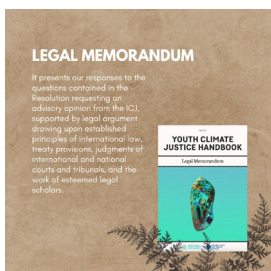
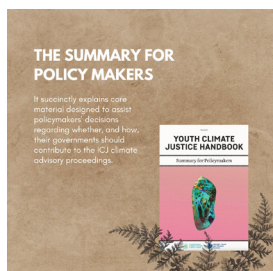
The Handbook aims to be the single most authoritative legal document that would guide the youth and civil society campaign in the second phase of the campaign. It also aims to contribute to the preparations of states and intergovernmental organizations in their submissions before the ICJ.

The Handbook is a tool aimed to assist states in making submissions before the ICJ. It seeks to highlight and echo youth and civil society voices on human rights and intergenerational equity. It is a compilation of three documents, *Summary for Policymakers*, *Legal Memorandum* and *Status Report on the Principles of International and Human Rights Law Relevant to Climate Change*.

The Summary succinctly explains core material designed to assist policymakers' decisions regarding whether, and how, their governments should contribute to the ICJ climate advisory proceedings.

The Memorandum presents the Youth and Civil Society Alliance responses to the questions contained in UNGA Resolution 77/276, supported by legal argument drawing upon established principles of international law, treaty provisions, judgments of international and national courts and tribunals, and the work of esteemed legal scholars.

The Status Report presents a detailed discussion of the Court's advisory function, and a detailed and neutral analysis of the existing principles of international law relevant to the request. It includes an assessment of the advisory proceedings before the ICJ, including the Court's jurisdiction and procedure, and key legal principles relevant to the request for an advisory opinion, including principles of international environmental law and international human rights law.



The Handbook is available at <https://pisfcc.org/handbook>.

## **Conclusion**

Indeed, the ICJAO Campaign has come a long way since its humble beginnings in a classroom and despite the success it saw when the resolution was unanimously adopted, it was not without failures. Following the unanimous adoption, the second phase of the campaign, which was supporting Pacific Island governments in the written submissions, meant that the new goal was to bring the campaign back home. The legal-heavy nature of the campaign had always been an obstacle when it came to outreach. Despite the efforts of the chapters with regards to public awareness, the technicalities of the campaign and the implications of a strong and ambitious advisory opinion was a concept that still needed to be reiterated and pushed to the CSOs and their initiatives, government officials, and the general public at large. The message that needed to be heard is that, should the ICJ deliver an advisory opinion that provide great legal clarity on the obligations of states

## **Endnotes**

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- 3 Clare Francis, Global South activists seek a human rights framework for the climate crisis, the interpreter, [www.lowyinstitute.org/the-interpreter/global-south-activists-seek-human-rights-framework-climate-crisis?fbclid=IwAR13RmyCkmstQm9baXphRqipsx7UmYjpt8ah2A9yXmooukzFbTekopdqXg](http://www.lowyinstitute.org/the-interpreter/global-south-activists-seek-human-rights-framework-climate-crisis?fbclid=IwAR13RmyCkmstQm9baXphRqipsx7UmYjpt8ah2A9yXmooukzFbTekopdqXg).
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- 5 Paris Agreement, <https://unfccc.int/process-and-meetings/the-paris-agreement>.
- 6 See ICJ Resolution, *op. cit.*
- 7 COP26 – Follow-Up  
Heads of Government indicated their support for Vanuatu in its pursuit of an Advisory Opinion from the International Court of Justice on the rights of present and future generations to be protected from Climate Change.  
Communiqué: Issued at the Conclusion of 33rd Intersessional Meeting of the Conference of Heads of Government of Caricom – 1-2 March 2022  
Caribbean Trade Law and Development, <https://caribbeantradelaw.com/2022/03/03/communique-issued-at-the-conclusion-of-33rd-intersessional-meeting-of-the-conference-of-heads-of-government-of-caricom-1-2-march-2022/>.

8 The FORUM COMMUNIQUÉ has a section entitled “UN GENERAL ASSEMBLY RESOLUTION FOR AN ADVISORY OPINION ON CLIMATE CHANGE FROM THE INTERNATIONAL COURT OF JUSTICE” on this issue. A paragraph expresses support to the Vanuatu initiative:

44. Leaders commended Vanuatu on its initiative on a pathway to secure a request from the UN General Assembly (UNGA) for an advisory opinion from the International Court of Justice (ICJ) to clarify legal consequences of climate change, noting the urgency of the climate change threat and the need for accelerated global climate action and implementation of the Paris Agreement.

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10 ‘Beginning of a new era’: Pacific islanders hail UN vote on climate justice, The Guardian, [www.theguardian.com/world/2023/mar/30/un-vote-on-climate-justice-pacific-island-change-crisis-united-nations-vanuatu](http://www.theguardian.com/world/2023/mar/30/un-vote-on-climate-justice-pacific-island-change-crisis-united-nations-vanuatu).

11 See Douglas A. Kysar, “Climate Change and the International Court of Justice,” Public Law Research Paper No. 315, Yale Law School, 15 Aug 2013, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2309943](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2309943).

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13 There is a legal solution to climate change: students, [www.pisfcc.org/news/there-is-a-legal-solution-to-climate-change-students](http://www.pisfcc.org/news/there-is-a-legal-solution-to-climate-change-students).

14 There is a legal solution to climate change: students, *ibid*.

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# The Extraordinary Chambers in the Courts of Cambodia: Reaching Out to the Public \*

The Extraordinary Chambers in the Courts of Cambodia

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**T**HE KHMER ROUGE REGIME took power on 17 April 1975 and was overthrown on 7 January 1979. At least 1.7 million people are believed to have died from starvation, torture, execution and forced labor during this period of three years, eight months and twenty days. The end of the Khmer Rouge period was followed by a civil war. That war finally ended in 1998 when the Khmer Rouge political and military structures were dismantled.

In 1997, the government requested the United Nations to assist in establishing a trial to prosecute the senior leaders of the Khmer Rouge. In 2001, the Cambodian National Assembly passed a law to create a court to try serious crimes committed during the Khmer Rouge period (1975-1979). This court is called the Extraordinary Chambers in the Courts of Cambodia (ECCC) for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea. The government of Cambodia insisted that, for the sake of the Cambodian people, the trial should be held in Cambodia using Cambodian staff and judges together with foreign personnel. The government of Cambodia invited international participation due to the weakness of the Cambodian legal system and the international nature of the crimes, as well as for assistance in meeting international standards of justice.

An agreement with the United Nations, detailing how the international community would assist and participate in the Extraordinary Chambers, was ultimately reached in June 2003. While this special court was created by the Cambodian government and the United Nations, it is independent of them. It is a Cambodian court with international participation that applies international standards.

\*This article is drawn from the Court Report 2023 published by the Extraordinary Chambers in the Courts of Cambodia, and from various reports available in its website.

The ECCC can only prosecute two categories of alleged perpetrators for alleged crimes committed between 17 April 1975 and 6 January 1979:

1. Senior leaders of Democratic Kampuchea; and
2. Those believed to be most responsible for grave violations of national and international law.

The Cases at the ECCC are:

- Case 001:  
Defendant: Kaing Guek Eav alias Duch
- Case 002 (Severed into Case 002/1 and Case 002/2):  
Defendants: Khieu Samphan, Nuon Chea, Ieng Sary (deceased) and Ieng Thirith (deceased)
- Case 003:  
Defendant: Meas Muth
- Case 004 (Severed into Case 004/1,<sup>1</sup> Case 004/2 and Case 004)<sup>2</sup>  
Defendants: Yim Tith (Case 004), Im Chaem (Case 004/1) and Ao An (Case 004/2)

### CASE 001<sup>3</sup>

On 8 August 2008, Kaing Guek Eav alias Duch was indicted in Case 001. The trial took place between 30 March and 17 September 2009. On 26 July 2010, the Trial Chamber found Duch guilty of crimes against humanity and grave breaches of the Geneva Conventions of 1949. He was sentenced to thirty-five years of imprisonment. On appeal, the Supreme Court Chamber overturned the sentencing decision and sentenced Duch to life imprisonment.

### CASE 002

On 15 September 2010, four defendants were indicted in Case 002: Nuon Chea, Khieu Samphan Ieng, Sary and Ieng Thirith. Proceedings against Ieng Sary and Ieng Thirith were terminated following the former's death and the latter's unfitness to stand trial. Case 002 was subsequently divided into two trials. On 7 August 2014, in Case 002/1, Nuon Chea and Khieu Samphan were found guilty of crimes against humanity and sentenced to life imprisonment. On 23 November 2016, the Supreme Court Chamber quashed parts of the trial judgement but confirmed the sentence of life imprisonment. The evidentiary hearings of Case 002/2 against Nuon Chea and Khieu Samphan

concluded on 11 January 2017 with the closing statements held from 13-22 June 2017.

On 7 August 2014, the Trial Chamber found Nuon Chea and Khieu Samphan guilty of crimes against humanity, grave breaches of the Geneva Conventions and genocide of the Vietnamese ethnic, national and racial group. The Chamber additionally convicted Nuon Chea of genocide of the Cham ethnic and religious group under the doctrine of superior responsibility. Both Nuon Chea and Khieu Samphan were sentenced to terms of life imprisonment. The Chamber took into consideration the life sentences imposed on Nuon Chea and Khieu Samphan in case 002/1 and merged the sentences in cases 002/1 and 002/2 into a single term of life imprisonment.

The decision of the Trial Chamber was appealed to the Supreme Court Chamber.

On 23 November 2016, the Supreme Court Chamber issued its appeals judgement reversing some of the convictions, upholding the rest and confirming the sentences of life imprisonment for crimes against humanity against Nuon Chea and Khieu Samphan.

### **CASE 003**

In March 2015, the International Co-Investigating Judge charged Meas Muth in Case 003. On 2 June 2015, the investigation against another suspect, Sou Met, was terminated following his death. On 10 January 2017, the International Co-Investigating Judge concluded the judicial investigation in Case 003.

On 28 November 2018, the Co-Investigating Judges issued two separate closing orders in the case against Meas Muth, due to a disagreement about whether Meas Muth is subject to the ECCC's personal jurisdiction as a senior leader or one of the persons most responsible for crimes committed during the period of Democratic Kampuchea. Both Judges appealed their respective division to the Pre-Trial Chamber.

### **CASE 004**

Three individuals have been charged in Case 004: Im Chaem, Ao An and Yim Tith. Case 004 was subsequently severed into three case files, one for each charged person. On 22 February 2017, the Co-Investigating Judges dismissed Case 004/1 against Im Chaem. On 20 July 2017, the International Co-Prosecutor filed the notice of Appeal against the Co-Investigating Judges'

closing order in Case 004/01 to the Pre-Trial Chamber. On 16 December 2016, the Co-Investigating Judges concluded investigation against Ao An in Case 004/02.

On 28 June 2019, the Co-Investigating Judges issued two separate closing orders in the case against Yim Tith, due to a disagreement about whether Yim Tith is subject to the ECCC's personal jurisdiction as a senior leader or one of the persons most responsible for crimes committed during the period of Democratic Kampuchea. Both Judges appealed their respective division to the Pre-Trial Chamber.

## **Residual Functions**

The ECCC commenced residual functions on 1 January 2023. In concluding judicial work, the Supreme Court Chamber upheld Khieu Samphan's convictions for genocide, war crimes, and crimes against humanity in the Case 002/2 Appeals Judgment. The decision marks the first time in which a national appeals court upheld a genocide conviction against a former head of state. Following the Appeals Judgment, the Supreme Court Chamber, as the last judicial office seized of Case 002, is responsible for reviewing the security classifications of all documents on the case file, and declassifying documents where a confidential classification is no longer necessary. A similar process is underway in Case 004/2.

Reclassification is a crucial part of the ECCC's legacy. Following the completion of Case 002, the ECCC is working to notify Civil Parties across the country about the case through focal points and provincial meetings.

In 2023, ECCC relocated to new premises in the heart of Phnom Penh. The new space serves as a hub for the ECCC to disseminate information about its work of the past sixteen years. The new premises host a public and freely accessible Resource Centre.

The new Resource Centre is the access point to the ECCC and serves as an information hub for the archives, legal resources, and other materials. In addition, the Resource Centre also provides space for visitors – especially young Cambodians – to consult, research, watch, study, and engage. The Resource Centre is equipped with Wi-Fi, computers, working desks, meeting tables, and other resources to provide visitors with everything they need to learn about the ECCC or related aspects.



The Resource Centre consists of six components: (1) a library and research hub, (2) a new website which is being updated and upgraded in an innovative way, (3) a digital and hard copy archive in line with international standards, (4) a multi-purpose venue for organizing workshops and moot courts, (5) a consultation and exhibition venue, and (6) a remembrance and reflection space. The Resource Centre is available for public use free of charge and is located at ECCC residual premises (Russian Blvd., Street 110, Sangkat Mittapheap, Khan 7 Makara).<sup>4</sup> The library and research space of the Resource Centre opens daily (Monday-Friday) from 09:00 to 20:00, and on weekends and official holidays from 09:00 to 18:00.<sup>5</sup>



Law students from National University of Battambang visit the ECCC Resource Center, 9 January 2024.<sup>6</sup>

## **The Archive**

Archiving is one of the most important activities of the ECCC, even in its residual phase. Working with nearly 2.4 million pages of documentation, the Records and Archives Unit is required to maintain, preserve and manage these materials in physical and digital format. ECCC's holdings are divided into two broad categories: case files and non-case file documents. Case files are court documents which are submitted during investigations, trials or appeals. Non-case file documents consist of other media which document the official activities of the Extraordinary Chambers. To date, the ECCC has successfully digitized all its documents without backlog and is working to make public documents easily available online.

In 2023, the ECCC became a member of the International Council on Archives (ICA), the largest professional association in the field of archives. Membership will allow the ECCC to exchange experiences with international experts, share practices of good archival management, and pursue the highest standards of archives preservation in Cambodia. This will enhance the ECCC's ability to share best practices with other Cambodian institutions and stakeholders, and facilitate trainings on good governance, accountability and transparency in records management.

## **Upgrade of Digital Archive**

The ECCC's digital archive is being upgraded to continue preserving the records securely. The upgraded system, ZyLAB One, will include Optical Character Recognition (OCR) that reads Khmer script, making it possible to search inside the ECCC's Khmer language documents. This is a first in Cambodia! A new analytical module will utilize next-generation technologies to enhance search results, making research easier and accessible directly from the website.

## **Educational Videos**

On 17 September 2023, the ECCC launched the "Educational and Outreach Video Series," developed from documents, records and archives of the ECCC, which highlight a wide range of topics related to the trials and investigations over sixteen years. The short video series will be an integral part of edu-

cational dissemination activities aimed at informing younger generations about the work of the ECCC. Forty-two episodes of the video series were released and are now available on all the ECCC's social media platforms including the [Facebook Page](#), [YouTube](#), [Telegram](#), and [TikTok](#).<sup>7</sup>

### **Public Affairs Section<sup>8</sup>**

The ECCC has a policy of reaching out actively to the community, the media, the diplomatic corps, donors, researchers and other interested parties. The objective is to provide as much information as possible on the activity of the ECCC, working transparently to build public confidence in the judicial process. This objective needs to be balanced with respect for privacy, confidentiality and the rights of all parties in the proceedings including witnesses and victims, concerns for fair trial, due process and the presumption of innocence.

The ECCC has a Public Affairs Section (PAS) which has combination of National and International staff working as one and headed by a national staff member.

PAS is the external face of the ECCC and works to support and coordinate the public representation of all Organs of the ECCC, including the judicial chambers, prosecution and defense. It is responsible for the dissemination of information to the public about the operations of the ECCC,<sup>9</sup> as well as the cases under judicial investigation.<sup>10</sup>

It shares public judicial information and developments, such as decisions, legal instruments, financial documents, reports, photographs, and biographies with the media and the general public through the ECCC website. Press releases and statements are circulated by e-mail through mailing lists and are also posted on the website and social media. It also serves as the conduit for interview requests with judicial officers and Office of Administration personnel.

It undertakes various outreach activities aimed at informing Cambodians about the work of the ECCC and the trial process to facilitate their understanding and involvement in its work. Outreach is conducted in various formats, including through publications, public forums, seminars and conferences, the ECCC website, weekly radio programs, and television programs.

Public court proceedings at the ECCC were broadcast on Cambodian television. Videos of past trial hearings are also available on the ECCC website and YouTube. Pictures and other information are disseminated on social media including Facebook, Flickr, Instagram, Tik-Tok and X (formerly Twitter).

In addition to organizing its own outreach activities, PAS partners with other organizations (Cambodian and international NGOs, national, provincial, and local structures of government) to facilitate the dissemination of reading materials, videos, radio, and television programs. It also undertakes outreach activities relating to victims and Civil Parties in consultation with the Victims Support Section (vss) and the Civil Party Lead Co-Lawyers (CPLCLs).<sup>11</sup>

Through its various outreach programs, PAS reached over 640,000 people during the judicial phase.

### Media relations

The ECCC aims to provide information on its activities to representatives of print and electronic media, both within Cambodia and internationally, on a timely basis as required.

Press releases and statements are circulated by e-mail to all those who register with PAS and are also posted on the website (Press Releases). Arrangements can be made for media interviews with judicial officers and staff in the Office of Administration as appropriate, by request to the Public Affairs Section.

### ECCC website

The new website has been reconceived as an engaging informational resource which will complement the Resource Centre as a digital access hub to the archive, interactive and educational features and the ECCC's legacy.

The website will be available across different devices in the ECCC's three languages, and will include:

- Archive microsite – providing direct access to the ECCC's public case records;
- Historical overview – including the origins, establishment and operations of the ECCC;
- Case information – everything about the investigations and trials;
- Digital resources – a one-stop-shop for ECCC publications, media, and updates.

## **ECCC Mobile Bus**

On 31 January 2024, the ECCC launched the ECCC Mobile Bus that aims to carry out broad outreach and educational activities about the trial process, achievements, and legacies of the ECCC. The ECCC Mobile Bus, the extension of its ECCC Resource Centre inaugurated on 27 September 2023, will serve the public, students, youth, communities, and civil parties living in remote areas.

The launch ceremony of the ECCC Mobile Bus was organized in collaboration with and at the Royal University of Phnom Penh (RUPP) and with the participation of its honorable delegates including rector H.E. Professor Chet Chealy.

H.E. Tony Kranh, Acting Director of Administration of the ECCC said, “the ECCC Mobile Bus is equipped with laptops, a meeting room connecting with LCD projectors, an interactive touch panel for drawing, presentation, and video screening, and with educational materials and multimedia contents about trial proceedings that would serve the public for study and research.” He added that the Mobile Bus would travel throughout the country to meet Cambodian and will stop in schools, universities, downtown areas, pagodas, and markets in twenty-five provinces and cities. The ECCC Mobile Bus began travelling in Phnom Penh and stopped by educational institutions including schools and universities where the ECCC organized events and presentations, interactive activities, and discussions with the audience, to learn more about the ECCC, its history and trials, its current and future activities, and the resources available to the public.<sup>12</sup>



(Above and next page, top) **Launching ceremony of the ECCC Mobile Bus, 31 January 2024.**<sup>13</sup>





### International Humanitarian Law (IHL) Moot Court Competition

In early December 2023, the ECCC hosted the final rounds of the ICRC Humanitarian Law Moot Court Competition. Four teams from the National University of Management (NUM), Royal University of Law and Economics (RULE) and American University of Phnom Penh (AUPP) participated in the Cambodian national rounds over two days. The winning team from RULE will progress to the Asia-Pacific regional finals, to be hosted in Hong Kong in 2024.

On 18 February 2024, the ECCC co-hosted the final rounds of the moot court competition on the right to a fair trial at the ECCC courtroom of its Resource Centre. Students from the University of South-East Asia (USEA) in Siem Reap province won the first place and students from the University of Management and Economics (UME) – Battambang won the second place. The competition was organized by the Raoul Wallenberg Institute (RWI) and the Center for the Study of Humanitarian Law (CSHL). Three universities including USEA, UME and the National University of Battambang – NUBB participated in the moot court competition.<sup>14</sup>



(Above and next page) Final Rounds of Moot Court Competition on The Right to a Fair Trial, 18 February 2024.



### Outreach Study Tours

PAS coordinates and leads weekly ECCC outreach study tour for students, young people, and the public to raise awareness about the atrocities committed by the Khmer Rouge regime. More than 650,000 members of the national and international public have taken part in outreach study tours since 2009 until early 2024.

“Trials alone cannot foster the reconciliation necessary to heal wounds of the past. It is therefore my hope that you, being respected monks, through this special and privileged standing in this society are able to complement the Court proceedings by assisting victims and perpetrators to reconcile,” said Deputy Director Knut Rosandhaug in a speech to four hundred Buddhist monks at Preah Sihanouk Raja Buddhist University on 9 August 2011.

This was one of the first outreach events organized by PAS reaching out to the Buddhist community in Cambodia. The event was presided over by Venerable Samdech Non Nget, Buddhist Supreme Patriarch of the Maha Nikaya and Rector of Preah Sihanouk Raja Buddhist University.

Acting Director of the ECCC Office of Administration H.E. Tony Kranh briefed the Buddhist Monks about the recent developments at the ECCC and also discussed the trial proceedings at the ECCC in the context of evolving international criminal law since World War II. Minister of Cults and Religious Affairs H.E Min Khin congratulated the ECCC for its progress so far, and also shared some of his recollections of the period the Khmer Rouge held power.

The participants were also briefed about the alleged crimes of religious persecution included in the second trial before the ECCC. The treatment of



Buddhists during the regime of Democratic Kampuchea forms part of the indictment included in the Closing Order in Case 002.

According to the Closing Order, Buddhists constituted one of the groups targeted by the regime. The Communist Party of Kampuchea allegedly adopted a policy of prohibiting Buddhism and the practice of Buddhism. High figures in the Buddhist hierarchy were allegedly executed during the evacuation of Phnom Penh in April 1975. Many pagodas and sanctuaries were destroyed, or converted for other purposes such as security centers, pig pens, dining halls, hospitals or warehouses. Images of Buddha were destroyed and even lighting incense was allegedly prohibited. Virtually all Buddhist monks and nuns were reportedly disrobed. Some monks were allegedly threatened with death or killed if they did not comply. After the monks were disrobed, they were allegedly forced to do manual labor and farming.

In the Case 002 Closing order, the Co-Investigating Judges have classified these alleged crimes as persecution on religious grounds, which is one category of crimes against humanity. Two hundred thirty-six victims of alleged crimes against Buddhists have been admitted as Civil Parties in Case 002.

The monks used the opportunity at the outreach meeting to ask questions on a wide range of issues to the visiting ECCC officials. Questions ranged from what roles Buddhist could play in the ECCC process, to why former Khmer Rouge members who were Buddhists themselves killed other Buddhists, how many persons should be put on trial, and many more ques-



Buddhist monks at Preah Sihanouk Raja Buddhist University, 9 August 2011.

tions. As the one hour set aside for questions and answers proved to be insufficient, the ECCC planned to organize another outreach meeting with Preah Sihanouk Raja Buddhist University in the near future.<sup>15</sup>



Monks from Kampong Spue visiting ECCC.<sup>16</sup>

PAS also held other activities such as a video showing on 26 July 2017 attended by students.



(Above and next page) Students attending video showing, 26 July 2017.<sup>17</sup>



The ECCC’s weekly outreach study tours consist of visits to the ECCC, Tuol Sleng Museum, Choeung Ek “Killing Fields”, and the Win-Win Memorial.

In 2023, PAS conducted ninety-five outreach activities involving 18,225 participants from Phnom Penh and nine provinces. Table 1 shows the consolidated outreach and attendance in the study tour program from 2009 to 2022.

**Table 1: Consolidated outreach and attendance (by person)<sup>18</sup>**

Period	Hearings days	Study tours (tours)	Visits (groups)	VIPs (delegations)	Screenings (screenings)	Lectures (occasions)	Total
Judicial phase <sup>19</sup> 4							
2009-2022	244,668 (639)	214,168 (722)	7,855 (446)	778 (182)	71,488 (167)	101,319 (76)	640,276
Residual phase							
Jan-Sept 2023	-	11,702 (62)	1,718 (13)	55 (6)	-	-	13,475
TOTAL	244,668 (639)	225,870 (784)	9,573 (459)	833 (188)	71,488 (167)	101,319 (76)	653,751

In the tour for about two hundred fifty students from Hun Sen Angprey high school in Samrong district, Takeo province on 3 January 2024, the teachers said that this study tour was so important for their students to understand the history, especially the Democratic Kampuchea regime, and the successful trial of the Khmer Rouge senior leaders by ECCC. The study tour also provided the students to understand the origins of the Khmer Rouge

regime, the struggle of the leaders to liberate the country from this wall-less prison and students can also share what they saw and know today to other friends, especially parents, grandparents who have never visited the Memorial.<sup>20</sup>

The teachers also appreciated the Win-Win policy of the Royal Government of Cambodia, which led the country to bring peace and social stability. They also thanked the ECCC for organizing the program so that youth could understand, visit the crime scenes left over from the Khmer Rouge regime and see the development in Phnom Penh today.

The study tour for about two hundred seventy students from Sok An Tonloap high school, Kirivong district, Takeo province was held on 11 January 2024.<sup>21</sup> During the visit in Win-Win Memorial, the group learned about the leaders' struggles to liberate Cambodia from the Khmer Rouge Regime and the establishment of a Win-Win policy to end the civil war and bring peace for the nation. Under the trees in the Win-Win Memorial premise, the group was briefed by a Public Affairs Officer of the Khmer Rouge Tribunal on the achievement of the ECCC obtained from the trials and the residual functions that the Chamber is currently conducting. Then the group continued to visit the Tuol Sleng Genocide Museum to learn about the tragedy left behind by the brutal Khmer Rouge regime.



Students in study tour



In the study tour for thirty law students from National University of Battambang on 9 January 2024, the students visited the Resource Center to learn about ECCC's residual works. On that occasion, ECCC officials welcomed and presented to group about the achievements of the ECCC obtained from the trials, the ECCC residual works; the victims' participation in the ECCC, transitional justice and trauma transformation, the Resource Centre, the preserving and managing of the ECCC Archive case files, and the experience of ECCC for local court systems and jurisprudent.<sup>22</sup>



Visit of students to ECCC Central Office

## Survey of Students

In the first half of 2023, the ECCC held an online survey on the study tour. The results of the survey of the ECCC show that the knowledge gained through the participation in the ECCC study tour is very significant.<sup>23</sup>

In the third question of the ECCC survey, do you think the knowledge you gained while attending this visit was important? There were 1,274 respondents to this question, while nine hundred forty-five respondents or 74 percent answered it is very important, and three hundred twenty-one respondents or 25 percent answered that it is important.

In addition, there were some comments as:

“This study tour is a program to the discovery of the management of Democratic Kampuchea, which has left clear evidence of torture, massacres and atrocities, which made me shocked and saddened from the brutal acts.”

“I would like to propose such a study tour program for the younger generation to see and remember this brutal history in their hearts.”

“As a student, I would like to have such visit to every Cambodian child so that they can gain knowledge and understanding of the history of their own country and the geography of Cambodia, and finally I would like to *thank the teachers who organized this visit. Thank you!*”

The survey was conducted online from 15 February 2023 to 6 April 2023 for anyone who participated in the ECCC study tour program. From 15 February to 6 April 2023, there were 3,430 youth, students and teachers who participated in the study tours organized by the Khmer Rouge Tribunal while 1,527 people responded in the ECCC online survey.

PAS asks the students in the study tour to evaluate the activity through a survey questionnaire. Table 2 below provides the results of the survey undertaken in the second half of 2023.

**Table 2: Study tour survey results<sup>24</sup>**

Question	Quotient	Responses
Do you think the study tour is important for you and other Cambodians?		1,947
Yes	100%	
No	0%	
Why do you see this study tour as important? (multiple selection possible)		6,826
Understanding the trials of former Khmer Rouge leaders	620	
Finding out that atrocities took place	806	
Learning more about Cambodian history and atrocities	1,717	
Understanding the suffering of Cambodians during the Democratic Kampuchea period	742	
Learning about historical sites and places of suffering	805	
Visiting Choeung Ek, Tuol Sleng Museum, Win-Win Memorial	2,136	
Is the knowledge you gained during the study tour important?		1,742
Important or very important	98%	
Neutral	1%	
Not important	1%	

Museum visit (Choeung Ek, Tuol Sleng Museum, Win-Win Memorial) followed by “Learning more about Cambodian history and atrocities” are most cited as reasons why the study tour is important to the students.

## Conclusion

A summary of the public awareness work of the ECCC has been stated:<sup>25</sup>

### Unprecedented public awareness work

The work of the Court cannot be understood purely from the point of cases and convictions. Its vital functions play out against a broader canvas – remembering and reconciling a troubling past. The education function of the ECCC for the Khmer Rouge history cannot be understated as it serves to prevent such serious crimes from happening again either in Cambodia or elsewhere.



It is estimated that almost 250,000 people attended trial and appeal hearings of the Court, while more than 400,000 people have been exposed to the work of the ECCC through outreach activities.

It is vital that the lessons of the past are not forgotten and that they form part of the Cambodian narrative, highlighting the vital role of human rights and the value of tolerance, resilience and peace.

This is a goal the ECCC through its outreach program would continue to work for in years to come.

## Endnotes

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# Human Rights Education in Japanese Universities: Challenges and Suggestions\*

Mino Takamatsu

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THE UNITED NATIONS WORLD PROGRAMME FOR HUMAN RIGHTS EDUCATION (WPHRE) stresses human rights education at the tertiary level in its Second (2010-2014) and Fourth (2020-2024) Phases.<sup>1</sup> The Fourth Phase is focused on youth and is aligned with the 2030 Agenda for Sustainable Development, specifically with target 4.7.<sup>2</sup>

The Fourth Phase of the WPHRE “defines ‘youth’ as those persons between the ages of 15 and 24 years.”<sup>3</sup> This age bracket falls within the age bracket for most of the students at the tertiary level. The Fourth Phase of the WPHRE provides for “human rights education for youth within formal education (secondary, higher and vocational education).”<sup>4</sup>

Sustainable Development Goal 4.7 (SDG 4.7) on Quality Education states:

4.7 Education for sustainable development and global citizenship by 2030 ensure all learners acquire knowledge and skills needed to promote sustainable development, including among others through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship, and appreciation of cultural diversity and of culture’s contribution to sustainable development.

There is a clear mention of human rights, gender equality and cultural diversity as some of the key topics on which knowledge and skills must develop to support sustainable development. While SDG 4.7 does not mention levels of education, the inclusion of “university” in SDG 4.4 indicates the coverage of tertiary level in SDG 4 as a whole.<sup>5</sup> SDG 4.7 should cover the tertiary

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\*This article is an expanded version of the paper of the author presented at the Hawaii International Conference on Education on 4 January 2023.

level of education to support the continuous development of knowledge and skills on human rights from primary to the tertiary levels.

A number of universities in Japan are offering human rights courses both at the undergraduate and graduate levels. What do these courses teach? What challenges do they face? And what opportunities exist for these courses?

## **Review of Human Rights Education in Japan**

The Ministry of Education, Culture, Sports, Science and Technology of Japan has developed human rights education guidelines for primary and secondary school levels.<sup>6</sup> But neither policy nor guideline have been adopted for human rights education for the tertiary level. This situation led to the development of contents and methods of human rights education in Japanese universities dependent on either the university or the instructor.

Research on human rights education in Japan from 1990s to the 2000s presents specific characteristics and challenges that reflect the local human rights situation as well as thinking among Japanese educators. However, developments on human rights education in Japan from 2010s onward have yet to be analyzed through research. The review of literature below is based mainly on research done during the 1990s to 2000s period.

## **Understanding of human rights and human rights education**

Yasumasa Hirasawa (1991) sees the tendency of the Japanese people to view social relationships according to dual categories such as “us” and “others” that makes it difficult for them to understand others. He thinks that this view causes a lack of human rights consciousness. He also finds the Japanese view that human rights means being the same and equal as the reason for the thinking that people are the same. This view does not support individual differences and the concept of individual rights according to international human rights standards.<sup>7</sup>

Minoru Mori (2005) views human rights education in the Japanese school system as having a strong image related to the anti-discrimination education movement, one of the main human rights education movements in Japan. This movement has influenced human rights education in Japan and focuses on discrimination, especially “Buraku” problems in certain areas in Japan.<sup>8</sup> The discrimination against the Buraku people covers employment

and marriage. This anti-discrimination education movement promotes the raising of awareness on discrimination issues in order to resolve them. Mori also points out that since Japanese human rights education focused on the life of the Buraku people, the teaching of human rights law and international treaties is lacking up. This was the situation until the 2000s.

At least up to the early 2000s, another characteristic and also a weakness of human rights education in Japan, is the view of teachers on discrimination. Their involvement in anti-discrimination education movements affects their own personal concerns and thinking about their lives in relation to the lives of the Buraku people. This results in equating human rights issues with those of the Buraku people and failing to link human rights concerns to their own concerns. This makes it difficult for teachers and non-Buraku students to consider the discrimination problems as their own, and to act together with the Buraku people to solve them.<sup>9</sup>

Shuji Ikuta notes two aspects of human rights - moral-philosophical and legal. He sees Japanese human rights education as lacking in teaching the legal frameworks of human rights. Learning the legal frameworks of human rights means making students know how to protect human rights. Ikuta explains that Japanese human rights education tends to be a type of moral education that emphasizes equality and establishment of human relationships as influenced by Dowa education and moral education.<sup>10</sup> Ikuta criticizes Japanese human rights education for failing to teach individual rights from a legal perspective that requires solving human rights issues through the legal process. This further leads to the failure to teach the protection of individual freedoms. Students are therefore unable to develop the skill of critically thinking about rights that should be protected by the legal system.<sup>11</sup>

Sowa (2008) sees the problem of Japanese human rights education in focusing too much on specific issues in areas where Buraku discrimination exists. This type of human rights education might be meaningful in those areas, but not in other places with different human rights concerns. This situation prevents people in other areas or regions of the country from learning human rights in their universal sense.<sup>12</sup>

### **Limitations of human rights education in the university**

Katsuki Itayama (2018) explains the different reasons behind human rights education in all levels of education – primary, secondary and tertiary levels – in Japan. At the tertiary level, discrimination was the main issue

that made human rights education important and necessary. He cites, as an example, the case of Buraku discrimination involving a university student in 1950 that led to frequent discriminatory incidents related to Buraku issues at the university. Some students of the university demanded education against discrimination to address the issue. This type of discrimination occurred in several universities and became the origin as well as main reason for starting human rights education at the tertiary level in Japan.<sup>13</sup> He also explains why Human Rights Centers were established in universities. He cites the example of Osaka City University, a public university. In 1961, a poster containing discriminatory language against a female student was put up in the university premise. Since then, similar incidents occurred such as discriminatory graffiti on a wall and desks. The Osaka City University and its research center saw the need to raise the awareness of students and staff on solving these issues. The university started the course on Dowa Education and Human Rights Education in 1973 in order to respond to students' protests against the discriminatory incidents and their demand to resolve the issue. However, the discriminatory incidents continued. The university established a committee on the issue and adopted an action plan in 1975 based on the policy for resolving the issues.<sup>14</sup>

Risa Kumamoto (2010) highlights the complexity of the problems affecting Dowa-related human rights education in Japan. She points out the insufficient number of researchers in the field of Dowa/Buraku issues. She cites the lack of collaboration among departments and fields of study within the university that contributes to the small number of instructors who can teach human rights. Moreover, she points out the lack of opportunity for Buraku people to establish their own academic field as "Buraku issues studies." While there are voices in the academe calling for the establishment of women's studies and gender studies, such voices do not exist in support of Buraku issues studies.

The practice of leaving the teaching of human rights mainly to part-time instructors also causes the lack of instructors who can hold human rights courses.

In the case of universities with human rights centers, researchers in these centers tend to focus on specific human rights issues and fail to share their studies with other researchers. This situation also causes the lack of consistency in research on issues since research is dependent on the individual researchers in the centers. At the same time, some centers suffer from



a lack of researchers in the field of human rights, and researchers assigned to the centers see their posting as added work. These centers also lack collaboration with other academic institutions, and consequently fail to develop research agenda in relation to other academic fields.

An additional factor is the tendency of people in Japan of avoiding human rights issues. They may think that Buraku issues are complicated and may not want to discuss them with others.

These situations prevent the human rights research results from being widely explored and utilized.<sup>15</sup>

Mariko Akuzawa (2007), in a comparison of human rights education programs in Asia and the Pacific, finds the existence of graduate-level human rights research and education in a number of countries such as Mahidol University (Thailand), Ateneo de Manila University (Philippines), Kathmandu School of Law (Nepal), University of Colombo (Sri Lanka), and Universitas Gadjah Madah (Indonesia). The programs cover various fields, such as law, philosophy, ethics, theology, history, sociology, cultural anthropology, politics, psychology, and education. They cover not only the study of human rights concepts but also real situations. Therefore, professors do not simply give lectures but carry out fieldwork, and introduce internships by collaborating with non-governmental organizations (NGOs), international organizations and other human rights organizations. She points out that it is important to introduce human rights degree programs in Japan by learning from other countries' practices.<sup>16</sup>

Finally, Kiyoko Majima (2010) points out the lack of research on the practices of human rights education at Japanese universities. She cites her own practice of teaching human rights in a teacher training course. She uses legal cases and analyzes their outcome. The use of legal cases is a unique practice in human rights education. She carefully chooses the legal cases as educational materials in consideration of privacy issues, and makes lesson plans with carefully thought-out objectives. She uses civil cases because it is easier to predict the damage to the victim, to know the needed protection from the problems such as discrimination, and to provide the students with sufficient bases for thinking and making a fair judgment. She has held fifteen classes on the civil cases and analyzed the students' learning outcomes from student questionnaires. She found out that through the course, students changed their minds and perspectives by discussing a case and thinking with others about the judgment. She emphasizes that legal case materials

can be good educational materials for students to encourage them to analyze the issues and make a fair judgment.<sup>17</sup>

Based on these studies, there are several challenges that Japanese human rights education is facing. First, Japanese human rights education originally started from Dowa- and Buraku-problems, and discrimination issues were raised as one of the main topics. Human rights education in Japanese universities started because of the discriminatory cases in universities, and Human Rights Centers were established because of the demand by students and university staff to address discrimination incidents (mainly through education). The origin of Japanese human rights education in primary and secondary school levels and that in higher education are slightly different, but they both started with similar focus on Buraku issues. This does not mean that the theme of human rights education in Japan is only about discrimination. There is lack of teaching from the legal aspect of human rights as well as their universal character. Human rights education also tends to teach morality and equality focused on specific individual issues. The method of one instructor in using a legal case in teaching human rights has not been seen among instructors as a good practice. Second, in Japan, people consider discrimination issues as other people's issues, and try not to consider them as their own. This view makes it difficult for students to understand discrimination properly. This point applies to Japanese human rights education at all levels of formal education. Third, since Dowa and Buraku issues are not yet considered as constituting an academic field, these issues are difficult to research and teach in universities. This leads to lack of academics in this field, as well as lack of connection with other researchers in other academic fields. This in turn results in a small number of academics who teach human rights courses in Japan. Fourth, it is important to see other countries' practices in order to review and improve Japanese human rights education. The studies also point to the need to consider human rights education programs that cover a wide range of fields including law, philosophy, ethics and other fields of study.

### **Human Rights Education in Japanese Universities**

The author surveyed the human rights education syllabuses of universities in Japan during the June 2018 to March 2020 period. One hundred twenty-five universities were covered by the survey. They included education universi-

ties, national and public universities, and private universities. Universities with specialized focus were not included in the survey such as universities for medicine, nursing, dentistry, technology/technical field, fashion and sports, and also junior colleges. These higher education institutions offer human rights courses related to their specific areas of study (e.g., medicine and human rights). It is difficult to compare these specialized and unique courses with courses under the General Education framework. Thus, in this survey, the courses under the General Education curriculum (that all students could take) were selected. These courses give insights on what should be taught in human rights education for students in general.

The different categories of universities in Japan are based on the type of structure on ownership, system of policymaking and curriculum development. Academic fees and the number of students of the universities differ depending on the categories. In this survey, each university category is defined in the following manner:

- Education universities: they are teacher training institutions where students study to become teachers after graduation;
- National universities: they are universities administered by the State/national government;
- Public universities: they are universities administered by local governments (city and prefectural governments);
- Private universities: they are privately owned and managed universities.

The survey reviewed human rights syllabuses available in the websites of Japanese universities. Of one hundred twenty-five universities surveyed, three hundred ninety-two courses related to human rights were found. There are likely other courses that were not found using the online search engine. In searching the syllabuses, the key words “Human Rights” were used. Among these universities, the author visited eight universities in different parts of Japan to learn more about practices such as teaching and evaluation methods. The eight universities were chosen due to their unique human rights courses in relation to themes covered. Among the eight interviewees, seven were instructors, who actually taught the human rights courses, and one was an administrative staff. After observing educational practices, a semi-structured interview for approximately one hour was con-

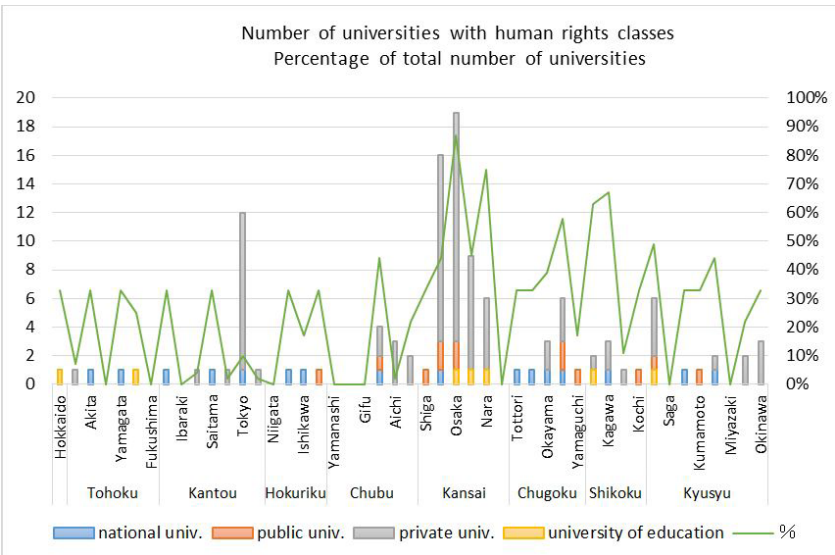
ducted. The interview included: (1) themes raised in human rights courses, (2) methods used, (3) assessment, and (4) challenges. Interviews in these selected universities do not necessarily explain all the characteristics of Japanese human rights education. In addition, Human Rights Centers were surveyed by checking university website.

Human rights education courses

An analysis of the results of the online survey of university syllabuses confirms the lack of human rights degree programs in Japanese universities. There are individual human rights courses offered for undergraduate and graduate students in the Department of Law or as part of General Education subjects. In this article, the author narrows the survey analysis to human rights courses offered under General Education, which is open to all students, in order to find out what students taking any course or studying any field would learn about human rights.

Chart 1 shows the number of courses offered under General Education of universities in different prefectures.

Chart 1: Breakdown of human rights courses by regions



The chart shows the percentage of human rights courses among the universities in each prefecture. Many courses are offered in the Kansai region, especially in Osaka, Kyoto and Hyogo prefectures. The existence of Buraku problems (which have existed for a long time and remain at present) in this region is a likely explanation for the existence of many human rights courses. There are human rights courses in universities in other prefectures and regions but with much less number. The general characteristics of the courses according to the type of universities are the following:

- Education universities offer human rights education as part of teacher training;
- National and public universities do not offer many courses compared to private universities, and
- Private universities offer a variety of human rights courses especially in the Kansai region and in Tokyo. This implies that the practices of these universities do not influence the other universities.

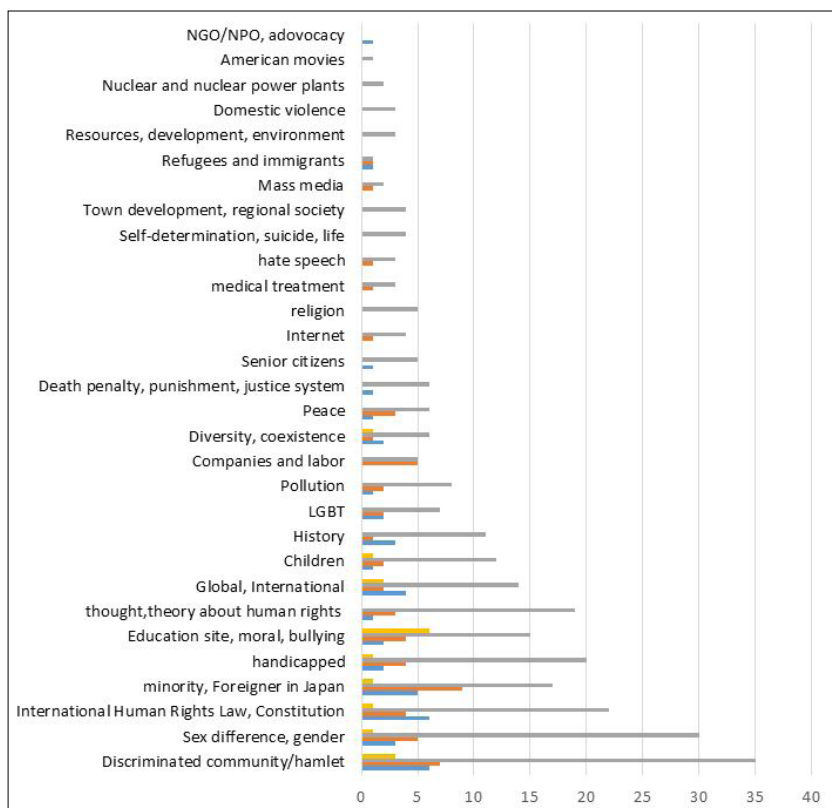
The results of the survey indicate that universities conduct human rights education under their own curriculum, or their instructors make the programs and courses to teach human rights through their own specialty such as gender and Dowa issues. Detailed explanation on why Japanese universities' human rights courses are based on instructor's specialties is provided in the section on human rights education practices in universities.

Chart 2 shows the themes raised in human rights courses in Japanese universities. This survey used key words to search each syllabus, and collected multiple answers of each course. While reading each syllabus, the author and three research assistants who were graduate students in literature discussed and identified the key words in this survey.

Of the themes chosen for human rights education, "Discriminated community/hamlet," specifically the "Buraku and Dowa problem," is most common among the universities. This topic is taken up mostly in the Kansai region. In other regions, the following tendency is observed on themes chosen:

1. "Education site (teaching methods at school), moral and bullying" issues for education universities;
2. "Sex difference, gender" for many private universities in Tokyo;

Chart 2: Themes raised in human rights courses



3. “Human Rights Law and Constitution” for national universities; and
4. “Minorities and foreigners in Japan” for public universities.

Importantly, content related to “International Human Rights Law, Constitution,” “thought, theory and Human Rights” and “Global and International” issues were listed very frequently in all types of universities.

As discussed in the review of human rights education in Japan, domestic issues are frequently listed. This implies the potential of changing Japanese human rights education by introducing not only individual discrimination issues, but also the universal and global aspects of issues in Japanese society.



In addition, the online survey reveals that private universities tend to have a variety of themes, while national and public universities have courses organized under their specific curriculums. Education universities offer courses for students who will become teachers after graduation, thus the focus of their human rights courses was different.

### Human rights centers

Some universities in Japan have established human rights centers. The online survey of these human rights centers revealed information on their objectives, see Tables 1 and 2. The surveyed human rights centers generally organize lectures, symposiums, “enlightenment”<sup>18</sup> (awareness-raising) activities along with surveys and research activities, production of publications, and setting up of a human rights library. The research areas in each center differ and cover the following, among others: elimination of Buraku discrimination, race and ethnic issues, disability discrimination, gender, international human rights security, the United States military presence in Okinawa, culture of the Ainu (indigenous people in northern Japan), ethnic discrimination, world peace, the abolition of nuclear weapons, community development, and other human rights issues.

**Table 1. List of universities with human rights centers**

Type	University
National University	Tokyo University
National University	Hokkaido University
Public University	Osaka Metropolitan University
Public University	Hiroshima City University
Private University	Kansai University
Private University	Kindai University
Private University	Kansai Gaidai University
Private University	Hanazono University
Private University	Kwansei Gakuin University
Private University	Otani University
Private University	Ritsumeikan University
Private University	Tenri University
Private University	Kyoto Sangyo University
Private University	Doshisha University
Private University	Kanagawa University
Private University	Sophia University

Table 2. Human rights centers: Objectives

Center	Objectives
Center for Documentation of Refugees and Migrants (CDR) - Tokyo University	<ol style="list-style-type: none"> <li>1. To collect, organize and disseminate information related to the migration of peoples, and especially the study of migration;</li> <li>2. To become the center of knowledge and experiences of refugees and migrants.</li> </ol>
Center for Ainu & Indigenous Studies - Hokkaido University	<ol style="list-style-type: none"> <li>1. To hold open lectures to share research findings with the public and encourage Ainu people to utilize them;</li> <li>2. To hold public lectures and other events regularly with researchers specializing on languages, histories, cultures, legal systems, intellectual property rights and other aspects related to Ainu and other indigenous peoples;</li> <li>3. To research on Ainu and other indigenous peoples in a range of academic fields such as political science, pedagogy and tourism studies.</li> </ol>
Research Center for Human Rights – Osaka Metropolitan University	To undertake research on a broad range of issues affecting the Japanese society at present, namely, Burakumin discrimination, gender, ethnic, disability and other minority/human rights issues.
Hiroshima Peace Institute - Hiroshima City University	To establish the framework of "Peace Education" based on the experiences in Hiroshima by systematizing the previous research and continuous research outcome.
Institute of Human Rights Studies - Kansai University	<ol style="list-style-type: none"> <li>1. To facilitate the fulfillment of human rights both within and outside the university;</li> <li>2. To contribute towards the human rights awareness of people at large;</li> <li>3. To help advance research in the realm of human rights.</li> </ol>
Center for Human Rights - Kindai University	To contribute to the realization of human rights by carrying out research on discrimination at home and abroad, including Buraku discrimination, race/ethnicity, gender discrimination and disability discrimination.
Human Rights Research Institute - Kansai Gaidai University	To learn basic human rights and enjoy them in reality through research and practice.
Research Center for Human Rights - Hanazono University	To contribute to the promotion of human rights education and raise awareness of human rights in the university through collection of information about human rights problems, and investigating and researching on human rights issues.
Institute for Human Rights Research and Education - Kwansei Gakuin University	<ol style="list-style-type: none"> <li>1. To undertake research on human rights issues;</li> <li>2. To establish and administer regular courses on human rights;</li> <li>3. To implement awareness-raising programs and produce human rights materials.</li> </ol>
Human Rights Center - Otani University	<ol style="list-style-type: none"> <li>1. To respect students' and staff's human rights, and create an environment for study and research;</li> <li>2. To provide a library of human rights publications and a desk for students and staff to consult on human rights issues.</li> </ol>
Peace Education and Research Institute - Ritsumeikan University	To undertake research jointly with the staff and academics from various fields such as peace and human rights.
Human Rights Research Laboratory - Tenri University	To investigate, research, collect publications, and publish books and papers related to human rights.
Human Rights Center - Kyoto Sangyo University	To hold seminars for promoting human rights education, and to provide human rights books and audio-visual resources.

Center for Christian Culture - Doshisha University	To provide various programs such as music concerts and programs for students, staff and the public in order for them to come together.
International Human Rights Center - Kanagawa University	1. To establish a network among students, lawyers, local government officials, NGO/NPO workers, citizens, and to research and practice human rights issues; 2. To protect socially weak people.
Institute of Global Concern (IGC) - Sophia University	1. To raise the consciousness of students and the wider society regarding the promotion of social justice; 2. To apply interdisciplinary inquiries into issues of justice in today's changing world to both the education of Sophia students and its practical activities (primarily refugee assistance).

One notes that human rights centers exist only in few national and public universities. Only two national universities (Tokyo University and Hokkaido University), and two public universities (Osaka Metropolitan University and Hiroshima City University) have established human rights centers. Probably because they are owned by central and local governments, many other national and public universities do not yet recognize human rights as an academic field. In this case, they probably do not find a justification for the establishment of a university-based/academic human rights center.

However, aside from human rights centers, there are also university-based human rights committees. These committees are found in all categories of universities and have the authority to discuss and resolve human rights issues within the university. They work on complaints involving discrimination, harassment (academic and sexual harassment), bullying, violence, privacy, etc. Table 3 provides the list of committees found in university websites. This is a list of universities that have not established human rights centers, but have created human rights committees. These committees hold seminars and symposiums related to human rights for the university staff, students and general public.

**Table 3. Human rights committees in the Universities**

N/P	University	Committee	Main Research Area	Activities
N	Osaka University	Human Rights Issue Committee	Dowa issues, and other human rights issues	Symposium on human rights issues
N	Osaka Kyoiku University	Promoting Human Rights Committee	Dowa issues, and other human rights issues	Symposium on human rights issues for students and staff

N	Saga University	Promoting Human Rights Committee	Gender, Buraku issues, human rights issues	Symposium on human rights issues, and open seminars for citizens
N	Kyoto University	Human Rights Committee	Dowa issues, and other human rights issues	Books and references related to Dowa issues, and human rights issues at library
P	International Christian University	Human Rights Committee, counseling staff of human rights issues	Harassment, human rights violations	Counseling, harassment, consultant of human rights abuse, library
P	Showa University	Promoting Human Rights Committee	General human rights issues (such as handicap, disability)	Seminar on promoting human rights, publishing leaflets
P	Meiji University	Human Rights Committee	General human rights issues (gender, equality, peace education)	Symposium on human rights issues, 2 times a year
P	Rikkyo University	Committee on Human Rights and Harassment	General human rights issues, harassment, human rights abuse	Symposium on human rights issues, and dealing with human rights abuse and harassment
P	Otani University	Human Rights Education Committee	Human rights education	Symposium on human rights education for students
P	Osaka University of Arts	Promoting Human Rights Committee	Advertising promoting human rights words	Seminar and showing films about human rights issues, advertising the human rights words, using Twitter to spread the information
P	St Andrew's University	Promoting Human Rights Issues Committee	Human rights abuse	Seminar about human rights issues, publishing report about the activities related to human rights issues
P	Bukkyo University	Human Rights Education Center	Human Rights Education	Promoting human rights, setting library, consultation
P	Kyoto Koka Women's University	Human Rights Center	Sports and Human Rights, Gender	Symposium on human rights issues, and dealing with human rights abuse and harassment
P	Kio University	Promoting Human Rights Committee	Education	Symposium on human rights issues for staff
P	Otemon Gakuin University	Promoting Human Rights Committee	Human Rights Abuse, Promoting Human Rights	(no information on activities since 2014)

## **Human Rights Education Practices in Japanese Universities**

Based on the data gathered in the online survey, the author chose eight universities belonging to all categories which offer university-wide human rights courses for further research. The author interviewed seven instructors and one administrative staff in the eight universities. Information on such practices were not available in university websites and syllabuses.

On the themes covered by the human rights courses, the interviewees identified not only Buraku issues, but also issues on peace. The discussion of peace issues is linked to human rights issues in the context of the dropping of atomic bombs in Hiroshima and Nagasaki during the World War II. This is unique in Japan when compared to issues taken up in other countries. University A in Hiroshima is an example of teaching the peace issue. The instructor asks students to visit one of the peace memorials and write a report on the visit. This assignment requires the students to personally visit the place and learn its history. This can be done in Japan since it is the only country in the world that experienced atomic bombing.

The interviews likewise covered the teaching methods employed by the instructors in their human rights courses.

### **Practices in University A**

University A is located in Hiroshima city, also known as a Peace City, where an atomic bomb was dropped for the first time ever in 1945. The city subsequently adopted the principle of “Freedom and Peace.” One of the five mission statements of University A is about the promotion of the “spirit of peace.” In order to achieve this mission, several liberal arts subjects related to peace are being offered for first- and second-year students in the university, such as “Hiroshima and Peace,” “Peace and Human Beings” and “Peace and Human Rights.” The author asked an instructor about the practice of the third subject called, “Peace and Human Rights - Perspective of Globalization and Gender ... a compulsory subject for 1st year undergraduate students.” The instructor said that instructors decide on the teaching method to use due to lack of teaching guideline from the university. She decided to use the discussion method. The university does not provide the guidelines on what should be included and how to teach peace and human rights. She made her own lesson guided by the curriculum and mission of the university.

This was the reason for the decision of the instructor in teaching the topic from the perspective of gender because this was her specialty. She made a portfolio for each student so that they could use it during the class and keep it as their record. The number of students who take the course varied depending on the year, for example, the number ranged from ninety-five to three hundred students. She gave lectures with accompanying student discussion exercise. Since the class size was big, she divided the students into small groups for discussion. She also tasked the students to go to one of the peace memorials either in Hiroshima or Nagasaki by themselves and write what they learned by visiting them.

In her lectures, she raised issues regarding poverty, LGBT, children and women, among others. After teaching various topics, she asked the students to choose the most interesting topics and research on them in group. Each student had to write an individual report as a final assignment. Although the class was big (with about a hundred students on average), the instructor used a teaching technique to make students learn by themselves (such as by making them write their reflections on what they learned from the class).

### **Practices in University B**

The author interviewed an instructor who teaches “Human Rights and Peace” course. This is the course for any undergraduate students, but a lot of students taking this course are freshmen. Ideally, this course should be taken after students have studied the “Japanese Constitution.” The course can accommodate one hundred twenty students, and an average of sixty to one hundred students take the course. The main topics are human rights, peace, and human rights history. Students are required to think about the relationship between human rights and peace throughout the course. There is no prescribed textbook, but handouts are distributed in each class. Lectures are mainly given in the class and the choice of topics is flexible depending on the world events being reported at the time and students’ interest such as gender and human rights, LGBT, equality, disability, freedom of expression, hate speech, and others. For assessment, students are required to write reports (four to five reports), and take a final examination. Attendance in class is also considered. This course aims at not only making students gain knowledge of human rights but also develop a thinking that human rights issues are their own issues as well.

### **Practices in University C**

The author interviewed an instructor who taught the course “Human Rights and Gender.” This course is part of the human rights course that has been officially approved by the university. According to the instructor, while serious human rights incidents do not seem to exist in Kanazawa city, where the university is located, gender issues are evident. People in the city tend to have a male-dominated society mindset. This dominance of men in the society requires the need to raise awareness of gender equality in the society. This provides a context to the “Human Rights and Gender” course.

The human rights course is a compulsory subject for around 1,200 students in the university. With this large number, ten classes are offered with an average of one hundred twenty students taking the course in each class. The course is handled by four instructors, who have different specialties or issues of focus. Thus, the course also includes discussions on disabilities, human rights system and various human rights issues aside from the gender issue. Instructors use textbooks that they wrote and published themselves. This means that the course contents are dependent on the instructors’ specialties, and instructors teach students human rights issues by using their own publications.

Also, in the university, active learning is recommended as pedagogy in teaching the course. The instructor interviewed by the author asks students to write the definition of human rights using comment sheet, organizes group discussions, and requires group presentations and discussions in class. For assessment, students choose one topic they find interesting, and write about what they learn in the class. The instructor faces the challenge of raising the students’ motivation in learning the subject. The instructor uses YouTube videos on the latest news in order to engage the students in class and get them interested in starting a discussion.

### **Practices in University D**

In the 1970s, a student in University D complained about a statement in a textbook that declared, “Political community is like Buraku community.” The student complained that this statement was not right because the political community and Buraku community did not have the same meaning. The student thought that equating “political community” with “Buraku community” would give negative connotation to the latter. The university accepted the necessity of providing human rights education to students for them to



become aware of Buraku issues. This incident started the support of the university to human rights education.

The university developed an intensive human rights course held on two Saturdays in May and June for a total of four sessions. An average of forty students takes the course every year, and many of them are taking literature, education and agriculture as their major.

Lecture is the main mode of teaching, with the latest news as teaching material. Students choose topics that they are interested in from newspapers, paste newspaper clippings on the board in the classroom, and express their thoughts about them. The instructor tries to encourage the students to be as active as possible inside the classroom. Students are expected to recognize human rights issues as their own issues. Reference books are also introduced on various issues including Buraku, hate speech, Hansen's disease, gender discrimination, bullying, and others. Students fill out a review sheet at the end of the class and prepare a required final report. The final report has to answer the following questions:

1. Why are Buraku issues being taught in schools?
2. Based on what the students learned about the issues, explain the social structure that causes discrimination.

In the past, students wrote the following statements:

I have never learned Buraku discrimination before. This is the first time that I learned the Buraku issue, and found this issue an important one.

Students raised different topics and issues. A lot of students pointed out that we had to know the facts about discrimination, and education has an important role in order to do this.

The instructor has difficulty motivating students to study human rights, but continues nevertheless with the course.

There were several other challenges raised in teaching human rights in University D. Students who aim to obtain a teachers' license are required to take a human rights course. Thus, some students take the course because it

is a required course, and not because they are interested in human rights. They lack the motivation to learn about human rights. Another issue is about instructors put in charge of the human rights course. They are part-time lecturers who face difficulty in sharing human rights knowledge and experience due to limited time available for teaching.

### **Practices in University E**

Nagasaki has three big human rights issues, namely, Buraku, Atomic Bomb, and “hidden” Christians (Kakure Kirishitan).<sup>19</sup> In western Japan, human rights courses are typically taken by students who are in teacher training. In University E, the human rights course is a mandatory course for 3rd year students who study in the education department. The author interviewed an instructor who has been teaching the human rights course for more than twenty years. The instructor notes that students at present study human rights in relation to issues that were not existing before such as COVID-19. In 2023, new issues like the COVID-19 pandemic were added in the list of present human rights issues.

University E is located near a Buraku area that makes it easy for students to think about Buraku issues. Each class has an average of one hundred thirty students. The course content include human rights in general such as the Universal Declaration of Human Rights, definition of human rights, United Nations and individual issues such as Buraku, LGBT, non-Japanese living in Japan, hate speech and Ainu issues. The course employs lecture and group discussions. In group discussions, students play different roles such as leader, presenter and others. Normally a group of five to six students work together and share their discussion summaries in the class.

For assessment, students write a report answering this question: “What kind of human rights education is ideal?” Besides the final report, students are required to write two essays in the middle of the course. The first essay is about the students’ impression on human rights after reading the textbook of the course. The second essay summarizes the human rights education in students’ hometown; this refers to each student’s human rights education experience in school.

### **Practices in University F**

University F offers a “Human Rights Education” course. Normally, forty to fifty students join the course. The instructor, who is from Nepal, uses the

technique of giving lectures and making students discuss issues. This class is unique as non-Japanese and Japanese students learn together in English. The instructor introduces quizzes and makes own handout for students to maintain students' concentration on the classes.

The instructor considers human rights as a key topic for students from different backgrounds to start discussing. She designed the course in a way that not only makes students seek knowledge but also make them express their views on the topics. She mainly uses the latest news reports. She introduces human rights activities to explain ongoing issues and how to tackle them. She raises topics such as cultural relativism, refugee, women's rights, child rights, genocide and terrorism. At the end of the class, students watch a video on the Rwanda genocide and other videos to make the students understand what is happening in the world.

### **Practices in University G**

University G offers seventeen courses on human rights for the first and second year students. The courses are held on Fridays. None of these courses are compulsory. The courses have about one hundred fifty students in one class. Also, if students want, she allows the students to do fieldwork during the course. Examinations are given to assess learning, but she gives some questions beforehand so the students can prepare before the test. The contents of the course include the universal concept and history of human rights. She also teaches the human rights mechanisms and provides the latest information related to human rights. She teaches not only the universal character of human rights but also specific human rights issues such as Buraku and gender issues. Since the number of students is big, she gives lectures in class. She makes the effort of making students understand not only the universal dimension of human rights but also the specific human rights issues. She also teaches human rights theory alongside human rights issues, and gives students examples and problems to think about and discuss.

### **Practices in University H**

The author also interviewed the administrative staff member of a private university about human rights courses. She was a chief member of the human rights center and the human rights courses team representing the university administration. The university committed in the 1970s to solve the Buraku discrimination incidents that occurred not only in its Engineering

Department but also in the dormitories of the Departments of Sociology and of Economics and Business. In the engineering department, an instructor made discriminatory statements during a lecture. In the dormitories, discriminatory graffiti was found. Since then, the students demanded the offering of human rights courses and holding of seminars to address the issues. In response, the university established a human rights center to undertake research and education activities to address the problems.

Human Rights Courses started to be offered in 2009, along with about fourteen other courses related to human rights. The Human Rights Courses have four themes including the Buraku issue, Sexuality, Disability and Women. The instructors of the Courses choose one of the four themes for their classes. The Courses are part of the liberal arts subjects (similar to General Education) that students at any year level and specialty could take. But they are not compulsory subjects for the students. There are no guidelines regarding contents and methods of teaching the Human Rights Courses. The instructors make their own decision on what and how to teach the courses.

The number of students in each course varies from ten to one hundred. The method is mainly giving lecture, but some instructors invite guest speakers or take students on field trips to learn from the sites being visited. Assessment is mainly done by examination, but participation is evaluated as well. The instructor's fields of expertise are varied - international law, minority studies, social welfare and others.

Besides these courses, the university holds a faculty development activity once a year for those teaching human rights courses. During the activity, instructors share what the students found interesting in the topics and methods of teaching. The university also holds training sessions on human rights for members of the staff and the students twice a year. About sixty to one hundred members of the staff and students participated in these sessions annually. A separate training for all the new members of the staff is held in order to enhance their awareness of human rights.

### **Analysis of Human Rights Education Practices in Japanese Universities**

Human rights education practices in Japanese universities can partly be analyzed based on information from eight universities in different parts of the country.

The eight universities offer different human rights courses, whose components and other characteristics are summarized below:

- Topics: Peace, Buraku/Dowa issue, human rights history, human rights movement, Zainichi Koreans (ethnic Koreans who are permanent residents in Japan), LGBT, global society and human rights, child rights, bullying, issues related to disabilities, women's rights, sexuality, etc.;
- Number of students in class: The number of students attending human rights courses range from ten to two hundred, depending on the type of course involved;
- Assessment: students are assessed through examinations, reports or short essays, etc.;
- Outcome: Students become aware of discrimination and the realities about it (appreciation of the facts involved);
- Teaching Methods: the instructors give lectures, engage students in group discussions, invite guest speakers, do fieldtrips, and use videos (available online) and newspapers as teaching materials.

The instructors and staff members of the universities confirm that they themselves choose topics and teaching methods in the courses. The teaching methods allow students to participate in the class actively, and help them to learn about human rights issues through a variety of means.

A lot of the courses are aimed at developing the thinking among students that human rights issues are their own issues as well. However, there are other problems such as the tendency of some courses to focus on learning facts, not aimed at learning the individual rights, and not developing the concept of taking action to solve current problems for a better society. These limitations mean the lack of intention to empower students.

Some Japanese universities treat human rights education as a compulsory subject, but the universities do not provide guidelines for teaching human rights. Also, while the human rights courses are compulsory, the instructors face the challenge of lack of interest on human rights among students. As a consequence, students take the courses because they are required and not due to personal interest on human rights. This makes it difficult for the instructors to motivate students.

Universities in the Kansai region, where the Buraku/Dowa issue is more well-known, are the most active in offering human rights courses for undergraduate students.

The university human rights centers play a significant role in promoting human rights through research and educational initiatives. The online survey of human rights centers reveals several characteristics of these centers.

First, as summarized in Tables 1 and 2, their research on human rights issues focuses on issues on the local area where they operate, such as Ainu culture, US military base in Okinawa and Buraku. For example, the Center for Ainu and Indigenous Studies at Hokkaido University focuses on Ainu and other indigenous peoples. The Hiroshima Peace Institute at Hiroshima City University focuses on peace and abolition of nuclear weapons. There are a few centers that research on global human rights issues, such as refugees. The International Human Rights Center in Kanagawa University focuses not only on domestic human rights issues but also on broader human rights issues in the world. They research on international human rights issues and involve people in the university and NGO/NPO and the citizens to think about their solutions.

There is little indication that the research of the centers on local human rights issues is undertaken in cooperation with other human rights centers or with regional or international organizations, such as the United Nations, in order to address the issues from an international perspective.

This tendency leads to the weakness of human rights education in Japanese universities: focus on domestic issues, especially on the various forms of discrimination which occur in the different regions of the country, and the lack of connection with organizations inside and outside Japan.

Second, the human rights courses being offered are not always part of the activities of the centers. This implies that instructors individually offer human rights courses, and not necessarily as part of a center's program. The human rights centers mainly undertake research and hold seminars for the public, university staff and students. The topics of research and seminars are not always directly related to the educational programs and courses for students. The human rights center websites explain the center program, activities and research areas but fail to present the human rights courses for students on the same page. In some universities, human rights courses are offered separate from the centers.

Third, the content of human rights courses being offered connected to the centers is dependent on the area of research of the instructors rather than based on a broader education program that covers the general human rights issues and systems. This can be seen in the focus on domestic human rights issues, such as the Buraku/Dowa issue, the lack of understanding of individual rights and lack of attention to discussion of solutions to human rights issues. Also, instructors do not have much chance to share their practices among fellow instructors in the university, or to link up with instructors in other fields. The instructors are forced to plan the courses by themselves. A good example mentioned earlier that can address this issue is the Faculty Development and Staff Training for raising human rights awareness in a private university. This program can help instructors in the university to work together for human rights education.

The online survey used here to collect information and to select universities to visit to obtain additional information prevents the making of a general conclusion on human rights education in Japanese universities. Further research and literature review are necessary.

Also, the online survey used only “Human Rights” as key words. Using other key words related to human rights such as gender, child rights, education, and others can provide more information on characteristics and challenges in human rights education programs in Japanese universities.

## **A Proposal**

The findings of the survey of university human rights education programs present a number of issues on the human rights content as well as the pedagogy being employed. They highlight the limitations as well as the good practices in teaching human rights in Japanese universities. These survey findings, therefore, serve as bases for developing a good university human rights education program.

Below is a proposal on what should constitute a university human rights education program:

(1) Name of the Program: Multicultural Coexistence and Human Rights Education

(2) Purpose and Outline of the Program:



This program covers knowledge, skills and behavior needed to become global citizens by learning under the theme, “Multicultural co-existence and human rights.” Students will learn and discuss various topics such as human rights history, multicultural coexistence, outcast people, indigenous people, war and peace, gender, LGBT and others.

This course aims to apply human rights knowledge in analyzing various topics, discussing and writing about human rights issues from personal perspective, and develop a plan on taking action on human rights issues. The program also aims to create a classroom environment, where students learn from each other by knowing each other’s views and taking them into consideration. More specifically, the program aims to allow the students to participate as facilitators in group discussions, and leaders in making group presentations.

### (3) Study Goal

The program aims

1. To deepen understanding of human rights and how to cooperate with others in a multicultural society;
2. To develop skills in expressing views and listening to others’ views;
3. To acquire skills to think creatively and critically;
4. To develop skills and perspectives on active participation in the classroom and in the society;
5. To understand others and ways to cooperate with others in multicultural society;
6. To gain the ability to take action and practice human rights in reality.

### (4) Important points in teaching practice:

1. Approach the learning of human rights from not only universal but also from individual and regional perspectives;
2. In order for students to be active, give students tasks and examples to make them think of the issues as their own;
3. Set classroom rules that establish a human rights culture by discussing what is necessary to make this happen with the students;
4. Aim at changing the society in a better way and coexisting with people of different backgrounds.

(5) Teaching methods:

Lectures, classroom discussion, video viewing, fieldtrips, interacting with guest lecturers and other methods will be part of the teaching methods in the program. After each class, students review their study outcome and write their thoughts in a portfolio so that they record their learning and compile them at the end of the course.

(6) Number of participants

In order to ensure effective classroom discussion, a class size of less than thirty students is an ideal number that allows instructors to handle the class better. Having more than thirty students in class limits the interaction of students with each other, and of the students with the teacher. Also, discussion groups with five to six members in each group allow more participation for students.

Since students have their own experience related to human rights and since the classroom can become a “human library,” students can share experiences and learn from each other. For assessment purposes, the students discuss human rights problems and practical solutions in writing. This supports human rights education that does not only aim at learning human rights knowledge but also related skills and attitude.

(7) Assessment (if necessary)

As shown in the following criteria, grading is based on regular attendance and active performance in each discussion:

- Participation in the class (20 percent)
- Worksheet and Review Sheet (30 percent)
- Group Presentation and Peer Review (30 percent)
- Test or Report (20 percent).

(8) Evaluation of participants' study outcome:

Evaluation of the progress of students' learning is necessary. A questionnaire can be used for this purpose.

This program can be used in different education levels - primary, secondary and tertiary levels, or even for adults. This program is for students/participants to recognize human rights issues as their own, and share their experiences to understand the reality. In the end, stu-

dents/participants think about the solutions, and take action to create a society where people can cooperate with each other and show respect for multicultural perspectives.

## **Conclusions**

The analysis of the results of research and survey identifies the challenges and suggestions for human rights education in Japanese universities.

First, human rights education in Japanese universities tends to focus on individual issues, and lack the universal dimension of human rights. Human rights education should include not only local issues such as discrimination, atomic weapons, natural disasters and rights of individuals but also the history of human rights, and theory and philosophy of human rights.

Second, human rights education in Japanese universities tends to focus on learning facts. It should teach how to analyze problems and find solutions by themselves. Also, it is important to empower them by providing knowledge of their individual rights.

Third, there should be human rights degree programs at university level in Japan. This requires Japanese universities to have more academics to do research and human rights education. Human rights should be recognized as a separate academic field. It is important that research outcome and educational practices are shared among universities, human rights centers and even individual researchers.

Lastly, it is important to provide a guideline for human rights education in higher education in Japan that universities can follow in setting the curriculum and instructors can make the course programs according to it. This gives university instructors the guide on what to teach and how to promote human rights education in Japanese universities.

Throughout this article, the author explains the situation of human rights education in Japanese universities, identifies the challenges and weaknesses, and finds ways of improving them. The conclusion may not be particularly new, but if the suggestions are taken into consideration among the Japanese universities, human rights education in higher education of Japan will be changed. Since the final goal of human rights education is to provide people with the knowledge, skills and behavior supporting human rights,

this will empower people to create a society where they respect each other according to human rights principle.

## Endnotes

1 See World Programme for Human Rights Education, [www.ohchr.org/en/resources/educators/human-rights-education-training/world-programme-human-rights-education](http://www.ohchr.org/en/resources/educators/human-rights-education-training/world-programme-human-rights-education).

2 See II. Youth empowerment through human rights education: plan of action for the fourth phase (2020–2024) of the World Programme for Human Rights Education, [www.ohchr.org/sites/default/files/2022-10/OHCHR-OSGEY-UNESCO-World Programme for Human Rights Education Fourth Phase.pdf](http://www.ohchr.org/sites/default/files/2022-10/OHCHR-OSGEY-UNESCO-World%20Programme%20for%20Human%20Rights%20Education%20Fourth%20Phase.pdf).

3 II. Youth empowerment through human rights education: plan of action for the fourth phase (2020–2024) of the World Programme for Human Rights Education, *ibid.*

4 *Ibid.*

5 SDG 4.4 states as target the ensuring of “equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.”

6 学校における人権教育: 文部科学省, [www.mext.go.jp](http://www.mext.go.jp). This is the website of Ministry of Education, Culture, Sports, Science and Technology, which explains the objectives and important points in practicing human rights education at school.

7 Hirasawa, pages 18–19.

8 “Buraku people are a Japanese social minority group, ethnically and linguistically indistinguishable from other Japanese people. They face discrimination in Japan because of an association with work once considered impure, such as butchering animals or tanning leather.” See International Movement Against All Forms of Discrimination and Racism, [www.imadr.org/sayama/buraku.html](http://www.imadr.org/sayama/buraku.html).

9 Mori, pages 10–11.

10 Ikuta, <http://mailsrv.nara-edu.ac.jp/~ikuta/research1.html>.

11 Ikuta, page 18.

12 Sowa, page 64.

13 Itayama, pages 64–65.

14 Itayama, page 6.

15 Kumamoto, pages 17–19.

16 Akuzawa, pages 39–49. For more discussion on university courses on human rights in Southeast Asia, read Mike Hayes, “Developing Networks of Human Rights Teaching Universities in the Asia-Pacific: The Establishment of SEAHNR and AUN-HRE,” *Human Rights Education in Asia-Pacific*, volume nine, 2019, [www.hurights.or.jp/archives/asia-pacific/section1/hreap\\_v9\\_formal\\_education.pdf](http://www.hurights.or.jp/archives/asia-pacific/section1/hreap_v9_formal_education.pdf).

17 Majima, page 120.

18 The term “enlightenment” (啓蒙) is frequently used as English translation of promoting human rights and awareness-raising on human rights.

19 Watch “The secret world of Japan’s ‘Hidden Christians,’” for a short introduction to the “hidden Christians in Japan. BBC, [www.bbc.com/reel/video/pob3frjr/the-secret-world-of-japan-s-hidden-christians-](http://www.bbc.com/reel/video/pob3frjr/the-secret-world-of-japan-s-hidden-christians-).

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# Human Rights Education Through the Lens of Loglocal Pedagogy – A Case Study

Munir Moosa Sadruddin

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**I**N RECENT TIMES, the growing turmoil within academia brought about by global crises, including human rights violations, has underscored the necessity of advocating for peace, supporting social justice, and promoting human rights values through multiple avenues. The emergence of intolerance, hatred, and challenges associated with well-being among youth further underlines the pressing need to guide young individuals toward making meaningful and constructive contributions to society. Youth are disengaged, and their involvement in addressing global challenges is restricted to sharing their viewpoints, which frequently leads to heated arguments rather than generating valuable intellectual output. Shifting from passivity to actively contributing to the world's problems remains an idea that demands willingness, ownership, acceptance, tolerance, resilience, and skills such as “ethrlical thinking” and digital literacy to address local and global challenges through conscious and in-depth analysis, and communities of practice.

The practice of human rights within academia commences with institutional policies, including educational policies, which shape the curriculum, teaching, and societal values, and provide a foundation for respecting and upholding human rights. In Pakistan, the lack of a clear stance on this subject has hindered their effectiveness, resulting in limited productive outcomes across academia. One possibility to promote human rights is by introducing the subject of human rights education through which positive values can be instilled in students. However, before that, it is crucial to train teachers so that they possess the knowledge and skills needed to impart these positive values to their students.

In Pakistan, elements of human rights are infused in subjects like social studies, humanities, and civic education. However, there is currently no formal subject dedicated to human rights education at the school or university level. The primary reasons are the shortage of experts in the field of human



rights education and a lack of awareness about its significance. Assuming that experienced teachers can automatically serve as effective human rights educators is a misconception. Becoming competent human rights educators requires a combination of experience and exposure. Furthermore, there is a prevailing belief that human rights education is a Western concept and should be avoided in discussions to prevent potential ideological clashes. At the teacher education level, this subject has not garnered much attention from the policymakers as it is often assumed that the role of teachers is to deliver lessons as provided in the courses, focusing more on their pedagogical skills rather than on supporting students to become value-driven individuals.

I successfully piloted a course on human rights education for future teachers at the Sindh Madressatul Islam University (SMIU) (Sadrudin, 2017). The student-participants' recommendations on additional elements that were missing in the first pilot session of the course were taken into consideration including counseling skills, teaching internship, etc. in the subsequent version of the course.

This reflective article explores the introduction and application of the loglocal teaching pedagogy for human rights education, delving into the elements that were piloted within this framework.

### **Development of Human Rights Education**

Our understanding of human rights and their significance continues to evolve. As societies progress, new perspectives, challenges, and issues arise, requiring us to adapt and expand our approach to human rights education.

As I wrote in 2019, human rights education

is a conscious incessant socio-cognitive and eco-ethical learning process that gradually empowers individuals about the rights of self and others. It involves a readiness to make rational and civilized decisions through the conscious filtration of [human rights] ideologies, sociocultural context, and political will. It is a critical component to achieving sustainable development, maintaining human dignity, and applying social justice. It permeates a sense of openness towards embracing multiculturalism, pluralism, and diversity. (Sadrudin, 2019)

The definition encompasses four main purposes of human rights education: identity, ownership, consciousness, and acceptance.

Human rights education can promote rationale-based thinking which can lead to a more inclusive and equitable society where human rights are respected and protected. More significantly, it can lead to conscious ownership and decision-making skills, based on ethical leadership. I coined the term “ethrlical thinking” that fits into this situation. It refers to valuing critical thinking in personal ethics to make clear and better decisions.

By educating individuals on human rights and values, they can develop an understanding of self-dignity and of all individuals, as well as recognize the importance of respecting diversity. This can lead to increased empathy, compassion, and a deeper appreciation for differences, ultimately reducing the likelihood of violence and intolerance. It also can foster social and adversity quotient, placing less emphasis on intellectual quotient.

Social Quotient (SQ) refers to one’s ability to understand self and others’ actions and manage interpersonal relationships. It is developed through experience and exposure. Interaction is a key to developing SQ. Whereas Adversity Quotient (AQ) is one’s ability to perceive and manage challenges, traumas, crises, and setbacks with resilience. Both help in understanding self and others through human interaction, foster resilience in navigating challenges, and promote human rights in diverse and adverse contexts.

The 1948 Universal Declaration of Human Rights (UDHR) catalyzed the development and promotion of education that promotes tolerance, respect for human rights, and fundamental freedom. In 1953, the UNESCO Associated Schools Program initially attempted to teach human rights in formal school settings. In 1974, UNESCO adopted the “Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms.”<sup>1</sup> This is the “first international document that brings together and articulates education’s role in contributing to peace, international understanding, human rights, and fundamental freedoms.”<sup>2</sup> The UNESCO General Assembly adopted a revision of this document on 9 November 2023.<sup>3</sup> In 1993, the representatives of one hundred seventy-one United Nations (UN) member-states adopted the Vienna Declaration and Programme of Action of the World Conference on Human Rights, which highlighted the significance of human rights education to foster peace, unity, and tolerance among communities around the globe. It also recommended incorporating subjects of human

rights education in formal and non-formal learning settings. In 1995, the UN declared the UN Decade for Human Rights Education (1995-2004), urging all member-states to promote human rights education through the plan of action for the decade. In 2005, the UN General Assembly proclaimed the World Programme for Human Rights Education to advance the implementation of human rights education programs in all sectors. This program has progressed through four distinct phases. The initial phase concentrated on primary and secondary school systems. Subsequently, the second phase extended its reach to higher education, civil servants, law enforcement officials, and the military. In the third phase, efforts were directed toward strengthening the implementation of the first two phases and promoting human rights training for media professionals and journalists. Finally, the fourth phase focuses on empowering youth through human rights education, aligning with the 2030 Agenda for Sustainable Development and specifically targeting SDG 4.7. In 2011, the UN General Assembly adopted the United Nations Declaration on Human Rights Education and Training as a framework for human rights education. It aims to promote respect for human rights and values through education at all levels and in various areas. In 2014, different non-governmental organizations (NGOs) formed the Global Coalition for Human Rights Education.<sup>4</sup> The Coalition raises awareness of integrating human rights education and serves as a pressure group to implement, monitor, and assess the achievements of countries in the process of implementing human rights education.

Despite these initiatives, questions persist regarding the establishment of a consensus on the definition and scope of human rights education, as well as the assessment of the current status of human rights education in various countries. Much of the published work on human rights education is set in the Western context leaving other regions more susceptible to ideological clashes within the realm of human rights education. These issues in human rights education have remained unresolved largely due to the absence of a sequential hierarchy<sup>5</sup> and the lack of thorough field analysis before introducing it in various contexts. For instance, the phases of the World Programme for Human Rights Education did not incorporate the insights gained from previous phases and failed to outline a sustainability plan. Consequently, it remains uncertain whether it was effectively incorporated at all levels of education and professional development. Teachers were not given due consideration at any stage, leading to insufficient justification

for the claim of implementing human rights education on a global scale at the same pace and capacity.

While some academic institutions have introduced programs in human rights education, encompassing degree courses, and non-formal and informal training, the efficacy of many of these programs remains undocumented. Additionally, intergovernmental organizations have played a vital role in researching and implementing human rights education programs, but their efforts are often constrained by their reliance on project-based funding grants, which may not fully align with instilling positive values on a sustainable basis. There is still much work to be done to realize the desired, fruitful outcomes in this field.

### **Human Rights Education in Pakistan**

In Pakistan, human rights education is not on the agenda of its national education policy. An exception is the National Education Policy of 1998-2010, which promised the inclusion of issues such as population and the environment. However, it lacked a clear definition of how to introduce human rights education or how to integrate these issues into multidisciplinary subjects. In 2002, for the first time, a national plan of action for human rights education was made to build an infrastructure for human rights education (Government of Pakistan & UNESCO, 2002). But this initiative has remained unrealized and has largely remained an idea on paper. At the school level, elements of human rights are integrated into subjects like social studies. However, there is no dedicated subject for human rights. Moreover, the coverage of these elements is quite limited, and they are typically taught by subject teachers who lack the specialized pedagogical skills required for effective human rights education. Parvez Ahmed Pirzado's (2019) study identified several key issues, including a lack of commitment among decision-makers, unclear implementation guidelines for human rights education, a shortage of professional development opportunities for teachers in this field, and an absence of supporting materials for teaching human rights education in the classrooms. The same is the case at the higher education level.

At the teacher education level, courses on Global Citizenship Education (GCED) and human rights education are not integrated, thus a lack of opportunity for future teachers to learn and apply human rights values among the teaching community and learners (Sadrudin 2017). To address this gap,

I introduced a Human Rights Education course at Sindh Madressatul Islam University, one of Pakistan's oldest public-sector universities, aiming to prepare future teachers for global competencies.

The following sections define the different components of the course and discuss their implementation during 2022.

### **Research-based Course**

The human rights education course is implemented using a participatory action research method. Loglocal pedagogy is piloted to manage various activities within the course. The research results are considered in further developing the course.

### **Background of the prospective teachers**

Initially, when the course was first launched, it consisted entirely of female students. However, in subsequent iterations, it was introduced to both male and female students. Forty students participated in this study. The majority of the student-participants had previously attended private sector schools and aspired to become school-level educators in the future.



Student-participants in a group case-study activity.



Student-participants discussing human rights issues.

## **The Course**

This course was initially developed in 2016 and subsequently revised in 2022, incorporating recommendations from the student-participants, and relaunched in 2022, marking the first implementation of the loglocal pedagogy within the course.

This course was a requirement for a Bachelor of Science and spanned one semester (four months), comprising forty-eight contact hours, divided into two sections and eight units. The first section covered topics including introduction to human rights; historical development of human rights; areas of human rights; rights and responsibilities; laws and policies about human rights in Pakistan and world; state of human rights in Pakistan and the world; state of human rights across academia. The second section focused on the historical development of human rights education; themes of human rights education; good practices in human rights education; human rights education models; challenges and opportunities of teaching human rights education; skills to become competent human rights educators; pedagogical skills; curriculum planning; human rights education resource development, lesson planning, field visits, and teaching internship. See Annex A for the course syllabus.

In the Class of 2022, students from the Bachelor of Science in Education program were chosen to participate in the course. Data was gathered through focus group interviews and a reflective diary. The course equipped future teachers with the knowledge and skills essential to become human rights educators. They acquired a range of strategies for teaching Human

Rights Education, such as case studies, theater, music, storytelling, and more. They gained skills like ethical thinking, resilience, mental health first-aid, decision-making, and self-identity skills. Student-participants took ownership and collaborated in developing localized human rights teaching resources. Furthermore, their involvement in community development work allowed them to closely observe human rights challenges and suggest remedial measures.

### **Teaching methodologies**

Not all available methodologies for teaching human rights education can be universally applied since sensitivities vary significantly across countries and regions. Therefore, it is crucial to be aware of the context and consider any limitations that may be present when teaching human rights education. This may require adapting or selecting teaching methodologies and learning resources that are suitable for the specific context. It may also involve focusing on widely accepted aspects of human rights or emphasizing the shared values that form the foundation of human rights.

Human rights education is sometimes seen as a Western concept by some in the East, which has impeded the adoption of global practices within academia. In reality, subjects like human rights education and GCED begin with the local context before expanding to the global context. There is resistance to accepting global values when the local values are disregarded. While local and global values may align at some point, it is essential to design a contextual course that can accommodate both.

In education, the term “global” can evoke resistance in various contexts, primarily because it is frequently misunderstood. Local problems sometimes turn out to be global problems, and vice versa. Also, certain local educational approaches may bear a resemblance to global practices.

With this approach in mind, I introduced a loglocal pedagogical approach to teaching human rights education. This pedagogy uses a minimally invasive intellectual approach to avoid unnecessary complexity while achieving the desired result. It aims to promote a deeper understanding and appreciation of local practices by first building on students’ existing knowledge and experiences parallel with understanding local policies and practices on the subject matter. This is done to ensure that the content being taught is relevant and meaningful. Once we have a solid grasp of the local context, the approach then involves evaluating global knowledge, perspectives, poli-



cies, and practices within the framework of multicultural and social contexts. Subsequently, global content is filtered, scrutinized, and adapted to suit local contexts. This is turned into reality by encouraging students to critically examine global perspectives and identify ways in which they can be applied to the local context. This ensures that the content being taught is not only relevant but also culturally sensitive and respectful. Loglocal pedagogy is thus participatory and takes a fluid approach to teaching human rights education.



The learning approach taken in loglocal pedagogy is heutagogy- a self-determined learning method, and connectivism.<sup>6</sup> Here, the role of the teacher is that of a facilitator and the student is the co-creator of knowledge. Further, the focus of this pedagogy lies on developing the social and adversity quotient of students.

I utilized a variety of pedagogical activities to actively engage the students in reflective discussions. Throughout these activities, which included case studies and readings, a loglocal approach formed the foundation.

In all the activities, student-participants were given open access not only to share their viewpoints but also to engage in designing activities, ultimately leading them to take ownership.

## Activities

### Phase 1: Co-creator of knowledge

To gather input for improvements from the current student-participants, a preliminary survey was conducted to comprehend their expectations. It helped to refine the existing course outline. Once the course draft was finalized, it was shared with the student-participants for input. This approach empowered them to take ownership of the entire learning process, granting them a significant role as co-creators of knowledge. A notable aspect of this activity was allowing student-participants to express their views regarding what to include or omit, with justifications. For example, in the course, I added a topic on human rights challenges, but the rights of refugees and persons with disabilities were not taken into consideration. Student-participants stressed incorporating them into the course. Additionally, a few student-participants suggested including storytelling as one of the activities. It was also suggested that I arrange guest speaking sessions to hear experts' perspectives on human rights education. This activity played a significant role in fostering resilience among the student-participants. It also equipped them with self-motivation, as their voices were included in the course through mutual sharing.

### Phase 2: Ground Realities

Comprehending the practical aspects of human rights is vital for educators. Rather than teaching students about human rights challenges from global documents, I decided to take a shift and ask student-participants to explore the possible challenges and solutions. To facilitate this, I suggested that the student-participants conduct a field analysis through podcasting, recognized as one of the most effective methods for learning about human rights issues. Student-participants were tasked with exploring their surroundings and collecting narratives concerning the human rights challenges faced by university students. Beforehand, I guided the discussion regarding what to avoid and what to include, making them more cognizant of human rights education during the preparation of the script and podcast recording. These podcasts were later shared with the group. They were then asked to form a group and discuss the issues gathered through survey activity, and suggest remedial measures for the challenges. They were also encouraged to share their narratives to gain a deeper understanding of these challenges.

At some point during the discussions, certain student-participants shared personal grievances and experienced strong emotions, including frustration, concern, and a sense of uncertainty. They channeled these emotions into productive outcomes when they took the initiative to represent diverse perspectives and proposed innovative solutions. I expressed my appreciation and encouraged them to continue exploring constructive paths toward solutions. We also organized a brief activity of compiling a list of global challenges from internet sources and compared them with the issues collected from our immediate surroundings. This exercise helped us identify the commonalities among these challenges. This strategy proved to be a potent tool for amplifying human rights narratives and enhancing their presentation and communication skills. Additionally, it served as a means to raise consciousness and enhance their digital literacy, ethical thinking, and decision-making abilities.

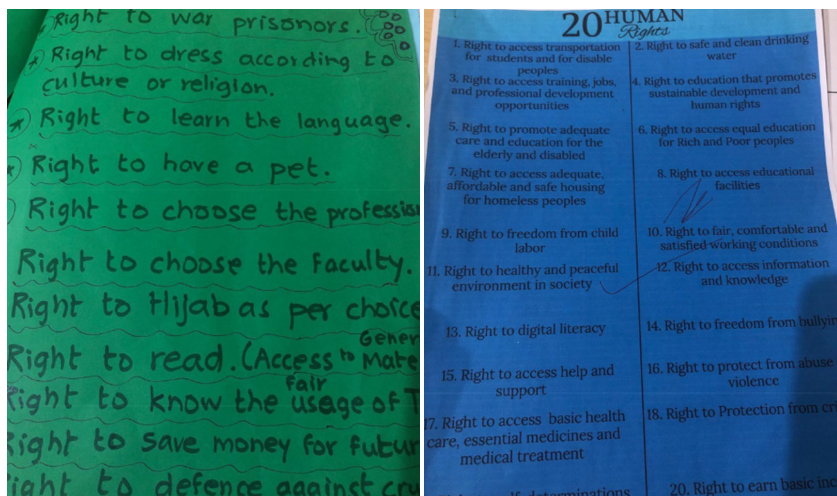
### **Other Activities**

There were other activities undertaken during the course that were intended to make the student-participants understand human rights in a practical and contextualized manner as well as learn how to effectively promote human rights to society in general including to the particular sections of society.

#### *Policy drafting*

In the process of teaching human rights education, decision-making and taking ownership are crucial aspects. To achieve this, we initiated a study of both local and global human rights education policies and conventions. The process commenced by comprehending the local policies regarding human rights and their integration into educational policies before transitioning to the exploration of global policies. The student-participants crafted a document outlining the essential elements of human rights that should be taught, and they compared this with the elements integrated into the policy documents or identified any missing components. This comparative analysis was instrumental in identifying gaps and providing a rationale for the necessary improvements. Later, they were asked to prepare a revised UDHR, adding more articles that they wished to be included in the document. Many new ideas emerged like the right to technology, the right to parenting, the rights of widow, the right to *hijab*, the right to expression, the right to learn

a language, etc. Finally, all the student-participants were provided with a guideline for creating a policy document and were tasked with crafting a 15-point policy on human rights practices for the university, encouraging mutual sharing. This activity instilled a sense of ownership, confidence, and expression, enabling student-participants to document their perspectives.



Examples of proposed rights to be added to the UDHR.

### Situation-based Case Studies

I developed local case studies that could be applied in a global context. All case studies were adapted from real-life situations, making them more relatable and relevant to the student-participants. I also invited student-participants, if they wished, to contribute to the development of case studies based on social and educational challenges highlighted in the local newspapers. These case studies were distributed among the student-participants to read individually, and then discuss in groups and suggest solutions to the provided questions. Involving student-participants in creating case studies from newspaper-highlighted challenges fostered active learning and problem-solving skills, empowering them to make a real-world impact. Another valuable aspect of this activity was that it encouraged student-participants to put themselves in the shoes of others, fostering a sense of connectedness and empathy.

**Case Study:-**

Understand the factors that led to Ali's drug addiction.

As an 18 year old young man the factors that led Ali towards his drug addiction may be family pressure, society pressure, race of getting high achievements to compete his market trends. (Students usually use methamphetamine) i.e. crystal meth.

**Consequences of drug addiction on Ali's life**

Initially the drug increases his body/physical activity, but with the passage of time drugs side effects will appear such as, headache, fatigue, nausea, vomiting, stomach ache. Short physical health is effected that leads to decrease in the physical strength which effects his personal life such as reduced interest between family, least social activities and also effects his work due to lack of interest and concentration. Eventually he will lose his job, personal life and his life also.

Develop a plan to help Ali overcome addiction.

The very first thing is counselling. The behaviour of Ali will be focused as a matter of concerned. Before applying any therapy or treatment his behavior must be observed time to time. It depends on the intensity of addiction that one will be able to decide what therapy/treatment should be followed.

"If there is a will there is a way" by dialo method if Ali seems to be willing to lose this addiction so he will be given some replacement medicines (dopamine) that will reduce his mental stress, anxiety & once the mind is calm then he will be sent for treatment in Rehabilitation centres.

As per my understanding Ali wants achieve some thing in his life there must be a way to let him free from his abuse. I will prefer, Counselling through dialo, use of medication & Rehabilitation Center.

**Case # 02**

Understand the different forms of women rights violations.

The rights being violated here are, women rights, freedom of fear, freedom of speech, freedom of decision making, freedom of earnings.

**Consequences of women's right violation.**

The expected consequences she faces are severe mental and physical health issues. She will become mentally ill, depression, anxiety, lack of recognition and dignity will make her move down she will be living in a living grave.

**Develop a plan to support women who are victims of rights violations at home.**

Most of the women are unaware of their rights, first women right education should be given in some extent. Moreover the domestic violence care will be implied to overcome such violations at every level.

Answer No. 1 Understand the different forms of women's rights violation.

1. Freedom of speech
2. Physical and mental abused
3. Freedom of rights (not to give her permission to do anything)
4. Domestic violence
5. Sexual assault (freedom of choice)
6. Physical violence

Answer No. 2 Identify the consequences of women's rights violations on the victim.

She will become mentally sick and also physically weak and always feel afraid to share her thought.

she will face unwanted pregnancies and physical injuries.

Depression anxiety and also she can committed suicide because she is facing so difficult time that she could not speech (freedom of speech is violated).

Examples of ideas of student-participants on how to solve issues.

## Unconference

To transition student-participants from dependency to independence and involve them in critical discussions and dialogues on human rights, they were tasked with organizing an unconference on human rights education. In this unconference, they were responsible for making decisions on topics for keynote speeches, panel discussions, and so on. They acted as speakers and panelists. It was fascinating to observe how this activity prompted them to



conduct research in preparation for planning and selecting discussion topics. The activity helped develop leadership skills, communication skills, and critical discussion skills among student-participants. They also took part in a mock press conference, which provided training on adopting a civil and responsive approach to challenges, with the use of concrete examples and documentary evidence.

### Introducing Open Educational Resources (OER)

According to UNESCO, “OER are learning, teaching and research materials in any format and medium that reside in the public domain or are under the copyright that has been released under an open license, that permits no-cost access, re-use, re-purpose, adaptation and redistribution by others.”<sup>8</sup> In the realm of human rights education, OER is an underutilized but promising resource. OER has the potential to facilitate the development of contextual educational materials in local contexts and their sharing with a broader audience. It can also be used to remix or adapt resources, be it textual or visual. A notable gap exists in the availability of books, stories, folklore, and narratives from local perspectives on human rights. To transform student-participants into active learners, I guided them on how to create OER and introduced them to platforms where they could share their work. As a result, a few student-participants decided to write stories on the issue of corporal punishment<sup>9</sup> and later published them as Creative Commons licensed resources. See Annex A for the course syllabus. This initiative not only enhanced their creative thinking skills but also provided them with the means to express their ideas through storytelling. It helped develop digital literacy, digital consciousness, and ownership skills. This activity further helped them learn how sensitive issues (that could not be expressed generally to others ) could be shared through storytelling among the masses.



Launch of book on stories about corporal punishment

## **Inclusive Language**

Human rights education makes a significant contribution not only to promoting awareness of the rights of self and others but also to recognizing and valuing languages that are often overlooked or marginalized. With this goal in mind, I asked student-participants if they wished to learn any inclusive language. Based on their suggestion, a hands-on workshop on Braille was arranged for the student-participants. This activity served a dual purpose: it equipped them to become inclusive educators and underscored the importance of not only learning global languages but also languages that cater to the diverse needs of learners in the classroom.



Glimpse of hands-on workshop on Braille.

## **Global Exposure through Workshop**

The student-participants were given the choice to select a topic for an online workshop, and after discussion, they decided to focus on drug education. From a local perspective, I conducted a six-hour workshop on this topic. Later, Mr. Rogers Kasirye, Ph.D., in collaboration with the World Federation Against Drugs (WFAD) in Sweden conducted a workshop via video link to educate the student-participants about drug literacy. The workshop covered topics such as drugs commonly used by teenage students, diagnostic symptoms of drug users, consequences of drug usage, treatment options, and preventive measures to avoid drug use and address drug addiction through strategies like socialization and counseling skills, which plays



a vital role in reducing children's exposure to drugs. Mr. Rogers also introduced teaching strategies for drug education. In the end, case studies from teaching perspectives were discussed in groups.



Student-participants in the webinar on Drug Education.

### Interaction with Global Participants

The gap among human rights educators worldwide has widened because they tend to work in isolation within their contexts, without making connections with human rights educators from different continents. I guided the student-participants in building online networks with teachers worldwide, sharing human rights practices, and learning through collaboration. Initially, some student-participants were hesitant and skeptical, but a few successfully connected with students and teachers in different countries, learning not only about their courses on human rights education but also about diversity and pluralism. Many student-participants expressed that

they had misconceptions about other people and stressed the importance of communication for understanding. They also suggested arranging global exchange programs for real exposure to different cultures. This activity has also facilitated a shift from dependency to independence, enabling them to realize the potential of establishing online connections to share resources and learn from each other's teaching practices.

### **Participation in International Courses**

I introduced them to a course titled “Socioecoethical Model of Human Rights Education” (Sadrudin, 2019). The purpose of this activity was to acquaint them with the intellectual resources available on digital platforms at no cost. They gained knowledge about the history of human rights education and the human rights education model. They wrote reflections on what they appreciated about the course and provided feedback on areas that could be improved, allowing their voices to be documented. As a result, all the student-participants received a certificate and an invitation to become a member of the Global Forum for Teacher Educators.<sup>10</sup> This activity served as a stepping stone for their future studies in education, enabling them to pursue their professional development as human rights practitioners through online avenues.



Certificate distribution to student-participants.

### **Mental Health Education**

This aspect is among the most crucial when teaching human rights education, yet it remains one of the most overlooked areas. Sharing mental health conditions is often viewed as shameful and taboo in many cultural settings. I

chose to educate student-participants about strategies for coping with mental health challenges including art and music therapy, and also guided counseling and meditation skills that are crucial for teachers involved in human rights education. In practical terms, we engaged with school-going children to gain insight into their fears and concerns. Student-participants were allowed to apply their knowledge by counseling these students and assisting them in enhancing their overall well-being. This practical approach allowed student-participants to put their learning into action and make a positive impact on the students they interacted with.

### **Video as an Instructional Tool**

Using video as an instructional tool is a potent strategy for teaching human rights education. However, it can be challenging to find videos that are directly relevant to the context of Pakistan, which may lead to frustration and anger among student-participants. To address this issue, I curated a selection of videos from SIMA Academy and YouTube and asked student-participants to watch three videos, engage in discussions, and share their feedback on the following questions: (1) What did you like in the video? (2) What message did you learn? (3) How will you apply this to teaching practice? Most of the student-participants viewed the following videos: “Heal Paradise,” “Marie’s Dictionary,” “Wolf Dog Workshop,” “Tuning the Students’ Minds,” “Mother of All Rivers” and “Out of Plastic.” These videos were chosen to align with the context and themes relevant to human rights education, fostering discussion and awareness among the student-participants. This activity developed a sense of realization and connectivity among student-participants. The impact of this activity extended beyond watching the selected videos; it ignited curiosity among the student-participants to create videos addressing various human rights topics in the local context. They expressed their desire to produce content that could shed light on local issues and share them with the world, fostering broader discussions and awareness about these specific concerns.

### **Community Development**

The student-participants decided to visit special children in an institution and spend time with them to learn about the challenges they face and to

develop any plans that can improve their well-being. The community visit was instrumental in helping the student-participants gain insight into the needs of the special children. This adversity experience instilled a sense of responsibility and social consciousness in future teachers, preparing them to be compassionate educators who are committed to promoting human rights education.



Student-participants with special children

## **Edupreneurship**

Edupreneurship is an idea to introduce educational product by the educator through a business mindset. Student-participants were encouraged to design, develop, and pitch products that could be used by school-going students for teaching human rights education using innovative approaches. A variety of ideas emerged, such as creating a human rights-themed version of board games or a human rights scrabble game. Student-participants developed prototypes and engaged in discussions with one another during this activity. One of the remarkable games was an ethical version of the classic “Snake and Ladder” game. In this game, a variety of ethical practices, such as respecting parents and taking care of the environment, were incorporated, with positive points awarded for these actions and negative points for behaviors like littering or throwing garbage on the street. We also created a

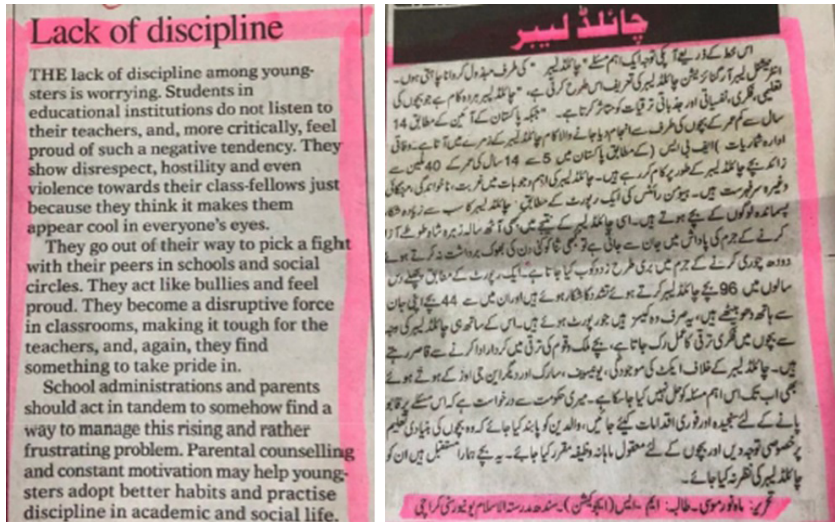
fish-catching game that utilized a magnetic rod to collect examples of good ethical practices.

The activity enabled student-participants to think inventively about how to convey human rights concepts to school-going students through innovative products. Through the development of products, student-participants explored engaging and interactive methods of teaching human rights. The activity encouraged teamwork and collaboration as student-participants shared their ideas, discussed prototypes, and provided constructive feedback to one another. It emphasized the importance of adaptability and responsiveness to the evolving needs of students and the changing educational landscape. Further, it promoted entrepreneurial skills that are valuable for future teachers, allowing them to create educational tools and resources tailored to their specific teaching environments. By pitching their product ideas, student-participants developed presentation and communication skills, which are essential in conveying complex human rights topics to young learners effectively. The activity also fostered creativity and innovation, and encouraged student-participants to consider accessibility, diversity, and inclusivity when designing their educational products, aligning with the principles of human rights education.

### **Advocacy through Writing**

One of the most civil and effective ways to address human rights issues is by writing. I organized a workshop to guide student-participants on how to craft such letters. Subsequently, a significant number of student-participants reached out to local newspapers and had their letters to the editor published. After the publication, they received guidance on how to write even more impactful letters with improvements and refinements. This activity served a dual purpose: it not only taught them how to articulate and address human rights concerns through intellectual discourse rather than street demonstrations but also enabled them to convey their messages to a broader community, allowing them to take ownership of their teaching and advocacy efforts through a more civilized and constructive medium.





Examples of published letters to the editor sent by student-participants.

## Teaching Internship

Student-participants were tasked with applying their knowledge to marginalized communities and educating them about human rights. They discussed themes and activities with fellows and later spent a week in the field conducting a teaching internship. Most of the student-participants chose to serve public schools, whereas a few decided to visit orphanages and elderly homes. The primary focus was on imparting fundamental knowledge, values, and practical skills through the use of videos, storytelling, coloring activities, and case studies. Before fieldwork, I discussed ethical guidelines and provided guidance on maintaining a reflective diary and conducting action research. The community members valued the commitment and dedication displayed by the student-participants.

Interacting with these communities helped future teachers develop empathy and cultural sensitivity. Teaching in the field required adaptability and the ability to tailor educational approaches to specific community needs, honing their teaching skills. The teaching internship encouraged student-participants to reflect on their methods and refine their approaches for better engagement and understanding. Engaging with marginalized communities allowed them to build relationships and trust, fostering community involvement and collaboration. This experience instilled a sense of advocacy

in future teachers. Teaching in the field also prompted student-participants to consider the broader societal impact of human rights education. Overall, this activity equipped future teachers with the practical skills, capable of advocating the educational rights of individuals, especially those in marginalized communities.

### **Human Rights Education Course: A New Approach**

This course has adopted an innovative and integrative approach by prioritizing the needs of the student-participants. Their active involvement throughout the course has helped them understand how human rights education can be taught using a variety of approaches, taking a shift from the traditional approach of teaching and learning. All the activities were designed to encourage student-participants to take ownership, resulting in more engaging outcomes. Numerous new ideas and activities emerged during the course discussions, which will be considered for implementation in the next iteration of the course.

### **Conclusion**

In conclusion, the loglocal approach has demonstrated its immense potential as a pedagogy that can be effectively applied in various contexts when teaching human rights education to future teachers. Through its emphasis on localized content, community engagement, and practical application, this approach equips educators to not only impart theoretical knowledge but also cultivate empathy, cultural sensitivity, and advocacy skills, which are essential for promoting human rights and social justice. By fostering a deep understanding of human rights issues within specific communities and enabling future teachers to adapt their teaching methods, the loglocal approach empowers them to become compassionate, adaptable, and effective educators, ready to inspire and advocate for the rights and well-being of all individuals.



## **Endnotes**

1 Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, [www.unesco.org/en/legal-affairs/recommendation-concerning-education-international-understanding-co-operation-and-peace-and-education](http://www.unesco.org/en/legal-affairs/recommendation-concerning-education-international-understanding-co-operation-and-peace-and-education).

2 UNESCO, What you need to know about UNESCO's 1974 Recommendation, [www.unesco.org/en/articles/what-you-need-know-about-unescos-1974-recommendation](http://www.unesco.org/en/articles/what-you-need-know-about-unescos-1974-recommendation)

3 The revised document entitled "Recommendation on Education for Peace and Human Rights, International Understanding, Cooperation, Fundamental Freedoms, Global Citizenship and Sustainable Development" was adopted on 9 November 2023 during the Education Commission Meetings on the occasion of UNESCO General Conference - 42nd session which was held in Paris, France. This document is available at <https://unesdoc.unesco.org/ark:/48223/pf0000386924?posInSet=1&queryId=88262d97-74b6-4100-bd33-8cc96a779989>.

4 Global Coalition for Human Rights Education. <http://www.hre2020.org/>.

5 Sequential hierarchy refers to understanding the local context in terms of perceptions, attitudes, values and practices.

6 Connectivism means learning effectively through digital networking.

7 Instead of being passive students, they become actively engaged in creating resources and participating in decision-making.

8 Open Educational Resources, UNESCO, [www.unesco.org/en/open-educational-resources](http://www.unesco.org/en/open-educational-resources).

9 Aftermaths of Punishment, Merlot, <https://www.merlot.org/merlot/view-Material.htm?id=773417533>

10 Visit GFTE account on Facebook, [www.facebook.com/GlobalTeacherForum](https://www.facebook.com/GlobalTeacherForum).

## **Annex A. COURSE OUTLINE**

### **HUMAN RIGHTS EDUCATION**

#### **COURSE DESCRIPTION**

This interdisciplinary course is designed based on a human-centric approach, aiming to nurture knowledge and skills among participants while fostering a dedication to human values applicable in teaching, research, and the design of teacher training programs and curricula. The course focuses on a series of case studies and activities intricately linked to human rights issues within an educational context, encompassing human rights education policies, practices, and pedagogies.

#### **COURSE GOALS**

- Acquire knowledge of the historical, conceptual, and philosophical foundations of human rights.
- Develop awareness of local and global issues related to human rights.
- Comprehend documents relevant to human rights, both within local and global contexts.
- Deepen understanding of key concepts and frameworks in human rights education.
- Explore the application of models in human rights education.
- Engage in discussions about experiences, challenges, and opportunities in the field of Human Rights Education (HRE).
- Empower participants with essential competencies, skills, and pedagogies crucial for promoting HRE.
- Learn to develop activities and course materials aligned with HRE policies, curriculum, and manuals.

## COURSE LEARNING OUTCOMES

After studying the course, the participants will be able to:

- Demonstrate a comprehensive understanding of the historical, conceptual, and philosophical foundations of human rights.
- Exhibit increased awareness of diverse local and global issues about human rights, demonstrating the ability to identify connections and interdependencies.
- Interpret and apply documents related to human rights, showcasing the ability to analyze and evaluate their significance.
- Demonstrate a deepened understanding of key concepts and frameworks in human rights education, and the ability to integrate them into educational practices.
- Apply various models in human rights education to real-world scenarios, showcasing proficiency in selecting and adapting appropriate models for different contexts.
- Participate actively in discussions on experiences, challenges, and opportunities in the field of human rights education.
- Exhibit essential competencies, skills, and pedagogies necessary for promoting human rights education.
- Demonstrate the ability to create and adapt activities and course materials aligned with human rights education policies, curriculum guidelines, and manuals.

## COURSE CONTENTS AND TOPICS

Course Plan			
Wk	Unit	Session Topic	Suggested Readings & Learning Activities
1	Unit 1: Introduction to Human Rights	1.1 Fundamental Concepts of Rights and Human Rights 1.2 Historical Development of Human Rights	<a href="https://www.humanrights.com/what-are-human-rights/brief-history/the-united-nations.html">https://www.humanrights.com/what-are-human-rights/brief-history/the-united-nations.html</a>  <a href="https://www.hsph.harvard.edu/wp-content/uploads/sites/134/2018/06/Marks-and-Henson-Human-Rights-and-Development_July-5-2018.pdf">https://www.hsph.harvard.edu/wp-content/uploads/sites/134/2018/06/Marks-and-Henson-Human-Rights-and-Development_July-5-2018.pdf</a>  <a href="http://hrlibrary.umn.edu/edumat/hreduseries/hereandnow/Part-1/short-history.htm">http://hrlibrary.umn.edu/edumat/hreduseries/hereandnow/Part-1/short-history.htm</a>  Activity: Situation-based Case Study

2	Unit 1: Introduction to Human Rights	1.3 Generations of Human Rights 1.4 Principles of Human Rights 1.5 Need and Significance of Human Rights	<a href="https://carrcenter.hks.harvard.edu/files/cchr/files/risse_fourth-generation.pdf">https://carrcenter.hks.harvard.edu/files/cchr/files/risse_fourth-generation.pdf</a>  <a href="https://www.hurights.or.jp/archives/other_publications/section1/pdf/Principles%2C%20Rights%2C%20Duty%20and%20Pedagogy.pdf">https://www.hurights.or.jp/archives/other_publications/section1/pdf/Principles%2C%20Rights%2C%20Duty%20and%20Pedagogy.pdf</a>  Activity: Situation-based Case Study
3	Unit 2: Human Rights Policies	2.1 Cairo Declaration of Human Rights 2.2 Constitution of Pakistan 2.3 National Policy Framework on Human Rights 2.4 Universal Declaration of Human Rights	<a href="http://hrlibrary.umn.edu/instree/cairodeclaration.html">http://hrlibrary.umn.edu/instree/cairodeclaration.html</a>  <a href="https://mohr.gov.pk/SitelImage/Misc/files/NPFW%20on%20HR%2022-27.pdf">https://mohr.gov.pk/SitelImage/Misc/files/NPFW%20on%20HR%2022-27.pdf</a>  <a href="https://www.un.org/en/about-us/universal-declaration-of-human-rights">https://www.un.org/en/about-us/universal-declaration-of-human-rights</a>  Activity: Local policies on human rights and their integration into educational policies
4	Unit 2: Human Rights Policies	2.5 National Commission for Child Welfare and Development 2.6 Convention on the Rights of the Child 2.7 The Domestic Violence (Prevention and Protection) Bill, 2021 2.8 The Domestic Violence (Prevention and Protection) Bill, 2021 2.9 Sustainable Development Goals	<a href="https://www.unwomen.org/en/digital-library/publications/2016/12/cedaw-for-youth#:~:text=The%20Convention%20on%20the%20Elimination,women's%20and%20girls'%20equal%20rights">https://www.unwomen.org/en/digital-library/publications/2016/12/cedaw-for-youth#:~:text=The%20Convention%20on%20the%20Elimination,women's%20and%20girls'%20equal%20rights</a> <a href="https://www.unicef.org/child-rights-convention">https://www.unicef.org/child-rights-convention</a>  <a href="https://senate.gov.pk/uploads/documents/1623998886_516.pdf">https://senate.gov.pk/uploads/documents/1623998886_516.pdf</a>  <a href="https://mohr.gov.pk/Detail/MzFjMTM5ODctODkwYS00NTUyLTk2NjQzMmNjZjEwNzJlN2Fk">https://mohr.gov.pk/Detail/MzFjMTM5ODctODkwYS00NTUyLTk2NjQzMmNjZjEwNzJlN2Fk</a>  <a href="https://www.sdgspakistan.pk/uploads/pub/Lead_Pakistan_Briefing_Note_SDGs.pdf">https://www.sdgspakistan.pk/uploads/pub/Lead_Pakistan_Briefing_Note_SDGs.pdf</a>  <a href="https://sdgs.un.org/goals">https://sdgs.un.org/goals</a>  <a href="https://www.hec.gov.pk/english/services/universities/Documents/HEC%20-%20POLICY%20FOR%20STUDENTS%20WITH%20DISABILITIES%20AT%20HEIs%20IN%20PAKISTAN.pdf">https://www.hec.gov.pk/english/services/universities/Documents/HEC%20-%20POLICY%20FOR%20STUDENTS%20WITH%20DISABILITIES%20AT%20HEIs%20IN%20PAKISTAN.pdf</a>  Activities: Revision of the Universal Declaration of Human Rights Comparative Analysis

5	Unit 3: Human Rights Practices	3.1 Human Rights Issues 3.1.1 Refugee Rights 3.1.2 Climate Crises 3.1.3 Mental Health Issues 3.1.4 Gender-based Violence 3.1.5 Rights of Persons with Disabilities 3.1.6 Armed Conflicts and Humanitarian Issues 3.1.7 Elderly Rights	Activities: Case Studies Role Play Field Analysis through Podcasting
6	Unit 3: Human Rights Practices	3.2 State of Human Rights in Pakistan 3.3 State of Human Rights in the World	<a href="https://hrqp-web.org/hrqpweb/wp-content/uploads/2020/09/2023-State-of-human-rights-in-2022.pdf">https://hrqp-web.org/hrqpweb/wp-content/uploads/2020/09/2023-State-of-human-rights-in-2022.pdf</a>  <a href="https://www.hrw.org/world-report/2021">https://www.hrw.org/world-report/2021</a>  Activity: Crafting policy on HR practices for the university
7	Unit 4: Human Rights Skills	4.1 Personal Identity Skills 4.2 Mental Health First Aid 4.3 Cross-Cultural Competence 4.4 Negotiation Skills 4.5 Empathy and Compassion 4.6 Networking Skills 4.7 Digital Literacy and Advocacy 4.8 Community Practice	<a href="https://www.mind.org.uk/media/7593/mind-mental-and-physical-activity-toolkit-guide-1.pdf">https://www.mind.org.uk/media/7593/mind-mental-and-physical-activity-toolkit-guide-1.pdf</a>  <a href="https://www.diva-portal.org/smash/get/diva2:1112062/FULLTEXT01.pdf">https://www.diva-portal.org/smash/get/diva2:1112062/FULLTEXT01.pdf</a>  <a href="https://pce.sandiego.edu/digital-literacy/">https://pce.sandiego.edu/digital-literacy/</a>  Activity: Visit to Elderly home/ Inclusive learners

8	Unit 4: Human Rights Skills	4.9 Inclusive Language 4.10 Humanitarian Aid Skills 4.11 Climate Justice 4.12 Social Counseling Skills 4.13 Artistic Skills 4.14 Research Skills 4.15 Advocacy through Writing 4.16 Ethical Thinking Story Telling	Activities: Workshop on Braille Online Course Visit to Art Gallery Story Telling Session
9	Unit 5: Introduction to Human Rights Education	5.1 Human Rights Education 5.2 Evolution of Human Rights Education 5.3 Goals and Principles of Human Rights Education	<a href="http://hrlibrary.umn.edu/edumat/pdf/hreh.pdf">http://hrlibrary.umn.edu/edumat/pdf/hreh.pdf</a> <a href="https://www.ohchr.org/Documents/Publications/HRtreaties2en.pdf">https://www.ohchr.org/Documents/Publications/HRtreaties2en.pdf</a> <a href="https://bemis.org.uk/PDF/hre_theory_and_practices.pdf">https://bemis.org.uk/PDF/hre_theory_and_practices.pdf</a>
10	Unit 5: Introduction to Human Rights Education	5.4 Challenges and Opportunities in Teaching Human Rights Education	<a href="https://link.springer.com/article/10.1007/s11125-018-9425-1">https://link.springer.com/article/10.1007/s11125-018-9425-1</a>  Activity: Guest Speaking Session
11	Unit 5: Introduction to Human Rights Education	5.5 Models of Human Rights Education	<a href="https://repository.usfca.edu/cgi/viewcontent.cgi?article=1002&amp;context=ijhre">https://repository.usfca.edu/cgi/viewcontent.cgi?article=1002&amp;context=ijhre</a> <a href="https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3755005">https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3755005</a>  Activity: Completion of online course

12	Unit 6: Pedagogical Techniques for Human Rights Education	6.1 Pedagogical Strategies 6.1.1. Loglocal Approach to Teaching Human Rights Education 6.1.2. Gamification 6.1.3 Case Studies 6.1.4 Artistic Approach	<a href="https://repository.usfca.edu/cgi/viewcontent.cgi?article=1009&amp;context=soe_fac">https://repository.usfca.edu/cgi/viewcontent.cgi?article=1009&amp;context=soe_fac</a>  <a href="http://hrlibrary.umn.edu/edumat/hreduseries/hrhandbook/part4B.htm">http://hrlibrary.umn.edu/edumat/hreduseries/hrhandbook/part4B.htm</a>
13	Unit 6: Pedagogical Techniques for Human Rights Education	6.1.5 Story Telling 6.1.6 Advocacy through Writing 6.1.7 Podcast 6.1.8 Edupreneurship	Activity: Videos from SIMA Academy
14	Unit 7: Resource Development in Human Rights Education	7.1 Process of Course Development in HRE 7.2 Human Rights Education Lesson Planning	<a href="https://teaching.uncc.edu/teaching-guides/course-design/basic-steps">https://teaching.uncc.edu/teaching-guides/course-design/basic-steps</a>
15	Unit 7: Resource Development in Human Rights Education	7.3 Introduction to Open Educational Resources	Activities: Workshop Development of an Open Educational Book  <a href="https://www.oecd.org/education/cei/38654317.pdf">https://www.oecd.org/education/cei/38654317.pdf</a>
16	Unit 7: Resource Development in Human Rights Education	7.4 Developing resources for teaching Human Rights Education	Activity: Recycling resources Microteaching and Field teaching practice



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# Human Rights Promotion Using Language and Cultural Means: Same-Sex Marriage and Taiwanese Civil Society

Helix Lo\*

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CULTURE IS CONSIDERED A SYSTEM OF MEANINGS containing elements such as norms, traditions, and beliefs which construct the worldview of a person and hence influence how he/she decides his/her behavior and interacts with the world (see Jasper, 2005, pages 123-126; Ross, 2005, pages 137-141). To put it simply, culture is about the logic of appropriateness. If a person believes eating meat is appropriate, he/she eats meat; if a person believes what a religion promotes is appropriate, he/she supports it; if a person believes playing video games is inappropriate, he/she refuses to play the games. The logic also has an unconscious aspect. For example, spontaneously speaking in mother tongue is rarely questioned as inappropriate.

Education on human rights values after World War II is based on the logic of appropriateness on a global scale. For example, it asks people to move from believing in the appropriateness of treating females as inferior to males to considering them as equals. The fundamental goal of human rights promotion is to empower people to live with dignity and rights. The Vienna Declaration and Program of Action, adopted on 25 June 1993, states:

The World Conference on Human Rights reaffirms the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law. The universal nature of these rights and freedoms is beyond question. (I(1))

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Whether a state agrees with it or not, human rights values nowadays have become the moral boundaries of state-parties and individuals and shape the public expectation toward their behavior.

The promotion of human rights did not proceed without a hitch, however. When the government of Hong Kong was replying to the list of questions raised in the fourth report for the Universal Periodic Review of the Human Rights Council, for example, it tried to justify its violations and quoted two sentences from President Xi Jinping of China

There is no one-size-fits-all path for human rights development in the world. There is no best way, only the better one”  
(CMAB, 2021).

The illogical claim by some state-parties<sup>1</sup> of incompatibility between human rights [universality] and national culture [particularity] has been regarded as one of the greatest barriers to human rights promotion. Simultaneously, there is an increasing amount of literature suggesting and/or analyzing the “vernacularisation” of universal human rights – how human rights concepts intertwine with local culture and create new discourses, and how human rights are promoted through local channels such as cultural activities (e.g., Acharya, 2004; Caudwell, 2018; Levitt et al., 2013; Plantilla, 2019).

This article focuses on the promotion of human rights from a bottom-up perspective. Human rights promotion, a life-long process involving diverse forms and actors, includes both formal and informal types. While formal education on human rights usually takes place in schools and universities, the civil society (as distinguished from the government) usually engages in informal education and adopts casual methods (e.g., using songs) and actively mobilizes people (e.g., protests) in promoting particular rights. In this study of human rights promotion by civil society, two elements deserve greater attention – the language and the means to express messages. Both are fundamental and contextualized carriers of values used by the civil society in engaging with the larger society. These two elements are essential in the dialogue that the civil society actors would like to have with other members of society. Language as used in this article not only refers to verbal expression but also to symbolic representations (e.g., flag) that are widely associated with particular rights and/or groups. In promoting human rights,

it is necessary to understand the opposition that civil society faces and how such opposition is constructed and expressed.

This article discusses the languages and materials used in promoting (and opposing, if any) particular human rights during the last decade in Taiwan, and the roles culture played in the promotion process. It focuses on the same-sex marriage movement and the discussions on same-sex marriage rights in Taiwan.

This article argues that same-sex marriage rights are human rights, though these rights have not yet been covered by any international human rights instrument.

## **The Issue**

Same-sex marriage rights were not intensely discussed until the 2010s after an administrative proceeding was filed against the Department of Household Registration in Taipei. This case involved the rejection of an application for registration of two people of the same sex as a married couple. This incident led to a widespread discussion of same sex marriage in society. Protests, assemblies, and activities were continuously initiated by different groups to express either support or objection to the legalization of same-sex marriage. The claims of the pro-LGBTQ+ groups included but were not limited to the legalization of same-sex marriage, the promotion of sexual liberation, and the implementation of inclusive education. On 24 May 2019, a law recognizing same-sex marriage was passed as the Act for Implementation of Judicial Yuan Interpretation No. 748.<sup>2</sup> This was a milestone for Taiwan and the first such law in Asia.

This article provides insights on how LGBTQ+ rights were promoted and contested in Taiwan, which is a leading liberal ethnic Chinese society in the world. It offers a glance at how civil society actors use languages and means to promote as well as oppose LGBTQ+ rights. It suggests that civil society actors should understand the character of the human rights or the human rights issue that they would like to promote to be able to adopt corresponding strategies to successfully promote such rights. These strategies include the use of languages that express ideas different from existing cultural concepts, the means that can directly convey human rights messages in a dialogue with society, and the changing societal contexts.

## Compatibility between Confucianism and Human Rights

The debates over the compatibility between Confucian culture and human rights have continued for decades even in a liberal (i.e., Taiwan) or a semi-liberal (i.e., Hong Kong, particularly before 2021) ethnic Chinese society. Whereas Confucianism is perceived as deep-rooted in Asian and ethnic Chinese society, its strong emphasis on harmony, order and hierarchy simultaneously earns itself a derogative image among those who promote free and equal society. Online posts discussing Confucianism in two most popular local online forums in Taiwan and Hong Kong (PTT and LIHKG respectively) can help understand the everyday opinions regarding Confucianism in (semi-)liberal ethnic Chinese society (See Annex A for the titles and content of the posts shown on Google).

As expected, the views expressed were divided. Those who criticize Confucianism believe that it promotes inequality, absolute obedience to authorities, blind filial piety, and subordination of oneself. Education on Confucianism is labeled as an education of servility, serving as an anti-democratic tool to preserve the dictatorship and limiting modernization. In contrast, those who view Confucianism positively believe that the incompatibility between Confucianism and liberal values is an artificial one that started in ancient China. Authorities in the past distorted Confucianism and tailored it as a cover to support the absolute power of the emperor over its people. Therefore, the problem is not Confucianism but those who use it for governing purposes and private interests. This debate can also be observed in commentaries about Confucianism, politics, and liberal values in local news media; though the commentaries are more inclined toward supporting Confucianism that facilitates dictatorship (e.g., Hung, 2016, Yu, 2018; see also BBC, 2015). Regardless of their stances, they have generally agreed that, firstly, the Chinese authority nowadays is a typical example that has instrumentalized Confucianism to reject human rights, equality, freedom, and/or diversity. Secondly, Confucianism tends to encourage a vertical relationship (i.e., social hierarchy) instead of true equality.

Reformists, educators, and scholars have raised the view that ruling regimes since a century ago had used Confucianism and traditional culture to enslave the Chinese people,<sup>3</sup> there is an increasing number of literature defending the compatibility between Confucianism and human rights values in recent decades. For example, Tang (2010) argues that common grounds



can be found in the two ideologies by looking into the duty language (義務語言) and rights language (權利語言) in Confucianism. According to her, the Confucian world social order and harmony are built on a human relationship model in which family is the core. From personal life and family to society and state, individuals are required to play roles to fulfill their responsibilities (pages 33-34). Yet, rights are not neglected in Confucian expression. Emphasizing the duty of the state to the people (e.g., protecting the life of the people) is simultaneously emphasizing the fundamental rights that people can enjoy (e.g., the right to live) from a Confucian perspective (page 35). Most importantly, Confucianism not only carries the principles of mutual obligation and the collective responsibility in each relationship but also equality of dignity by highlighting the need to think about others when taking action (page 33). Therefore, although Confucianism does not speak of human rights, Tang believes that the ideology itself is not entirely unrelated to what are being promoted nowadays (rights and equality in particular). She further argues that language adopted by Emperor Wu of Han (141 BC to 87 BC) and succeeding regimes distorted Confucianism and turned it into a unidirectional relationship by highlighting social status, stressing the duty of obedience, and emphasizing loyalty or even unquestionable submission to authority (pages 37-39).

Despite the subtle variances in the interpretation of Confucianism, scholars who support the compatibility between Confucianism, democracy, and human rights generally share similar view with that of Tang (e.g., Chan, 2011; Dan & Choy, 2011; Fetzner & Soper, 2007; Lee, 2002). They believe in the possibilities of developing and enhancing human rights with Confucian values and agree on the view that Confucianism has been distorted to become a tool of authoritarianism. As for the opposition, the strong emphasis of Confucianism on social hierarchy is regarded as one of the main difficulties in the promotion of human rights. From the Confucian perspective, duties outweigh rights, obedience outweighs challenge, and harmony outweighs conflicts (see also Chen, 2006; Gao, 2003; Weatherley, 2002). Additionally, some scholars, like Samuel Huntington, contend that the core values promoted in Confucianism (e.g., authority, cooperation, and responsibilities) make the ideology contrary to democratic values (e.g., liberty, competition, and rights), and democracy can only succeed by weakening Confucianism in society (Elstein, 2010; Fukuyama, 2010, page 22; Spina et al., 2011).<sup>4</sup> Albeit a consensus regarding the compatibility between Confucianism and human

rights values (including democracy) is not yet established, it is clear that they are not entirely unrelated or hostile to each other.<sup>5</sup> A path to coexistence may exist indeed.

### **Dialogue between Confucian Traditions and the Marriage Rights of Sexual Minorities in Taiwan**

Despite the suggested theoretical compatibility between Confucianism and human rights, Confucian concepts are barely found in the discourse of individuals or non-governmental organizations/non-profit organizations (NGOs/NPOs) in promoting same-sex marriage rights in Taiwan. Rather, Confucianism is regarded as an enemy to their cause. In July 2016, Jennifer Lu,<sup>6</sup> the current General Coordinator of the Taiwan Equality Campaign,<sup>7</sup> wrote an article for the Thinking Taiwan Forum,<sup>8</sup> titled *[Jennifer Thinking] The Future of Marriage Equality in Taiwan – United to Change Confucianism and Traditional Authoritarian Family Values*. She argued that the key obstacles to promoting equal marriage rights were Taiwanese Confucian values and its affiliated family ethics, and thus accomplishing the expectation of parents and emphasizing family values were indispensable traditional thoughts to the ethnic Chinese community (paras 6-7). Consequently, an individual act of “coming out of the closet” challenged the entire family and social structure (para 9). From this viewpoint, furthering the development of LGBT rights and democratic and civil society requires people to unite and “challenge the parent-child relationship” and “alter the meaning of children to the parents” (para 10).

This attack on Confucianism and traditional values, however, was relatively rare in 2010s when the same-sex marriage movement engaged the mainstream society with the logic of appropriateness. Instead, the movement used the human rights language (see photos below for examples of human rights expressions, Figures 1 and 2) such as the Rainbow Flag, “(Anti-) Bullying”, “(Anti-)Discrimination”, “Human Rights”, and “Equal Rights”, and also individual-centered language such as “Self/I”, “Sex”, and “Love”. These symbols and terms are different from the traditional Confucian language which stresses “Us”, “Parents” and “Collectivity.” Although the movement did not attack traditional values, it also did not localize the conceptual expression of LGBT rights in Taiwan. Nevertheless, there were attempts to incorporate universal claims of LGBT rights with local symbols, such as rec-

reating the national flag and map with the colors of the Rainbow Flag (see Figure 2).



Figure 1. A pro-LGBTQ+ activity held in Taipei on 28 November 2016.

From left to right, top to down, the words shown in the images are: “Marriage equality is human rights, human rights cannot wait”; “Marriage equality, forming a home because of love” (shown on the pink board) and “Pluralistic sexual desire” (shown on the green board); “Refuse to be a second class citizen, legislating a separate law = discrimination”; “Allowing Stephen Curry to Cheat but barring LGBT from marriage”.



Figure 2. A pro-LGBTQ+ protest in Taipei on 29 October 2016.

The board on the left side of the photo (Figure 2) states “Marriage equality;” the board on the right side of the photo states “Diverse Families.”<sup>10</sup>

Aside from organizing massive gatherings (e.g., protests) and formal activities (e.g., public speaking, forums and lobbying), promoting LGBTQ+ rights through cultural means is also observable in the work of NGOs/NPOs. For example, the Taiwan Alliance to Promote Civil Partnership Rights has its own thematic song. Part of the lyrics are translated below:

The Right to Love Each Other<sup>11</sup>  
[Translated from Mandarin Chinese]

...

It is more than the body existing between you and me, and in every night.

It is more than the inseparable soul between you and me, between two persons.

It is not only about you and me, but a fair opportunity to be heard by more people.

To hear the right of us to love each other.

(Lyricist/Composer/Arranger/Signer: Vanny)

Similarly, the song used human rights and individual-centered language such as “Rights” and “Love.” They neither criticize Confucianism nor selectively use Confucian concepts. More interestingly, when an outsider – who is not familiar with the Taiwan Alliance to Promote Civil Partnership Rights – hears the song, it is quite difficult for him/her to recognize the LGBTQ+ meanings carried by it. Rather, the song is more likely to be considered merely a romantic song. Thus, this strategy can help promote LGBTQ+ rights by avoiding triggering instant caution and resistance from an ordinary citizen when he/she hears the song. Songs, additionally, are a powerful cultural tool to promote ideologies in human histories, such as *La Marseillaise*<sup>12</sup> composed during the French Revolution in France (1789-1799), and *Glory to Hong Kong*<sup>13</sup> composed during the Anti-Extradition Bill Movement in Hong Kong (2019-2021/present<sup>14</sup>). They are easy to disseminate and emotionally influential and effective in strengthening the bonds between individuals who uphold the same values.

In 2017, Mandopop singer Tanya Chua<sup>15</sup> rearranged the song *We Are One*<sup>16</sup> to support the International Day against Homophobia, Transphobia, and Biphobia. The lyrics echo those discussed in the previous paragraphs. Eight Taiwanese singers were invited to sing the song and more than one

hundred Taiwanese celebrities were included in its music video. Celebrity effects are exceptionally prominent in contemporary society. Since they are public figures and have branding value, their endorsement not only increases the visibility of the issue they promote but also emphasizes the appropriateness of accepting it. In other words, they have the power to reshape existing culture in society. A study done in Canada shows that political statements made by celebrities can make unpopular statements more acceptable to the public (Jackson & Darrow, 2005).

Advertisements and videos are another set of tools that the pro-LGBTQ+ organizations often used to communicate with the public during the same-sex marriage movement. For example, Marriage Equality Coalition Taiwan (n.d., page 38) produced an advertising video titled “The Innate Thought of a Father” on 2 December 2016. The video describes a father’s reaction when he found out his oldest daughter was a lesbian, with the narrations done by the father himself. While he was initially shocked by the revelation of his daughter, he started to search for information about the lesbian concept and relevant matters and was delighted to know that his daughter was living happily with her partner and daughter. The video ends with a scene where family members gathered for a family picture (photo below, Figure 3), interspersed with family pictures taken in the past. The video content challenges the mundane understanding of Confucianism in at least two ways. Firstly, the father is active in learning and accepting the behavior of his offspring.



Figure 3. Screenshot of the video “The Innate Thought of a Father”, The Present Tense of Family, 3 December 2016.<sup>17</sup>



From a traditional Confucian perspective, offsprings should fulfill the expectations and follow the instructions of parents (Chen, 2006, page 61). They are supposed to understand their parents instead of seeking understanding from them. Secondly, the family looks happy even when the oldest daughter comes out of the closet and does not submit to the established hierarchy. The meaning and image in the video imply that same-sex couples may not impair family relationships. Whether intended or not, the video confronts Taiwanese traditional family values and presents to the Taiwan public the possibility of having an alternative way of living.

Another promotional material used is poster. One poster challenges the traditional family structure, yet perhaps had won greater resonance in society (Figure 4). Wearing red sweaters, the two men (a homosexual couple) are in separate reunion dinners with their family members during a Chinese New Year Festival. The man in one photo is asked “Do you have a girlfriend?” while the man in the other photo is asked, “Why haven’t you married a wife?”. These questions are exceptionally familiar at the present time to most ethnic Chinese when meeting relatives in meals to celebrate Chinese New Year. Since being married and having offspring are significantly valued in terms of performing filial piety to parents and family members in Confucian culture, these questions are endlessly repeated until one has fulfilled his/her family mission. To some youth, these questions are a source of conflict during dinners. Hence, the poster captures the attention of heterosexual people (youth in particular) as the situation resonates with their experiences.

Moreover, to homosexual couples, the poster shows the awkward situation where they can neither confess to their family members about their relationship nor be together in the same dinner. Maintaining harmony during festivals is essential to traditional Chinese families. Revealing their relationship during dinner would make them a “common enemy” of relatives who uphold traditional family values and subject them to criticism for breaking family harmony. This perceived pressure within the family deters them from coming out of the closet. With the two characters looking straight at the camera, the poster establishes a direct conversation with the audience as well.

This poster astutely arranged verbal and visual languages. It not only interacts with traditional Confucian values but also seeks to educate and stimulate the compassion of other (ethnic Chinese) citizens regarding the

dilemma of homosexual couples during the celebration of one of the most important festivals in an ethnic Chinese society.



Figure 4. A poster created by the Marriage Equality Coalition Taiwan in 2017.



The two sentences written in white color in the lower portion of the poster translate to “In every Chinese New Year, (they) can only think of each other by wearing similar clothe. (We) hope that we can join the reunion dinner together in the next Chinese New Year.”<sup>18</sup>

These promotional materials are crucial in connecting the culture of the LGBTQ+ community to mainstream society. They serve as a channel to inform the majority in the society about the needs of the LGBTQ+ people and the dilemmas encountered in their daily lives, and hence aimed at creating a culture by which LGBTQ+ is not seen as something arcane or far from being understandable. In the promotion of their logic of appropriateness (i.e., marriage equality and protection of LGBTQ+ rights), the pro-LGBTQ+ bloc in Taiwan was active in adopting human rights and individual-centered expressions such as “Rights” and “Equality” and visual languages such as the Rainbow flag. This choice of language contributes to the concept of family by the same-sex marriage movement – a concept based on individual choice and the love between two persons. The choice of language also helps to increase the visibility of the LGBT-supporting groups. Moreover, since this culture goes contrary to Confucian traditions, Confucian values are barely used to localize or promote their claims. Confucian and traditional elements are often presented as either part of the background context or as ideas hostile to pro-LGBTQ+ claims.

### **Rejecting Same-sex Marriage and LGBTQ+ Rights to Defend Confucian Traditions**

The promotion of LGBTQ+ rights in Taiwan in the last decade did not happen without challenges. Like the pro-LGBTQ+ bloc, the anti-LGBTQ+ bloc also adopted promotional materials to make their claims visible to the public, but using different verbal and visual languages. The anti-LGBTQ+ bloc in the last decade had four leading local anti-same-sex marriage organizations (established in 2013 – 2014): (1) the Coalition for the Happiness of our Next Generation which is an advocacy group; (2) the Family Guardian Coalition which represents religious parties; (3) the Defend Family Student League which represents students; and (4) the Mothers Shield Alliance for the Protection of Families and Children in Taiwan which represents women (mothers). Their ultimate goals are generally the same: oppose same-sex marriage and/or LGBTQ+-oriented inclusive education.

Despite their common objectives, the reasons behind their stance are different. For example, the Coalition for the Happiness of Our Next Generation listed six reasons for opposing same-sex marriage (2013, modified on 15 November 2016):

1. Legalizing same-sex marriage will consume enormous national resources and impact the government's efforts to boost the economy;
2. Same-sex marriage has ignited social conflicts in many countries, and Taiwan's hasty promotion of it is bound to trigger social conflicts and internal divisions;
3. The European Court of Human Rights has not reached a verdict on the issue, so Taiwan should not become the first guinea pig in the ethnic Chinese region;
4. Same-sex marriage lacks the potential for natural reproduction, which is not conducive to family continuation and population growth in Taiwan;
5. The largest group affected by HIV/AIDS is men who have sex with men, and it has become one of the top ten causes of death among teenagers;
6. Same-sex marriage does not align with the best interests of under-age children.

Though disputable, the reasons (except for point six) are relatively plausible viewed objectively from social and economic perspectives. Acutely articulating their claims with rational language (such as cost-benefit discussion) also makes their argument less sensitive and more plausible to local citizens. The Family Guardian Coalition was more outspoken about its stance. In response to a proposal to amend Article 972 of the Civil Code to change the definition of marriage as between a male and a female to two parties, the Coalition made a public statement in 2016 about three reasons for the objection, summarized as follows:

1. Attempts to legalize homosexual relationships are considered as official recognition and encouragement of the state to the sexual activities between two homosexual persons. It will, therefore, lead to misconceptions and biases among the next generation regarding sexual behavior;
2. Sexual activities between homosexual persons will not be accepted by the majority;

3. Legalization of same-sex marriage will “result in the breakdown of human relationships and family hierarchies” and hence endanger the traditional ethical structure.

Confucian language became more apparent in their statement, which is especially reflected in point three when they used the term “human relationships (人倫)” and “family hierarchies (輩分)”. To understand how they educated the public about their logic of appropriateness (i.e., same-sex marriage and LGBTQ+ rights should not be accepted), it is necessary to analyze the promotional materials used.

Similar to the pro-LGBTQ+ bloc, a series of massive gatherings and formal activities were launched by the anti-same-sex marriage bloc to make their concerns visible. Photo below (Figure 5) presents two pictures taken and reported by news media in an anti-same-sex marriage rally held on 3 December 2016. In the first picture, people were sitting on the floor and holding a white sheet printed with the words “Marriage, Family, to be Decided by All Citizens.” In the second picture, the words shown on the backdrop are “To Be Decided by All Citizens, To Be Decided by Parents.” The first sentence is about same-sex marriage, while the second sentence is about inclusive education. Apart from the political calculation and context,<sup>19</sup> it is not surprising that they connected the issue (same-sex marriage) to the idea of people making decisions on marriage issues. Family and family relationships lie at the core of Confucian ethics, the foundation of society. From this perspective, the attempt to legalize same-sex marriage challenges the entire existing social institutions. Since children should follow the instructions of their parents, inclusive education is regarded as a device to disrupt this established relationship by instilling in children a set of values different from their parents.<sup>20</sup> The language used here is quite different from the words and phrases that the pro-LGBTQ+ bloc used in promoting their claims to Taiwanese citizens.

Figure 5 shows the anti-same-sex marriage rally organized by The Coalition for the Happiness of Our Next Generation that advocated ‘Marriage and Family, To Be Decided by All,’ asserting that “any government effort to change the definition of marriage must go through a nationwide referendum.”<sup>21</sup>

The Coalition for the Happiness of our Next Generation organized an anti-same-sex marriage rally on 3 December 2016 that prominently featured



Figure 5. An anti-same-sex marriage rally held on 3 December 2016.



Figure 6. Another picture taken during the anti-same-sex marriage rally held on 3 December 2016.

a large ball with the words “Black-Box Legislator Yu Mei-nu” on the stage (Figure 6).<sup>22</sup>

The advertisement videos, social media promotional materials, and banners of the anti-LGBTQ+ bloc use the Confucian language. In late 2016, two advertising videos were broadcast on television in Taiwan. Both videos ask parents and families to participate in an upcoming anti-same-sex marriage protest to be held on 3 December 2016. The videos immediately brought controversies in society. Although the official source of the videos was not found online, the videos were saved by citizens and uploaded on YouTube. The narrations of the videos are translated below:

Video 1. Narrations [Translated]

*One Husband and One Wife.*

*This is our marriage system.*

*“Homosexual people can marry” sounds fine, but “Husband and Wife” will no longer exist on legal documents [after the legalization of same-sex marriage].*

*They can only be called as “Spouses”.*

*If “Husband and Wife” do not exist, neither can we call “Father and Mother”, “Grandfather and Grandmother”, “Uncle”, “Auntie”, “Cousin (Male)”, “Cousin (Female)”.*

*All mess up together.*

*In order to allow same-sex couples to marry, “Father and Mother” disappear,*

*“Grandfather and Grandmother” vanish.*

*Do you agree with this sort of marriage system?*

*Millions of families, stand up on 1203!*

*The Civil Code must not be amended. Consider Alternative Ways.*

Video 2. Narrations [Translated]

*...(Content Missing in the Video)*

*This is the current form of sex education.*

*“Homosexual people can marry” sounds fine, but schools have to educate our kids about what is “male having sex with male” and “female having sex with female” since then (the legalization of same-sex marriage),*

*And parents cannot disagree.*

*Homosexual orientation can be acquired later in life.*

*Do you agree with this sort of education?*

*Millions of families, stand up on 1203!*



*The Civil Code must not be amended. Alternative ways can be considered.*



Figure 7. Screenshot of the video “Back-up of the Anti-Same-Sex Marriage Advertisement ‘1203 Million Families Stand Up on 1203’ YouTube 360p.”<sup>23</sup>



Figure 8. Screenshot of the video “1203 Million Families Stand Up on 1203.”<sup>24</sup>

Materials published by other anti-same-sex marriage organizations and individuals carry similar messages as in these videos. For example, on 31 December 2016, the Defend Family Student League posted a material on its Facebook page titled “Anti-Same-Sex Marriage to Save Taiwan” (see Figure 9) in Taiwanese Mandarin. A slogan was put below the title that reads “Not striving for economic development, only igniting controversies, accepting

Same-Sex Marriage Bill, the end of family.” Four consequences of the bill are listed in the material: (1) Kids will lose their fathers or mothers for their whole life; (2) The concept of a marriage built upon “One Husband, One Wife” will be threatened; (3) It will become illegal to protest on the street (if same-sex marriage is legalized); (4) Providing service to homosexual people cannot be refused in the future. Regarding the fourth point, the texts explain that legalization of same-sex marriage would impact on religious freedom, freedom of conscience, and the right of parents to participate in the education of their children.

The column on the left side of the table are about the consequences of legalizing same-sex marriage. Relevant examples are provided in the columns on the right side of the table.<sup>25</sup>

Before the presidential election was held on 11 January 2020, a massive number of banners was used to promote anti-same-sex marriage claims and support or attack the politicians based on their stance on the issue.<sup>26</sup> One of the most frequently seen banners was made by the Mothers Shield Alliance For the Protection of Families and Children in Taiwan. Figure 10 is an example of it. With a picture of a woman holding a baby, the banner starts with two sentences blaming the legislators of the Democratic Progressive Party for passing the same-sex marriage bill. In

**反同婚救台灣**

不會拚經濟 只會起爭議 接受同婚案 家庭就完蛋

法案通過後的後果	國外的實例，我們要學嗎？
<b>讓孩子一輩子沒有爸爸或沒有媽媽！</b> 註：同婚法案通過，不僅讓家庭離子絕跡，更讓孩子沒有爸爸媽媽！	<b>美國實例：</b> 「我曾有親切的同性伴侶，但另一項遺憾是無法體驗當爸爸的感覺。」—Heather Barwick (Heather Has Two Mommies 電影主角) 同性戀伴侶的出現，否定了我們生命的起源。
<b>一夫一妻的婚姻觀念遭受威脅！</b> 註：「異性戀權」的名稱就是這麼來的！其實，在2015年之前，台灣大學體系認為在考試科目中提到「一夫一妻是自然的」，遭教育部罰鍰3萬元。	<b>美國實例：</b> 加州州議會2003年至今已合法14年。這幾年下來，該州的民風不但無人尊重自由、家長的責備，也自由但受到罰鍰，絕少教育權益或是選舉權。例如：教師因與學生討論同性戀的行為，「在小學、幼兒園教導同性戀」，「父母沒有權力涉及關於學校之同性戀教育之教學」，「許多學校的學生開始出現自殺傾向同性戀者」，「公立部門在高中強迫所有同性戀的同志電子」，「拒絕為同性伴侶服務的家長會被控訴」，「公立學校反對同性戀的人被公開罵」，「反對同性戀者遭到攻擊，甚至被燒死」。
<b>到那時再上街抗議就是違法了！</b> 註：現在上街抗議同婚，已經可能面臨警察以違章集會或擾亂治安等，未來更上街頭，除了承擔法律，也違法（因為沒救了）。	<b>法國實例：</b> 2013年，法國通過同婚法案。在通過前少許有非常多的抗議行動，但在通過後，一切都不一樣了。2013年有數萬人走上街頭抗議，不斷訴求警察、司法機關對同婚的「立法上違背人權」。2014年、2015年，法國民間發動多場數十萬人的抗議活動，聲勢浩大。2017年，政府「撤換法律草案」的聲望，但是這些行動均無效於事，抗議勢力可謂天崩！
<b>不能拒絕為同性戀者服務！</b> 註：宗教自由、良心自由、家長參與教育權，等等都會受到影響！甚至受罰鍰、列入黑名單、在學校被要求有輔導課程、失業者同婚好、我們好！	<b>臺灣實例：</b> 北宜鐵路的一宗採購案，2年內因同婚爭議「我支持同婚，主權屬於宗教自由」，遭台鐵裁決裁決同婚性傾向。2019年10月24日公布裁決結果，依同婚條例有異議，並限期於2020年10月25日前（2.5天）。

一位美國作家說：「人們從歷史學到最重要的教訓就是人類無法從歷史中學到任何教訓。」同婚案既然不好，看其他國家通過後產生的後果就知道！歐洲要國的性解放及同性戀案進入後台灣，與中華文化、台灣傳統的家庭價值產生衝突，這些國家當面否認，我們還要跟隨嗎？這些國家惡意回絕，我們還要向前嗎？

Figure 9. A digital promotional material against same-sex marriage.

the middle of the banner, it states “We want to have grandson/daughter(s)” and “May the incense continue, passing down through generations.” In an ethnic Chinese society, “incense (香火)” refers to offspring. Hence, “passing down” means continuing the family bloodline. Some banners specified the name of a legislator while some did not. Nevertheless, three more banners are shown in Figures 11-13, which were all found from November 2019 to January 2020, as examples of messages that the anti-same-sex marriage bloc is trying to convey to the public.





Figure 10. A banner made by the Mothers Shield Alliance for the Protection of Families and Children in Taiwan found in a public area.

In the campaign propaganda against same-sex marriage, the slogan “End the lineage” is spreading throughout Taiwan, while pro-same-sex marriage groups are calling for votes for “LGBTQ-friendly legislators.”<sup>27</sup>



Figure 11. A banner blaming the Democratic Progressive Party for promoting same-sex marriage.<sup>23</sup>



Figure 12. A banner asking if homosexual couples can give birth to children.<sup>28</sup>

The sentences in the banner (Figure 12) state “We want to have grandson/daughter(s). We care about our incense and to pass it down to the next generations. Men married men, women married women. Can (they) give birth to a child? This is the bill forcefully promoted by G. I. Khu.”<sup>29</sup>



Figure 13. A campaign banner of a Chinese Nationalistic Party candidate, Ai-Lun Meng, in an election for Legislative Yuan members.

On the left side of the banner (Figure 13), from top to down, it states “Refuse drugs, AIDS, and Abusive Sexual Relationships. Do not educate students to become homosexual persons. Oppose inclusion of same-sex relationships and desire in the curricula for elementary and junior high schools.”<sup>30</sup>

Three prominent and interconnected Confucian values can be identified from these promotional materials created by the anti-same-sex marriage bloc when trying to educate the public about the justification of their claims. First, marriage is relationship between male and female, one of the most essential foundations of human relationships according to Confucianism. Of the five constant relationships mentioned by Mencius (孟子) Teng Wen Gong (Part One), one is “Distinction should exist between husband and wife (夫婦有別).” The distinction not only refers to gender differences but also to their role – men should work while women should assist the husband in educating their offspring. From a traditional perspective, marriage is also not a matter between two persons but between two families.

Necessarily, the second value is the family hierarchy and social status. “Mother”, “Father”, “Grandfather”, etc. are not mere titles or call signs but are status-reflecting terms. In traditional Chinese family dinner held during the Chinese New Year, for example, all relatives and their partners are required to greet each other. When the youngest member talks with other family members, he/she needs to call their titles instead of their names. It will be regarded as disrespectful if he/she calls his/her uncle “Ken” instead of “Uncle”. In contrast, the oldest member of the family is entitled to call others by their names, titles, or nicknames. Different from English, moreover, some titles in Mandarin Chinese carry a more precise status-reflecting meaning. For example, although “A Bwo (阿伯)”, “Shu Shu (叔叔)”, “Da Jyou (大舅)”, and “Er Jyou (二舅)” are all translated as “Uncle”, the first two are used to describe the brothers of the father while the latter two are used to describe the brothers of the mother. In other words, these titles also serve as a tool to recognize the lineage background among family members. This is the social system (ritual and music system) according to Confucianism – the corresponding etiquette and behavior of every person in a clearly defined hierarchy. Therefore, when a Taiwanese associate professor of law told publicly that he would fall into pieces if his grandson/daughter did not call him “grandfather” (ETToday, 2014), he is not the first who had that concern, nor would he be the last saying so within the anti-same-sex marriage bloc.

Third, and most importantly, is about offspring. Despite the fact that ordinary people may not recognize the Confucian-ness of it, there is an idiom that ethnical Chinese parents and older generations frequently talk about – “There are three ways to be unfilial; the worst is to not have offspring (不孝有三，無後為大).” It is a quote from the book *Li Lou (Part One)* written by Mencius. According to the explanation provided by the Revised Mandarin Chinese Dictionary (Ministry of Education, 2021), the three unfilial behaviors are: (1) Blindly obeying parents, witnessing their wrongdoing without providing them advice, and causing them to fall into injustice;<sup>31</sup> (2) Though the family is poor and parents are old, the child is neither working to feed his/her family nor pursuing fame; (3) Not marrying a wife and having neither descendants to continue family traditions and bloodline, nor having someone worship the graves of the ancestors in designated dates. Whereas the first two ideas are often forgotten, the third is particularly memorized and reiterated by older generations in ethnic Chinese society. Having a grandchild is also somewhat regarded as a right of the elderly parents, and is “shown off” to other relatives in reunion dinners and festivals. From the perspective of parents in traditional Chinese families, therefore, lighting up incense is always regarded as one of the most prioritized missions the younger generations should accomplish.

The concept of family to the anti-same-sex marriage bloc, hence, is built upon traditional languages such as “One Man and One Wife,” “Sexual Relationship Between A Husband and A Wife,” “Offspring,” “Titles,” and “Lineage.” These Confucian values reflected in the languages used in their promotional materials not only empowered them with a sense of appropriateness and the justification for making their claims but also functioned as a thrust to promote their logic to the general public in Taiwan. Since Taiwan is mainly composed of ethnic Chinese, their claims should have a stronger resonance with the cognition of ordinary people than the pro-LGBTQ+ bloc whose languages are new from the traditional culture perspective.

To summarize, the triangular dialogic relationship between the pro-LGBTQ+ bloc, the anti-LGBTQ+ bloc and the general public on the same-sex marriage issue in Taiwan has interesting characteristics. The means used to promote their respective causes have no great differences, but they used distinct sets of verbal and visual languages in their promotional materials and positioned Confucianism – the local traditional culture – in very dissimilar ways. To the anti-LGBTQ+ bloc, Confucianism is clearly its most robust ally



to make their claims visible and tenable in Taiwanese society.<sup>32</sup> But to the pro-LGBTQ+ bloc, Confucian language is either hidden or raised as an idea detrimental to their cause. The pro-LGBTQ+ bloc is more inclined to employ human rights and individual-centered languages to redefine the concept of family and love in society.

### **Future Challenges to the Promotion of Rights**

Ever since the legalization of same-sex marriage in 2019 and the success of the Democratic Progressive Party candidates in winning the presidency and a majority in the Legislative Yuan in the elections held in 2020, the development of LGBTQ+ rights has been unprecedentedly positive in Taiwan. In civil society, pro-LGBTQ+ organizations continue to educate the public about the experiences, rights, and needs of their community through different activities. For example, in October 2022, they held an artistic event called the Taiwan Queer Galart, an exhibition about the history of LGBTQ+ protests and movements in the past twenty years,<sup>33</sup> and a “rainbow” bazaar that sold things related to or supporting LGBTQ+ community. The languages used in the materials do not show great differences with the past materials. Formal activities like forums or speeches are also frequently held in different cities in Taiwan. These events are not only about the presence of the LGBTQ+ community but also connect to their past and work for a brighter future. In the legal aspect, the government implemented new measures in 2023 that allow homosexual families to adopt children and homosexual Taiwanese to register his/her marriage with a non-Taiwanese. The protections of LGBTQ+ rights, hence, are gradually expanding in the country.

In stark contrast, the anti-LGBTQ+ bloc has lost its momentum. The two largest anti-same-sex marriage organizations, the Family Guardian Coalition and the Coalition for the Happiness of our Next Generation, have stopped updating their Facebook account since 9 January 2020 and 14 December 2020 respectively. The latter has its own official website, yet the last “updated news” was published on 31 March 2020. Among the four organizations, the Mothers Shield Alliance is the only one that continues updating its Facebook account as of 2023. However, the materials they use to defend their cause are rarely seen in public. Whereas the politicians or organization leaders might have continued their work in alternative ways, abandoning their platforms and retreating from public space indicate that

they have somewhat given up communicating with the pro-LGBTQ+ bloc and the public. Their opinions minimally appeared in the media, have gone underground, or were presented as individual views.<sup>34</sup>

Is this the destination where the dialogue between Confucianism and LGBTQ rights stops? As discussed in the literature review, democracy is better realized in a society with a weakened Confucianism. Hence, are the rights of sexual minorities successfully promoted in an ethnic Chinese society because of the downfall of Confucianism? Or, did the promotion of LGBTQ rights succeed because Taiwan is already a democracy?

In the case of the same-sex marriage movement in Taiwan, the pro- and anti-LGBTQ+/same-sex marriage blocs positioned themselves clearly to educate the public about their way of living and what they stand for. Both blocs made little effort to appreciate the values supported by each side. While the past political context led to the rise of the two blocs, that context has changed with the existence of more space for reevaluating the possibilities of incorporating some Confucian values into the claims of the pro-LGBTQ+ bloc.<sup>35</sup> This incorporation of Confucian values can help promote sexual minorities' rights to people other than those who already have liberal orientation and reach those who have solid faith in Confucian traditions.

However, it is also possible that some of the Confucian values are not compatible with sexual minorities' rights. Those Confucian values that were considered not compatible with sexual minorities' rights were ignored or disregarded by the pro-LGBT+ bloc. At the same time, some Confucian values as seen in the 2016 video "The Innate Thought of a Father" discussed earlier are being redefined instead of being disregarded.

It must be noted that the goal of promoting human rights is not to silence a culture. Since culture is about a way of living which involves personalized interpretations, no proponent of a particular view should be teased, mocked or bullied. Though silencing could occur as a consequence of human rights promotion, it should never be justified as one of its goals. Otherwise, the human rights promotion will mean education of fear among dissidents and deviants.

### **Use of Cultural Products in Human Rights Promotion**

Cultural products such as video clips, movies and dramas are not unique tools for human rights promotion in Taiwan. Looking back to the past de-

cade, they have been utilized as a tool and a place for promoting human rights issues such as ethnic diversity, gender equality, and the rights of sexual minorities in other countries (including western countries through Hollywood in particular). In Taiwan, there are movies discussing LGBTQ+ rights such as “Dear Tenant” (2020) and “Marry My Dead Body” (2023). Noteworthy, Taiwan is not the only ethnic Chinese society where human rights issues can be found in movies and dramas.

As of late 2023, for example, a terrestrial television channel in Hong Kong broadcasted a love comedy called “Food Buddies”. In the first ten episodes, two sets of romantic relationships were depicted. The first set involved one female who directly mentioned her sexual orientation as pansexual, another female whose behavior in the drama looks pansexual, and a “straight” male who later learned to accept the pansexual orientation of the females. In episode two, the pansexual female explained to the male the concept of pansexuality and gender identity using a sauce plate as a metaphor. She said, some people like having simple sauce while others prefer adding condiments like garlic, green onion, or cilantro into the sauce. People choose what they like and hence each person’s sauce plate is unique. Gender identity, therefore, is like the ingredients of a mixed sauce. The metaphor perfectly localized the gender identity issue since making a mixed sauce is something that Hongkongers would do whenever they eat Da Bin Lou (打邊爐).<sup>36</sup> This type of hotpot food is one of the most common meal choices for people who would like to gather friends or family members. People create their own sauces by selecting condiments before the meal starts. The metaphorized language helps the public to understand one of the most important topics in the contemporary human rights agenda. The drama, therefore, creates a simplified dialogue between gender identity and local culture, and between sexual minority issues and the public. The drama also includes other sexual and romantic issues such as homosexuality, polyamory (having or desiring multiple intimate relationships at the same time with the full knowledge and consent of all parties involved<sup>37</sup>), marriage, and netorare (NTR).<sup>38</sup>

While the role and merits of cultural products in shaping and promoting culture are recognized (Cayla & Eckhardy, 2008; Maisuwong, 2012), the main question is about the extent of help the cultural products can provide in promoting human rights in a formal way (i.e., legal way). For example, it should not be forgotten that Japan is a pioneer and one of the most influential countries in promoting “soft power” (power based on intangible or



indirect influences such as culture, values, and ideology<sup>39</sup>) and has a well-developed entertainment industry which frequently used Boy's Love (and Girl's Love) as a genre of novels and anime since decades ago. And yet Japan is not a pioneer in legalizing same-sex marriage in Asia; Taiwan pioneered it. Does it mean that in the East Asian context, what happens in entertainment stays as entertainment? Or is it a country-based problem caused by other factors? These questions deserve further attention and investigation.

### Implications and Framework of Analysis

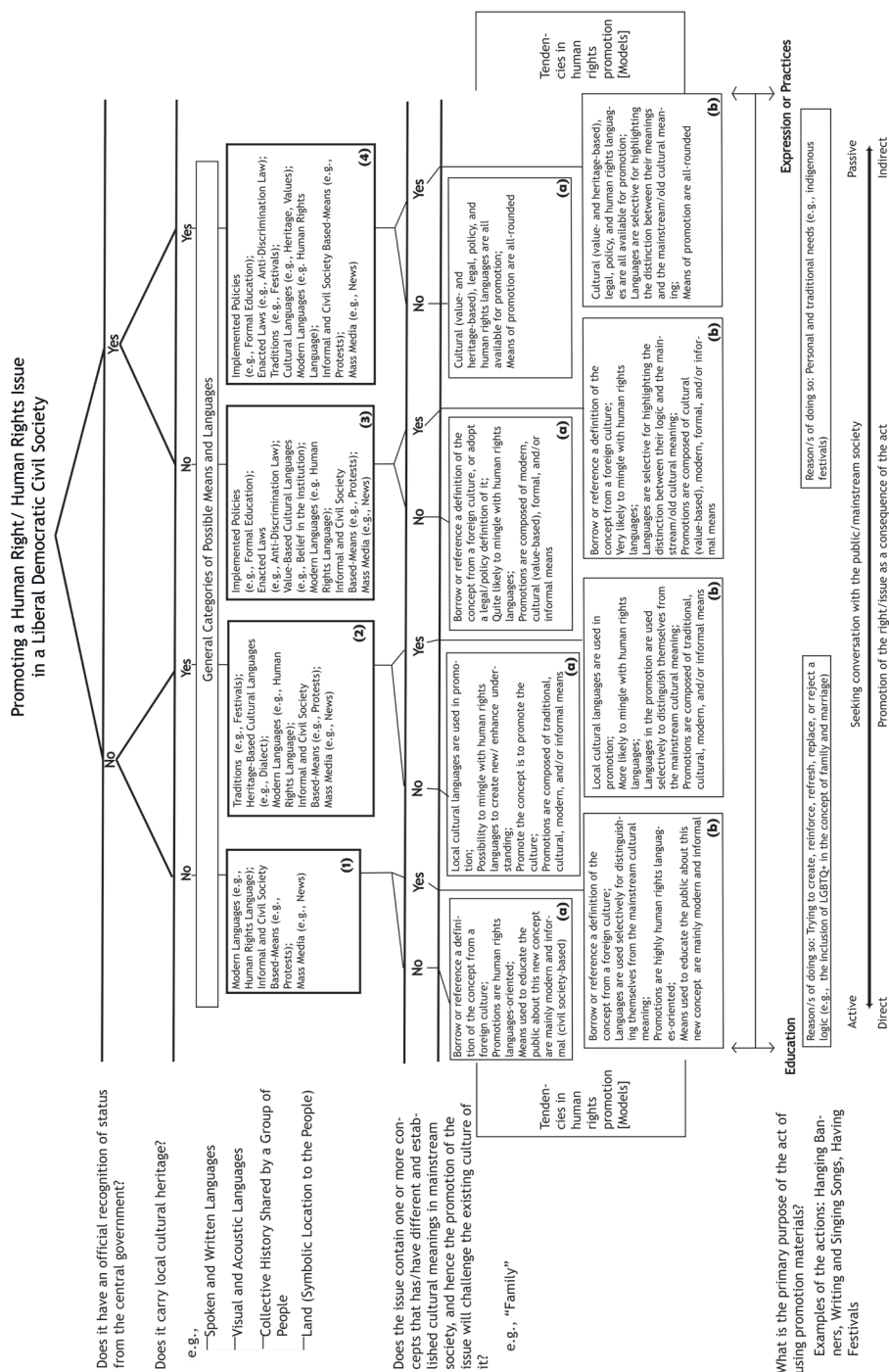
This article discusses two implications. Firstly, the choice of languages and means in the bottom-up promotion of a particular right depends on the character of the issue involved. “3+1” questions can help in this regard.

The “3” questions refer to the following: Whether or not the human right or human rights issue involved

1. has obtained official recognition,
2. relates to local cultural heritage, and
3. requires challenging one or more existing concepts with established cultural meaning in mainstream society.

Answering these questions would facilitate understanding of how the right or issue involved is viewed in society and hence the availability of strategies for its promotion. For example, in the case of the same-sex marriage movement, the issue did not have an official recognition (e.g., protection of law) and did not involve local cultural thinking.<sup>40</sup> But its promotion must challenge the cultural understanding of the concepts of “Family,” “Love” and “Relationship” which are deeply rooted in society. The movement had to borrow definitions from non-Chinese cultures and adopt the human rights language to distinguish its message from the existing concepts in society and increase its visibility.

The “+1” question helps to identify the characteristics of the promotional measures by looking into the primary purpose of the actions (i.e., adoption of the means) taken by relevant parties. The pro-LGBTQ+ bloc aimed to redefine the current logic and strive for official recognition. Hence, they needed to be active and direct in interacting with society.



The inquiry framework of the promotion of human rights or human rights issues in civil society, shown in the flow chart (Figure 14), not only assists civil society actors in locating themselves and employing corresponding strategies in their context, but also provides scholars and researchers a gateway to understand why one or more specific languages or means were adopted and how they were different from other cases of promotion of human rights in different societies. (See Annex B for additional explanation of the framework.)

However, two things regarding this framework should be noted. Firstly, the framework is built upon the cases studied in this article. Its application to other societies awaits further examination. A more thorough quantitative analysis of the languages used in the promotion of LGBTQ+ in Taiwan can provide additional insights on this framework, and its modification as well. Secondly, the framework does not guarantee that the promotion of human rights or human rights issues in every society will always fit any of the eight promotion models. Human rights promotion is a dynamic process in which the needs and positions vary depending on the context. One of the determinants of this framework is that the country is presumed to be a liberal democracy in which civil society is free to discuss, support or oppose any issue. If human rights languages are illegal in an authoritarian country, for example, the promotion of particular rights will be forced to repress its human rights character. If human rights are seen as foreign and illegal ideas in an authoritarian country, for example, the promotion of particular rights as human rights will be repressed and promotional activities will be constrained to incorporate only the existing cultural concepts. Nevertheless, the framework is suggested as a useful tool for civil society actors to determine ways to promote human rights and for scholars to study how languages and means are used according to the appreciation of human rights issues in a society.

The second implication of this article is that theoretical compatibility does not indicate that the culture will be used by civil society to promote particular rights. Although Confucian values are argued to be compatible with human rights values, they were not adopted by the pro-LGBTQ+ bloc to promote their rights in the same-sex marriage movement. Instead, it was more common for the anti-LGBTQ+ to speak of Confucianism. Instead of generalizing the relationship between local culture and human rights, it seems better to work on specific human rights or issues and to portray

the relationship using more accurate and specific situations. Additionally, neither bloc was interested in the discussion about “classic” or “neo-” Confucianism, which is somewhat a hot topic for scholars. Therefore, rather than focusing on the theories about or on top-down efforts in portraying the relationship between local culture and human rights, there is a need to understand how people in society interpret and practice them in their daily lives. This can provide insights for deepening human rights promotion in different societies and enriching academic discussion.

## **Conclusion**

This article presents the use of languages, culture and means in the promotion of same-sex marriage rights in Taiwan in the last decade (2010s-2020s). The pro-same-sex marriage movement employs proactive measures to educate the ordinary people about LGBTQ+ issues and to contest the logic of the anti-LGBTQ+ bloc. It is forced to be selective in the languages used in order to be distinguished in the arena of logic of appropriateness and society. Consequently, the pro-LGBTQ+ bloc marginalized Confucianism – if not regard it as harmful – and its affiliated expression and chose human rights-related terms and expressions as the pillar in their promotional materials. The anti-LGBTQ+ bloc chose the opposite. While their means of promotion are largely the same, their distinct sets of cultural languages can be observed throughout most of the materials used in the last decade. Since the languages employed by the two blocs are distinctive, the cultural interactions (dialogues) were direct, intense, loud and clear.

Moreover, the case of Taiwan can be unique among ethnic Chinese societies. Compared to China, Hong Kong, and even Singapore, Taiwan has developed more favorable institutions for human rights and democratic education. In terms of formal institutions, it has free and fair elections, the rule of law, and legal protections on freedom of expression and other fundamental rights. Some also believe that human rights promotion in Taiwan is relatively less problematic in the sense that the Taiwanese society has already accepted Westernized ideology in education since the 1990s (Dan & Choy, 2012, page 96). As for informal institutions, it has an active civil society with many of its members having faith in democracy and general human rights values. Most importantly, the conservative political party lost its presidency and majority in Congress since 2012. When the conservative political party

won the presidency in 2009, there was a regression in equality and diversity promotion (Cheung, 2022, page 101). These conditions formed the most robust ground for free, diverse and influential dialogues on human rights and society and resulted in more active human rights promotion programming in Taiwan during the last decade.

Hong Kong is supposed to be the second ethnic Chinese society where democratic education and human rights promotion can thrive. It shares the same conditions and a similar culture with Taiwan, with two exceptions on sovereignty and democratic institutions issues. These issues are the most lethal obstacles to human rights promotion in Hong Kong; which has been exacerbated since 2021. Aside from the gloomy future of political rights and the rule of law, civil rights such as religious freedom and the rights of sexual minorities are also in danger. Since the autocratization in Hong Kong requires the city to “Chinanize” itself, it would not be surprising if sexual minorities would be penalized and religious institutions would have to submit themselves to the superior power of the Chinese Communist Party in the future. The use of fear in ruling Hong Kong has turned the city into one of the most unfavorable cities for human rights promotion in East Asia.

Therefore, although the experiences of Taiwan in the promotion of LG-BTQ+ can provide references for civil societies in Asian (and other) democracies, they are neither immediately nor directly replicable to other ethnic Chinese societies since there is a great institutional difference between the countries. Civil societies should search for their paths in human rights promotion by referencing each other and considering the framework offered in this article. Nevertheless, it should be emphasized that a unidirectional top-down refusal to search for the possibilities of promoting human rights in society should not be praised. Otherwise, human rights development will only be distorted or thwarted for private as well as governance purposes.

## Acknowledgment

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## Annex A. Online discussion of Confucianism in Taiwan and Hong Kong

The first ten results of PTT and LIHKG posts discussing Confucianism shown on Google Search when the two sets of key terms (“Confucianism” & “PTT” and “Confucianism” & “LIHKG”) were searched .

Date of Publication	Title of the Post [Translated]	Theme of the Post [Summary]
30 April 2023	When did Confucianism deviate from its original path?	When did Confucianism become a trash stressing filial piety and social hierarchy?
16 February 2016	Is Confucian culture the main obstacle to the progress of ethnic Chinese?	Is Confucianism the reason why the West is leaving the East behind?
28 June 2014	Re: Any gossip about Confucianism causing harm to people?	Confucian ritual religion (禮教) is not the core idea of Confucius but is an articulation of thoughts instead. Confucianism was turned into a tool to enslave citizens by the Emperors and the ruling authorities.
5 October 2021	What are the problems with the kindness of Confucianism?	Confucianism stresses kindness. Why is it confused nowadays?
5 April 2022	Re: Is Confucian culture a malignant tumor?	Since the adoption of militarism in the Qin dynasty, Confucianism had been transformed into a brainwashing tool for governance. The Chinese world (中華世界) is the parallel world in which Nazi Germany defeated U.S. and U.K.
30 April 2023	Re: Is Confucianism the main reason for China's lag behind the West?	The social hierarchy stressed by Confucianism favors governing “garlic chives [human] farm” in ancient China.
7 August 2023	Re: Why is there no one questioning Confucianism in Chinese history?	The author quoted criticisms from the German philosopher Max Weber regarding the values of Confucianism.
1 May 2023	Re: Is Confucianism the main reason for China's lag behind the West?	Rather than Confucianism, rulers who use the thought to limit the thoughts of the people are those who should be criticized.
13 February 2023	What are the drawbacks of Confucianism in modern society?	What are the defects of Confucianism in contemporary society? Why can foreign countries develop well without it?
22 August 2019	Is Confucianism beneficial or harmful to the development of modern nations?	Asking for the pros and cons of Confucianism to modernization.
Another set of Top 10 results of LIHKG posts discussing Confucianism shown on Google search		
25 October 2021	Confucianism must be eliminated. Otherwise, equality will not be achieved even if the Chinese people founded their new regime.	Confucianism does not promote equality but only hierarchy. Therefore, freedom and equality will not be enjoyed even if the communist party is destroyed.

22 April 2022	[Provocation] People often complain about Confucian brainwashing education in Chinese language and literature classes. Did they actually pay attention in class?	The author argued that the subject of National Language in secondary education did not brainwash students.
2 November 2020	Is Confucian thinking still relevant?	The social hierarchy promoted by Confucianism can encourage harmony since everybody is regulated by the hierarchical structure without conflicts.
26 May 2023	What is new about New Confucianism? Introduction to the historical perspective of New Confucianism, reasons for opposing Buddhism, and concerns about democracy and science. ["Contemporary Issues Faced by New Confucianism and Its Development"]	Introducing Neo-Confucianism.
14 May 2020	Confucius was f _ _ king harmful to people.	Confucianism has overly promoted social status and hierarchy which has poisoned Chinese for generations and led to the situation in which Chinese people have become a lap dog to the Communist Party of China.
13 June 2022	Many bookworms read a lot of books and constantly citing literature, but their inference is a mess.	The author criticized an article that argues the positive relationship between patriarchy and Confucianism.
15 April 2023	If we rewrite history, we should replace Confucianism with Mohism. <sup>41</sup>	Praising the merits of Mohism.
24 Feb 2023	After some understanding of Buddhism/ Christianity/Taoism/ Confucianism, I found that Buddhism and Taoism are most suitable for me.	The author expressed his own opinion about which Chinese ideology fits him/herself/.
8 November 2018	So-called Confucianism is like a drug. Hong Kong will have no future if it is not completely eradicated.	The author believes that the new future of youth can only be built on a complete destruction of Chinese culture (Confucianism in particular).
21 April 2022	Are there any English books that introduce Confucianism and Taoism?	Asking for recommendations about books introducing Confucianism and Daoism in English.



## **Annex B. Additional explanation of the analytical framework presented in Figure 14**

The first question about official recognition from the central government defines the fundamental character of a particular human right or human rights issue in a country. If the state officially recognizes that right/issue, there should be more legal and policy-related (political) means available for the promotion of that right/issue in society. For example, in a situation where an anti-discrimination law has been legislated, the promotion of the equality of indigenous people can stress that “Article 00 of the Anti-Discrimination Law prohibits any discrimination acts based on indigeneity, race, or gender.” If someone discriminates against indigenous people with malice, pro-indigenous rights groups can employ legal means (e.g., lawsuits) to defend the rights and promote the legal significance of the right. Civil society actors can also promote that right/issue by informal and civil-society-based means such as protests and street banners, while incorporating the languages (i.e., choice of words, definition, and concepts) stipulated in that law or relevant policies to increase the credibility of their promotion materials. As for the rights/issues without official recognition, however, promotions mainly rely on informal and civil society-based means with limited accesses to legal and policy measures.

The second question concerns the localness of a right/issue. Localness refers to the local cultural properties [heritage] carried by that right/issue. For example, the discussion of the rights of a group of indigenous people must involve the discussion of their indigenous culture (e.g., dialects, customs, and traditions). These cultural properties are not attached to the issue but are the backbone of it. Hence, the “localness” here is more than just about “relatedness” — in a strict sense, it is about “innateness”; in a casual sense, it is about “thickness”. A typical set of cultural properties includes but not limited to spoken and written languages, collective history, traditions and customs, land, and/or visual and acoustic symbols (e.g., ideograms and ballads). Atayal, one of the indigenous groups in Taiwan, for instance, has its own linguistic system which writes and pronounces words differently from Taiwanese mainstream society (Taiwanese Mandarin). They also have traditional festivals and customs that are different from those of mainstream society in Taiwan. The innateness/thickness of local cultural properties inherited by indigenous peoples enriches the options of languages and means in the promotion of indigenous rights. For example, they can write a song in Atayal about a specific history or custom of their people and utilize the power of pop culture to spread it out, or they can educate the public about their traditions and rituals by celebrating their festivals regularly and publicly. In contrast, as explained previously, the LGBTQ+ issue in Taiwan does not hold such sort of cultural properties. Therefore, they had to rely on informal and civil society-based

means and human rights languages in the promotions made in the last decade.

The third question, which is about whether the promotion of a right/issue will challenge an existing concept that has an established cultural meaning in mainstream society, delineates the critical position of that right/issue in society. To put it simply, a challenge will be posted if the promotion contains a concept that is exclusive and/or has been culturally defined. For example, the promotion of the preservation of indigenous festivals is unlikely to overthrow the existing concept of “Festival” since it is relatively neutral. A challenge will be posed, however, if the promotion is trying to redefine “Chinese New Year Festival” — a culturally exclusive concept to ethnic Chinese. In the case of LGBT+ marriage rights in Taiwan, although the word “Family” is neutrally definable, the concept of it is tightly bound to the Confucian culture in ethnic Chinese society. Consequently, the promotion of LGBT+ marriage rights was (is) considered a challenge to the established concept of “Family”. Since a successful promotion of it requires a new “family” concept, the foremost job of civil society actors was to make their logic distinguishable from the existing one. Without the availability of local culture, laws, and policies, human rights languages were the most robust tool to achieve this goal.

With the three questions as the filters of a funnel, the promotion of human rights or human rights issues will eventually fall into one of eight models with corresponding characteristics as shown in Figure 14. They are summarized below:

**Model 1(a).** Without state recognition and lack of local cultural properties, yet not challenges the mainstream meanings of existing concepts.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture and are human rights language-oriented. Means are mainly informal and civil society-based, which are employed to educate the public about the new concepts.

**Model 1(b).** Without state recognition and lack of local cultural properties, yet challenges the mainstream meanings of existing concepts.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture and are human rights language-oriented. Moreover, languages are selectively adopted to distinguish themselves from the mainstream cultural meanings of existing concepts. Means are mainly informal and civil society-based, which are employed to educate the public about the differences between their logic and the existing logic.

**Model 2(a).** Without state recognition, yet holds unique local cultural properties.

Promoting the concept of human rights/human rights issue equals promoting the culture of it. It is possible that heritage-based cultural languages are mingled with human rights languages to create new or enhance understanding, and/or increase the

significance of a particular right/issue. Promotions are composed of traditional, cultural, modern, and/or informal and civil society-based means.

**Model 2(b).** Holds local cultural properties, yet lacks state recognition and challenges the mainstream meanings of existing concepts.

Whereas local cultural languages are used in the promotion of human rights/human rights issue, languages are selectively used since it needs to distinguish themselves from the mainstream cultural meanings of existing concepts. Hence, it is more likely that the languages used in promotion are mingled with human rights languages. Promotions are composed of traditional, cultural, modern, and/or informal and civil society-based means.

**Model 3(a).** Lack of local cultural properties, yet state recognition has been obtained and no or limited distinguishment is required.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture. Promotions are also able to adopt legal and/or policy languages to make their claims more credible. Human rights languages are quite likely to be incorporated into promotions as well. Since the state has recognized the right/issue, society should have been developing a value-based culture by which citizens should have faith in the institutions of that right/issue. Promotions are composed of modern, cultural (valued-based), formal, and/or informal means.

**Model 3(b).** Without local cultural properties, distinguishment is required even though official recognition is obtained.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture. Promotions are also able to adopt legal and/or policy languages to make their claims more credible. Human rights languages are very likely to be adopted. Languages are selectively adopted to make the right/issue distinguishable. Promotions are composed of modern, cultural (valued-based), formal, and/or informal means.

**Model 4(a).** All-rounded promotion.

Without the need to seek state recognition or to make distinctions, the languages and means available for the promotion of human rights/human rights issue are all-rounded. It is very likely that the meanings of the concepts contained in that right/issue have become the mainstream meanings as well.

**Model 4(b).** All-rounded promotion with the need to be distinctive.

Without the need to seek state recognition, the languages and means available for the promotion of human rights/human rights issue are nearly all-rounded. However, since mainstream society still upholds meanings of certain concepts that are different from the meanings promoted by that right/issue, promotions are required to continue the

distinctions.

Last but not least, the Plus-One question helps identify the choices of languages and meanings in promotions. Technically speaking, all acts – as long as they have audiences – are promotions. Hence, the purpose of the act will define the characteristics of the languages and means used in a promotion. For example, if a person would like to express his support for the legislation of LGBT+ marriage rights, the simplest way is to write a publicly accessible post on Facebook or Instagram. As an act of expression, neither does it seek active conversation with the public, nor it is a direct promotion of the right. The choice of languages can be simple and lacks deliberation as well. Another example would be the festivals of indigenous people. If they are celebrating the festivals mainly because of their traditions, seeking conversation with the public will be considered as a secondary or side goal. The promotion of indigenous rights/issues is hence indirect since it mainly relies on the media or government bodies who report their practices and increase their visibility to the public. In contrast, in the case of needing to create a new logic of appropriateness, like the pro-LGBT+ bloc in Taiwan as discussed, active conversations with mainstream society are required. The promotion of rights is the primary goal of the acts since they are all about human rights education – the education of a new logic. Therefore, the Plus-One question helps understand what languages and means are preferable for the promotion of human rights or human rights issues, and why a particular set of languages and means are (more likely to be) adopted in the promotion of those rights and issues in certain contexts.

Overall, the analytical framework proposed and explained here gives insight into the strategies of human rights promotion in different contexts. The first three questions clarify what is included in a stationary box, while the Plus One question determines which tool should or will be picked to carry out the act of promotion. When the context changes, the decision-making process of how to promote a human right or human rights issue is supposed to go through the funnel again. Consequently, the tools sit inside the stationary box will be shuffled accordingly.

## Endnotes

1 For example, it would be unconvincing to claim that human rights and democracy do not fit with the culture in Hong Kong since the local people have been enjoying partial freedoms since decades ago and mainstream society was urging for them. Therefore, the violations are not because of the incompatibility between cultures but the political interests of the ruling parties.

2 In Judicial Yuan Interpretation No. 748, the Constitutional Court made the following ruling:

The provisions of Chapter II on Marriage of Part IV on Family of the Civil Code do not allow two persons of the same sex to create a permanent union of intimate and exclusive nature for the purpose of living a common life. The said provisions, to the extent of such failure, are in violation of the Constitution's guarantees of both the people's freedom of marriage under Article 22 and the people's right to equality under Article 7. The authorities concerned shall amend or enact the laws as appropriate in accordance with the ruling of this Interpretation within two years from the date of announcement of this Interpretation. It is within the discretion of the authorities concerned to determine the formality for achieving the equal protection of the freedom of marriage. If the authorities concerned fail to amend or enact the laws as appropriate within the said two years, two persons of the same sex who intend to create the said permanent union shall be allowed to have their marriage registration effectuated at the authorities in charge of household registration, by submitting a written document signed by two or more witnesses in accordance with the said Marriage Chapter.

No. 748 [Same-Sex Marriage Case], Judicial Yuan Interpretation No. 748, Constitutional Court, 24 May 2017, <https://cons.judicial.gov.tw/en/docdata.aspx?fid=100&id=310929>.

3 The New Culture Movement initiated in the 1910s and 1920s – after the fall of the Qing dynasty – was one of the most potent events in the modernization of China. The Movement criticized traditional Chinese culture and advocated embracing Westernized ideals such as science and democracy. It was led by outstanding scholars such as Lu Xun and Hu Shih whose literature and theories still exert influence nowadays. Among the leaders, Liang Qichao is one of those who held a strong opposition to Religious Confucianism. Although he agrees with the merits of Confucianism as a moral philosophy, he believes that the long-existing despotism in China had created a traditional morality of servility, and hence the correction of it not only requires criticism but also the need to implement the rule of law and democracy (Chao, 2000, pages 74-75). See also Lai (2015).

4 The claims made by particular governments in protecting themselves from the implementation of human rights protections are not included in this section. Compared to scholars, it is more often to see authoritarian countries, such as the examples mentioned in the first section of this article, using Confucianism or traditional values to justify their violations of human rights.

5 See the following articles for further discussions: Dallmayr, F. (2017). "Asian values" and global human rights. In *Theories of Rights* (pages 393-409). Routledge; He, B. (2017). "Persistent conflicts between Confucianism and democracy"; Wei-ming, T.

(2012). "A Confucian perspective on human rights," in *Confucianism, Chinese history and society* (pp. 1-22).

6 She is a politician affiliated with the Social Democratic Party since 2015 and an activist in promoting the rights of LGBT in Taiwan.

7 It is an organization promoting gender inequality and a diverse and inclusive Taiwan. Its predecessor is the Marriage Equality Coalition formed by five women's rights and LGBTQ+ rights organizations (Taiwan Equality Campaign, n.d.).

8 The forum was created by the Thinking Taiwan Foundation.

9 "[Video] Support Same-Sex Marriage, Oppose Special Legislation! Tens of Thousands Gather at the Legislative Yuan", CTS, November 28, 2016, <https://news.cts.com.tw/cts/politics/201611/201611281825096.html>.

10 "The deadline for legalizing same-sex marriage on May 24th is approaching. LGBT advocacy groups will station themselves at the legislative Yuan next week," Liberty Times Net, May 11, 2019, <https://news.ltn.com.tw/news/life/breakingnews/2787285>.

11 The full version of the song can be found on the website of the Taiwan Alliance to Promote Civil Partnership Rights: <https://tapcpr.org/tapcpr-news/about-tapcpr>.

12 This song is available on YouTube (La Marseillaise, French National Anthem (Fr/En), [www.youtube.com/watch?v=4K1q9Ntrc5g](http://www.youtube.com/watch?v=4K1q9Ntrc5g)).

13 This song is available on YouTube (Glory to Hong Kong, First version, with ENG subs), [www.youtube.com/watch?v=y7yRDOLCy4Y](http://www.youtube.com/watch?v=y7yRDOLCy4Y)).

14 Although the Anti-Extradition Bill Movement ceased in Hong Kong in around 2021, the diasporic community of HongKongers has continued to hold activities in different countries around the world.

15 She was born in Singapore and is now living in Taiwan.

16 This song is available on YouTube (We Are One Feat. Tanya X aMei X Sandy X Naying X Rainie X Elva X Alin X S, [www.youtube.com/watch?v=UiFgnS1eJRM&p=ygUUD2UgYXJlIG9uZSDolKHlgaXpm4U%3D](http://www.youtube.com/watch?v=UiFgnS1eJRM&p=ygUUD2UgYXJlIG9uZSDolKHlgaXpm4U%3D)).

17 This video is available on YouTube, [www.youtube.com/watch?v=FC\\_FoUKuikQ&t=1s](http://www.youtube.com/watch?v=FC_FoUKuikQ&t=1s).

18 From the Facebook of Taiwan Equality Campaign, 25 January 2017, [www.facebook.com/equallovetw/photos/a.201735676949226/236632286792898/?type=3](http://www.facebook.com/equallovetw/photos/a.201735676949226/236632286792898/?type=3).

19 Although they were proposing a referendum to decide the future of same-sex marriage, it was not formally proposed, accepted, and held in 2018.

20 According to traditional logic, children should follow parental instructions. If inclusive education is implemented, their kids may uphold different sets of values that challenge their parents. As a result, harmony in family relationships will be endangered.

21 R. Y. Yen, The Storm Media, 3 December 2016, [www.storm.mg/article/197345?page=1](http://www.storm.mg/article/197345?page=1).

22 Yen, *ibid*.

23 Generally speaking, the Democratic Progressive Party (DPP) tends to support same-sex marriage and LGBTQ+ rights while the China Nationalist Party (KMT) tends to be against them. When an article related to the right of same-sex couples to register their marriage was voted in the Legislative Yuan, for example, more than 50 legislators of those who voted for Yes were from the DPP (with one voted for No and

twelve either abstained or did not participate in the meeting) (MainStream News, 2019). In contrast, only seven legislators from the KMT voted for Yes, and 23 voted for No.

24 Coalition for the Happiness of our Next Generation, 2 December 2016, Eve Chen YouTube Channel. [www.youtube.com/watch?v=P4KWS8tN2zE](http://www.youtube.com/watch?v=P4KWS8tN2zE).

25 “Anti-Same-Sex Marriage to Save Taiwan”, Defend Family Student League, 31 December 2016, [www.facebook.com/photo/?fbid=699276583580641&set=pb.100064513969795.-2207520000](http://www.facebook.com/photo/?fbid=699276583580641&set=pb.100064513969795.-2207520000).

26 Generally speaking, the Democratic Progressive Party (DPP) tends to support same-sex marriage and LGBTQ+ rights while the China Nationalist Party (KMT) tends to be against them. When an article related to the right of same-sex couples to register their marriage was voted in the Legislative Yuan, for example, more than 50 legislators of those who voted for Yes were from the DPP (with one voted for No and twelve either abstained or did not participate in the meeting) (MainStream News, 2019). In contrast, only seven legislators from the KMT voted for Yes, and 23 voted for No.

27 K. F. Lee, The News Lens, 7 January 2020, [www.thenewslens.com/article/129736/page4](http://www.thenewslens.com/article/129736/page4).

28 “Against same-sex marriage of the Democratic Progressive Party, exterminating descendants,” Y. S. Liao, Facebook, 30 November 2019, [www.facebook.com/photo/?fbid=1310925539079308&set=pcb.1310932819078580](http://www.facebook.com/photo/?fbid=1310925539079308&set=pcb.1310932819078580).

29 “[A banner asking if homosexual couples can give birth to child],” Y. C. Lin, Facebook, 27 December 2019, [www.facebook.com/photo/?fbid=10221084854567983&set=a.10220996286953848](http://www.facebook.com/photo/?fbid=10221084854567983&set=a.10220996286953848).

30 “[A campaign banner of a Chinese Nationalistic Party candidate],” Facebook of Y. C. Lin, 19, December 2019, <https://www.facebook.com/photo/?fbid=10221000858268128&set=a.10220996286953848>.

31 This is another example of literature indicating that traditional Confucianism does not promote absolute obedience or absolute hierarchy which are always used to argue the incompatibility between Confucianism and human rights (and democracy). According to this traditional thought, children who obey their parents blindly are blamed as unfilial for their foolish behavior.

32 In the battle of culture (i.e., fighting for the majority’s support to their logic of appropriateness and against same-sex marriage), additionally, the anti-same-sex marriage groups had been twisting their use of language in a strategic way. Figure 13 is an example, in which they linked inclusive education to the “education of a homosexual child”. Another example is the request made by the Coalition for the Happiness of Our Next Generation (Xie, 2018). They asked the media to call them “愛家團體 (a group that loves home)”, instead of “反同團體 (anti-homosexual group)” which has been used for a while. By changing the name, it presents an image indicating that people who share the same stance with the Coalition are those who love home (or family), while those who do not (i.e., pro-LGBTQ+ individuals and organizations) are not. Despite their potentially discriminative nature and stigmatization character, such strategies are sometimes quite effective in making their culture more appropriate than others to the swing citizens who have a stronger attachment to traditional values.



33 The title of the exhibition is “Walk with Pride”. See [www.songshanculturalpark.org/exhibition/activity/8168ad8d-f113-4033-af27-c70d3855f5ea](http://www.songshanculturalpark.org/exhibition/activity/8168ad8d-f113-4033-af27-c70d3855f5ea) (in Mandarin Chinese).

34 In the pro-LGBTQ+ protest held on 30 October 2022, a Taiwanese was standing alone and holding a board with the text “I am normal. Oppose same-sex marriage” (Liberty Times Net, 2022). Two males were standing right beside him and one was kissing the other.

35 During the same-sex marriage movement, both blocs had to gain supporters by presenting their ideologies in an outspoken way. Any attempts to use the values or languages of the opposition were not preferable in that those elements would confuse their supporters.

36 According to the romanization system established by the Linguistic Society of Hong Kong, the formal romanization of the Hongkongese words “打邊爐” is “Da2 Bin1 Lou4.”

37 Polyamory, Britannica, [www.britannica.com/topic/polyamory](http://www.britannica.com/topic/polyamory).

38 Netorare (寝取られ), a Japanese word meaning cuckold, has been used to describe cases of adultery.

39 Glen S. Fukushima, Japan’s “Soft Power,” Japan Foreign Trade Council, [www.jftc.jp/monthly/archives/001/201802/9480ee77341ac62987618120e86cd807.pdf](http://www.jftc.jp/monthly/archives/001/201802/9480ee77341ac62987618120e86cd807.pdf).

40 Arguably, the pro-same-sex marriage group has two cultural properties. First, the value (i.e., the right to same-sex marriage is needed and should be protected) shared among the pro-LGBTQ+ bloc members. Second, the collective memories of being not officially recognized or discriminated against in the country. However, the history is short, and the cultural thickness is still weak.

41 Mohism is one of the Chinese philosophies proposed during the period of the Hundred Schools of Thought in the Zhou dynasty. It is famous for suggesting equality and universal love – indiscriminate caring – between individuals, and also in opposing invasion. Yet due to the influences of modern culture (e.g., the movie “A Battle of Wits”), the image of being good at military tactics (especially in defending a city) may be more prevailing indeed. See Fraser (2002) and Robins (2012).

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# Global Citizenship Education in the Philippines: Adaptations and Innovations

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**G**LOBAL CITIZENSHIP EDUCATION (GCED) is an emerging concept that promotes the development of knowledge, skills, and attitudes necessary to live in a world that is interdependent and interconnected. The Philippines is among the countries that have taken significant steps in implementing GCED for the past seven years. In this report, we present the Philippine initiatives on GCED and how it has impacted the country's education sector.

One of the most significant initiatives that the Philippines has taken on GCED is its integration in the national curriculum. This integration aims to equip learners with the knowledge, skills, and values to become global citizens who can contribute to the development of the country and the world. Moreover, the Philippine government has launched various programs and projects that promote GCED. One of these initiatives is the Global Educators Program (GEP), which aims to develop teachers' competencies in teaching GCED. This program provides opportunities for teachers to participate in international conferences, workshops, and immersion programs that focus on GCED. Through the GEP, teachers are equipped with the necessary skills and knowledge to facilitate GCE in their classrooms.

Furthermore, the Philippines has established partnerships with international organizations like United Nations Educational, Scientific and Cultural Organization (UNESCO), Asia-Pacific Centre of Education for International Understanding (APCEIU) and Association of Southeast Asian Nations (ASEAN) to promote GCED. In 2016, the Philippines hosted the ASEAN Integration Through Education (ITE) program, which aimed to foster cooperation and understanding among ASEAN countries through education. This program focused on GCED as a means to promote peace, tolerance, and understanding among ASEAN youth. The Philippine government's initiatives on GCED have also been recognized by international organizations. In 2019,

the Philippines embarked on a three-year GCED project with APCEIU and Department of Education (DepEd) to integrate GCED in the K-12 curriculum and develop GCED lesson exemplars. This is a testament to the Philippines' commitment to promoting GCED as a means to achieve sustainable development and global understanding.

These GCED initiatives constitute a significant part of the work in the Philippines towards achieving the Sustainable Development Goals (SDGs) by 2030.<sup>1</sup>

### **The GCED Idea**

The multidirectional globalization process enabled countries and their citizens to interact openly, most prominently in the economic sphere. With internet, virtually everyone is able to participate online on a global scale not only on economic issues but also on issues regarding the political, socio-cultural and environmental dimensions of development. The increasingly globalized world led to global citizenship, a new kind of citizenship that accommodates global perspectives in addition to the traditional definition of citizenship tied to a nation-state. UNESCO referred to global citizenship as a “sense of belonging to a broader community and common humanity” and a “way of understanding, acting and relating oneself to others and the environment in space and in time, based on universal values, through respect for diversity and pluralism” (UNESCO, 2014, page 14). Global citizenship puts emphasis on the interdependence and interconnectedness of political, economic, social, and cultural dimensions between and among the local, the national, and the global (UNESCO, 2015).

GCED is crucial in the formation of global citizens who are equipped with essential knowledge, skills, and attitudes to participate and contribute to societal development at local and global levels. It “aims to empower learners to engage and assume active roles, both locally and globally, to face and resolve global challenges, and ultimately to become proactive contributors to a more just, peaceful, tolerant, inclusive, secure and sustainable world” (UNESCO, 2014, page 15). To achieve such educational goals, GCED holistically targets three dimensions of learning: cognitive, socio-emotional and behavioral (UNESCO, 2015). The cognitive domain ensures that learners acquire the necessary knowledge, understanding and critical thinking on vari-



ous global, regional, national and local issues. The socio-emotional domain provides students with a sense of belonging to a common humanity, sharing values and responsibilities, empathy, solidarity and respect for differences and diversity. The behavioral domain expects students to act responsibly at local, national, and global levels for a more peaceful and sustainable world.

Efforts and initiatives to integrate GCED-related concepts, values and behaviors in the current K to 12 curriculum in the Philippines have emerged in recent years. For example, the Division of City Schools-Manila participated in a capacity-building program called *In Scientia Nos Solidaritas* (In Science, We are United). This program aimed to prepare science teachers of Manila to integrate GCED on existing secondary school science subjects through teaching demonstrations, writing lesson exemplars and developing a contextualized and age appropriate GCED Learning Resource Material (LRM) suited to Filipino students.

### **DepEd and GCED**

During the First United Nations Association of the Philippines (UNAP) Stakeholders Conference held on 30-31 July 2018 at the University of Makati, then DepEd Secretary Leonor Magtolis Briones highlighted the Department's effort in strengthening the K to 12 curriculum, with a focus on peace and global citizenship education.<sup>2</sup>

According to Secretary Briones

(t)opics on peace and security are already integrated in our curriculum, but we, in DepEd, continuously conduct efforts to uplift our education system, and revisiting and further improving our curriculum is a part of it... If there is peace and security in the largest unit of government, in the biggest office with the largest number of people, the largest number of learners, then perhaps a major contribution can be made.

Secretary Briones noted that “one cannot have quality education if there is no peace and security.”

The conference carried the theme, “The Role of Education in Our Journey to Peace and Security,” and was attended by peace advocates, education leaders, youth, and other stakeholders from various government agen-

cies, non-governmental organizations (NGOs), educational institutions, and international organizations.

She explained that DepEd is in constant talks with education stakeholders to strengthen the K to 12 curriculum: “We have been getting feedbacks from industry, parents, schools heads, teachers, and other stakeholders, especially on how our curriculum treats issues of peace and security.” The Secretary added that these issues are becoming more urgent not only in the Philippines, but also in a global scale. Thus, ensuring ways in instilling lessons about achieving a more inclusive, just, and peaceful world in students is vital.

She then presented several measures to address the need to have education on peace and security:<sup>3</sup>

#### *1. Safe Schools Declaration*

Briones also reiterated the Department’s strong commitment in maintaining the neutrality of schools as zones of peace to ensure that students and teachers are in an environment conducive to learning and free from harm through the DepEd Order No. 44, series of 2005, or the Declaration of Schools as Zones of Peace:

“DepEd has long been implementing the policy on safe schools; Schools that are established and registered with DepEd, whether public or private, are safe from any military visitors, [military] activities, and we campaigned heavily for this during the Marawi siege,” she stated.

The Secretary likewise noted that DepEd, the Department of National Defense (DND), and other national government agencies fully support and are signatories of the Safe Schools Declaration (SSD), “an inter-governmental political agreement dedicated to protecting education in armed conflict.”<sup>4</sup>

The SSD was crafted and developed through consultations among various states as “an inter-governmental political commitment that provides countries the opportunity to express support for protecting students, teachers, schools, and universities from attack during times of armed conflict; the importance of the continuation of education during armed conflict; and the implementation of concrete measures to deter the military use of schools.”<sup>5</sup>

#### *2. Learners’ safety in schools*

Aside from ensuring that no armed conflict or personnel are allowed near and within the premises of a learning environment, the Education chief emphasized that the Department strongly

implemented policies that safeguard students from incidences of bullying and physical violence. “Bullying is absolutely forbidden and there is a protocol for handling cases of bullying; hazing is also forbidden, physical acts of violence, whether among the children, or as sometimes claimed from teachers, or from children to their teachers, these undesirable actions are all forbidden,” Briones remarked.

### 3. *On Global citizenship*

Briones also noted that because of the rapid globalizing state of the society, advancing lessons in global citizenship is important in order to have platforms for meaningful exchange, where people can learn each other’s history, culture and circumstances to foster greater respect and tolerance for each other’s identity.

“Through partnerships, we are sending our teachers to visit other countries to get vital insights which we can use for the betterment of our educational system,” she said.

“Peace, security, and global citizenship are already in the curriculum but we are further strengthening it, especially in terms of instructional materials, ways of teaching, and even the use of films, dances, and other forms of art in order to transmit these ideas and concepts to our learners,” Briones expounded. Also present at the event were Presidential Peace Adviser Secretary Jesus Dureza, Commission on Higher Education (CHED) Commissioner Ronald Adamat, UNAP President and former DepEd Secretary Mona Valisno, UNAP President Emeritus Aurora Reciaña, and former Senator Anna Dominique Coseteng. Established in 1947, UNAP aims to help promote global understanding, cooperation and peace in the Philippines and among nations based on human dignity and universal services

## **GCED in Higher Education and Other Institutions**

Promotion of GCED has gained traction in the last five years with various higher education institutions, as well as government and non-governmental organizations and advocacy groups, conducting activities on GCED. The following activities show the increasing recognition of GCED in the country:

- 2017 International Assembly of Youth for UNESCO with the theme “UNESCO Clubs Collective Actions Towards a Peaceful and Just Society” held on 1-3 September 2017 at ICON Hotel, Quezon City

sponsored by National Coordinating Body of UNESCO Clubs in the Philippines and UNESCO National Commission of the Philippines;

- 1st Global Citizenship Education Workshop for Teacher Education with the theme “Embedding GCED in the New Teacher Education Curriculum of the Philippines” held on 14-16 October 2017 at Eurotel Hotel, Manila sponsored by APCEIU and UNESCO National Commission of the Philippines;
- 2018 International Assembly of Youth for UNESCO with the theme “Protecting Heritage and Fostering Creativity for Global Citizenship” held on 6-8 September 2018 at ICON Hotel, Quezon City sponsored by National Coordinating Body of UNESCO Clubs in the Philippines and UNESCO National Commission of the Philippines;
- 2nd Global Citizenship Education Workshop for Teacher Education with the theme “Towards the Establishment of GCED Network in the Philippines” held on 6-8 September 2018 at ICON Hotel, Quezon City sponsored by UNESCO-Bangkok and UNESCO National Commission of the Philippines;
- 3rd Global Citizenship Education Workshop for Teacher Education with the theme “Whole-School Approach to Global Citizenship Education” held on 12-14 December 2018 at St. Giles Hotel, Makati City sponsored by UNESCO-Bangkok and UNESCO National Commission of the Philippines;
- Under the 2019 GCED Roadshow: Promoting Global Citizenship Education in Philippine Basic Education Schools, workshops for teachers and principals were held in Pampanga, Bacolod City and Butuan City sponsored by UNESCO-Bangkok and UNESCO National Commission of the Philippines. The project had two major components: the seminar-workshops on Whole School Approach to GCED for school heads and teachers and the Module Development anchored primarily on GCED concepts and principles;
- 2019 International Assembly of Youth for UNESCO with the theme “Protecting Cultural and Linguistic Diversity in the context of Global Citizenship Education” held on 5-7 December 2019 at Eurotel Hotel, Angeles City, Pampanga sponsored by National Coordinating Body of UNESCO Clubs in the Philippines (NCBUCP) and UNESCO National Commission of the Philippines;

- Conference on Reflecting on Global Citizenship Education (GCED) in the Time of Pandemic held on 17 July 2020 via Zoom and Facebook, organized by the Philippine Normal University (PNU) with APCEIU, SEAMEO, and Philippine National Commission for UNESCO. Participants came from at least thirty countries;
- 2022 International Assembly of Youth for UNESCO with the theme “SDG 14: Harnessing the Power of Youth as a Global Citizen to Heal the Ocean,” held on 9-11 December 2022 at Bayview Park Hotel, Manila sponsored by National Coordinating Body of UNESCO Clubs in the Philippines (NCBUCP) and UNESCO National Commission of the Philippines.



The International Assembly of Youth for UNESCO convened youth leaders and advocates of UNESCO and the SDGs (9-11 December 2022).

In light of the existence of internet technologies that have enabled Filipinos to take part in various social spheres at the global level, the need to develop responsible Filipino global citizens through education had never been more pressing. GCED offers a framework to systematically respond to this educational need. The aims of GCED have always been part of the Philippines' goals being a democracy. Moreover, institutions (particularly DepEd) have started to promote GCED-related concepts and ideals within the education system. These favorable conditions can facilitate smooth GCED integration in the basic education curriculum, which is necessary to develop the ideal Filipino global citizens.

### **Philippine Normal University**

The Philippine Normal University (PNU) started to integrate GCED in various curricular and co-curricular programs in 2017. Faculty members are familiar with the values related to GCED but they might not explicitly mention GCED in their teaching.

PNU, as the National Center for Teacher Education, embeds GCED in Teacher Education Curriculum. It considered the following changing contexts of education and the corresponding educational reforms to embed GCED in its Outcomes-based Teacher Education Curriculum:

1. Growing internationalization of education which requires harmonization of standards and policies for evaluation, assessment standards, teacher training, curriculum, instruction, and testing between and among countries;
2. Scientific and technological developments which are revolutionizing the teaching-learning processes in the 21st Century;
3. Imperatives of education for sustainable development which will promote sustainable living and improve the capacity of people to address the environmental and development issues;
4. Impact of globalization which requires addressing both specificities of culture and tolerance of cultural diversity between and among groups in a borderless world and at the national level; and
5. Restructuring of Basic Education anchored on lifelong learning and Education for All which requires a new set of competencies for teachers.

GCED principles and values are integrated into General Education and Professional Education courses offered at PNU. In the General Education courses, GCED is integrated in subjects like “Understanding the Self,” “[Jose] Rizal’s Life and Works,” “Readings in Philippine History,” “Ethics,” “Contemporary World,” “Art Appreciation,” “Mathematics in the Modern World,” “Purposive Communication,” and “Science, Technology, & Society.” In the Professional Education courses, GCED is integrated in “Foundation of Education,” “Psychology of Learners,” “Theories of Learning,” “Guidance and Counseling,” “Developments in Education,” “Educational Technology,” “Principles and Methods of Teaching,” “Introduction to Curriculum Development and Instructional Planning,” “Assessment and Evaluation of Learners,” “Introduction to Special Education,” “Developmental Reading,” “Professional Ethics and Relevant Laws,” and “Practice Teaching.”

In 2022, the PNU and APCEIU established the GCED Cooperation Centre Philippines (GCC Philippines) to serve as the hub for teacher training, research and curriculum development, and information dissemination on GCED in the country. It aims to engage teachers, school heads, and educational supervisors on GCED content and teaching methods to advance GCED in the Philippine educational system; to direct research and exercises promoting the improvement of the GCED educational plan; and to expand training partners’ familiarity with GCED drives and ventures. GCC Philippines aims to become a champion for the advancement of GCED in the Philippine educational contexts.<sup>6</sup>



Lim Hyunmook, Director of APCEIU (left) and Bert J. Tuga, PhD, President of PNU (right) signed a Memorandum of Agreement on 15 March 2022 designating PNU as the GCED Cooperation Centre in the Philippines.



In the same year (2022), GCC Philippines established a network of state colleges and universities on GCED. These higher education institutions, mainly teacher education institutions (TEIs) which advocate GCED in their respective regions, were recognized as “GCC Regional Hubs”. These colleges and universities have a long history of actively participating in different projects and programs concerning the welfare of their students. They are also the leading institutions in the regions in terms of implementing GCED. Top-performing TEIs were chosen as the first GCC Regional Hubs in the country, to wit, Pangasinan State University, PNU North Luzon, Tarlac Agricultural University, City College of Calamba, Romblon State University, Bicol University, PNU Visayas, University of Eastern Philippines, Bukidnon State University, Mindanao State University, PNU Mindanao, Sulu State College, Kalinga State University, Marikina Polytechnic College and Sulu State College.



Philippine Normal University and seventeen TEIs signed Memorandum of Understanding designating them as GCC Regional Hubs.

The Institutional Capacity-building on GCED project was launched in 2022 to build a stronger foundation of GCED knowledge and application for PNU faculty and staff by providing a series of capacity-building activities. This project is perceived as the cause of multiplication of leaders on GCED within the university.



GCC Philippines spearheaded a series of GCED trainings for PNU Faculty and Staff as part of its Institutional Capacity Building on GCED Project.

### **GCED Integration Project: The Tripartite Project of APCEIU, PNU, and DepEd**

The integration of GCED in basic education is critical in achieving quality education, which is Goal 4 in SDGs. As defined by UNESCO, global citizenship is a “sense of belonging to a broader community and common humanity” and a “way of understanding, acting and relating oneself to others and

the environment in space and in time, based on universal values, through respect for diversity and pluralism” (UNESCO, 2014, page 14). Indeed, the globalized world has brought to the fore the need for global citizenship to be mainstreamed in the basic education curriculum in order to develop a new kind of citizens who would work together in making this planet peaceful, just and sustainable. Toward this end, the systematic integration of GCED in basic education must be seriously considered by the education sectors across the globe.

More than the expected commitment of the Philippine government to meeting the SDGs, integrating and mainstreaming GCED into the basic curriculum can contribute to the country’s overall goal of improving the quality of education.

While GCED-related concepts have always been promoted in the education system of the Philippines, the efforts were sporadic and fragmented. In the current K to 12 curriculum, cultural tolerance, respect for human rights, social justice, gender respect and equality, environmental sustainability, peace advocacy, collaboration, and cooperation are highly evident in the standards and competencies (Andaya, 2019). However, a systematic and intentional integration of GCED in the basic curriculum is necessary for students to become the ideal Filipino global citizens.

Integration of GCED in the intended and implemented curriculum can be challenging. Aside from it being a new term to education professionals like curriculum developers, teachers and education leaders, Filipino teachers may not be aware of the global guidance document on the overall teaching and learning objectives of GCED (APCEIU, 2019). Education leaders, with the support of global organizations advancing global citizenship and international understanding like APCEIU, must come together in efforts to scaffold integration of GCED from the intended to implemented curriculum. The Philippines, along with Kenya, Lebanon and Sri Lanka, under the auspices of the UNESCO - APCEIU, embarked on a three-year (2019-2020) project named Global Citizenship Education (GCED) Curriculum Development and Integration with the aim of mainstreaming GCED in the national curriculums.<sup>7</sup> DepEd, as the lead agency for this project, conducted the situation analysis that aimed to determine the entry points of GCED integration during the first year of implementation. For its second year of implementation, which focused on the drafting of the GCED-integrated curriculum, DepEd designated PNU as its implementing partner.

The second phase of this international project had four objectives: 1) develop the Philippine GCED indicators; 2) map Philippine GCED indicators in the basic education curriculum; 3) develop the Philippine GCED framework; and 4) elaborate the GCED framework in the Philippine K to 12 Basic Education Curriculum through the identification of knowledge, skills and attitudes of GCED.



APCEIU and PNU Letter of Agreement designating PNU as APCEIU implementing agency for the Curriculum Development and Integration Project with DepEd (2019).

## Development of the Philippine GCED Framework

Curriculum mapping was a crucial first step in developing the Philippine GCED Framework. This intensive review of the curriculum identified GCED-related concepts and themes and established the patterns and manner by which they were found in the curriculum. Within a learning area (LA),



curriculum experts analyzed the specific topics, units, or grading periods where specific GCED concepts, values and behavior were most prominently integrated. They looked at how the curriculum was developed to meet the needs of integrating GCED principles in the K to 12 curriculum. Further, they provided a comparative view on the level of integration of GCED indicators across LAs.

Looking at the results of the curriculum mapping, a Project Core Team synthesized the patterns that emerged across levels, across learning areas and how they were horizontally developed. The integration in the curriculum of GCED competencies and practices required an inward look to examine the intended curriculum. Curriculum mapping revealed various insights and illustrations of GCED in the Philippine K to 12 curriculum. Mapping results were categorized further on the basis of LAs and grade levels (GLs).

The findings on the varying levels of integration of GCED concepts and themes in the country's basic education curriculum point to the need for a framework that can guide all those who have stake at designing the curriculum and in identifying the needed educational experience to be provided to students for a proper integration of GCED both in the intended and implemented curriculums.

A constructivist approach guided the development of the GCED-integrated curriculum by responding to the following questions:

1. What educational purposes do we seek to attain?;
2. What educational experiences can be provided to students by integrating GCED in the K-12 curriculum?; and
3. How should these GCED experiences be effectively organized in the curriculum?

This started the development the Philippine GCED framework.

The Philippine GCED Framework had to clearly outline the intent, purpose, and functionality of GCED integration in the learning areas and grade levels. The development of this framework was done at several levels.

The first level of analysis involved examining the existing context and realities of the Philippine educational system in conjunction with the review of the curriculum mapping results. Drawing from various legal, pedagogical and educational sources, and the essential elements of Global Citizenship amidst the challenges of globalization, the Project Core Team realized that

the intended national curriculum was an important institutional vehicle to promote and propagate the ideals of Global Citizenship. Looking at the range of statutes, department orders, and educational philosophies, the Project Core Team recognized that policies and programs were already in place to support the teaching of GCED knowledge skills, values and behaviors.

On the second level of analysis, the Project Core Team examined the international and local contexts and how these were entangled in the daily life experiences of Filipinos. Significant global developments, challenges and problems have heightened the need for GCED in the Philippines.

In the context of the Philippines, elements of GCED are related to the national principles and policies expressed in the 1987 Constitution.<sup>8</sup> The Constitution gives prime importance to education by aiming to “[e]stablish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society.” (Section 1, Article XIV). The Constitution also highlights the Bill of Rights (Article III). The national principles and policies serve as guiding tenets in enacting laws in the country. Additionally, the government issued Executive Order 570, Institutionalizing Peace Education in Basic Education and Teacher Education, in 2006.<sup>9</sup> All these were inputs in the development of the Philippine GCED Framework.

The third level of analysis focused on deeper understanding of the vision of GCED. The Project Core Team reviewed the notions of global citizenship such as GCED as a global educational endeavor and a call to action intended to emphasize humanity’s solidarity. The focus on global citizenship resulted from increasing global and regional initiatives with implications on policy, curriculums, teaching, and learning. The Project Core Team identified the important GCED attributes and skills to be developed among the students.

The Project Core Team underwent a visioning process where GCED served as a vehicle to build more just, peaceful, tolerant and inclusive societies, acknowledging that this would require appropriate visions, policies, strategies, commitments and sustained actions. Through a critical education process, the root causes of conflicts and crises had to be fully understood, followed by the design and implementation of appropriate actions for resolving them. Through GCED, the next generation of youth and adults form their values, principles and knowledge of peaceful futures and develop their sense of responsibility and accountability in taking personal and social actions necessary for transformation towards a culture of peace. The Project

Core Team enhanced the view of the global citizen as a person who take local action that contributes to addressing global problems.

The next layer of analysis was composed of reflective analysis of the Project Core Team's own biases as opposed to the general underpinnings of GCED. A workshop for this purpose tackled the theoretical and philosophical underpinning of GCED as a critical and transformative education. This was also the opportune time to look upon the appropriate pedagogies that could be considered in teaching GCED in the Philippines. The processes of teaching and learning GCED need to be consistent with the values and principles of transformative education (e.g., democratic, dialogical, holistic, participatory, creative, critical empowerment) in order to facilitate the growth of socio-emotional and behavioral or action capacities and competencies (Toh, 1997; Cawagas, 2007). For education to be transformative, knowledge (cognitive domain) must touch the heart (socio-emotional) and turn into action to bring about positive change (behavioral dimension). GCED should foster students' engagement by examining global issues and contextualizing them in the local issues to promote earth stewardship, social conscience and love of country. This workshop identified the enabling factors needed for GCED to thrive in the educational context.

The last layer of analysis was the identification of the content, scope and components of GCED in the Philippine K to 12 Basic Education Curriculum. GCED indicators developed for the Philippines were based on the three domains of learning – the cognitive, socio-emotional and behavioral.

In this last step, the Project Core Team deliberated on how the interconnections and cohesive integration of the identified aspects of GCED in the Philippines could be presented. Moreover, the Project Core Team carefully deliberated on how these layers of contexts and dimensions of GCED should be organized to depict the envisaged experience of learning on how to become an ideal Filipino global citizen. This led to the development of a proposed national framework on GCED.

Curriculum experts and mappers, DepEd officials and UNESCO-APCEIU representatives examined the proposed national framework on GCED. Their comments improved the overall quality of the framework and ensured its relevance. Further, the Project Core Team asked two GCED Expert validators to make an overall evaluation of the pertinent parts of the final copy of the proposed national framework. Their inputs led to minor revision of the proposed national framework on GCED.



## PAGHABI: The Philippine GCED Framework

The Philippine GCED Framework is formally titled *Philippine Adaptation of GCED: Holistic Approach in Basic Education and Institutionalization*. It has the acronym PAGHABI, which is a Filipino word for traditional weaving in Philippine culture. PAGHABI is the metaphor for the process of weaving the interconnections among the different elements/strands and processes including complexities of GCED, reflecting the unique and artistic aspects of a curriculum design process.

At the center of the framework is the Filipino global citizen who embodies the GCED competencies needed to build a just, peaceful and sustainable society. The framework emphasizes the goal of making the Filipino students become “globally adaptive and competent,” highlighting the ultimate goal of K to 12 curriculum of making the Filipino students optimize a whole world approach (i.e., recognizing the importance of other countries’ best practices in various fields [interests] across contexts [cultures]). These global competencies are driven by two forces of global citizenship coming from within and from the outside. Global citizenship *mula sa loob* (from within) refers to factors that influence the Filipino students to identify themselves according to their socio-political origins, cultural roots, and consciousness and to understand their significance in the inclusive community of global citizens. The framework is founded on deep understanding of the concept of *kapwa* by the Filipino students. *Kapwa* (fellow) is defined as a shared identity, core value and relationship among Filipinos which can be highlighted as the local culture-based conceptualization of global citizenship that emphasizes oneness, social justice, and communal development. *Kapwa* leads to *pagiging makatao-mabuting tao* (being a good person) and *makataong pagtrato* (humane treatment) of fellow human beings (Liao, 2016), which are important for Filipinos in uplifting and maintaining solidarity and peace. A Filipino imbued with the four national core values promoted by DepEd (*makatao* [pro-people], *maka-Diyos* [pro-God], *maka-kalikasan* [pro-environment], and *maka-bansa* [pro-country]) is the Filipino global citizen. The students should learn and manifest the global competence in the family, community, nation and the world.

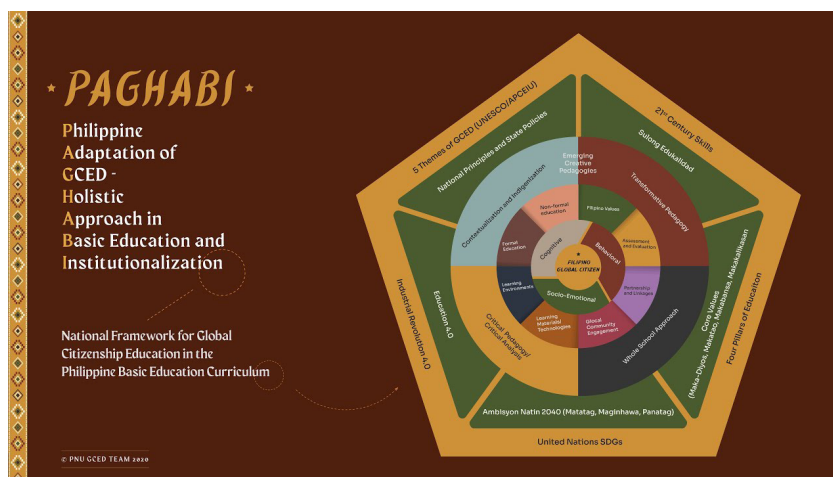
Global citizenship *mula sa labas* (from outside) refers to factors that influence the Filipino students in using and adopting the best practices from other parts of the world to become responsible and accountable global citi-

zens. The 21st century skills and other global competencies are what the Filipino students have to use to face the challenges of living in the community affected by global influences. Filipino students should be able to gauge the relevance of these global contexts and experiences through their own meaningful experiences. This approach ensures that learning the competencies of global citizenship is not promoting the distortion, alienation and marginalization of Filipino students' experiences and represent themselves better in a pluralist world by valuing their own identity, respecting communal welfare, loving common humanity and acting towards a just, peaceful and sustainable world.

Adapting GCED to the Philippine K to 12 Basic Education Curriculum, the PAGHABI is structured according to five major threads (international context, local context, GCED pedagogies and approaches, whole curriculum strategies and the GCED domains, outcomes and themes) that are interwoven to guide the development of the Filipino global citizen. The weaving of GCED into the K to 12 curriculum provides a systematic integration across learning areas and grade levels. The threads on the KSAs (knowledge, skills and attitude), entry points in the curriculum and pedagogical practices are interwoven to make a beautiful tapestry of GCED in the Philippine basic education curriculum. PAGHABI institutionalizes GCED integration in basic education.

Lastly, PAGHABI uses the whole school approach to make GCED not just integrated into the intended curriculum but also ingrained in the school ethos. In this approach, everyone in the learning community and in the broader community collaborate to achieve the GCED outcomes. Teacher empowerment is an essential part of the process of seamlessly weaving GCED to the Filipino way of life. Teachers must be given curricular guidelines, pedagogical guides, textbooks, or teaching-learning resources on GCED. They should be provided further training and consultation service to enhance their capacity. Similarly, all members of the school community must be involved in curriculum development and integration.

To make the development of PAGHABI effective and impactful, it needed the collaborative and collective efforts of different institutions in laying and weaving-in numerous threads with DepEd, PNU and APCEIU as the main players along with all others who wanted to be involved in the process.



A Conceptual Diagram of PAGHABI: The Philippine GCED Framework.

In 2021, PNU formally submitted PAGHABI to DepEd for adoption as the national framework for GCED integration across learning areas. It was used during the revision of K to 12 curriculum for kindergarten to Grade 10 (i.e., MATATAG Curriculum). At present, the PAGHABI framework is also being used by various schools as basis for their local GCED curriculum development and integration initiatives.

### Philippine GCED Themes, Topics and Human Rights

Complementing PAGHABI, PNU faculty members (Professors Carl O. Dellomos, Serafin A. Arviola, PhD, Rowena R. Hibanada, PhD, Zyralie L. Bedural, PhD, and Wensley Reyes, PhD) identified themes and topics related to human rights within the Philippine GCED context as shown in Table 1. These themes and topics cover local, national, and global dimensions, and also delve into areas other than human rights such as cultural relations, environmental sustainability, and socio-economic development. Table 1 not only provides guidance for educators in developing their own exemplars but also reflects the collaborative efforts of PNU faculty members in developing a comprehensive resource.

Table 1. GCED themes and topics in relation to human rights

Themes and Topics				
Local, National , Global Systems, Structures, and Processes	Culture and Intercultural Relations	Environmental Protection and Sustainability	Socio-economic Development and Interdependence	Institutions, Conflicts, Social Justice, and Human Rights
Underlying Assumptions and Power Dynamics	Identity Formation, Protection, Recognition, and Advancement in Multicultural Societies	Environment and Natural Resources	Economic Interaction and Interdependence	Promotion and Advancement of Peace
Historical Development of Global Systems and Structures	Cultural Expressions and Intercultural Exchanges and Communication	Environmental Justice, Risks, and Policies	Inclusivity and Equitable Development	Political Participation and Engagement
Interconnectedness of Global, National, and Local Systems	Diversity, Coexistence, Indigenization, and Glocal Communities	Environmental Practices and Behaviors	Human Capital Development and Equal Opportunities	Human Rights and Humanitarian Law
Globalization: Processes and Challenges	Discrimination based on Gender, Ethnicity, Disabilities, and Religious Beliefs	Climate Change, Biodiversity, and Sustainable Development	Health Issues Affecting Interaction and Connectedness of Communities at Local, National, and Global Levels	Prevention of Conflicts, Cultural Inequities and Hate Crimes

Under the theme “Local, National, Global Systems, Structures, and Processes,” the topic “Historical Development of Global Systems and Structures” include discussion of the international system mainly the United Nations human rights system covering international human rights standards and mechanisms and the subregional systems, namely, the ASEAN Intergovernmental Commission on Human Rights (AICHR)<sup>10</sup> and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)<sup>11</sup> with their own set of mechanisms and documents on various issues.

The topic “Interconnectedness of Global, National, and Local Systems” covers discussion of the Commission on Human Rights and the Commission on Women of the Philippines and their link to the UN mechanisms such as

the treaty monitoring bodies and the Universal Periodic Review process and the AICHR and ACWC mechanisms.

Under the theme “Culture and Intercultural Relations,” several topics cover human rights. The topics “Identity Formation, Protection, Recognition, and Advancement in Multicultural Societies” and “Diversity, Coexistence, Indigenization, and Glocal Communities” covers discussion of the Indigenous People’s Rights Act (IPRA)<sup>12</sup> and the work of the National Commission on Indigenous Peoples (NCIP).<sup>13</sup>

The topic “Discrimination based on Gender, Ethnicity, Disabilities, and Religious Beliefs” covers discussion of national policies and mechanisms on gender, ethnicity, disabilities, and religious beliefs. For Filipinos with disabilities, Presidential Decree 1509 of 1978 (as amended by Presidential Decree 1761 of January 4, 1981) creating the National Commission Concerning Disabled Persons (NCCDP)<sup>14</sup> is an important content for discussion.

Under the theme “Environmental Protection and Sustainability,” the topic “Environmental Justice, Risks, and Policies” covers discussion of laws and mechanisms that protect the rights of indigenous Filipinos as well as those of upland farmers and subsistence fisherfolk to natural resources as well as their role in protecting them (e.g., use and protection of the ancestral domain be it land or water resources<sup>15</sup>). The topic “Climate Change, Biodiversity, and Sustainable Development” covers discussion of national development policies on natural resources and sustainable development.

Under theme “Institutions, Conflicts, Social Justice, and Human Rights,” GCED aims to elucidate the roles of various institutions in safeguarding human rights or violating them. It delves into the analysis of conflicts, emphasizing their impact on the rights of individuals and communities, encouraging students to explore solutions through the human rights lens.

The topic “Promotion and Advancement of Peace” which underscores the inseparable link between peace and human rights, educates students on conflict resolution skills, emphasizing that sustainable peace is contingent on the protection and promotion of human rights. In the topic of “Political Participation and Engagement,” elucidates citizenship rights, empowering students to recognize their role in political processes and stressing the significance of free and fair elections as integral components of human rights.

“Human Rights and Humanitarian Law” forms a critical topic guiding students through the intricate legal frameworks at both national and international levels. This includes studying human rights law and humanitarian

law during armed conflict, with a focus on the role of international bodies in enforcing and monitoring human rights standards.

Lastly, the topic “Prevention of Conflicts, Cultural Inequities, and Hate Crimes” integrates human rights principles into education, advocating for inclusive learning environments that respect and celebrate cultural diversity. Through discussions and projects, students are encouraged to understand, combat, and prevent hate crimes, fostering a culture of tolerance and acceptance.

In essence, GCED in the Philippines is a holistic approach to education, intertwining the core principles of human rights across various themes to empower students to become informed, responsible, and proactive global citizens.

### **GCED and Human Rights: Legal Policy Support**

The key concepts of GCED are found in the country’s national goals as stipulated in the 1987 Philippine Constitution. The 1987 Constitution contains the elements of GCED such as cultural tolerance, respect for human rights, social justice, and gender respect and equality. The Preamble of the 1987 Constitution highlights the Filipinos’ aspirations to establish a government that would “promote the common good, conserve and develop our patrimony, and secure to ourselves and our posterity the blessings of independence and democracy under the rule of law and a regime of truth, justice, freedom, love, equality, and peace.”<sup>16</sup>

Other constitutional provisions include Article II (Declaration of Principles such as renunciation of war; maintenance of peace and order; the protection of life, liberty, and property; promotion of a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty; recognition of the youth and women in nation-building; social justice in all phases of national development; protection and advancement of the right of the people to a balanced and healthful ecology. Major parts of the Constitution on safeguards to human rights and social justice (i.e., Article III: Bill of Rights; Article XIII: Social Justice and Human Rights) should be highlighted. Educational institutions are tasked by the state to ensure that its citizens are instilled with these concepts and values as stipulated in Article XIV Section 3, to wit:

[educational institutions] shall inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appre-

ciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency.

Ideals, key concepts and goals of GCED are found in the Philippines' national laws and DepEd issuances on basic education. As early as 1987, human rights inclusion into the school curriculum was directed through Department Order (DO) 61, s. 1987 - Inclusion of the Study of Human Rights and Accompanying Responsibilities in the School Curricula. This issuance is for "education to develop consciousness among the citizenry of the need to respect human rights and to help deter violation." To further strengthen human rights, schools were directed to celebrate Human Rights Consciousness Week under DO 31, s. 2003 in compliance with Republic Act No. 9201, An Act Declaring December 4 to 10 as National Human Rights Consciousness Week in the Country and for other purposes.<sup>17</sup> In 2006, peace education, an integral part of GCED, was promulgated through Executive Order No. 570, s. 2006 – Institutionalizing Peace Education in Basic Education and Teacher Education, which instructs DepEd to "mainstream peace education in the basic formal and non-formal education curriculum, utilizing the existing peace education exemplars and other peace-related modules, and enhance the knowledge and capability of supervisors, teachers and non-teaching personnel on peace education through the conduct of in-service trainings."

The law on the current basic education curriculum, also known as the Enhanced Basic Education Act of 2013 (Republic Act No. 10533),<sup>18</sup> categorically states the direction of education in the Philippines by highlighting the "co-existence" of local and global aims. According to Section 2: "...it is hereby declared the policy of the State that every graduate of basic education shall be an empowered individual who has learned, through a program that is rooted on sound educational principles and geared towards excellence, the foundations for learning throughout life, the competence to engage in work and be productive, the ability to coexist in fruitful harmony with local and global communities, the capability to engage in autonomous, creative, and critical thinking, and the capacity and willingness to transform others and one's self."



In December 2021, RA 11476 also known as the GMRC and Values Education Act explicitly provides for the teaching of global citizenship along with principles that are covered by GCED:<sup>19</sup>

Sec. 5: Coverage of Values Education - It is hereby mandated that Values Education shall be an integral and essential part of the DepEd's K to 12 Basic Education Curriculum. Values Education as herein provided shall encompass universal human, ethical, and moral values, among others. It shall inculcate among our students the basic tenets of the observance of respect for oneself, others, and our elders, intercultural diversity, gender equity, ecology and integrity of creation, peace and justice, obedience to the law, nationalism and global citizenship, as well as the values of patience, perseverance, industry, honesty and integrity, and good faith in dealing with other human beings along with all other universal values.

These enabling laws are testament to the Philippines' commitment to human rights and to facilitating the creation of a humane, peaceful, and sustainable world by making Filipinos responsible and proactive global citizens.

### **Policy Recommendations**

Recognizing the Philippines' commitment to fostering a culture of respect for human rights and global citizenship, a policy aimed at integrating GCED and human rights principles into the national educational framework should be proposed. Emphasizing the fundamental values enshrined in Article 26 of the Universal Declaration of Human Rights (UDHR)<sup>20</sup> and Article 13 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR),<sup>21</sup> these policy recommendations seek to cultivate an informed, responsible, and socially conscious citizenry.

#### **Policy Recommendations:**

##### **1. Development of curricular guidelines**

Development of comprehensive curricular guidelines that embed GCED principles, encompassing themes such as institutions, conflicts, social justice, human rights, promotion and advancement of peace, political partici-

pation and engagement, human rights and humanitarian law, and the prevention of conflicts, cultural inequities and hate crimes.

- Rationale: Recognizing the interconnectedness of global issues, this is a policy on continuing and substantial incorporation of GCED in the curriculums.

## 2. Professional development

Implementation of targeted professional development programs, workshops, and courses that empower educators to integrate GCED themes into their teaching methodologies.

- Rationale: Acknowledging the pivotal role of educators, this policy emphasizes the need for specialized training to equip teachers with the knowledge and skills necessary for effective GCED delivery.

## 3. Integration of human rights education into the school curriculum

Integration of human rights education into existing subjects, dedicating specific modules to explore the principles outlined in the UDHR and ICESCR. Promote extracurricular activities that enhance students' understanding of human rights issues.

- Rationale: Aligned with Article 26 of the UDHR, which underscores the right to education for the full development of human personality, this policy strengthens the promotion of human rights awareness among students that DepEd started three decades ago on human rights integration, by having identified themes and topics based on Philippine context that link human rights to GCED principles.

## 4. Collaborative mechanisms with other institutions

Establishment of collaborative mechanisms among NGOs, UN agencies, and other relevant entities to share resources, expertise, and best practices in implementing GCED and human rights education programs.

- Rationale: Recognizing the importance of collaboration, this is a policy on partnerships with civil society organizations and international bodies to enrich GCED initiatives and human rights education.

## 5. Assessment and measurement of impact

Development of assessment tools and criteria to measure the impact of GCED and human rights education initiatives, with the results informing ongoing improvements and adjustments.

- **Rationale:** Ensuring accountability and effectiveness, this is a policy on regular assessment and monitoring mechanisms to evaluate the integration of GCED and human rights education in the school system.

These policy recommendations are meant to solidify the Philippines' commitment to GCED and human rights principles, aligning with international standards set forth in the UDHR and ICESCR. By adopting these measures, we aspire to nurture a generation of Filipino citizens who are not only academically proficient but also socially responsible, respectful of human rights, and globally aware, contributing to a more just and interconnected world.

### **Insights and Observations**

GCED in the Philippines has emerged as a vital medium in promoting human rights awareness and education. The GCED initiatives so far undertaken reflect a conscious effort of instilling a sense of responsibility and respect for human rights at both local and global levels. Noteworthy is the integration of diverse themes such as institutions, conflicts, social justice, human rights, and topics such as promotion and advancement of peace, political participation and engagement, human rights and humanitarian law, and the prevention of conflicts, cultural inequities, and hate crimes in the basic education curriculum to learn about GCED. These themes are strategically woven into the educational fabric, fostering a comprehensive understanding of global issues among students. The integration project underwent a rigorous process, where curriculum experts from the DepEd and various TEIs collaborated on the integration of GCED and human rights into the curriculum, and validation by experts from various fields. Afterwards, exemplars were developed to facilitate teacher's teaching practice.

The initiatives and innovations implemented in the Philippines are commendable. The curriculum adjustments that incorporate GCED themes and human rights principles showcase a commitment to producing socially conscious and informed citizens. Moreover, the emphasis on teacher training ensures that educators are equipped to effectively deliver GCED content, creating a multiplier effect in reaching a broader student population. Partnerships with civil society organizations and international bodies fur-

ther enrich the educational experience, providing students with real-world insights into the application of human rights principles.

The link between GCED and human rights in the Philippines is intrinsic to cultivating a generation that not only comprehends the theoretical aspects of human rights but is also actively engaged in promoting and upholding these principles. The integration of human rights themes within the broader GCED framework serves as a bridge between theoretical knowledge and practical application, preparing students to become advocates for justice, equality, and peace. By nurturing a culture of respect for diversity, inclusivity, and social responsibility, these initiatives lay the foundation for a society that values and safeguards the rights of every individual.

In conclusion, the initiatives undertaken in the Philippines regarding GCED and human rights education exemplify a progressive and holistic approach to shaping the next generation of global citizens. The intentional fusion of these themes into the educational landscape reflects the nation's commitment to fostering not only academic excellence but also a deep-seated respect for human rights. As the Philippines continues to innovate and expand these initiatives, the ripple effect is anticipated to contribute significantly to a more just, interconnected, and rights-respecting society, both nationally and globally.

## **Endnotes**

1 Goal 4 of the SDGs pertains to the achievement of inclusive and equitable quality education. Target 4.7 stipulates that global citizenship, along with education for sustainable development, gender equality and human rights, should be mainstreamed and integrated in national education policies, curriculums, teacher education and student assessment.

2 Department of Education, DepEd to bolster peace, global citizenship education, (2018), [www.deped.gov.ph/2018/08/30/deped-to-bolster-peace-global-citizenship-education/](http://www.deped.gov.ph/2018/08/30/deped-to-bolster-peace-global-citizenship-education/).

3 Department of Education, *ibid*.

4 The Safe Schools Declaration, <https://ssd.protectingeducation.org/>.

5 Safe Schools Declaration, Right to Education, [www.right-to-education.org/resource/safe-schools-declaration](http://www.right-to-education.org/resource/safe-schools-declaration).

6 For more information, visit the website of GCC at <https://gced.pnu.edu.ph/>.

7 See Kick-Off Meeting for GCED Curriculum Development and Integration, APCEIU, 12 April 2019, [www.gcedclearinghouse.org/news/kick-meeting-gced-curriculum-development-and-integration?language=en](http://www.gcedclearinghouse.org/news/kick-meeting-gced-curriculum-development-and-integration?language=en).

8 The Constitution of the Republic of the Philippines (1987), [www.officialgazette.gov.ph/constitutions/1987-constitution/](http://www.officialgazette.gov.ph/constitutions/1987-constitution/).

9 See full text of Executive Order 570 (2006), Institutionalizing Peace Education in Basic Education and Teacher Education, in [www.officialgazette.gov.ph/2006/09/26/executive-order-no-570-s-2006/](http://www.officialgazette.gov.ph/2006/09/26/executive-order-no-570-s-2006/).

10 ASEAN Intergovernmental Commission on Human Rights (AICHR), <https://aichr.org/about-aichr-2/>.

11 ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), <https://acwc.asean.org/>.

12 See text of The Indigenous Peoples' Rights Act of 1997 in [www.officialgazette.gov.ph/1997/10/29/republic-act-no-8371/](http://www.officialgazette.gov.ph/1997/10/29/republic-act-no-8371/).

13 See National Commission on Indigenous Peoples (NCIP), <https://ncip.gov.ph/>.

14 See National Commission Concerning Disabled Persons (NCCDP), <https://ncda.gov.ph/>.

15 A good example is the ancestral domain of the Tagbanwa in Palawan that includes the water surrounding the island where the indigenous community resides. See The Ancestral Lands and Waters of the Indigenous Tagbanwa Communities of Northern Palawan, <https://chr-observatories.uwazi.io/api/files/1589915210176lt7irghr12b.pdf>.

16 The Constitution of the Republic of the Philippines, op. cit.

17 Republic Act No. 9201, An Act Declaring December 4 to 10 as National Human Rights Consciousness Week in the Country and for Other Purposes, 2003, [www.officialgazette.gov.ph/2003/04/01/republic-act-no-9201/](http://www.officialgazette.gov.ph/2003/04/01/republic-act-no-9201/).

18 Republic Act No. 10533, An Act Enhancing the Philippine Basic Education System by Strengthening Its Curriculum and Increasing the Number of Years for Basic Education, Appropriating Funds Therefor and for Other Purposes, 2013, [www.officialgazette.gov.ph/2013/05/15/republic-act-no-10533/](http://www.officialgazette.gov.ph/2013/05/15/republic-act-no-10533/).

19 Republic Act No. 11476, An Act Institutionalizing Good Manners and Right Conduct and Values Education in the K TO 12 curriculum, appropriating funds therefor, and for other purposes, 2020, [www.officialgazette.gov.ph/2020/06/25/republic-act-no-11476/](http://www.officialgazette.gov.ph/2020/06/25/republic-act-no-11476/).

20 Article 26 (2) of the Universal Declaration of Human Rights states:

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Universal Declaration of Human Rights, [www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights).

21 Article 13 (1), of the International Covenant on Economic, Social, and Cultural Rights states:

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship

among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

International Covenant on Economic, Social, and Cultural Rights,  
[www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights](http://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights).





# Study on Challenges, Effective Policies, and Best Practices of Ordinary Schools in Educating Students with Special Educational Needs in Hong Kong

Equal Opportunities Commission

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**I**N 1994, the UNESCO Salamanca Statement was announced at the World Conference on Special Needs Education held in Spain by the UNESCO. It was the first United Nations document addressing special educational needs (SEN) and inclusive education. The statement emphasized the importance of recognizing the right to education for all children, including those with SEN, and advocated against limiting educational opportunities for children (UNESCO, 1994). The statement called for the inclusion of inclusive education in the discussions on education and urged society to address the needs of students with SEN to ensure that their learning opportunities are not compromised by their needs. In response to the principles outlined in the Salamanca Statement, Hong Kong initiated a pioneering research in inclusive education.

Another significant legislation that accelerated the promotion of inclusive education (IE) in Hong Kong was the Disability Discrimination Ordinance (DDO) enacted in 1996. The DDO clearly states that educational institutions cannot reject admission applications or deny participation in any activities within the institution based on the disabilities of students, unless the institution can demonstrate unreasonable difficulties or inability to provide necessary activities or curriculum for students with SEN. To fulfill the obligations and responsibilities outlined in the aforementioned documents, the Hong Kong Government began to implement inclusive teaching in the public education system and launched a pilot programme for IE in 1997.

### **1997 Pilot Project on Integrated Education and the Code of Practice on Education in 2021**

In 1997, the Hong Kong Government launched a pilot project on IE in seven primary schools and two secondary schools. The programme focused on “whole school approach” (WSA) with the goal of “creating an inclusive school culture” (Education Bureau, 1999). The related documents indicated that the pilot project aimed to encourage all stakeholders in the school to work together to promote individual education plans (IEPs) and enable students with SEN to receive education within the ordinary school environment through guidance teachers, accommodations to the curriculum and teaching content, and assistive devices. The end-of-term evaluation report of the programme after two years showed that the IE programme performed well, but improvement was needed in areas such as leadership and teacher training. The report also stated that the interaction mechanism between teachers and parents, as well as the division of responsibilities among stakeholders in the school, were important for IE. Based on the report, the programme was expanded to twenty primary and secondary schools in the 1999/2000 academic year and increased to forty in the 2000/01 academic year with the support of school management, teachers, students with SEN, and parents.

At the same time, the Equal Opportunities Commission (EOC) published the “Code of Practice” in 2001, attempting to clarify the legal responsibilities of educational institutions under the DDO, explain how to develop equal opportunity policies, and provide examples of the roles and responsibilities of school management and teachers.

### **Intensive Remedial Teaching Programme in 2001 and Learning Support Grant in 2003**

The Intensive Remedial Teaching Programme (IRTP) was launched by the Hong Kong Government as a follow-up initiative to the Pilot Project on Integrated Education in 2001, after the latter ended. The IRTP was mainly divided into two parts. It allowed each school to set up additional classes for eight to fifteen eligible students and allowed the school to retain one “enhanced class” teacher and grant. The goal was to provide schools with an opportunity to move away from the traditional class-based teaching mode and use additional resources to allow students with SEN to get the help

they need (Education Bureau, 2019a). Starting from 2003, the Hong Kong Government suspended the provision of the IRTP to primary schools. Schools that had adopted the IRTP could retain the programme, but new schools or those that had not used the IRTP before had to use the Learning Support Grant (LSG) to hire staff and purchase services (Education Bureau, 2019a). The LSG subsidy level was divided into three levels according to the severity of students' SEN, with more resources allocated to students with more severe needs. However, there was a limit on the amount of subsidy for each school, with a maximum allocation of HKD 1.65 million.

### **“Operation Guide on the Whole School Approach to Integrated Education” in 2008.**

In 2008, the Education Bureau (EDB) launched the “Operation Guide on the Whole School Approach to Integrated Education” (the Guide) to further assist schools in promoting the WSA model. The Guide included multiple areas of school operation, including school management and organization, learning and teaching, student support and performance, collaboration with external stakeholders, as well as monitoring and promoting effectiveness (Education Bureau, 2020). The Guide was also updated and some content was removed according to the Government's funding model for special education and IE.

### **2019 Learning Support Grant Updated Measures**

According to an EDB document in 2019, the EDB believed that the current system lacked flexibility and failed to provide appropriate adjustments for students with SEN. As a result, they proposed a reconfiguration of IE, merging the IRTP and LSG into a single funding model. The schools fully adopt the LSG model. This would enable schools to adopt a more flexible and efficient approach to funding allocation (Legislative Council, 2019).

### **Support for Students with Special Educational Needs**

#### **Three-tier Support Model**

According to different EDB documents, Hong Kong currently adopts a three-tier support model, which provides support to students based on their individual situations (Education Bureau, 2020):

Tier 1 - Students with mild or short-term learning or adaptation difficulties will be identified early and their needs will be addressed through optimized teaching.

Tier 2 - If students continue to experience learning and adaptation difficulties in classroom learning or daily life, the school will arrange group training, additional support or counseling for them. Teachers should allow students to practice the skills and knowledge acquired in Tier 2 in regular and Tier 1 support classes.

Tier 3 - If students have persistent and severe learning or adaptation difficulties, the school will plan the students' individual learning goals through an IEP, and repeatedly allow students to apply the knowledge and skills learned in Tier 3 support classes in Tier 1 and 2 support classes (Education Bureau, 2020).

Individualized education system refers to the use of systematic assessments, including questionnaires filled by teachers, scales filled by parents, and observations of relevant education workers, to develop a tailored learning plan for the student. Each student will have corresponding cross-disciplinary professionals to assist in analyzing the data and defining suitable learning goals for the student (Education Bureau, 2020). In order to help Tier 3 students apply the skills they have learned in different situations, the IEP is not limited to one-on-one counseling, but is a plan that spans the three-tier support structure, ensuring that students can use the skills they have learned in regular classes, specially designed support groups, and individual counselling. At the same time, parents can use the tools developed by professionals at home to practise and train their children in different skills. Through individualized intensive and specialized support and training, the individualized learning system hopes to supplement the shortcomings of students in Tier 1 and 2, ensuring that students can practise, apply, and master skills in different situations.

The EDB stated that the three-tier support model aims to identify students in need early so that teachers do not have to wait for assessment and funding before providing assistance. Some scholars also agree that such arrangement can address the issues of "Test and Treat" and "Wait-to-Fail" in the past, thus providing better quality education and practicing IE in Hong Kong (Lu Xiuxia and Cheng Peiyun, 2009; Education Bureau, 2020). However, there have been cases reflecting loopholes in the three-tier support model,

including the fact that the model is mainly based on school-based support and cannot provide individualized assistance to students. Classes that offer additional training also require a certain number of students to be opened, and complaints have been made about the lack of transparency in these classes. The school may also not proactively report to parents the level of support their child is receiving, the services they have received, and whether the grant has been used on their children, raising doubts about whether the services can effectively improve the learning experience and outcomes of students with SEN (Oriental Daily, 2019).

### Whole School Approach

According to the Guide, wsa refers to the coordination of school policies, culture, and measures (Education Bureau, 2020), and it has seven major characteristics:

**Table 1. Characteristics of Whole School Approach proposed in the “Operation Guide on the Whole School Approach to Integrated Education”**

Characteristics of WSA	
Whole School Consensus	All staff of the school acknowledge the responsibility of establishing an inclusive environment to cater for the needs of all students;
Curriculum Accommodation	The school curriculum can be adjusted or expanded to cater for students' diverse learning needs;
Accommodations in Teaching	Diversified teaching techniques and assistive equipment to cater for students' diverse learning needs;
Peer Support	Learning groups, peer tutoring and circles of friends are strategically organized;
Teacher Collaboration	Teachers work together and support each other, for example, by collaborative teaching;
Classroom Support	Specialists collaborate with teachers in improving the learning environment, e.g., arrange collaborative teaching for the benefit of all students;
Assessment Accommodation	Assessment methods are adjusted to facilitate students' demonstration of their learning outcomes.

The Guide also lists various performance indicators for schools and how to achieve a culture of inclusion, clearly indicating that the EDB hopes that every member of the school community can be respected and the differences among different members are understood. Through integrated measures, students, whether with or without SEN, can receive quality education. The Guide provides the basis for schools to promote IE, such as what

measures to take, what documents to compile, and what professional personnel to hire, so that schools can start with the basics, assign roles to all educators in the school, and enable students with SEN to integrate into ordinary schools.

The EDB has also developed various tools to identify students with learning difficulties, including the “Checklist”, the “Observation Checklist for Identifying Students with Speech and Language Impairment”, the “Chinese Literacy Assessment”, the “Child Assessment” and other assessment tools. Regarding students transitioning to secondary school, schools can also obtain “the specialist assessment reports” and the scores of “Pre-Secondary One Hong Kong Attainment Test” from primary schools for a detailed understanding.

It can be seen that the EDB has already provided a timetable for schools to identify and assist students with SEN, as well as providing multiple tools to help teachers identify students in need as early as possible. However, this system cannot avoid being questioned by many parties. First, the current SEN assessment procedure is mainly through teachers’ observation before referral to professionals. If teachers have not received relevant professional training, some students may be overlooked, or some students’ problems may be exaggerated, thus delaying their learning. Moreover, because some students did not study in Hong Kong in their early years and are often ignored when they transfer to primary schools in higher grades, students are only identified when they enter secondary school, reflecting the loopholes in the current system - only identification during the initial stages of Primary 1 and Form 1, ignoring transfer students or students who enter higher grades (Hong Kong Economic Journal, May 21, 2018).

### **Establishment of “Student Support Team” and Special Educational Needs Coordinator**

#### ***Members of the “Student Support Team”***

As mentioned above, the school will be advised to establish a student support team, whose main members include the principal and vice-principal, the Special Educational Needs Coordinator (SENCO) and SEN support teachers (SENSTs), the school-based speech therapist, teaching assistants responsible for supporting students with SEN, subject teachers responsible for related students, curriculum development director, counseling director, counselors and school social workers. Educational psychologists

(EPs) or other professionals dispatched by the EDB will attend when needed (Education Bureau, 2020).

### **Home-School Cooperation**

An important part of IE is to ensure good cooperation between schools and parents for accommodating information exchange about the student's situation and developing the most appropriate strategies. To maintain good operation of home-school cooperation, each school should establish a continuous communication mechanism. At the beginning of the semester, teachers will explain the "Three-tier Support Model" to parents, provide detailed information, and establish contact channels. During the semester, if students are identified as being in Tier 2 or Tier 3, meetings with professionals will be arranged as needed, and progress reports, such as reporting student progress on parent day, will be used to report student progress and explain relevant information. At the same time, the school will also encourage parental involvement, proactively contact parents and express understanding, care, and sympathy for their performance (Education Bureau, 2020). The home-school mediation mechanism will also be an effective mediation channel when there is any conflicts or disputes between the two parties. The school will also follow the consistent personal data privacy protection system to protect the rights and interests of parents and students.

Home-school cooperation plays an important role in the promotion of IE because communicating with parents helps to ensure that any adjustments to the curriculum, teaching, and assessment can incorporate parents' opinions. In addition, parents generally accept IE, believing that it helps their children to interact with different people and develop good qualities such as care, tolerance, and responsibility (Hong Kong Institute of Education Special Educational Needs and Inclusive Education Centre, 2012). However, insufficient channels for parents to receive information can prevent students from receiving corresponding services. Even though the EDB now provides schools with different levels of support, establishes a SENCO, provides subsidy support, and arranges professional services, some schools may be concerned about their reputation and may not want outsiders to know that there are students with special needs in the school, thereby choosing not to disclose the information (Lu, 2016). This situation was also reflected in the report of the Audit Commission (2018), which showed that the School Profiles published by the "Committee on Home-School Co-operation" only

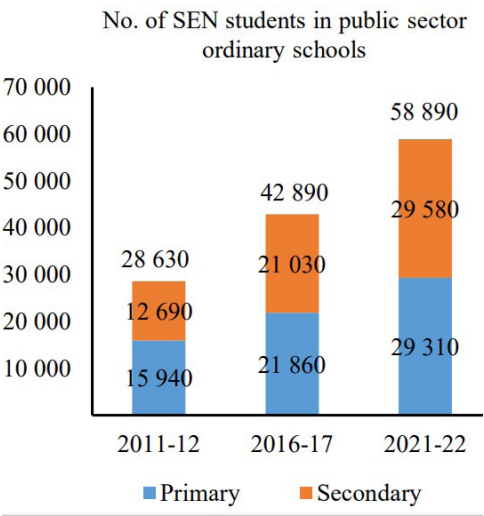


disclose a small amount of information about supporting special education, making it difficult for parents to find suitable schools and adding another layer of difficulty to home-school cooperation. In short, the most important issue with home-school cooperation is actually related to public perception. Parents and the public lack understanding of special education needs, and even if their own children may have different learning difficulties or special needs, parents may refuse to recognize or avoid discussing them, resulting in students not being diagnosed and intervened in a timely manner.

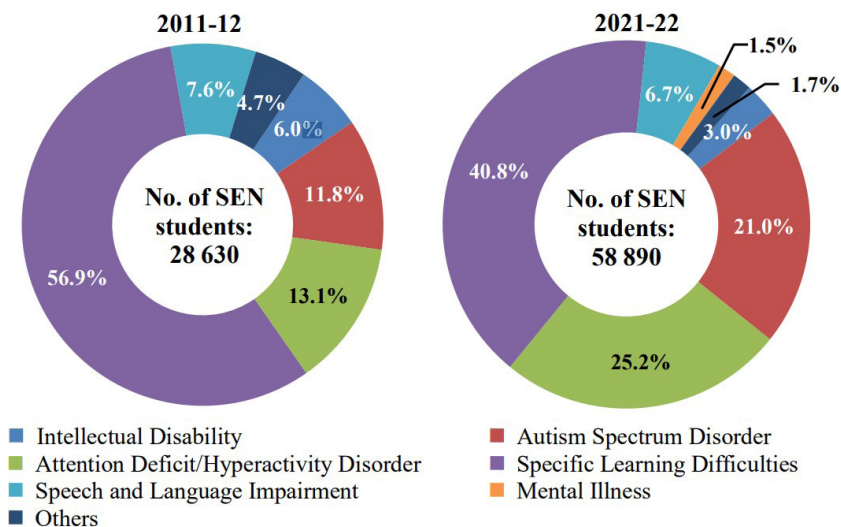
Current Situation and Data of Integrated Education in Hong Kong

The number of students with SEN in Hong Kong has been steadily increasing in recent years, from around 43,000 students in the 2016/17 academic year (Figure 1), to nearly 60,000 students in the 2021/22 academic year, of which approximately 40 percent are students with specific learning difficulties (SLD) and the rest have other types of SEN (Legislative Council Secretariat, 2022).

Figure 1. Number of students with SEN in Hong Kong Public Sector Ordinary Schools (Legislative Council Secretariat, 2022)



**Figure 2. Types of SEN students in public sector primary and secondary ordinary schools**  
(Legislative Council Secretariat, 2022)



In addition, the number of students with SEN participating in public examinations has also increased. According to data from the EDB, the number of students who applied to be special needs candidates in the Hong Kong Diploma of Secondary Education Examination, and requested special arrangements such as modified test papers and response formats, assistive devices, and extended examination time, has increased from approximately 2,700 in 2018 to about 3,200 in 2020, accounting for an increase in the proportion of the total number of candidates from 4.5 percent to 6 percent (Education Bureau, 2021b).

### Distribution of students with Special Educational Needs

In the IE model currently promoted by the Hong Kong Government, the “three-tier support system” is an important tool for supporting students with SEN. The number of students who continue to have special needs in the Tier 2 and Tier 3 is an important indicator for understanding and observing the overall distribution of students with SEN in Hong Kong and their integration into ordinary schools.

In terms of the number of Tier 2 students in each primary and secondary school, the number of students in primary schools has increased

from just under 28,000 in the 2019/20 academic year to over 30,000 in the 2021/22 academic year. For secondary schools, the number of students has increased from over 21,000 in the 2019/20 academic year to over 24,000 in the 2021/22 academic year (Education Bureau, 2023) (Table 2). The number of Tier 3 support students has increased from just under 2,100 in primary schools in the 2019/20 academic year to over 2,300 in the 2021/22 academic year, and from over 1,500 in secondary schools in the 2019/20 academic year to over 1,800 in the 2021/22 academic year. This reflects that more schools are accepting students with more severe SEN, and more schools are implementing IE. (Education Bureau, 2023)

**Table 2. Number of Tier 2 and Tier 3 students with SEN in Hong Kong Public Sector Ordinary Schools (Education Bureau, 2023)**

Tier of support required by students	No. of students					
	2019/20		2020/21		2021/22	
	Primary	Secondary	Primary	Secondary	Primary	Secondary
Tier-2 support	27,959	21,502	28,609	23,033	30,028	24,377
Tier-3 support	2,094	1,552	2,252	1,671	2,324	1,836

In terms of the number of schools, the overall figures were lower before the 2018/19 academic year as schools could support students with SEN from other resources. In the 2018/19 academic year, only three hundred eighty-one primary schools provided Tier 2 support services and three hundred forty-nine primary schools provided Tier 3 support services. However, as of the 2020/21 academic year, the numbers had increased to four hundred fifty-four primary schools providing Tier 2 support services and four hundred thirty-one primary schools providing Tier 3 support services (Education Bureau, 2022) (Table 3). In secondary schools, there were three hundred eighty-four schools providing Tier 2 support services and three hundred thirty-five schools providing Tier 3 support services in the 2018/19 academic year. However, in the 2020/21 academic year, these numbers had slightly increased to three hundred eighty-nine schools providing Tier 2 support services and three hundred forty-two schools providing Tier 3 support services (Education Bureau, 2022) (Table 3). This reflects that more ordinary schools are gradually accepting more students with SEN requiring Tier 3 support, while also illustrating the continuous increase in the overall number of students with SEN in Hong Kong.

**Table 3. Number of public sector ordinary primary and secondary schools providing Tier 2 and Tier 3 support (教育局 · 2022)<sup>1</sup>**

Tier of support required by students	No. of schools		2019/20		202/21	
	2018/19		Primary	Secondary	Primary	Secondary
Tier-2 support	381	384	455	389	454	389
Tier-3 support	349	335	427	340	431	342

### **Study on Challenges, Effective Policies, and Best Practices of Ordinary Schools in Educating Students with Special Educational Needs in Hong Kong**

In view of the fact that IE has been implemented in Hong Kong for some time, the EOC has commissioned the Centre for Excellence in Learning and Teaching from the Education University of Hong Kong (referred to as the research team below) to carry out a project entitled “Study on Challenges, Effective Policies, and Best Practices of Ordinary Schools in Educating Students with Special Educational Needs in Hong Kong”. This Study collected data and stakeholders’ opinions through methods such as questionnaire surveys, focus group interviews, individual interviews, and case studies, to thoroughly examine the overall effectiveness of IE in primary and secondary schools at present, and to provide relevant policy recommendations for the future development of IE. The entire Study began in October 2019. Due to the outbreak of COVID-19 in 2019, all research data collection was completed in December 2021.

#### **Key Findings of School Questionnaire Survey**

The entire school survey was conducted from October 2020 to November 2021, and the collected data was based on the 2020/21 academic year. After the data compilation, a total of one hundred forty-one ordinary schools participated in this Study, with sixty primary schools and eighty-one secondary schools. There were one hundred forty-one principals, one hundred forty-one SENCOS and 1,532 teachers participated in the questionnaire survey, including seven hundred four primary school teachers and eight hundred twenty-eight secondary school teachers.

## **Challenges of Implementing IE and effectiveness of support measures**

The majority of the school principals (81.6 percent), teachers (85.3 percent) and SENCOS (85.8 percent) surveyed agreed that the most difficult aspect of implementing IE was the tight teaching schedule/heavy teaching workload. Besides, over 70 percent of principals (70.2 percent) and SENCOS (70.9 percent) expressed that the administrative work brought about by IE was heavy, while 68.8 percent of the teachers surveyed considered the lack of manpower as the second difficulty in implementing IE.

Principals thought that the setting up of the post of SENCO was the most effective support measure with the overall mean score of 3.48 (in a 4-point scale from 1 to 4, where 3 represents that the policy/support measure is helpful). SENCOS considered that the promotion of School-based Educational Psychology services and the provision of more systematic and adequate teacher training were the most effective support measures with the mean scores of 3.48 for both items. Yet, teachers considered adding the post of School-based Speech Therapist as the most effective support measure with the highest mean score of 3.21, while primary school teachers rated a higher mean score of 3.24.

## **Stress Level Perceived when Handling Students with SEN**

According to the survey, both SENCOS and teachers pointed out that they felt quite stressed when facing students with Autism Spectrum Disorder (ASD) or Attention Deficit/Hyperactivity Disorder (ADHD). While taking care of students with mental illness, the stress experienced by SENCOS was significantly higher than that of teachers.

## **Findings of Individual and Focus Group Interviews with School Stakeholders**

The research team conducted interviews with various stakeholders involved in IE, including principals, SENCOS, frontline teachers, professional support personnel, and parents, to collect their opinions on the implementation of IE and explore the overall policy effectiveness and the impact of support measures on schools, teachers, students, parents, and professional support personnel. In addition, individual and focus group interviews were analyzed through triangulation analysis to provide preliminary

interpretation of the questionnaire results. Therefore, this Study had a multi-category design, conducted focus group interviews with different stakeholders and had a sample size that is representative to a certain extent.

## Interview Samples

The research team interviewed a total of one hundred six stakeholders from twenty-seven schools, including fifteen primary schools and twelve secondary schools. Half of the schools were considered more successful in implementing IE, while the other half still had room for improvement. The team conducted individual interviews or focus group interviews starting in June 2021 and completed them in December 2021. The details are as follows:

**Table 4. Sample details of interview respondents**

Stakeholder	Primary Schools	Secondary Schools	Total No. of Respondents
Principals	15	12	27
SENCOs and SENSTs	15	16	31
Professional Support Personnel	15	13	28
Parents	10	10	20

The interview transcripts quoted below (information within parentheses) are coded using the combination of the school code and participant code, representing individual schools and participants.

## Individual Interview and Focus Group Interview Findings

### Status of Curriculum Implementation (Teaching, Learning, and Assessment)

#### Curriculum and Assessment in Secondary Schools

Stakeholders in both primary and secondary schools (including principals, SENCOS, and teachers) clearly pointed out that the biggest problem in the current implementation of IE is the tight schedule of the existing curriculum, which makes it difficult for schools and frontline teachers to allocate sufficient resources to effectively address the needs of students with SEN.

“Our timetable is packed, completely packed, and the biggest problem we face is that in a classroom, the class timetable

is very intense, and basically there is no free time.” (Secondary school principal) (SSo2-PR)

“In schools, lessons are resources that colleagues notice. If you allocate some of the lesson periods to support moral education, and you allocate some of them to [IE], instead of telling teachers to teach outside of their normal classes, it affects the moral education of some students, and I did allocate a lesson period, so I know you value it.” (Secondary school principal) (SSo1- PR)

They also unanimously agreed that requiring students with SEN to simultaneously receive mainstream education courses and assessment criteria is the root cause of educational inequality in Hong Kong.

“Our principle for extra time [during exams] is that for students in Form 1 to 3, if there is a medical certificate and a request from their parents, basically we would approve it and arrange a special room for them with extra time. However, for Form 4 students who are considering extra time, they need to think again if they really need it for their DSE (Diploma of Secondary Education) [examination]. Even if they are in a lower form, if they don’t take extra time, they can still rejoin this line (apply for extra time) later, but whether it is approved or not is up to the Hong Kong Examinations and Assessment Authority.” (Secondary School SENCO) (SSo2-SE)

Currently, secondary school students still need to take the Hong Kong Diploma of Secondary Education Examination (HKDSE). This not only brings heavy pressure to schools but also prevents students with SEN from keeping up with the curriculum and affects their overall learning effectiveness throughout their secondary school years.

“The teachers have high expectations for themselves and hope that their students excel. They also feel that going to university is the only way to a good future. Sometimes, teachers themselves think that going to university is the only option. Students with SEN reflected to counselling teachers and social workers that ‘Teachers always told us to enter university at lessons and which subject to study. I feel like they are letting everyone down because they cannot get into university.’ Some students may even lose motivation and feel like it’s not worth trying. So it is important for teachers to understand that there are different pathways available for students.” (Secondary School Principal) (SSo3-PR)



“If a family sees that a certain subject or career path is suitable for their child with SEN, [they should think] whether [the child] should be able to take the public exams. There are some cases where students with anxiety or physical conditions may struggle to cope with the stress of exams at the expense of their health. It would be good to give parents some choices, say in Form 3, that are widely accepted and recognized by everyone.” (Secondary School SENCO) (SS04- SE+SW+ST)

“There are challenges in terms of academic performance for students with SEN. Their abilities are limited and there are gaps in their learning. It is especially difficult for higher grade students, even with all the support provided by teachers such as study groups and tutoring from alumni. This may not necessarily result in a significant improvement in their grades and performance, and it may be difficult for them to pass the DSE exam and enter university.” (Secondary School SENCO) (SS05-SE)

“We know that they are a bit behind others, they are backward, not just two years of difference. Some of them may only be at the level of junior primary school when they enroll in secondary school. If you make them take the DSE exam, you’re basically pushing them too hard.” (Secondary School SENCO) (SS16-SE)

Teachers also cannot adjust their daily assessments given the difficulty of the content in public exams, which further undermines their students’ motivation to learn.

“Hong Kong places too much emphasis on academic performance. I think if we can change this mindset— there are many ways to learn, right? Each student with SEN has [his/her] own strengths. For example, we know that some students with SEN may have weak reading skills, but they may be good at drawing.... If you ask them to take the DSE exam and answer so many questions, they will definitely fail. No matter how you adjust it, it’s not about their ability. I think what you need to do is give them something they can excel at, rather than something they know they will fail. It’s about changing our mindset.” (Secondary School SENCO) (SS16-SE)

Although students with SEN can apply for various exam accommodations, they are not very effective for them.

“Although you provided resources, does it mean that a student with MI in an ordinary school can definitely handle the DSE? I don’t think so. They still have to study the DSE curriculum,

which I think is quite challenging.” (Secondary School SENCO) (SS16-SE)

“Actually, for students who are weaker in terms of learning abilities, extra time and other accommodations may not get many scores for them. In contrary, SEN may imply some behavioural problems or relatively complicated family backgrounds, support [in this regard] is more inadequate. For them, there are more problems, most likely about emotions or behaviours.” (Secondary School Social Worker) (SS09-SW)

### Primary School Curriculum and Assessment Situation

In primary schools, due to the need to regularly take the Territory-wide System Assessment (TSA) and the Pre-Secondary One Hong Kong Attainment Test (Pre-S1 HKAT), the curriculum schedule is also very tight, and teachers have actual difficulty in having sufficient room to effectively cater to the learning diversity of students with SEN.

“I think sometimes teachers’ primary concern is not to hinder classroom progress, of course, if it seriously affects the progress, I understand. Or sometimes they may not have the time or willingness to deal with it, because teachers have to deal with TSA, Pre-S1 (HKAT), and various assessments. If there is a problem, it may take half a lesson to handle, and teachers may not want to lose this half lesson and affect the progress afterwards.” (Primary school SENCO) (PS04-SE)

However, as the school has a curriculum development leader (CD), the interviewed SENCO stated that the Tier 1 (T1) assistance of the CD in improving classroom support effectiveness is crucial and helps improve overall teaching outcomes.

“The new CD was willing to think together on how to improve lessons of all colleagues to reduce individual differences, and the EP is also very helpful.” (Primary School SENCO) (PS02-SE)

“So I think the CD is promoting the T1 support, helping to address the learning diversity in T1, promoting a positive school, putting people first...and can take care of the learning diversity of students. So, the first step is to adjust the learning when the subject ability is not good. Then, we can focus on improving the abilities of the top students. Because I think this is what they want to do. If I can also help with this, they will be very moti-

vated to start, and it will also make the teacher feel better and have a sense of ability and success in teaching.” (Primary School SENCO) (PS06-SE)

### **Impact of Current Education System and Environment on the Implementation of Integrated Education**

Some interviewed primary and secondary school principals believe that the current school system lacks space and flexibility in curriculum accommodations. Relying solely on daily homework and exam accommodations do not help improve the learning effectiveness of students with SEN.

“As for class hours, our timetable in Hong Kong is fixed, or what is called flexible class hours, it is a concept that is flexible to the extent that the students know how to move around automatically. It’s like some kindergartens I’ve seen, where once you enter, the children know exactly what they want to do and move on to the next activity. Can this degree of freedom be introduced into our primary and secondary schools, which have very structured systems?” (Primary school principal) (PS06-PR)

“In the overall [educational] environment, teachers face certain difficulties, especially in how to help these students [with SEN]. It seems to me that controlling them in the classroom for ordinary learning is a huge [challenge].” (Secondary school principal) (SS01-PR)

The interviewed SENCOS, social workers, and clinical psychologists from primary and secondary schools further emphasized that due to the overcrowded curriculum in Hong Kong, subject teachers often say that classroom progress cannot be hindered, or there may not be too much time to care for students with SEN. The relationship between teachers and students is mostly built in the classroom and in learning, lacking other exchange opportunities. Teacher-student dialogue is focused only on learning and it is difficult to establish good communication with students, and support for students is not comprehensive enough. This is indeed an unsatisfactory situation at present.

“I think that for the T1 support, I may not really be able to support teachers in learning. Maybe in terms of student behavior, for example, he may have ASD or ADHD, I have some feasible solutions for colleagues, but in actual teaching, how to teach, maybe I majored in Chinese and I can help with Chinese, or our CD can help. But maybe for colleagues who teach English or mathematics, it is difficult for them to effectively take care of

the differences in classroom, and the curriculum is too rushed, so they feel the difficulty, which is understandable.” (Primary school SENCO) (PSO3-SE)

“The teaching and learning aspect are actually something we have always struggled with. The EDB may hope that we can do it well, but it really depends on the situation of each school. While we understand that learning diversity can be promoted, simply sharing the message doesn’t mean it can be implemented or that certain teachers, who may have had exposure to training and so on, can [try to] carry out the practice in their own classrooms or subjects.... It can be difficult for them to try it out, unless they are, say, already a subject head. So, I find this aspect challenging.” (Secondary School SENCO) (SSO2-SE)

“However, within the entire education system, there is no place for teachers to relieve some of their workload and provide more space for teachers and students to have some informal communication, instead of just exchanging knowledge from textbooks. I am certain that this can reduce many cases of emotional difficulties and the negative effects of hyperactivity disorder.” (Primary school social worker) (PSO8-RSW)

“I actually reflect on the concept of inclusion, the whole idea of IE, when I look at clinical practice. I personally think that this is a vision. That is, we actually hope for social inclusion, that some students with learning difficulties can also learn in the same environment. However, from actual observations, I feel that different schools will share: some students, or actually the students’ behavioral problems are not too serious. When teachers may not be able to handle them, it not only affects the individual students themselves but also affects the learning of the whole class. Maybe after the teacher spent half of the class time dealing with their emotional problems, there are only 15 minutes left.” (Secondary school clinical psychologist) (SSO2-CP)

In addition, SENSTS interviewed also said that some teachers have reported losing a sense of success when teaching students with SEN, which is consistent with the survey data and an area for improvement in the future.

“Half of the class are students with SEN. How can we teach?

Many colleagues say they do not feel successful in their teaching, because no matter how much effort they put in, the students still end up with a U grade (ungraded). For example, there are some “helicopter parents” (parents who excessively intervene in their children’s lives). They always ask me, ‘please tell them not

to take the exam, or ask them to be absent?” (Secondary School SENCO) (SS15-SE)

Based on the above interviews, in terms of curriculum arrangements, both primary and secondary schools face the problem of a tight curriculum and difficulty in accommodating, making it difficult for teachers to care for students with SEN in their daily teaching. In terms of assessment arrangements, both primary and secondary schools make accommodations for students with SEN, such as extra time, reading papers, etc. However, due to the restrictions of the HKDSE, secondary schools face greater constraints in making accommodations for exams, while primary schools still have some flexibility. However, such flexibility may not be a real help for students, as using the same exam to assess students with SEN is inherently unfair, and accommodations are merely a “fair” arrangement in terms of policy.

In the implementation of IE, education is the key. However, the exam culture and curriculum arrangements established in Hong Kong for many years have made it difficult for schools and teachers to improve the effectiveness of education under the policy of IE. For secondary schools, they have to face the HKDSE, and some compulsory courses and designated skills have become content that students must learn in secondary school. In order for students to be in line with the public exam, schools and teachers are unable to make curriculum cuts in the form of school-based curriculum. For primary schools, facing the TSA and the Pre-S1 HKAT, the curriculum frameworks and teaching objectives set by the EDB in the curriculum guidelines of various subjects also limit the accommodation of primary school curriculum. Based on the curriculum and policies established over the years, the inclusion of IE at present has not given primary and secondary school teachers room to make changes in the existing curriculum, and it is the tight curriculum that makes it difficult for teachers to do the “education” work in IE, and also makes it difficult for teachers to abandon the elitist thinking that has been established for many years.

## **Effectiveness of Government’s Continuous Investment in Integrated Education**

### **Functions and Roles of SENCO**

With the development of IE, the EDB began to establish the position of SENCO in every school starting from the 2017/18 school year to sup-

port students with SEN. However, the scope of work involved in the role of SENCO is extensive and the workload is enormous. It is difficult for a SENCO to handle everything alone. The interviewed SENCOs reflected that the work involved in supporting students with SEN is diverse, including early identification, planning support, and setting up IEPs. The work cannot be done independently by the SENCO alone and requires the support of students, parents, teachers, and other professional support personnel to implement the WSA.

“Because SEN work involves many interconnected aspects. After identifying a Primary 1 student with SEN, you need to provide support, and after providing support, you need to form a support group. Within that group, some students may have practical needs, such as ADHD or autism. There are many things that are interconnected. When I need to create an IEP, for example, I may not be able to do it alone. I need to train my colleagues on how to create an IEP and how to handle different types of students. There may not always be support from colleagues, but that does not mean I have completed everything. When I need to follow up, I need to communicate with colleagues A, B, C, or the whole school on how to adjust for exams or how to handle difficulties encountered in assignments. Most of the time, colleagues or parents will come to me for help.” (Primary school SENCO) (PS03-SE)

In addition to being responsible for serving as a bridge to communicate and negotiate with stakeholders, the time, skills and effort required for SENCOs to handle complex administrative work has been a long-term source of pressure. Based on the need to coordinate the opinions of various stakeholders and support students with SEN according to the EDB's procedures, SENCOs' work often require a long-term effort to gradually take effect.

“The SENCO really has to take care of everything. I have to follow up on the curriculum, but I can only slowly learn something, and I can't follow up in depth. I'm just a bridge to coordinate things, such as exam adjustments. My team has someone who goes into the exam committee, and I have a colleague who specializes in exam accommodations for students with SEN, including DSE arrangements.” (Secondary School SENCO) (SS06-SE)

In interviews, SENCOS in primary and secondary schools also indicated that current school policies and support staff are insufficient to meet their work demands. Within the schools, SENCOS often need to collaborate with subject teachers or administrators to provide students with different accommodations, but they lack the ability to strengthen collaboration among teachers.

“In fact, the learning support team is in the academic side of EDB...it requires some effort to push forward... I asked for a mathematics vice teacher, a Chinese vice teacher, and a support teacher for English. For Chinese, English and Mathematics, I can push forward in junior forms, but for some curriculum-related matters, I need to rely on the three subject panel [heads], but how do I get them to listen to me?” (Secondary School SENCO) (SS09-SE)

Interviewed primary and secondary school principals agreed that caring for students with special learning needs should not be the sole responsibility of the SENCO, but rather should involve the participation and promotion of all teachers in the school. The SENCO needs to be empowered to enhance their coordination ability to promote the overall development of IE in the whole school.

“I think it is important for all colleagues to agree to a mindset that we need to join forces to teach students with SEN, not just the responsibility of the SENCO, but also for all colleagues to have the heart to make our school inclusive. In addition, in the past, everyone was very taboo about privacy, but if we know the symptoms of the child’s syndrome to some extent, we will be able to handle it better. All teachers in the school know about it, so when it comes to handling it, we understand it somewhat and reduce conflicts.” (Primary School Principal) (PS05-PR)

In addition, general teachers also have the responsibility and awareness to assist the SENCO in providing early support for students with special learning needs so that students can feel the care and assistance of the school as a whole.

“I think communication in terms of information is very important. Because if there are some more severe cases, sometimes even students with self-harm tendencies, it is only a momentary thing, so we need to grasp [the situation] more to provide sup-



port. I understand that it is really difficult to handle in private, but I think if the teacher often meets this student, they actually need to know.” (Secondary School Social Worker) (SS15-SW)

From the interviews, it can be seen that the EDB has established the position of SENCO in each school, and has formulated relevant work guidelines and procedures. SENCOS in primary and secondary schools also expressed that they can clearly understand the criteria and arrangements for their work. However, the relevant work cannot be completed solely by themselves, and the lack of understanding among other teaching staff also hinders support for students.

At the secondary school level, the needs of students with SEN are not limited to learning, and may involve emotional management, social skills, etc. All teaching staff need to participate and prevent dangerous situations in order to effectively support students in need. However, SENCOS lack sufficient ability to promote cooperation among teachers. Most of the support is still led by the SENCOS, which makes their situation very difficult. The problem faced by primary schools is to identify students who need support early. The identification process also requires the participation of all teaching staff, including daily observation, communication with parents and students, etc. However, teachers are burdened with the busy teaching work and do not have time to establish good communication with students beyond teaching, which also affects the efficiency of identification. After identification, various support work and plans also require the implementation by all teaching staff together. However, ordinary teachers still rely on the SENCO’s planning and instructions, rather than supporting students’ needs based on their own understanding.

### **Current School Support on Integrated Education**

Although different professionals, such as EPs and speech therapists, regularly visit schools to provide professional assistance, resources are still insufficient. EPs reflected in interviews that due to inadequate visits to schools, they were unable to meet the needs of too many students with SEN, which prevented students with special learning needs from receiving continuous assessments and made it difficult to adjust their support according to students’ changes.

“Perhaps the work of EPs is also limited, that is, now EPs serve alone, with a ratio of one to seven. Therefore, what can be done must be limited to the emergency cases. Then, when

it comes to schools hoping to implement something, after they listen to my advice on how to do it, they can work in pairs with them or I can demonstrate it, and then they try to do it themselves. At least, I think that more confidence in the overall teachers will make it easier for them to implement in their own classes or with their own students... If the ratio of EPs in schools continues not to decrease, and the number of students with SEN in a school is so high, the ratio of one EP to students is constantly increasing. Therefore, I believe that more manpower is more important than money." (Secondary school EP) (SSo1-EP)

Interviewed social workers also stated that because EPs are not able to be stationed at schools, sometimes teachers and social workers at the school need to replace EPs to provide support, but the different professional skills weaken the effectiveness of support.

"The division of labor on SEN work may belong to the group of EPs, with more support available. There is also a SENCO, and on our social work level, we also have EPs. Unlike in the past where EP was full-time at school, our division of labor does not have such a distinction. But now in schools, EPs only visit school according to schedule. So I think, in this situation, students with SEN will be taken cared of by teachers or supported by in-school social workers." (Secondary School Social Worker) (SSo5-SW)

"That is to say, I guess now only a psychiatrist can diagnose whether a student has MI [mental illness], EP, CP (clinical psychologists), we all can't do it. Waiting for this takes the longest time, and I can only refer them to some very urgent services. Some students, I cannot immediately make referrals and can only chat with them, provide some temporary support, or refer them to go to public hospitals and wait, etc." (Secondary School Social Worker) (SSo1-SW)

Regarding IEPs, the SENCOS interviewed stated that the plans can bring significant impacts on students. However, IEPs require the participation of different stakeholders to achieve its ideal effects.

"Because we have three meetings a year, the first one is actually for planning, and the second and the third one are for reviewing how the first half of the year went and the progress for the second half of the year. We need to adjust our support direction among us, which I think is very important. It's more systematic to plan some support for the students, different units also know how to cooperate with systematic support to review how each

unit is doing, how students' progress is adjusted, whether it's goals or strategies, we will try to do it again, I think it's very important in the process." (Secondary School EP) (SSo3-EP)

"Actually, the Tier 3 of IEP is necessary because some students may not really benefit from Tier 2 support, or we used to only provide some individual counseling, which is not perfect. In fact, IEP needs to be complemented with many things, including regular meetings, regular contact with parents, and EPs, maybe together with writing some learning plans for each case, so the plan actually sets some small goals for the students. IEP is a focused project that can help children, especially cases of ID [intellectual disabilities] and ASD, where progress is significant." (Primary School EP) (PSo1-SE)

The SENCOS of primary and secondary schools interviewed stated that in order to ensure that students can receive practical support, schools will select students based on their urgent needs and circumstances to ensure that IEPs can be effectively implemented. In primary schools, schools tend to prioritize students who have difficulties in both academic, self-care, and personal growth aspects, such as students with autism or ADHD, while students with only special learning needs are usually not the first choice.

"For IEP to be opened, it is best to provide individual support, but I don't want to open it and then fail to provide the quality of Tier 3 support that he needs. Because there are many meetings to follow up on for IEP, and the current staff of our support team cannot handle IEP." (Primary School SENCO) (PSo2-SE)

Secondary school SENCOS stated that due to restrictions of public examinations, IEPs are mostly for students in Form 1 to Form 3 to provide more time for support.

"For students in Form 1 to Form 3, emotional management, daily routine, and interpersonal relationships may require [IEP], for example, for students with ADHD, ASD, or MI, there is a chance that they may be the target of our IEP. For SLD, we may also consider whether we can help them while promoting their personal growth. We don't want to waste the positions for IEP, but we can't be excessive. Because an IEP is not just written, we examine several categories, so colleagues are busy, our subject teachers need to help, our Resource Teacher needs to support subject teachers, sometimes some parts may require SENST to help, and sometimes social workers are needed, such as personal emotions or communication with family members. So we cannot be excessive. If not, if you write so much, everyone cannot do it, it is meaningless." (Secondary school EP) (SSo1-EP)

Regarding the Tier 3 support model in IE (i.e., IEP), both primary and secondary schools agree that the plan can effectively provide students with more comprehensive support, and this kind of support needs the joint efforts and implementation of different staff within the school to achieve results. However, primary and secondary schools also face a common problem, that is, the shortage of resources and staff, which leads to the need for schools to make choices when implementing the Tier 3 support in order to ensure the effectiveness of the support plan. In particular, secondary schools need to make choices in response to the restrictions of public exams, and student academic performance may also be a factor to consider. Primary schools tend to choose based on the student's personal growth and self-care abilities. These criteria are also based on the school situation and the school's approach to decide which students to support, which means that this effective support model cannot be widely used in more students.

For primary and secondary schools, the role of EPs is to assess students and provide professional support and advices. However, both primary and secondary schools have reported that EPs visit schools infrequently, and often rely on teachers or social workers to provide support measures for students. The difficulty is that social workers do not have publicly recognized qualifications in student assessment, and all support plans are only recognized with reports from EPs or psychiatrists. This situation means that the most commonly engaged professionals (such as social workers), who know students and understand their needs best, must wait for the judgments of other professionals before they can provide further support. This has a greater impact on primary schools, as the focus of primary education is to identify and support students early, and the need for long-waiting professional reports makes it difficult to achieve this "early" support. Therefore, teachers and social workers who work at the school can only identify individual cases early and provide support as soon as possible.

### **Resource Deployment and Flexibility**

Stakeholders in primary and secondary schools, including principals, SENCOS, teachers, and various professional support personnel, have all indicated that the Government's sustained increase in resources has helped schools promote IE. Schools can use LSG to employ different professional support personnel, which can be used for different students, such as non-Chinese speaking students.

“For example, when you talk about ncs (non-Chinese speaking students), it is also a way of caring for diversity... Personally, I think that non-Chinese speaking is also a branch of IE. If we have some funding or professional support that can be flexibly used according to the school’s situation and needs, I think it would be ideal.” (Secondary school principal) (SSo3-PR)

“We use funding of LSG to hire some support teachers and assistants. I mainly coordinate the work of these teachers, ask them to divide the administrative and in-class support work. In addition, basically all students and support group administrative work have to be handled. The most time-consuming thing is contacting parents and meeting with parents, as well as contacting parents of students with SEN, which takes up more time.” (Primary school SENCO) (PSO2-SE)

However, when utilizing related LSG, the SENCOS pointed out that they are constrained, and the SENSTs they hire may not be able to fully support their work because it is difficult to find suitable staff to assist schools in implementing IE, especially the lack of professional support personnel specialized in caring for a certain type of students with SEN.

“Nowadays, the Government’s IE is mainly in ordinary schools. The benefit is that they can integrate into mainstream society and live with ordinary people. This can enhance their social skills. However, on the other hand, although the Government has provided a lot of resources in recent years, we still lack the so-called expertise to take care of a certain type of students. It depends on the overall school atmosphere and team because if it is not handled properly, it is easy to have bullying, but if handled properly, of course, it can achieve their educational goals.” (Secondary school principal) (SS15-PR)

“Is it really that way? The current policy is to give you money to solve it anyway, but the problem is that I can’t find it in the community, not that I can’t find the people, but whether I can find suitable people who have the willingness and ability to help with IE.” (Primary school principal) (PSO6-PR)

Moreover, most of the resources are used to hire professional support personnel, which does not help solve the problem that SENCOS have too many administrative tasks but insufficient working hours.

“There is a lot of paperwork involved in our work, such as helping students with their DSE. The process of obtaining exemp-

tions involves a lot of paperwork and is very time-consuming.”  
(Secondary school principal) (SS15-PR)

Therefore, to address the issue of staffing, it is recommended to establish permanent positions for professional support personnel to attract relevant professionals to join schools and provide support. This can help create a supportive atmosphere on campus and achieve a more ideal model of WSA.

“If this [position] is not stable and is always filled through contracts, it is not enough to simply increase LSG and hire more teachers to deal with the increasing number of SEN paperwork. Students and parents require support, and using contracts is not ideal.” (Primary school SENCO) (PS06-SE)

In addition, some school principals pointed out that simply increasing resources without changes in the education system does not help improve the difficulties faced by IE.

“In fact, for everything to be implemented, it is said that the whole school should participate. I think the EDB should offer some flexibility to schools. The EDB has implemented so many policies. Will there be priorities? We are not saying that we won’t do the others, but we will gradually do them. Because there are too many things, our teachers don’t have enough time. Sometimes teachers say, ‘to take care of students’ mental health, I also have to take care of my own mental health.’ So one of our staff development is to take care of teachers’ mental health.”  
(Secondary school principal) (SS03-PR)

From the above interviews, it can be seen that the Government’s increase in resources for IE allows primary and secondary schools to have more funding to hire additional teachers or assistants. Secondary schools will use these resources to support more student groups, such as non-Chinese speaking students, while primary schools will use the resources to handle time-consuming administrative work.

Although primary and secondary schools have more human resources to support IE, they still face the challenge of finding support teachers or assistants with professional knowledge in IE, which hinders the optimal use of funds. This situation is related to the establishment of relevant positions. The EDB allocates funds for schools to hire teachers or assistants, which only allows primary and secondary schools to hire relevant person-

nel on a contract basis. Such instability results in high turnover rates for these positions and affects the continuity of support.

### **Professional Development of Teachers in Integrated Education**

All interviewed principals believed that enhancing teachers' awareness is an important factor in implementing IE. Through training, teachers can deepen their understanding of IE, improve their skills in caring for students with SEN, and help teachers in different roles, including discipline/guidance team, career planning teams, and class teachers, understand how to support students in different roles. This reduces the over-reliance of teachers on student support team or SENCOS and promotes the participation of the whole school in implementing IE.

"In fact, everything we do, such as the whole school lesson planning system we just talked about, is based on Continuous Professional Development (CPD). Because we know that our professional development as educators will inevitably involve CPD at a certain stage. The most important thing about CPD is that you learn while doing it, and it's not just about you as an individual, but your team as well. So our belief is that the team is very important. We have put in a lot of effort in the past few years in building the team, and we believe that if we integrate students with SEN into it, it will be easier to achieve our goals." (Secondary school principal) (SSo1-PR)

"WSA means a role for everyone. Everyone has something to contribute, and there is a whole-school policy. Every year, the EDB provides some SEN training, even mental health training, and NGOs also have similar training. We arrange colleagues to attend these training sessions, not just in the counseling team or SEN team, but gradually in other teams such as the discipline team, career planning team, class teachers, and even other colleagues. We have invited relevant professionals such as psychiatrists, social workers, and clinical psychologists to come and talk to us about how teachers should deal with students' growth problems and mental health issues." (Secondary school principal) (SSo3-PR)

For teachers, encountering students with special learning needs at campus and in classroom is common and inevitable. Therefore, the interviewed principals stated that most teachers are willing to attend various training to help themselves deal with the possible situations they may face.



“They are very cooperative with the school’s arrangements. When colleagues in charge require other colleagues to take courses on Tier 1, 2 and 3 or special courses on SEN, generally speaking, colleagues are very willing, possibly because they know there is a real need. In class teaching, they will definitely have the opportunity to encounter these students. Therefore, when they know that it is helpful to strengthen SEN teaching, colleagues are very willing to comply with the policy.” (Primary school principal) (PS07-PR)

However, interviewed teachers also expressed some pressure on training. Currently, in-service teachers mainly improve their skills through training courses offered by tertiary institutions. But the quality and content of the courses can affect their effectiveness. The EDB and different tertiary institutions organize various types of training activities, including sharing sessions and lectures, but some teachers expressed that some course content overemphasizes theory and lacks practical applications in teaching. Teachers can only use the case sharing in the course as a “reference”, but they may not be able to apply it in daily teaching, especially since course instructors have limited subject expertise and find it difficult to provide practical support to teachers of different subjects.

“To be honest, after completing the SENCO course, I even took the online version. At most, I could only talk about things like differentiated worksheets and visual strategies, but I haven’t really implemented them. Maybe I’ve used them in mathematics or business, accounting and financial studies, but how do I apply that specialized knowledge to English, Chinese, and mathematics?” (Secondary school SENCO) (SS09-SE)

“I had been SENST for two years, we took a lot of courses, but none of them were really formal, and I believe they wouldn’t have helped me much. Because they were still categorized, and they taught you how to do things, the sharing methods used by the public may not have as much theoretical support.” (Secondary school SENST) (SS09-ST)

As society and the education sector increasingly value IE, the interviewed primary and secondary school principals believe that it is worth considering adding IE as a core subject in teacher training. This will enable teachers to have a deep and professional understanding of caring for stu-

dents with special learning needs and IE before entering the profession, and to understand the characteristics and needs of different students with special learning needs. This will help them to identify students' needs early in their teaching, and to collaborate with in-school support personnel in handling student situations in WSA during the theoretical and practical stages of their employment.

"I think that in teacher training, we should add basic training for taking care of students with SEN. Taking care of different students with SEN can be an elective, but at least you need to know about it. Knowing that it is common, you should learn it. You don't have to worry about chasing the standard all the time." (Secondary school principal) (SSo4-PR)

"Just as in teacher training, now that IE has become mainstream, the SEN course will be a core subject. It is a must-read." (Primary school principal) (PSo9-PR)

In the WSA, the awareness of teachers is important, but the IE policies and beliefs of decision-makers are equally important. Some EPs have pointed out that while training courses to support students with SEN have been implemented for several years, the courses also need to be updated in a timely manner to keep up with policy changes, increase in awareness as well as improvements in treatment methods and standards, so that frontline personnel can improve the situation more effectively and accurately.

"A few years ago, mental health issues were included in SEN, which increased the focus in training and education. During their studies, they should have less exposure to real cases with mental health problems. EPs should handle some subclinical cases, even some standard cases of depression or anxiety, and have the ability to do so. Therefore, they will spend extra time after graduation to learn about different treatment methods and make up for the lack of experience in this area, so that they can do it with confidence. I think this is one of the areas that can be improved." (Secondary school EP) (SS11-EP)

Some interviewed parents believe that the success of IE in schools depends on the belief of the principals. If schools lack an open and long-term vision in the development of IE, the effectiveness of policy implementation will be weakened.

"I think the Government needs to educate school principals to accept [IE]. Secondly, they need to be open-minded. How much resources the school has received and spent on SEN

from the Government and how those resources are allocated should be transparently monitored, so that we can make sure that children are not mistreated. I think monitoring is necessary. If schools use this money, the role of SENCO needs to be clear. Parents, teachers, and even training teachers should be educated too." (Primary school parent) (PS-PA02)

SENCOs also believe that the Government can collaborate more with universities to conduct research on IE and review the effectiveness of implementation at local schools. Principals also agree that such research is useful for schools to learn from and review their own measures, in order to further improve their own development.

"I know some research is conducted by universities, or the EDB itself has a team to conduct such research. I think these studies need to be localized. Different NGOs such as the Jockey Club have also invested in trying out some work. We need to summarize our local experiences and find our own methods, because our environment is unique." (Secondary school principal) (SS02-PR)

For principals of primary and secondary schools, they believe that teacher participation is an important factor in implementing IE. Professional training not only helps schools establish a team consistent in its vision, but secondary school principals also believe that it contributes to the continuous development of individual teachers. The interviews show that in addition to recommending individual teachers to participate in external training, primary and secondary school principals also organized whole-school teacher training to provide teachers with more opportunities to access relevant information. Given the current lack of IE training, primary and secondary school principals also suggest that relevant teacher training should be extended to pre-service teacher education programmes so that every prospective teacher has a certain understanding of students with special learning needs before entering the workplace. This would enable them to have certain abilities and skills to provide support in actual classroom situations and instructional design, while also alleviating the pressure brought by teacher development programmes.

For primary and secondary school teachers, in the context of IE, some teachers also agree that development programmes can help improve or support their teaching in the classroom, such as enhancing their understanding of students with special learning needs and understanding

various accommodation strategies. However, the quality of courses offered by external organizations varies. Even after spending time studying, teachers may not be able to apply what they have learned in their own teaching. After all, IE is a whole-school policy, and the entire school team should continue to progress with policy development in order to achieve more ideal results. For secondary schools, the special learning needs that schools often face are mental health issues among students. Although mental health issues have been included in the scope of support in recent years, there is a lack of related professional training, which puts professionals in a “learning while doing” situation and affects the effectiveness of support. Therefore, secondary school EPs suggest that when implementing various support measures at the frontline, relevant training should also be added to training courses to allow professionals to be better prepared for support work.

### **Impact of Cross-Professional Support on Integrated Education and Creation of Inclusive Campus**

#### **Situation and Support for Students’ Mental and Emotional Health in General and During the Epidemic**

The mental health of students is closely related to their personal growth, and both students themselves and parents and teachers should pay attention to their mental health. In order to enhance school’s attention to mental health, according to interviews with primary and secondary school principals, schools will conduct mental health education for students, parents, and teachers through various activities in daily life, to increase stakeholders’ awareness, and support students’ mental health with preventive strategies.

“Especially in the past year, we have done more preparatory work rather than defensive work. In education, we give students more understanding of their emotions and let them know that it is not taboo to talk about their difficulties and troubles. Sometimes they really cannot concentrate and sleep, which makes it difficult for them to return to school. It is not about avoidance, but about seeking help.... In recent years, the counseling team and SEN groups have made efforts to help students understand their emotions.” (Secondary school principal) (SSo3-PR)

However, with the changes brought about by the epidemic in recent years, such as the reduction of face-to-face communication opportunities and changes in lifestyle habits, students' emotional problems have worsened. Especially during online learning periods, students in need may not actively seek help, making it more difficult to provide professional support which entails parents' insight and assistance to a larger extent.

"For students with emotional issues, it is even more difficult because they may not be willing to seek help themselves and can only rely on others to actively ask them. However, during the pandemic, they may be even less willing to actively seek help, making the situation more difficult." (Secondary School EP) (SSo3-EP)

"The first is mental health. For some people, face-to-face communication is very important. With fewer opportunities for this during the pandemic, many students, whether they have emotional problems or not, may face difficulties with their mental health. During the pandemic, many of their daily routines were disrupted, and they might not be able to master some of the self-care skills. From our observations, especially every time we resumed classes, they were very confused and unable to grasp the rhythm of going to school. This can also affect many other things, such as their emotions in learning, which I think is a difficult area for both secondary and primary school students." (Secondary School EP) (SSo2-EP)

Based on the above situations, most of the interviewed social workers also believe that parental involvement is an important factor in supporting students' emotions, and continuous parental education can help parents understand mental health-related information, such as symptoms of MI, how to identify students' mental needs, etc.

"The school counseling team continuously holds some mental health lectures. For example, if you are studying in junior forms here, there may be three or four times when mental health is discussed, which enables students to learn about relevant knowledge, such as symptoms. There are also some large-scale programmes that the entire grade may participate in. The school also sets up booths and holds many different activities to give students some concepts of MI and mental health." (Secondary School Social Worker) (SSo2-SW)

The school can also provide more opportunities and platforms for parents to openly discuss mental health issues so that all stakeholders can face

mental health problems and make it easier for students with mental health needs to receive support and assistance.

“I think what needs to be done is to at least make the whole thing more normalized. For example, enhance everyone’s acceptance level of mental health and emotional distress, because some students cannot accept these names, or parents cannot accept these names, and they are unwilling to seek treatment. Everyone thinks they have this need, but they are unwilling to face it, thinking that such things are weird, like monsters, so they are unwilling to see a doctor. Therefore, I think that if we can popularize these things and let everyone know that these things are normal and many people have them, when their acceptance level is higher, it will be smoother and easier for them to receive support.” (Secondary School Social Worker) (SSo1-SW)

Regarding parental education methods, interviewed parents also agree that some activities organized by institutions or universities, such as talks and training, can help them and their children, while also establishing a sense of community support.

“We definitely cannot rely solely on schools, we also need support from doctors, nurses, social workers, and the community. [I hope that if the community] has more [lectures], just like Baptist University has a subject on early childhood education [and] does a lot of research and holds many of these talks. I think the talks are very helpful because they have a lot of data that can quickly support me in finding ways to help my child.” (Primary school parent) (PS-PA03)

In terms of supporting students’ mental health, in addition to improving the identification skills of students, parents, and teachers, more professionals are needed to assist parents and teachers after identifying students with needs early on. Social workers interviewed in this Study indicated that identifying students in need of mental health support often requires the observation of people around them and early evaluation and referral, which also depends on the level of awareness of mental health of people around them.

“First, it’s observation, to see if there are any students that the teacher has noticed or sometimes it may be a classmate who noticed that this student is a bit different, or it may be the parents. When we receive this information, the first thing we do is ask for more information, that is, to understand their perfor-

mance at school and at home, and then we will contact the student to understand if they have any symptoms of MI. If so, after we complete the evaluation and think that he may have some mental health problems, we will make some referrals. If it is urgent, there are some community services that will be faster for him to see a psychiatrist; for those who may not be so urgent, they may be referred to public hospitals and other services. If he is diagnosed with some emotional problems, he can discuss with the school what accommodations can be made when he talks to the school and students.” (Secondary school social worker) (SSo1-SW)

“The changes in MI cases are significant. Even if students experience the same low mood, their symptoms and conditions may be very different. Therefore, it is crucial to provide adequate training for teachers to support these students. We are used to providing Tier 2 or Tier 3 support for students, but there are many resources available for students with MI. We may only intervene when their condition worsens and sounds an alarm. Regarding exam and homework accommodations, I think we provide relatively little support for students with MI compared to Tier 2 support.” (Secondary school EP) (SSo1-EP)

Although primary and secondary schools now have professionals supporting students, such as social workers, counsellors, and EPs, mental health issues involve more privacy concerns, making it more difficult for social workers to collaborate with the student support team in schools. Therefore, they are unable to provide comprehensive support to students’ study, emotional, and personal growth needs.

“The tension level of MI cases is higher than the other eight categories, but because of privacy concerns, many people are unaware. When fewer people know, the support for these cases is unknown. The student support team is not responsible for these cases. Usually it goes to social workers. However, collaboration is difficult to define, such as how we support students in learning, and how social workers support them in mental health. It is challenging to know how to handle this type of students.” (Secondary school social worker) (SS15-SW)

In addition, social workers interviewed in primary and secondary schools all reflect that the long waiting time for psychiatric diagnosis and assessment currently hinders immediate support for students. The diagnosis by doctors only confirms the student’s condition and may not neces-



sarily provide support and accommodation methods for the student's psychological problems, which makes it difficult for schools to provide support.

"If there is a medical certificate the success rate is higher, that is, if the doctor states clearly, when the school sees the medical certificate, it will be easier to accept, and the success rate will be higher. But sometimes, there are some psychological problems which doctors may not be able to provide too much support or accommodation methods, which will make it more difficult." (Secondary school social worker) (SSo1-SW)

"As far as mental health issues are concerned, if there can be more resources to shorten their time to wait for a doctor, it would be a great help, because it really takes too long in terms of diagnosis and assessment. Some students doubt whether they have emotional problems, and in areas where the boundaries are unclear, it takes a long time for us to take them to see a doctor. I think that if we can reduce the wait, it will be much better for supporting them." (Secondary school social worker) (SSo1-SW)

From the above interviews, primary and secondary schools are committed to enhancing the attention of students, parents, and teachers to mental health. Through educational activities, they increase the awareness of all stakeholders in order to identify and support students in need early, and to establish an open and inclusive environment for students and parents who are in need. School principals are also committed to creating a caring learning environment to reduce the chances of students experiencing emotional problems and taking preventive measures. However, in recent years, due to the impact of the epidemic, there have been significant changes in students' learning environment, from school learning to home learning, which has reduced opportunities for group life at campus and also affected schools' support for students. Due to the lack of direct interaction opportunities, schools have difficulties in providing timely support to students and need to rely on students or parents to actively seek help before remote support can be provided, greatly weakening the effectiveness of support.

However, in the support process, primary and secondary schools also need the help of professional staff. Currently EPs or psychiatrists have not been able to provide comprehensive support in either diagnosis or support. This situation means that although schools have spent a lot of effort and time preparing for parents and students, they still lack sufficient resources, especially professional human resources, to provide further support, resulting in schools being in a situation where they need to identify cases

and then wait for support together, which affects the effectiveness of support and gradually affects the progress and results of support.

The interviews show that people whom students come into contact with in their lives should also have a certain awareness of mental health, which is closely related to the understanding of schools and society. Improving the public's awareness of mental health can help build a shared participation and early support environment. The above interviews also show that primary and secondary schools have been committed to gradually establishing an inclusive school environment through various educational work and then promoting it to the community. However, the changes in mental health cases are great, and symptoms or conditions can be very different for students with emotional needs, which is also a severe challenge for parents and teachers. Schools often only provide individual support when students raise an alarm, which is not ideal.

### **Inclusive and Healthy Campus**

Schools are places for group activities. School atmosphere and mutual support among students are extremely important. In interviews, primary and secondary school principals also mentioned that they actively promote mutual assistance among students at campus, establish integrated and positive values, and allow students to learn more comfortably and feel more at ease at school. They also try to make good use of peer support to handle students' emotional problems.

"We are very accommodating to students with SEN, and there is no discrimination among students because of SEN. First of all, we won't tell students that this classmate has SEN, but students can recognize it, especially those with mild ID. In implementing IE, it's not just about supporting students, but caring policies should also take care of their health, assistance, and even discipline. The discipline and counseling team is not just handling the problems of students with SEN. Basically, some students with mild ID are very well-behaved, but there are cases of bullying towards these students. Our policy is not to punish the bullying students, but to persuade them and encourage mutual support and help among classmates." (Secondary school principal) (SS14-PR)

"From the perspective of ordinary students, their mentality is very pure, without the complexity of adults. They just think that the classmate occasionally can't sit still or is sometimes noticed more by the teacher. We try to maintain a non-labeling

campus, which is also the campus atmosphere we want to create. For parents who enroll their children in a school, for the school to admit students, and for the life of students with SEN on campus, not labeling is the basic premise. We will treat them as a family and not particularly label two-thirds of the family as 'ordinary family members' and one-third as 'special family members.' (Primary school principal) (PS07-PR)

Establishing a good school atmosphere relies on the participation of teachers. Interviewed teachers indicated that all parties should equally value the mental health of teachers and address their needs, in order to gradually instill positive values in students during daily teaching, allowing them to grow up in an open environment, appreciate themselves, and develop their strengths from a young age.

"I think it should start with the teachers, because if teachers themselves are under great pressure or often look worried, they won't be happy either. So, I would step back and first address the mental health of teachers, and then think about the students and how to instill positive values in them. It's something that needs to be done slowly, and holding large-scale activities can leave a deep impression on them. Also, the teacher's personal charm and how to manage the class are also important." (Secondary school teacher) (SSo6-CL)

With the development of IE, teachers need to face the learning diversity among students. However, teachers in the classroom need to spend more time dealing with the special learning needs of students, making it difficult to care for all students in the class, which is also unfair to students who do not have special learning needs. Some interviewed primary school principals also believe that while promoting IE, the teacher-to-student ratio and student-to-class ratio should be emphasized, allowing every student to receive comprehensive care.

"In the classroom, there are students with different types of SEN. How to help them is a challenge because each type of students has different needs. I can help one type of students with educational accommodations, but [I] may not be able to help the second type of student, yet they are all in the same classroom. The most difficult situation for teachers is when there are two or three students with asd and 8-10 students with adhd in the same classroom. It's not just about taking care of them, but it's also

difficult to [do] normal teaching.” (Secondary school principal) (SSo2-PR)

“The Government wants to promote IE throughout Hong Kong, but they should also consider whether there are enough teachers to support this. Many special schools have already been closed. So, how do you use your resources? Can the overall ratio of students to teachers get better?” (Primary school principal) (PSo5-PR)

In terms of mode of integration, both primary and secondary school principals and support teachers interviewed believe that placing students with different types of SEN in the same classroom is not always ideal. Instead, when students have similar needs and characteristics, they can be taught together using more accommodating teaching methods. For example, if there are students in the class with poor concentration and a need to move around, teachers can design interactive activities in the classroom to facilitate learning in a more suitable environment.

“If we idealize it, we can put children of similar categories and situations in the same class, which would make it easier for us to handle... For example, if there are children with attention deficit in the class, who need to move around, the teacher should incorporate more movement activities in the lesson design, and even have them do some exercises such as jumping during class.” (Primary School SEN) (PSo2-ST)

The above shows that primary and secondary schools are committed to building an inclusive campus and creating an “education for all” school. Primary and secondary schools also start with teachers to change their attitudes and mental health, so as to create conditions for promoting caring and inclusive culture at school. At the same time, primary and secondary schools are committed to building a social circle for students, using peer support to help all students grow in a caring environment, where peers can also be aware of each other’s needs and seek help early.

The “Catering for Student Differences - Indicators for Inclusion” established by the EDB indicates that the values of inclusion require all teachers and staff, students, school management committees, and parents to work together to create an integrated, collaborative, and stimulating campus. From the interviews, it can also be seen that primary and secondary schools are striving to establish this ideal vision in terms of culture, policies, and measures according to the indicators. However, during the process in which

schools have made dedication and efforts, the implementation has made them powerless even with good intentions. Facing the diversity of special learning needs of students, handling the special situations of students in class, especially taking care of the learning differences is the most challenging part for teachers. If a student with special learning needs affects the class, the teacher needs to deal with their problems or situations first, then take care of other students' learning, and at the same time, also think of appropriate methods to ensure that students have some learning effectiveness. This increases the pressure on teachers in the classroom. Overwhelmed teachers also find it difficult to cater to the needs of each student, and can only make trade-offs and sacrifices, which also affect the establishment of an inclusive culture.

## **Status of Parental Care for Children with SEN and Home-School Cooperation**

### **Situation of Family Support**

Regarding parental attitudes, based on the results of interviews with parents, secondary school parents are more accepting of their children's special learning needs than before and are willing to actively seek help and cooperate with relevant support. However, primary school parents are still relatively resistant to accepting that their children have special learning needs.

"Six years ago, parents were more conservative about the individual needs of students. Many times, we would take a more proactive role and ask students if they have any learning needs that we can support. Then, parents would start to submit reports to the school. But now, many times on registration day, parents are already very proactive and want you to know about their children's situation so that they can receive appropriate help. This situation is really different from before. Now, parents are much more proactive." (Secondary school social worker) (SS15- SW)

"If the school only refers students in Primary 1, there is a gap in the acceptance level of parents, their willingness to participate, and their ability to provide support at home. They may still not accept that their child has some special learning needs or that they are different from other children in their grade. In this aspect, we need to convince parents and children to practise." (Primary school support teacher) (PSO3-ST)

During the interviews, some parents were found to have not let their children receive support early enough during their primary school years,

causing them to miss the golden period of professional therapy. Therefore, interviewed SENCOS and social workers pointed out that parental education is indispensable, and early strengthening of parents' understanding of special learning needs can help reduce their wariness and enable their children to be assessed and receive treatment as early as possible.

"In fact, we need to educate both parents and students because parents often have a huge influence on their children. For example, a friend recently discovered that her child has autism, but the mother was very out of control and would say negative things. It may be necessary for professionals to provide relevant knowledge and advice to parents as soon as they get hold of their children's diagnosis, as it can actually affect the student's growth." (Primary school social worker) (PS13-SW)

A primary school principal also stated that there have been parents who did not recognize their children's special learning needs outside of academic achievements, which shows that parental education is necessary to change their mindset.

"I have seen students who have special learning needs but have not been reported. It is very obvious, especially for those with autism. Their family members refuse to report it, and there is not much we can do to help. So the student continues to attend school without much progress because their mother does their homework for them, and their family does not have high expectations for their learning. Therefore, I think parental education is very important." (Primary School Principal) (PS01-PR)

"Basically, he doesn't have any talent in studying, or maybe his talent is not in academics, but rather in crafts or sports. But parents might think that crafts and singing are not useful at all. They might wonder what's the use of being able to run fast on a sports field if you can't do well in academics. This can cause frustration for the child, as parents may not be satisfied because they focus on the child's grades, which the child is unable to produce." (Primary School Principal) (PS08-PR)

"I have also seen some new arrival mothers say, 'we have never encountered such things before. Perhaps our child misbehaved and didn't listen to us before.' Therefore, I think parental education is important, and it should start early, not just in secondary school. We hope to identify and provide support to students earlier, rather than waiting until problems arise before remedying them. We need to take action in all areas, and parental education should start early, even in primary school. Sometimes

we request parents to give us the records of their child in primary school.” (Secondary School SENCO) (SSo4-SE+RSW+ST)

### Quality and Waiting Time of Professional Support Services

Primary school parents interviewed indicated that the waiting time for government services is too long and the other private therapeutic services are also very expensive. Apart from affordability, it also results in their children with special learning needs being unable to receive timely service support. For example, children with Asperger’s syndrome may need long-term treatment. If parents cannot afford private therapeutic services, it will affect their growth.

“Because I am a single parent, I know that there are some services available outside, but many of them are very expensive, so I cannot afford them. The government services are not available to me either because of long waiting time. In fact, there are difficulties in this regard.” (Primary school parent) (PS-PAo6)

“My son started music therapy from Primary 2 onwards, it was private and referred by the principal. It was helpful to the brain of children with Asperger’s syndrome. Listening to frequencies, it costs \$700 per session, and we spent a lot of money [on] listening [sessions] for several years.” (Primary school parent) (SS-PAo5)

“My son was diagnosed with Asperger’s syndrome, and new environment would cause him a lot of stress, which I also have to bear.... If he stays in the community where the previous kindergarten was, it might be better for him to study in the same school with the kindergarten classmates. Everyone would feel more comfortable, and the transition would be better. They are willing to accept that he has Asperger’s syndrome, and I am more willing to accept it too. In the end, there are some resources that allow us to let him receive treatment at the Heep Hong Society. Looking back, the resources around us were sufficient, including occupational therapy and physiotherapy until he was in Primary 5, and later transferred to [Prince of] Wales Hospital.” (Primary school parent) (SS-PAo5)

In addition, the lack of suitable support services is also a weakness of the current overall professional support services.

“In fact, there was a community center downstairs from my home, and they tried their best to help my son with his homework. During the process of registration, I told the staff that he has dyslexia. I understood that as a tutor, it might be frustrating



to teach him as a regular student, but I couldn't find any other suitable services back then...so we went with it. But who knew that my son only started going in June, and by August it closed down. The reason was that the center had been relying on government subsidies, which were just barely enough, but when the rent went up, they couldn't sustain it." (Primary school parent ) (PS-PAo)

### **Home-School Cooperation**

Regarding home-school cooperation, parents stated that if there is regular and good communication with the SENCO, they will have greater confidence in the school and allow their children to receive support at school. SENCOS also stated that gaining the trust of parents is an important part of promoting home-school cooperation and makes it easier to begin supporting students with SEN.

"The parents like me very much and they even added me on WhatsApp. No wonder we have parents willing to volunteer. I have my own parent group, and parents like to see the one called coordinator...When I have a good relationship with parents, I am very honest and say, 'Mom, you're not doing it quite right.' Actually, parents are receptive because we have a good relationship. These are built on relationships." (Secondary School SENCO) (SS15-SE)

"The vast majority of parents are clearly starting from scratch, and they are the most difficult to deal with. If we can contact them well at this stage, it will be very easy for us to refer them to relevant resources. Basically, most parents have agreed in recent years, but there are three who didn't agree this year. However, I will call each of them and say, 'What will be the consequences if you don't do this? When you get to secondary school, the teacher won't know anything, there won't be timely support, you'll have to queue up to see an EP again. When they get to secondary school, they have a chance to get exam accommodations, which are even more necessary, and it will affect their university entrance.' When I talk about these things, they get scared, and then they agree!" (Primary School SENCO) (PS02-SE)

"I have a work phone and communicate with others through WhatsApp. I think WhatsApp is a great instant messaging tool because you don't have to coordinate times like you used to with phone calls. Sometimes when parents are busy, they might not have time to answer our phone calls, but with WhatsApp, I can leave a message or a voice recording and they can respond to me

later when they have time. I think my communication with parents is good and very close. They can also contact me through WhatsApp if they have any issues and don't have to worry about me being off duty. Of course, I may not be able to respond immediately during holidays, but most of the time, they don't have to wait too long. These communication tools are very useful." (Secondary school teacher) (SSo6-CL)

The interviewed principals also indicated that the key to promoting home-school cooperation is to gain parental support, which relies heavily on the efforts of the SENCos. In addition, EPs believe that there is an increasing trend of parent-child conflicts during the school suspension period due to the epidemic. How parents can improve their communication and interaction with their children in the future is a major challenge for promoting home-school cooperation, as it will affect the behavior of students with special learning needs in school and have an impact on the school.

"Firstly, parents may not necessarily know how to handle students with SEN. During the school suspension period, both parents and students are at home, so there may be more friction. Besides dealing with how students socialize and communicate, we also have to handle some parent-child conflicts, such as how to help students with hyperactivity to concentrate. Therefore, this has become even more difficult. Secondly, some schools or organizations provide some training online, but most responses believe that face-to-face interaction is better. Of course, it is not completely ineffective, but the effectiveness of face-to-face training is greater than that of online training. So I think this is a bigger challenge. (Secondary School EP) (SSo2-EP)

In summary, parents of primary school students have insufficient understanding and tolerance towards students with special learning needs. Even if primary schools provide assistance, the parents may not accept their children situation and needs. It affects the support and growth of students. On the other hand, parents of secondary school students are more proactive in seeking assistance when their children are promoted to secondary school, making it easier for secondary schools to respond to students' needs and situations, and establish a good home-school cooperation relationship. In order to improve parents' understanding of special learning needs, principals and social workers in primary and secondary schools unanimously believe that parental education needs to be strengthened to help parents ac-

cept their children's needs and dispel stereotypes about students with special learning needs. In addition to enabling students to receive appropriate support as early as possible, a culture of appreciation and care should also be established for parents to appreciate students' talents beyond academics, so that students with special learning needs can also develop their potential and showcase their strengths.

In terms of parental support, some parents expressed their willingness to seek various forms of support, such as government and external organizations' therapy. However, government treatment has a long waiting time, and parents need to seek services from other organizations. The cost of these services is high, and parents have difficulty affording them. Also, suitable services for students' needs are lacking, and they cannot provide effective support for students. This forces parents to rely on school assistance, affecting the effectiveness of support and preventing the promotion of inclusive culture from schools to communities.

When promoting IE, schools and parents should understand each other's roles and responsibilities and actively strengthen communication and cooperation to provide appropriate support for students with SEN. The actual situation in primary and secondary schools shows that effective home-school cooperation can establish a relationship of mutual trust, enabling schools to help students connect with secondary schools early and receive support early after their transition to secondary school. For secondary schools, real-life cases illustrate the importance of communication with parents. In addition to working together to support students, a relationship of mutual trust can enable schools to support parents, deescalate parent-child conflicts, and allow students to grow up in a positive and healthy family atmosphere.

## **Certain Social and Cultural Beliefs Remain Deep-Seated**

### **Hong Kong's Exam-Oriented Culture**

At the school level, some secondary school teachers still view attending university as the only way out, which puts a lot of pressure on students with special learning needs. They may become demotivated because they cannot keep up with the learning pace. Moreover, the entire Hong Kong society places too much emphasis on academic achievement, which loses sight of the personal abilities of students with special learning needs.

“In fact, Hong Kong has a relatively special situation, which is that we place more emphasis on grades. So parents are very nervous about this, and they are not willing to make accommodations... even if you offer them a chance, they will not want it, especially in some elite schools... Some children clearly need to go to special schools, but parents still want them to try, and the school has no right to refuse them. [Schools would say] ‘We will take care of them.’ However, the problem is that when parents realize that they cannot force their children, they want to go back to special schools, but they may have to wait in line for a long time and waste several more years.” (Primary school principal) (PS01-PR)

Some parents even claim that their children are more enthusiastic about taking the HKDSE than they are, which shows the great impact of the exam-oriented culture. At the primary school level, the principals say that the current education system requires primary school students to face various assessments, exams, and tests, the only thing the school can do is to try to make them not hate studying. In the long run, in an exam-oriented culture, whether it is students, teachers, or schools, all may be losers.

“Actually, sometimes I would just cheer up teachers and students. In primary school, you have to make them hold a pen and do your best to make them not hate studying, because we have to take the Pre-S1 HKAT to evaluate our school. And there’s TSA tests, some of which even force the students to take it, especially the difficult ones, like for non-Chinese classes.” (Primary School Principal) (PS06-PR)

### **Level of Social Acceptance and Growth of Students with SEN**

Although society’s tolerance for students with SEN has significantly improved, there is still room for improvement in overall social acceptance. During interviews with primary school parents, some mentioned that other parents were unhappy with their children being disturbed by students with special learning needs during class.

“Of course, parents want their children to learn in a good environment. There are a few students in the class who are assumed to be prone to violence or emotional outbursts, or they don’t follow the rules in class, which prevents their children from learning or make them feel disturbed during class...The contradiction is the view of other parents to this student. If the teacher accommodates this student, the teacher or school will face great pressure and need a long time to figure out how we

can accept this student. This is more difficult.” (Primary School Principal) (PSo8-PR)

Interviewed principals, SENCOS, and social workers also reported instances where parents falsely declared their children as having SEN in order to gain an advantage during exams.

“I used to teach a student whose mother gave them medication to improve their concentration, which resulted in them performing well in their studies. When they were in Primary 5 and 6, I didn’t think they had ADHD, and many of my colleagues also didn’t think so. But the mother was determined to make them an ADHD student... if a well-intentioned educator sees this, they will not only shed tears but also feel very heartbroken.” (Primary school principal) (PSo6-PR)

In a fiercely competitive environment, some parents still insist on placing their children with severe SEN in ordinary schools, ultimately wasting their entire primary school years. The actual social atmosphere has not yet become truly inclusive, as some parents still do not accept their children attending special schools.

“In my district, some parents think, ‘Oh, you want my child to attend a special school? I won’t transfer them, or are you labeling my child?’ The overall social atmosphere has not yet reached true inclusion. So when adults are not thinking in this way, how can children easily accept and discover each other’s strengths?” (Primary school SENCO) (PSo6-SE)

The current examination system in Hong Kong creates a culture where society and parents place a strong emphasis on obtaining good grades. Primary and secondary schools are required to conduct various assessments and examinations according to the standards set by the EDB and society. This leads to schools and parents placing a high value on exams and training students for the sake of good grades. Primary schools focus on improving students’ performance in the territory-wide system assessment to achieve good ratings and analysis. For secondary schools, the Pre-S1 HKAT serves as a placement test and also analyzes the abilities of students to reflect whether their level matches the school’s standards. As public exams result in relevant score analysis and data, schools compete with each other, and these data become a bargaining chip for attracting students. Therefore, primary and secondary schools strive to improve exam results, forming a

learning culture focused on grades, which requires students with special learning needs to receive exam “training”. As for parents, the exam culture also makes them focus on grades, and they need to act according to the school’s level and development, viewing grades as the key to their children’s learning. Parents’ attention to grades also prompts schools to make more accommodations to meet parental expectations and societal expectations, forming a vicious cycle.

As a result, the existing examination system influences parents, teachers, and schools, promoting the emergence of exam culture, which makes students more focused on grades than learning itself. The development of knowledge and skills becomes a tool for achieving good grades, which also makes stakeholders strive to improve students’ grades while ignoring their other potentials and strengths. With the development of IE, parents can see that the Government and schools are investing a lot of resources in students with special learning needs, but they have different attitudes towards special arrangements for students. Regardless of their views, parents see their children’s learning as a kind of interests, linking learning, grades, and future prospects, neglecting the purpose of learning for students’ growth. Parents who accept IE only see the measures as beneficial, while those who oppose it resist their children learning together with those students, creating conflicts that frontline teachers and schools must bear. The policy of integration only puts students in the same space, and parents and students cannot truly view students with special learning needs as their peers. The atmosphere of integration often only remains in the classroom and the school. Therefore, changes need to be made at the parental and societal level to achieve true integration.

### **Key Findings of School Case Study**

Through conducting case studies with schools (including four primary schools and four secondary schools) with relatively successful implementation of IE, it was found that the good exemplars of IE in primary schools include the adoption of a small-class teaching approach, rescheduling teachers’ timetables to allow them more spare time, inviting parents to join class activities for observation and more interaction, explaining students’ performance with parents to reduce their doubts and resistance, and cooperating with professional groups to provide comprehensive support.

As for the good exemplars of IE in secondary schools, the success factors include adopting a pull-out approach through co-teaching (1:4 or 1:5; Teacher: Students with SEN), encouraging teachers to participate more in training of IE, conducting research to review and improve teaching and learning effectiveness of students with SEN in tier-1 support and promoting cross-disciplinary cooperation for whole-person development.

## **Full Report of the Study**

Readers may refer to the full report of the Study, including its recommendations at [https://www.eoc.org.hk/Upload/files/research-report/SEN%20Study%20\(Jun%202023\)/SENREP~4.PDF](https://www.eoc.org.hk/Upload/files/research-report/SEN%20Study%20(Jun%202023)/SENREP~4.PDF).

## **Endnote**

1. In the 2018/19 school year and before, ordinary schools were provided with additional resources under various modes, including the LSG, the Integrated Education Programme and the IRTp, to support students with SEN. Since such additional resources were provided under different modes, some of the schools (e.g., primary schools adopting IRTp) were not required to report to the EDB on the tier of support of each student. Hence, the figures for the 2018/19 school year are lower than the actual figures.



## **APPENDIX**

### **“Roadmap” for the Implementation of the National Programme for Human Rights Education of the Republic of Uzbekistan**

#### **Preface**

“Improving the quality of education is the only right way to develop the New Uzbekistan.”

- Sh.M. Mirziyoyev, the President of the Republic of Uzbekistan.

In Uzbekistan, the promotion, protection, and observance of human rights constitute a priority area of state policy. Targeted measures are being implemented under the National Human Rights Strategy to ensure the guarantee of personal, political, economic, social, and cultural rights. Simultaneously, significant steps have been taken to enhance human rights education.

A procedure has been established for increasing and assessing the level of legal literacy of government employees. The National Center for Human Rights has organized training courses for employees of government bodies and civil society institutions to improve the skills of personnel in the field of observance and protection of human rights.

To train highly qualified scientific and scientific-pedagogical personnel in the field of human rights and to facilitate fundamental research in this direction, an institute of postgraduate education specializing in “Human Rights” (legal sciences and sociological sciences) has been established.

The fourth phase of the World Programme for Human Rights Education is underway, spanning from 2020 to 2024. This phase seeks to educate young people, fostering equality, respect for human rights, and non-discrimination. The objective is to train them in creating inclusive and peaceful societies.

On June 7, 2021, the Presidential Decision was issued, establishing the National Commission for the implementation of the fourth phase of the World Programme for Human Rights Education in the Republic of Uzbekistan. The National Commission was tasked with drafting the National Programme for Human Rights Education in the Republic of Uzbekistan. This program was subsequently adopted on February 7, 2023.

The adoption of the National Programme for Human Rights Education in Uzbekistan aims to implement the provisions of the United Nations Declaration on Human Rights Education and Training, along with the fourth phase of the World Programme for Human

Rights Education. It also seeks to raise awareness among all segments of the population about national and international standards of human rights and freedoms, emphasizing the effectiveness of the work carried out in this area.

The National Programme for Human Rights Education, along with the Road Map, encompasses 7 directions and 30 points.

The implementation of tasks outlined in the National Programme for Human Rights Education aims to enhance efforts in improving literacy rates, especially among young people. This involves disseminating information, providing education, and elevating cultural proficiency in the field of human rights. The goal is to foster understanding of the essence and content of human rights and freedoms, promote gender equality, and develop knowledge and skills for the practical application of human rights among various population groups. Additionally, the program emphasizes the need for government officials to acquire knowledge and skills in the practical application of human rights, with a focus on applying the provisions of the United Nations Declaration on Human Rights Education and Training and the execution of the fourth phase of the World Programme for Human Rights Education.

AKMAL SAIDOV

Director

National Center for Human Rights of the Republic of Uzbekistan

**Appendix No. 2**  
**to the Resolution of the President of the Republic of Uzbekistan**  
**dated “7” February 2023 No. PR-46**

**“ROADMAP”**  
**FOR THE IMPLEMENTATION OF THE NATIONAL PROGRAMME**  
**FOR HUMAN RIGHTS EDUCATION OF THE REPUBLIC**  
**OF UZBEKISTAN**

No.	Activities	Mechanism of realization	Terms	Responsible bodies
I. Raising the awareness of young people of human rights and freedoms				
	Conducting "Human Rights" week	1. Approval of the program for "Human Rights Week". 2. Taking steps to ensure widespread media coverage of Human Rights Week.	February 2023	National Centre for Human Rights, Ministry of Higher Education, Science and Innovation, Ministry of Preschool and School Education, Agency for Youth Affairs, Commissioner for Human Rights (Ombudsman), Commissioner for Rights of the Child, Youth Union, Agency for Information and Mass Communications, National Television and Radio Company of Uzbekistan
	Introduction of the "Human rights," "Women's rights," and "Children's rights" educational and special courses.	1. Formation of a specific list of state professional and higher educational institutions, where training and special courses "Human Rights", "Women's Rights", "Children's Rights" will be introduced. 2. Taking measures to improve the relevant educational programs. 3. Starting from the 2023/2024 academic year, the state educational institutions and organizations included in the list, the introduction of training and special courses "Human Rights", "Women's Rights", "Children's Rights". 4. Preparation and publication of a series of manuals and brochures "Human Rights and Freedoms in Uzbekistan", "Human Rights", "Children's Rights", "Women's Rights", "Rights of Persons with Disabilities".	June 2023  April 2023	Ministry of Higher Education, Science and Innovation, National Centre for Human Rights, TSUL, UWED, Academy of Law Enforcement Agencies, Academy of the Ministry of Internal Affairs, Supreme School of Judges , University of Public Security, Institute of State and Law

	Conducting National contest "Education and innovations to human rights and freedoms".	<p>1. Development and approval of the Regulations for conduct[ing] the National contest "Education and innovations to human rights and freedoms" and the program.</p> <p>2. Conducting a contest, awarding the winners of the [contest] by nominations.</p>	<p>May 2023</p> <p>Annually from June 1, 2023</p>	National Centre for Human Rights, Ministry of Higher Education, Science and Innovation, Ministry of Preschool and School Education, Agency for Youth Affairs, Youth Union
	Organization of a summer school and competitions among students and pupils on the theme "Human Rights for Future Generations," as well as sociological research.	<p>1. Development of the concept and program of the summer school and competitions on the theme "Human Rights for Future Generations".</p> <p>2. Organizing a summer school as well as competitions.</p> <p>3. Conducting a sociological study on "Youth Rights and Freedoms: Assessment, Requirements, and Issues."</p>	<p>May-June, 2023</p> <p>August 2023</p> <p>September 2023</p>	National Centre for Human Rights, Agency for Youth Affairs, Ministry of Higher Education, Science and Innovation, Youth Union
	Development of proposals for the introduction of the "Human Rights" curriculum for medical higher education institutions.	1. Development of proposals for the development of the "Human Rights" curriculum for medical higher education institutions.	May 2023	Ministry of Health, National Centre for Human Rights
<b>II. Development of knowledge and skills of employees of state bodies in the field of human rights and gender equality</b>				
	Implementation of training courses on issues of human rights and gender equality in the system of retraining and advanced training of senior personnel.	<p>1. Developing a module and program of training courses on human rights and gender equality issues, taking into account the specifics of the fields.</p> <p>2. Organization of training courses in online and offline format.</p>	<p>April 2023</p> <p>From May 2023</p>	Public Service Development Agency, Academy of Public Administration, National Centre for Human Rights, Committee for Family and Women, Ministry of Justice
	Organizing a "summer school" with the participation of judges and prosecutors on the topic "Ensuring human rights in the administration of justice".	<p>1. Development and approval of curriculum and module.</p> <p>2. Organization of "Summer School" with the participation of international expert trainers.</p>	July-August 2023	Supreme School of Judges, Supreme Court, Law Enforcement Academy

Organization of regular short-term training courses regularly on combating torture for pre-trial inspection, investigation, and preliminary investigative bodies and penal institutions.	<ol style="list-style-type: none"> <li>1. Developing a schedule of combating torture training courses.</li> <li>2. Organization of training courses in online and offline format involving national and international experts.</li> </ol>	February 2023 From 1 March 2023	National Centre for Human Rights, General Prosecutor's Office, Ministry of Internal Affairs, interested ministries and agencies
Organization in the information and library centers of the Republic of Karakalpakstan and regions of the direction "Human Rights Literature".	<ol style="list-style-type: none"> <li>1. Organization of the direction of human rights literature.</li> <li>2. Human rights literature, including collections of international treaties in the state language, educational, scientific, methodological, and international publications on human rights, and a chronology of ongoing human rights reforms.</li> </ol>	February 2023	Information and Mass Communications Agency, Council of Ministers of the Republic of Karakalpakstan, regional <i>khokimiyats</i> , National Centre for Human Rights
Publishing collections of international human rights treaties of the Republic of Uzbekistan in the national language.	<ol style="list-style-type: none"> <li>1. Translation of the texts of the international human rights treaties of the Republic of Uzbekistan into the state language.</li> <li>2. Publishing a collection of international treaties on human rights.</li> </ol>	March-September 2023 November 2023	National Centre for Human Rights, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Economy and Finance, Institute of State and Law
Organization of regular training of specialists of state bodies and organizations participating in the fulfillment of the international obligations of the Republic of Uzbekistan in the field of human rights on international standards of human rights	<ol style="list-style-type: none"> <li>1. Approving the training plan of state bodies and organizations in training courses on human rights compliance and human rights protection.</li> <li>2. Organization of the training course in online and offline format with the participation of international and national experts.</li> <li>3. Development of suggestions for improvement of training course activities.</li> </ol>	February 2023  From April 2023  January 2024	National Centre for Human Rights, interested ministries and agencies

III. Improving the system of training pedagogues in the field of human rights and supporting scientific research				
	Development of proposals for the integration of human rights disciplines (training courses) into the system of pedagogical personnel training and retraining.	<ol style="list-style-type: none"> <li>1. In the system of training and retraining of pedagogic personnel, critical analysis of the status of education, training programs and courses on "Human rights", "Women's rights", "Children's rights", "Rights of persons with disabilities".</li> <li>2. Preparation of proposals for the development and implementation of methodological manuals, modules on courses of "Human rights", "Women's rights", "Children's rights", "Rights of persons with disabilities" in the system of training and retraining of pedagogues.</li> </ol>	<p>May-June 2023</p> <p>September 2023</p>	Ministry of Preschool and School Education, Ministry of Higher Education, Science and Innovation, National Centre for Human Rights
	Developing ideas for the master's program in "International Human Rights Law" as well as the creation of a bachelor's degree program in "lawyer-teacher".	<ol style="list-style-type: none"> <li>1. Preparation of proposals for the creation of the direction of undergraduate education "lawyer-teacher" at the Tashkent State Pedagogical University named after Nizami and other higher educational institutions.</li> <li>2. Development of proposals for improving the direction of the master's program "International Human Rights Law."</li> </ol>	March 2023	Ministry of Higher Education, Science and Innovation, Ministry of Justice, TSPU named after Nizami Law Enforcement Academy, TSUL, UWED, Supreme School of Judges, National Centre for Human Rights
	Improvement of post-secondary education in the specialty "Human rights".	<ol style="list-style-type: none"> <li>1. Establishing the quota of doctoral studies in the specialty "Human rights" every year based on needs.</li> <li>2. Creating necessary conditions for the Scientific Council and researchers.</li> </ol>	August 2023	National Centre for Human Rights, Ministry of Higher Education, Science and Innovation
	To announce a competition in accordance with the requirements of the state order for scientific research works for the implementation of scientific research projects related to human rights education.	<ol style="list-style-type: none"> <li>1. Organization and announcement of the competition "Actual issues of human rights" by the Ministry of Higher Education, Science and Innovations.</li> <li>2. Carrying out technical examination of the selected projects, ensuring the financing of the projects.</li> </ol>	From April 1 2023	Ministry of Higher Education, Science and Innovation, National Centre for Human Rights

	Organization of undergraduate, graduate and doctoral education and training of foreign higher education and scientific organizations on current issues of human rights.	<ol style="list-style-type: none"> <li>1. To study the need for personnel on human rights issues and develop proposals for the preparation of target indicators.</li> <li>2. Announcing open scholarship contests for undergraduate, master's and doctoral education as well as professional development abroad in current areas of human rights.</li> </ol>	Starting from 2023 permanent	"El-Yurt Umid" Foundation, National Centre for Human Rights, interested ministries and agencies
<b>IV. Improving the effectiveness of the human rights training system among the population in need of social protection</b>				
	Conducting seminars and trainings on the rights of persons with disabilities.	<ol style="list-style-type: none"> <li>1. Development and approval of the seminar-training program and module on the rights of persons with disabilities.</li> <li>2. Organization of seminar-trainings in online and offline format.</li> <li>3. Organization of seminars and trainings on the provisions of the Convention on the Rights of Persons with Disabilities in special boarding schools</li> </ol>	Starting from June 1, 2023 permanent	Ministry of Employment and Poverty Reduction, Ministry of Preschool and School Education, National Centre for Human Rights
	Introduction of training courses on "Women's rights" for employees of women's rehabilitation and adjustment centers.	<ol style="list-style-type: none"> <li>1. Development of training courses on "Women's rights".</li> <li>2. Putting it into practice with the involvement of expert trainers in training courses.</li> </ol>	From June 1, 2023	National Centre for Human Rights, Committee for Family and Women
	Conducting training seminars on the topic "International human rights standards" for inspectors on the prevention of juvenile delinquency.	<ol style="list-style-type: none"> <li>1. Development of seminar-training program and educational module.</li> <li>2. Attract international and national experts to conduct seminar-training.</li> <li>3. Conducting seminar-training in online and offline format.</li> </ol>	From June 1, 2023	National Centre for Human Rights, Ministry of Internal Affairs, Commissioner for Children's Rights
	Organization of training courses for employees of state bodies and organizations on the rights of migrants.	<ol style="list-style-type: none"> <li>1. Development of a training course program on "Migrants' rights".</li> <li>2. Publication of the "Migrants' Rights" textbook, educational and methodological manuals.</li> <li>3. Putting it into practice with the involvement of expert trainers in training courses.</li> </ol>	From September 1, 2023	National Center for Human Rights, Agency for Foreign Labor Migration, Ministry of Internal Affairs, Law Enforcement Academy



V. Increasing the activity of civil society institutions in the field of human rights education				
	Introduction of a competition for state grants and social orders for non-governmental, non-profit organizations and other civil society institutions in the direction of "Human rights education".	1. Announcing and conducting a competition for state grants and social orders in the field of "Human Rights Education". 2. Announcing and conducting a grant competition in the direction of "Human rights education" at the expense of the public fund for the support of non-governmental non-profit organizations of Uzbekistan.	Starting from 2023 permanent	Public Fund for Support of NGOs and other civil society institutions under Oliy Majlis of the Republic of Uzbekistan, NANNOUz
	Implementation of training activities in human rights education in cooperation with civil society institutions.	1. Conducting a series of seminars, trainings, round-table discussions for civil society institutions on "Human rights", "Women's rights", "Children's rights". 2. Organizing seminars and trainings for civil society institutions on the topic "Preparation of alternative reports on the implementation of the provisions of international treaties on human rights".	During 2023  May-June 2023	NANNOUz, National Centre for Human Rights, Ministry of Justice, Commissioner for Human Rights (Ombudsman), NGO "Madad"
	Conducting training courses "Business and human rights" for entrepreneurs and farmers.	1. Development and approval of the training module "Business and human rights" taking into account the specificity of the field. 2. Organization of training courses in online and offline format	July 2023  From September 2023	Chamber of Commerce and Industry of Uzbekistan, Council of Farmers, Dehkan farms and owners of homestead lands of Uzbekistan, National Centre for Human Rights, Business Ombudsman
	Preparation of proposals for the organization of training courses on issues of human rights protection mechanisms at the Academy of Labor and Social Relations.	1. Development of a training course program on issues of protection of human rights, improvement of protection against all forms of forced labor. 2. Organization of training courses in online and offline format.	Starting from the academic year 2023/2024 permanent	National Centre for Human Rights, Federation of Trade Unions of Uzbekistan, Academy of Labor and Social Relations

VI. Improving the effectiveness of the human rights education and training system through the use of modern technologies, works of art, and mass media				
	Creating a methodological manual "Teaching the rights of the child" for the pedagogic staff of preschool educational institutions and a demonstration manual "The rights of the child" for the students.	1. To create a working group for the purpose of creating methodological and visual manuals on children's rights. 2. Development and printing of methodological and visual guides. 3. To introduce the use of these manuals during the training organized in accordance with the state curriculum "First Step".	May 2023  August 2023 September 2023	National Centre for Human Rights, Ministry of Preschool and School Education, Ministry of Justice, Commissioner for Children's Rights
	To strengthen education and upbringing in the field of human rights in the Republic of Uzbekistan, to organize a series of radio and television programs and shows about the national system of human rights.	1. Preparing and broadcasting a series of programs and broadcasts about the work being done to strengthen education and training in the field of human rights in the Republic of Uzbekistan. 2. Ensuring wide participation of international and national experts in radio and television programs. 3. Showing social videos and audio clips about human rights through TV channels and social networks.	During 2023 - 2024	NTRCU, Agency for Information and Mass Communications, National Centre for Human Rights, Ministry of Preschool and School Education, Ministry of Higher Education, Science and Innovation, Commissioner for Human Rights (Ombudsman)
	Organization of training courses on the topic "State policy in the field of human rights protection and issues of fulfillment of international obligations in this area" for employees of information services of ministries, departments, organizations and <i>khokimiyats</i> , as well as the media.	1. Development of a training module on human rights 2. Organization of training courses in online and offline format. 3. Development of proposals for the establishment of the "Human rights and media" department at the University of Journalism and Mass Communications of Uzbekistan.	July 2023  September 2023 September 2023	National Centre for Human Rights, Information and Mass Communications Agency, University of Journalism and Mass Communications of Uzbekistan
	Development of an electronic platform for human rights education.	1. Placing contents on the electronic platform for human rights education. 2. Launching an electronic platform for human rights education.	April 2023	National Centre for Human Rights, Ministry of Digital Technologies, Ministry of Economy and Finance

VII. Development of international cooperation in the field of human rights education				
	Development of cooperation in the field of human rights education with the Office of the UN High Commissioner for Human Rights, the Organization for Security and Co-operation in Europe and other international organizations.	<ol style="list-style-type: none"> <li>1. Organization of an international conference in the field of human rights education.</li> <li>2. Translation and printing of publications of the Office of the UN High Commissioner for Human Rights, OSCE into Uzbek.</li> <li>3. Ensuring the participation of employees of the Centre and other organizations in training courses, seminars, conferences and round-table discussions organized by international organizations.</li> </ol>	December 2023  permanent	National Centre for Human Rights, interested ministries and agencies Office of the UN High Commissioner for Human Rights, in cooperation with the OSCE
	Improving the qualifications of specialists on human rights in conjunction with the program of the Council of Europe "Human Rights Education for Lawyers".	<ol style="list-style-type: none"> <li>1. Development and approval of the seminar-training program and module on human rights education.</li> <li>2. Forming a list of potential listeners.</li> <li>3. Organizing seminars and trainings in accordance with the plan.</li> </ol>	September 2023  permanent	National Centre for Human Rights, Supreme School of Judges, Law Enforcement Academy, Ministry of Foreign Affairs, Ministry of Justice

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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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