



HUMAN RIGHTS
EDUCATION
IN ASIA-PACIFIC
VOLUME FOUR

HURIGHTS OSAKA

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

Human Rights Education in Asia-Pacific—Volume Four

Published by the Asia-Pacific Human Rights Information Center

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

Copyright © Asia-Pacific Human Rights Information Center, 2013

All rights reserved.

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

Printed and bound by Takada

Osaka, Japan

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

Acknowledgment

We appreciate the support of the contributors of articles in this fourth volume of the publication. They cooperated with HURIGHTS OSKA in meeting the goal of having a diverse collection of human rights education experiences in Asia-Pacific. This volume has met that goal.

We sincerely thank the people who played the most needed supporting role in getting the articles ready for publication. We thank Joanne Dorras of Wan Smol Bag, Arefeen Ahmed of BRAC, Maria Lourdes Almazan Khan of ASPBAE, Zoljargal Gantumur and Alyeksandr Dashdeleg of the National Human Rights Commission of Mongolia, and Vivek Maru of NAMATI.

We acknowledge Jefferson R. Plantilla for editing the volume.

We also acknowledge Fidel Rillo of Mind Guerilla for once again doing the lay-out and cover design of the volume.

Foreword

In a region of much diversity, human rights education initiatives take varied forms. The collection of articles in the current volume attests to such reality.

There is a need to support the growth of varied forms of human rights education initiatives in view of the variety of human rights issues, situations and peoples involved. Giving such initiatives appropriate recognition is an important support that might lead to further program development. This publication is a humble contribution to such recognition.

While recognizing the achievements made, we also note the areas that need improvement as well as the challenges that affect the continuity of the initiatives.

We salute the people who started these initiatives, and who likely have the least notion of how they would turn out well years later, as well as the people who have joined them. We hope that they will reach out to more people in more places where the need for human rights education remains.

Finally, our sincere thanks to all contributors for helping us produce this fourth volume.

OSAMU SHIRAISHI
Director

Table of Contents

<i>Acknowledgment</i>	4
<i>Foreword</i>	5
<i>Introduction</i>	8

I. SECTORAL EDUCATION

Papua New Guinea: Seeds Performing Arts Theatre Group WILLIE DOAEMO	13
Engaging with Human Rights Through Theater: A Case Study of the Vanuatu Rainbow Disability Theatre Group AMY MAWDSLEY	25
Human Rights Education through TIE: A BITA Experience SISIR DUTTA	39
The Lantern of Legal Literacy BRAC	51
Peace Education Within the Human Rights Framework: Curriculum by Grassroots Organizations in South Asia NASREEN CONTRATOR	61
Child Rights Award HURIGHTS OSAKA	79

II. TRAINING FOR PROFESSIONALS

National Human Rights Commission of Mongolia: Building Positive Attitude to Human Rights BOLORSAIHAN BADAMSAMBUU	91
Human Rights Education for Civil Servants in Korea: Current Situation and Tasks KIM CHEOL HONG	101

III. FORMAL EDUCATION

Crossing Boundaries in an Educating City: A Case Study of City Human Rights Education at the Open University of Kaohsiung ELSA WEN-YING HSU	125
--	-----

Castan Centre for Human Rights Law: A Decade of Human Rights Training in Australia and Asia ANDRE DAO AND ADAM MCBETH	137
--	-----

Human Rights Education: Soochow University, Taipei CHANG FO-CHUAN CENTER FOR THE STUDY OF HUMAN RIGHTS	147
---	-----

IV. SURVEYS AND RESEARCH

A Global Legal Empowerment Network: Learning from Others, Growing the Movement H. ABIGAIL MOY	155
--	-----

Social Education and Kominkan YOKO ARAI AND MIHO TOKIWA-FUSE	169
---	-----

Regional Programming on Human Rights Education JEFFERSON R. PLANTILLA	195
--	-----

APPENDICES

Declaration on the Rights of School Refusing Children	252
Tajimi City Ordinance on Children's Rights	255
Gyeonggi-do Students' Human Rights Ordinance	264

<i>About the Authors</i>	281
--------------------------	-----

Introduction

THIS VOLUME compiles diverse articles that reflect experiences in Asia and the Pacific. The articles speak of different modes of education – from the non-formal to the formal, and sometimes somewhere in-between. They cover different education programs that have human rights content, alongside those that have been established as human rights education programs.

The different perspectives expressed in the articles enrich human rights education in general, and provide insights and learnings educators look for.

Theater

Theater plays an important role in increasing consciousness about social issues and awareness of human rights among the general public. As a medium for entertainment, theater has strong public appeal. Combined with social messaging, theater becomes a potent tool in human rights promotion. Socially-oriented theater groups in the region have taken up human rights issues as themes in their productions.

An interesting and probably defining component in the use of theater in reaching out to the public is the localization of theater performances. This is seen in Seeds Theatre Group's approach of writing scripts based on their study of the communities they work with. They develop scripts that "reflect the lives of people in the community that the Seeds Theatre Group members have heard, seen, and experienced."

The same is true in involving the members of the communities or students in the theater performances. They can act out the issues they face. The Rainbow Theatre Group's production on persons with disabilities shows both the capability of the persons with disabilities to act and the desirability of getting them involved in the advocacy for the societal recognition of their existence as well as their rights.

BITA, on the other hand, provides an example of using theater to campaign against a prevalent and difficult exploitative practice of human trafficking. Its school-based program is an important support for human rights education in the school system. Using theater in making learning joyful as well as relevant to real life situations is an important measure that the school system has to consider to formally adopt.

Legal Literacy

Law and the legal system are important components in enjoying human rights and in seeking remedies whenever the rights are violated. Legal literacy is no longer limited to the discussion of laws as purely “domestic” matters, but as domestic means to enforce obligations under international human rights agreements. Many countries have enacted laws as well as mechanisms that relate to rights that ratified international treaties contain. This can be seen in laws and legal mechanisms for children, women, and people with disabilities. In the same manner, national human rights institutions have been established in many countries in Asia and the Pacific to address human rights issues. Legal literacy therefore has evolved to the extent of discussing issues and legal rights from a human rights perspective. The BRAC program is an example of making human rights an explicit part of legal literacy program. This can also be seen in the work of the members of the Global Legal Empowerment Network.

Mass Media

Another institution that deserves attention from human rights educators is the mass media. Television and radio still dominate the mass media in any given country, and influence the people’s thinking and behavior. They have been communicating information about social issues and have been supportive of campaigns for action to address them. The Child Rights Award of the two big mass media organizations in Asia and the Pacific is an important support for the human rights promotion work of the television and radio companies. This award boosts local initiatives in presenting child rights to the mainstream audience, an important component in educating the public about human rights. The stories being shown in television programs are valuable teaching and learning materials for the teachers and the students in school. They are also the best materials that can start public discussion or debate on issues that have likely been hidden from or ignored by the people in general.

Teaching and Learning Materials

The development of teaching and learning materials comprise one of the significant tasks in any human rights education program. Such teaching and

learning materials must promote human rights as knowledge, values and skill. This is illustrated in the experience of ASPBAE in developing its training toolkit that includes human rights.

Education for the Public Servants

The human rights education programs for government officials are needed in addressing many of the human rights issues facing societies today. Government actions directly affect the lives of people, which can either protect and realize human rights or violate them. The indispensable role of governments in ensuring that people enjoy their human rights require that government officials, the so-called public servants, know the human rights significance of their work. They have to face the reality that public servants exercise authority that can trample upon the rights of the people. Thus human rights education programs for government officials deal to a large extent on how to apply human rights principles to government systems. Human rights must become an integral part of the government policies, systems and mechanisms, and the government officials have to be prepared to undertake the task of working for human rights. The experiences of the National Human Rights Commission of Mongolia and the National Human Rights Commission of Korea provide examples of how “public servants” are being trained on serving the public in accordance with human rights principles.

The program of the university-based Castan Centre for Human Rights Law in Victoria, Australia provides an example of other institutions that play equally important role in making human rights integral to government operations. The training of government officials, particularly those faced with challenging situations such as post-conflict situations, is crucial in establishing government systems that respect human rights.

This leads to the role that the academic institutions have been playing in helping promote human rights through the formal education system, including the “open university” system. The program of the Chang Fu-chuan Center for the Study of Human Rights in Taipei illustrates the increase in the number of universities in Asia and the Pacific that offer human rights courses in undergraduate and graduate levels. The program of the Open University of Kaohsiung city provides an example of how the academe can be seriously engaged in local government human rights initiatives.

Social Education

The article on social education in Japan not only traces the history of social education in the country but also analyses the legal and local government policy development critically. It points to the changing national educational policy that affects to a large extent the educational policies and programs of the local governments. It criticizes the legal developments as meant to re-define the principles of social education that espouses freedom of education and supported by the idea that people have the right to decide on the kind of education they would like to have in their community. In other words, the original notion of democracy in and through education has been changed. The most significant impact is in depriving people in the local community of their right to decide what to learn using public facilities.

The article discusses examples of measures that affect social education such as staff transfer and management outsourcing. Both negatively affected the implementation of social education programs.

Kominkan, as a primary venue for social education, represents a good example of community-influenced, if not managed, educational facility that can be used for human rights education. Its spread in Japan from the 1950s represented the strong appreciation of the value of education among members of the local community. Such yearning for learning, an exercise of freedom to learn, provides a basic element that supports human rights education. The existence of Kominkan is therefore very significant in terms of implementing human rights education at the ground level. Unfortunately, the Kominkan did not get the kind of appreciation it deserved through the change of policies on government public educational facilities.

In the effort to lower local government expenses, social education and the Kominkan suffered.

The article discusses also the irony of introducing new educational policy and program that displaces an older and certainly valuable educational policy and program. The introduction “lifelong learning” has the effect of minimizing the role of social education. Recent educational programs should help improve the existing local initiatives instead of supplant them. The irony lies in the fact that “lifelong learning” is an internationally supported educational initiative that has in effect contradicted social education, instead of supplement it, at least in the case Japan. Is lifelong learning, as conceived internationally, meant to supplant social education?

Social education and the community-based educational facility (like the Kominkan) are important vehicles for human rights education. Devaluing them leads to restricting the venues for non-formal human rights education program that should properly exist in local communities.

Programming for Human Rights Education

The experience of HURIGHTS OSAKA illustrates the importance of developing programs for sustained human rights promotion. Similar to the experiences expressed in the other articles in this publication, human rights education programming is not a simple case of developing activities and implementing them. Many factors can restrain full blown program development and implementation. HURIGHTS OSAKA's experience shows to some extent the desirability of adopting the collaborative approach in human rights education programming. Such an approach has a better chance of making the best use of limited resources and also the raises the reality that human rights education is a multi-institutional undertaking.

JEFFERSON R. PLANTILLA
HURIGHTS OSAKA

Papua New Guinea: Seeds Performing Arts Theatre Group

Willie Doaemo

CONFLICTS AND VIOLENCE occur in the urban settlements of Lae city, a growing industrial hub in Morobe Province, Papua New Guinea (PNG).

Economic investment in PNG has been increasing such as investments in mining by the Harmony Gold Mining Company Ltd through its Wafi-Golpu Resource Project as well as the liquefied natural gas (LNG) project in the Southern Highlands.

Lae city is regarded as the transit point for people from all the PNG provinces, and is also attracting people from other countries. People come to Lae city to do business, visit relatives and even migrate for a better life.

The city is surrounded by more than sixty urban settlements accommodating different tribal immigrants with different traditional beliefs and practices. Young people get involved in crime, prostitution, drugs and liquor home brewing that contribute to the increase in lawlessness and spread of human immunodeficiency virus/ acquired immune deficiency syndrome (HIV/AIDS).

Gender thinking and attitude among the immigrants differ from one tribe to another. But men generally treat women as inferior and want them to follow their husbands all the time. The women as a result suffer from violence.

Illiteracy and lack of access to appropriate information of the young men contribute to the increasing statistics on gender violence, lawlessness and spread of diseases. The education of these young men as part of the solutions to their problems is a priority that has always been overlooked by the government.

Founding SEEDS

Sam Solomon Sommi, a theater professional and trainer who resides with the youths in the settlements, decided to train them in drama, dance and

music after realizing their talents and potential to live as role models in their communities.

In 1997, he founded the Seeds Performing Arts Theatre Group (Seeds Theatre Group) as a group primarily of unemployed youths in the settlements of Lae city. He is the Director of the group.

Seeds Theatre Group uses theater as a tool to address issues facing the people in urban settlements and thus achieve the following over-all goals:

1. To use theater drama as a powerful communication tool to increase the level of knowledge and understanding of the general public based on correct and accurate information and messages on HIV/AIDS, sexually transmitted infections (STIs), other health-related issues, and social and development issues.
2. To use theater drama as a media strategy of unemployed youths within their respective communities. This media strategy is a community-based communication technique for communities with low literacy and low access to the popular media.
3. To use the energy of the unemployed local talents in creatively and innovatively using drama, dance and music as ways of helping their own community for education and entertainment, and as a communication tool for social gathering and art.

The bulk of the members of Seeds Theatre Group are from Kalvary Lutheran Church, a member of the Evangelical Lutheran Church of Papua New Guinea (ELC-PNG), where they participate as gospel outreach ministry group reaching people through drama, dance and music.

Seeds Theatre Group artists have attended in-house and outside theater training workshops. In-house training is attained during rehearsals and briefings before a project is undertaken. Partners are also invited to train the members of the group. In addition to Sam Solomon Sommi, the following artists run the Seeds Theatre Group:

- a. Peter Murawa, the Assistant Director, has twenty years of theater experience and is a former member of Dua Dua and Raun Raun Theatre Group. His role includes dramatizing theater drama skills and techniques as well as dancing and music composing.
- b. Willie Doaemo, the Technical Director, has training and experience in campaign against gender-based violence; project management, monitoring and evaluation; community development; and cam-

paign on HIV/AIDS. He runs training activities and coordinates the website and the social media page of Seeds Theatre Group.

- c. Esther Sam is a former member of the National Performing Arts Troupe, National Cultural Commission, trainer and specialize in role-plays, dramatizing, and singing.
- d. Teddy Iwara is a senior artist with ten years of experience in theater work. He plays musical instruments like piano and base guitar.
- e. Zamoia Noine, music composer, plays leading roles and is also rythm guitarist.
- f. Merelyne Koe, a senior female artist, plays leading roles in most dramas.
- g. Pais Koe has vast experience in drama and drama production in performing arts for more than ten years, and plays drums and piano.

Seeds Theatre Group is not a profit-making organization and most of its members have continued to use their talent in the performing arts for self-education, self-employment and self-reliance in community development and mobilization.

For the last fifteen years, Seeds Theatre Group has been actively involved in undertaking awareness-raising and promotion activities on HIV/AIDS and other health issues as well as in running theater training and workshops for other community theater groups, non-governmental organizations NGOs, and the Morobe Health division.

Aims

Seeds Theatre Group aims to raise awareness among women, girls, men and boys in urban communities in order to change their attitude and behavior by acknowledging that women and girls have human rights and dignity

It also aims to contribute to the development of local, national and regional commitments to ending violence against women by

- a. Raising the level of understanding and awareness on the legal consequences of domestic violence to both the victims and offenders at the village/settlement level
- b. Pressing for the enforcement of laws and policies in place and ensuring that the communities in the villages recognize them through

their assistance to victims of domestic violence in seeking proper advice and support from appropriate authorities such as Health, Women & Children Support Centre and the local system.

- c. Fostering the promotion and preservation of, and education on, cultural practices to enable illiterate communities to benefit fully from their own cultural values
- d. Effectively enforcing and sustaining messages through theater in raising awareness on domestic violence and HIV/AIDS
- e. Supporting legal institutions by raising the level of understanding and awareness of both the victims and offenders on the powers of Village and District courts
- f. Using theater as a powerful communication tool in fighting injustice and poverty, and improving the quality of life in Lae urban settlements.

It uses theater drama play as a major tool for communication in educating the vast illiterate communities in Lae district urban settlements on how

- a. To effectively address domestic violence in their homes
- b. To enforce, and ensure that the communities in the Lae district urban settlements recognize, the laws and policies in place by assisting victims of domestic violence in seeking proper advice from appropriate authorities
- c. To stop harassment by offenders who deter victims from seeking support and also to stop offenders who do not realize the legal consequences of domestic violence.

Activities

Aside from the main activities of staging theater drama, Seeds Theatre Group directors and play writers direct radio plays for radio stations carrying out awareness and promotions on health, environment and other issues that are affecting the illiterate communities in PNG.

Seeds Theatre Group is using online media to disseminate information such as Facebook account (www.facebook.com/pages/Seeds-Theatre-Group/237143369632964/) and blogs (<http://stheatre.blogspot.com/2012/01/religion-gender-equality-and-violence.html?spref=fb> and

<http://genderwordpress.webs.com/>). It is a member of the United Nations online volunteering service (www.onlinevolunteering.org/).

Seeds Theatre Group also collects data on domestic violence against women for script writing.

It tries to strengthen organizational development and capacities at provincial and community levels to enable effective implementation of programs for the elimination of all forms of violence against women. It also trains other theater groups on gender, HIV/AIDS, good governance and on using theater skills and techniques for awareness purposes.

It coordinates activities, and builds partnership among, government entities and civil society organizations (especially women's rights groups and networks). It carries out awareness-raising activities for the Morobe Provincial AIDS Council, the National Department of Health (NDOH) as well as other organizations like the Literacy Volunteers of Morobe. It performs during the celebration of the World AIDS Day, World Health Day and the sixteen-day Women's Rights Day. Seeds Theatre Group is a stakeholder, therefore, in the activities of the Morobe Provincial Aids Council and the NDOH.

In 1997, the PNG Institute of Medical Research (PNF IMR), Lae branch, worked with Seeds Theatre Group on the Transex Project (1996-2000). The PNG IMR Transex project primarily targeted the people in the transport industry, namely, the maritime workers, the dockside workers, and the sex workers. It wanted to facilitate behavioral change and the practice of safe sex in the transport industry. The PNG IMR staff trained Seeds Theatre Group members on the basics of HIV, AIDS, sexually transmitted infections (STI), and peer education. Between 1998 and 2000 with the support from PNG IMR, Seeds Theatre Group received funds from the Australian Agency for International Development (AusAid) to carry out awareness-raising campaign on HIV/AIDS in the workplace, schools, villages and the urban settlements surrounding Lae city.

In 2000, Seeds Theatre Group was also featured in an ABC documentary film entitled "HIV AIDS in PNG," see content on the website: w.w.w.ausaid.gov.au

The NDOH also engaged Seeds Theatre Group to attend two training workshops: "Traditional and Popular Media Workshop" in 1998 and "Using Theatre for Health Communication" in 2002. After these workshops, Seeds Theatre Group carried out health promotion and awareness-raising activities in Lae city and other urban settlements specifically on malaria, HIV/

AIDS, safe motherhood and family planning. It promoted treated net as anti-malaria measure and also produced a radio drama with the National Broadcasting Commission (NBC), Kundu FM 105, addressing health issues.

Seeds Theatre Group was actively working with NDOH between 1997 to 2009 in all the Health Expos during the Morobe Agricultural Shows.

With funding support from the United Nations Women's Pacific Fund to End Violence against Women, SEEDS held forty-two performances in public venues, such as markets, bus stops and settlements.

Theater Performances

The theater performances of Seeds Theatre Group promote awareness on violence against women, and human rights. In one of its theater projects, the aims are the following¹

1. To use theater/drama to help educate the people and improve their knowledge of the importance of human rights and to stop the violence against women, girls, men and boys
2. To reinforce and sustain the awareness and education on the violence against women undertaken by other NGOs and government agencies
3. To help victims know where to obtain help and protect their human rights
4. To mobilize women's groups in communities to come out and speak against domestic violence
5. To establish closer link between the communities and the support centers that can provide help.

Seeds Theatre Group has nine gender-based scripts written in PNG setting and mindset, and which were approved by the gender experts in the Pacific office of the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). The scripts are the following:

- *School is a place for learning and not bullying.* This play tells the story of secondary school kids of Lae city where bullying, school fights and cargo cult² activities are rife.
- *Wife bashing is a crime.* This play tells the story of the villagers who migrated and resided in a settlement in the urban area, bringing with them their traditional beliefs and thinking.

- *Domestic violence, rape and HIV/AIDS.* This play tells the story of domestic violence that led the husband and wife to contract HIV/AIDS.
- *Money lures young girls.* This play tells the story of the sugar daddy attitude of PNG men in PNG setting
- *Advocating for change.* This play talks about the way to advocate to another person about ending violence against women in PNG setting.

The scripts are mostly written by the project director, Willie Doaemo, based on the actual situations of life in the settlement communities and villages of PNG. The scripts reflect the lives of people in the community that the Seeds Theatre Group members have heard, seen, and experienced by living in communities themselves. The songs were composed based on written stories of real life situations of domestic violence. Most of the songs are composed by one of the artists, Zamo Noine, of Seeds Theatre Group.



Most of the performers are youth, including one performer with disability, female artists, and young kids. They have been trained in theater performance. Before any major awareness-raising activity, the performers camp out for a week and thoroughly rehearse and test the plays.

The plays are short, of fifteen-minute duration, to make the audience keep track of the story. The performances use backdrops as well as open spaces with the aid of microphones, amplifier and mixer, guitars and key-boards for songs, etc.

People are interviewed before and after the performance. They answer questions from the facilitator who explains in detail the drama (why, what, how, etc.) to the audience.

Under this project, Seeds Theatre Group started a series of performances in Lae city in December 2011. As of mid-2012, Seeds Theatre Group covered ten locations in Lae city with three performances per location, along with two other districts in the province with twenty performances per district. In one location (Waria compound), people from three other locations (Bukawa, Mendi and Wasara compounds) learned of the performance and joined it on their own initiative.

In addition, the project facilitated the following:

- Establishment of informal network between the community councilors and Seeds Theatre Group to facilitate the future awareness-raising sessions in their area at anytime
- Training of artists (including an artist with disability) on gender and gender-related issues and the use of drama techniques and skills to eliminate violence against women (VAW). Training of members of Seeds Theatre Group on how to make referrals to the relevant institutions.
- Writing of nine gender-based scripts
- Awareness of two women members of Seeds Theatre Group about the existence of support institutions and that rather than become silent victims they must go out and seek help when faced with violence. The institutions that can provide services refer to the Women and Children Support Centre (counseling, treating and referring victims), Soroptomist International, the Angau Memorial Hospital, the police, the local court system and NGOs that support and care for the victims of VAW. Referrals to these services are also done in after-play discussions with audiences.

- Translation of one pamphlet into Pidgin and the distribution of copies of the pamphlets in the communities visited
- Offer of support from institutions (Women and Children Support Centre, Morobe Provincial Aids Council) on the implementation of the program of Seeds Theatre Group
- Media coverage of the program (including news coverage by UN Women website).

Seeds Theatre Group launched another series of performances under the sponsorship of a government agency during March to July period of 2012.

Audience Responses

Most audiences are illiterate, with majority of them being older men and youths. Most of them do not know anything about gender and equality. They believe what their tradition and culture tell them: men are superior to women.



They are somewhat surprised to know that violence against women is against the law and can lead to imprisonment. Some feel guilty, while others are concerned about violence against women. Some want to report domestic violence cases and support the victims in seeking help. Because of illiteracy, their access to information about domestic violence is limited. Thus the performances provide the needed information that make them become aware of the issue.

Most women in the audience speak and express the desire to have support centers or some sort of support within their community where they can easily get help whenever they face violence. They see them as an option instead of being silent victims in their community.

Some want the men to take ownership of the issue and fight gender violence. They say that fighting gender violence is a two-way process where both the husband and wife must be educated.

Others worry that PNG laws on gender are very weak, and that progress toward gender equality will not happen unless laws disadvantaged to women are changed.

Examples of response are the following:

“The training and my participation increased my skills and confidence to carry drama to end violence against women and also educated me to gain more knowledge on gender and violence against women issues” (Seeds female artist)

“In court hearings, I usually take bribes to let the perpetrator of domestic violence go free. But now I realize that this is against women’s rights and I will change my way of dealing with local court cases of domestic violence by giving a tougher penalty to the perpetrator.” (Community councilor)

“I did not know that wife bashing was against the law. I realized that I could go to prison for that. Thank you for making us aware.” (Community resident)

“We in the community of Yanga need a community support center where the victims can get help. Currently, we silent-

ly become victims of domestic violence and need more of this support and awareness to educate the men in our community.”
(Community resident)

The Role of the Communities

Seeds Theatre Group encourages communities to take important role in its activities instead of mere hosts of the performances. Communities support the performances by:

- Helping gather data for the pre-survey of the people of the communities prior to the performances;
- Providing volunteer drama artists, musicians and musical instruments for the performances;
- Building stages for performances, designing costumes and providing other supportive work during the performances;
- Training of members of Seeds Theatre Group on traditional dances and songs that go along with the drama plays and scripts developed;
- Participating in project management by answering questionnaires and other questions necessary for project reporting.

Partner institutions in the government and other institutions provide technical advice, information and education materials, training, funding, and also staff in staging the performances in different locations.

Challenges in Using Theater

There is not much problem in using theater in carrying out awareness-raising activities. But unforeseen circumstances ranging from bad weather to ethnic or tribal fights force the rescheduling of performances. Lae city was declared a fighting zone in November 2011 when ten people were killed. Consequently, public gathering was restricted, and people were afraid to leave their homes.

Illiteracy and existence of different languages require the services of translators or facilitators who have to explain the purpose of the awareness-raising activity.

Some Reflections

Being a registered community-based theater group in Lae city, Seeds Theatre Group looks to stable, and longer-term financial support for its program. Its current funding support is still not enough to reach many other disadvantaged people who are illiterate, isolated and have been denied their basic human right to have access to information on the many issues affecting them including violence against women.

It hopes to have good working relationship with a donor agency in carrying out its activities effectively and with desirable outcomes and indicators.

Endnotes

¹ This is the project entitled “Using Performing Arts to EVAW in Lae District, Papua New Guinea,” being supported with a grant from the Pacific Regional EVAW Facility Fund of the United Nations Entity for Gender Equality and the Empowerment of Women.

² Cargo cult refers to any “religious movement based on the observation by local residents of the delivery of supplies by ship and aircraft to colonial officials. Cargo cults were observed chiefly in Melanesia in the late 19th and early 20th centuries. They were characterized by the expectation of a new age of blessing and prosperity to be initiated by the arrival of a special “cargo” of goods from supernatural sources. Such beliefs may have expressed traditional millennial ideas, often revived by the teaching of Christian missions.” Source: Merriam-Webster - [www.merriam-webster.com/dictionary/cargo cult](http://www.merriam-webster.com/dictionary/cargo%20cult).

Engaging with Human Rights through Theater: A Case Study of the Vanuatu Rainbow Disability Theatre Group

Amy Mawdsley

WAN SMOLBAG (WSB) plays a critical role in the wellbeing of Vanuatu and Pacific Island communities, whether it is engaging youth in theater, providing reproductive health care, creating dialogue around good governance or protecting fragile Pacific ecosystems. To give a sense of WSB's approach to human rights education and what makes it a unique organization, the following are responses from people who work at WSB to the question, "What makes Wan Smolbag so remarkable?"

[At Wan Smolbag], we talk a lot about life as a human being – that's why they're interested in talking to us. What we talk about are things in daily life. We talk about the issues that are affecting people. If you go out and talk about the Rights of the Child, for example, they will listen, but it may not really change how they behave. But [we] deal with things in life, and this is what's really interesting for communities. When we go out they all have lots of questions for us.

I think the most unique thing about Wan Smolbag is that we create a platform for dialogue, and I think that's where the drama makes us so unique. That medium is just a very powerful way of engaging communities.

The way we treat people in the organization - Recognizing people as being people and not like part of a big machine. And also the way we work with communities – we are not coming with an approach of "we know what is best for you and you need to do this." We are actually finding out about their lives and using that information to create a workshop or drama production that helps them to discuss the issues, and find ways of addressing them or improving their lives.

The following paper provides an example of WSB's approach to human rights education, which was not premeditated as human rights education,

but grew out of a natural progression from the wsb community theater group. This paper begins with a history of the growth of wsb and its programs, followed by case studies of the current play by the Rainbow Disability Theatre Group's play, *Ae Blong Hem I Blaen Nomo*. The next section discusses the strengths of and barriers to wsb's approach. This involves factors including writing a play which is both engaging and informative, and defining the group as a recreational activity or a job. The paper concludes with a summary of the strengths and weaknesses of the wsb approach and key elements of the wsb model which may be of use in adapting it to other organizations and contexts.

Almost twenty-five years ago, wsb¹ began as a small theater company of fifteen voluntary actors, and then five paid actors, focusing on theater and initiating dialogue around reproductive health and population. Reproductive health was a clear starting point as these issues were not openly discussed, and there was a lack access to reproductive health services and information. wsb's name is from a Bislama² phrase meaning "one small bag"; over the last twenty-five years, the theater groups have traveled to communities across Vanuatu, to create exciting and engaging performances and workshops, with only "one small bag." Based on identified challenges and gaps, wsb organically expanded its focus on theater and reproductive health, to include several issues including governance, education and the environment.



WSB built partnerships with the Blacksands community, on the peri-urban outskirts of Vanuatu's capital, Port Vila, through a large community theater project in 1997 (see photo on opposite page). WSB circulated leaflets, seeking volunteers to work on a community play, which surprisingly resulted in six months of workshops with eighty people ranging in age from ten to sixty. The group created a two-hour play dealing with poverty and domestic violence, amidst song and laughter. Both the community and wsb wanted to continue this partnership. When asked how wsb could give back, the community identified a reproductive health clinic as a needed contribution.



Actors performing *Tijim hem*, February 2013. (Davis Ragonmal, 2013)

The community play group and wsb established the *Kam Pusum Hed* Clinic in 1998, providing confidential services and counseling for family planning, sexually transmitted infections (STIs), and Human Immunodeficiency Virus/Acquired immune deficiency syndrome (HIV/AIDS). The clinic began to test for HIV in 2002, and in 2005, wsb established an additional health clinic in Vanuatu's northern city of Luganville, Santo. Peer Educators play a key role in the wsb health program, as they travel to and visit diverse communities, to provide counseling, referrals, contraception, and support to community members. Over the last few years, the Peer Educators have facilitated series of workshops for both men who have sex with men (MSM)

and Commercial Sex Workers (CSW). While WSB was initially led to work in reproductive health through an interest in the topic, ongoing community requests and enormous demand for reproductive healthcare and education has maintained health as a central program.

Numerous theater productions and plays echo this focus on health topics, such as WSB's first play on AIDS in 1989, fourteen years before the first local case was confirmed in Vanuatu. Other WSB plays portray social issues to open dialogue. For instance, the 2013 production of *Tijim hem* is built around true stories about violence; whether it is between a married couple, a teacher and a student, a police officer and a young person, or between neighbors. The stories and words of this play are from direct quotations from interviews conducted by the actors, in peri-urban communities of Port Vila, making the play all the more powerful and challenging to watch. Other productions deal with issues of sexuality, homophobia, pornography, drug abuse, and more. While the plays address sensitive and emotional subject matter, they always include humor, song, and fantastic acting which makes them very watchable and engaging.

Invariably tied to human health is environmental health. This is particularly obvious in Vanuatu, as 76 percent of the population lives in rural areas, mainly supporting themselves through subsistence farming and fishing.³ In 1995, the Year of the Turtle in the Pacific, WSB collected stories and information on the current perception of turtles from a number of villages on the island of Efate and close off-shore islands. The resulting play was taken back to these villages. To continue this conversation on turtles between the communities and WSB, communities decided to identify turtle monitors. In 2001, the WSB turtle monitors across Vanuatu became the Vanua-Tai Monitors Association, meaning land and sea monitors. The network, which continues to focus primarily on turtles, has grown to include five hundred monitors, who feed data into a Pacific-wide database. The environmental program is fully embedded in WSB world with theater productions, school programs, teaching resources, films and songs, waste management programs, an international volunteer program and recycling projects.

When working in health, the environment and other areas, WSB partners with government, including the Department of Women's Affairs and the Ministries of Health, Education, and Fisheries. In Vanuatu, there are corrupt politicians, government departments lacking in skills and funding, and a lack of information on the political system. In response, WSB began to

develop plays and videos focusing on governance, such as *Vot Long Pati Ia* (1998), which explains the process and importance of voting. This film has been popular across both Vanuatu and Papua New Guinea. The governance program includes workshops for chiefs and their successors, identified community leaders, and community members. The program is echoed by the good governance of wsb which conducts decisionmaking through open and collective dialogues, including all interested staff members.

Vanuatu has a very young population. Over one third of the population is between twelve and thirty years old.⁴ Noting both this trend and demand for improved education, wsb began creating projects that contributed to the education system in Vanuatu and programs specifically for youth. Wsb found there to be a lack of resources for teachers, and began to develop a huge number of resources, many which accompany films, radio; or *Love Patrol*, the wsb TV show. The response to these materials has been extremely positive, with teacher training and material dissemination spreading to neighboring Solomon Islands and Fiji. In conjunction with supporting the education system, wsb has established wildly popular youth centers in both Port Vila and Luganville. The programs available include: sports, nutrition, agriculture, photography, pottery, sewing, literacy, music, theater and dance. The youth programs provide activities and opportunities for youth whose families cannot afford school fees.

In 2013, wsb is producing its seventh season of its hugely popular soap-opera-style TV show, *Love Patrol*, which ties all of the diverse subject matters into one project. *Love Patrol* centers on the lives of people living in Port Vila, and covers issues including domestic violence, HIV/AIDS, corruption, pornography, and crime. *Love Patrol* is produced in English, so that it is more accessible to a Pacific-wide audience. It is produced alongside teaching resources which cover the same topics.⁵

In short, wsb did not begin with a direct focus or intention to engage in human rights advocacy or education, but began to engage indirectly with these issues in response to a need. The approach that wsb takes is not a one-way approach of explaining human rights perspectives or ideals, but rather an open, two-way discussion which draws on a variety of formats including theater, music, dance, and participatory workshops. The following case study reflects the design model and approach of wsb projects.

Case Study: Rainbow Theatre Group

The Rainbow Theatre group is a group of nineteen ni-Vanuatu actors who have created plays, workshops, radio dramas, and a film with wsb and the Vanuatu Society for Disabled People (vSDP). The formation of the group was first discussed by some of the group's core actors, Francis, Willie and Arthur, with wsb's scriptwriter in the 1990s. During this time, wsb produced the play and film, *Things We Don't Talk About*. This production tells stories about people with disabilities, and the attempts to "cure" them through traditional medicines and faith healing. Eventually both the people and their disabilities are accepted.

In September 2010, the Adelaide-based *No Strings Attached Theatre of Disability* visited wsb to run a week of workshops with wsb youth and community members with disabilities, culminating in their own performance. It consisted of a series of scenes depicting the barriers of people with disabilities, such as one man's inability to get a passport because he could not access the passport office. This process resulted in the creation of the Rainbow Theatre Group. In April 2011, wsb's first joint production with the Vanuatu Society for Disabled People (vSDP) was performed in primary schools in Port Vila where teachers say it changed their students' perception of disability. The play, *Folem Rod Ia*, is a custom story about accepting oneself and disabilities. In September 2011, Rainbow Theatre Group worked on three radio dramas, which were based on custom stories that the actors had collected. The titles are *Team Angel*, *The Snake and the Boy*, and *The Woman and the Moon*.

Most recently, the group's third play, *Ae Blong Hem I Blaen Nomo*, has been the first play by the group that has an accompanying workshop and film (in progress), and is examined in this case study. The current project is running on one time funding from the New Zealand Basket blong Sapotem Kommuniti KAMAP (NZ BSK). The key parts of the project include the play itself, the post-performance workshops, and a film on the play.

The play was written in Bislama by wsb's scriptwriter, Jo Dorras, who canvassed people with disabilities for their experiences to create the plot. She has used examples of experiences of people with disabilities to write all of the Rainbow Theatre Group productions. The play tells the story of a blind man's life, from childhood to adulthood. He is continuously ostracized by his classmates and community. Eventually, he attempts to commit sui-

cide, but realizes in the end that he can live a full life. The core issues that the play deals with are the experience of being disabled and going to school, the intense prejudice that people experience, and whether or not people with disabilities can or should be allowed to be in relationships.

The play has been performed between fifty and sixty times around the island of Efate in schools and communities. This project is directed towards the general public. Through this project, people of all ages, genders, and both people with a disability and without, have engaged in discussions about the role of people with disabilities in communities. Performances have been held in villages and schools. In the future, the group is very interested in advocating for politicians to focus on disability issues and rights.

Following the play, the theater group holds workshops with the audience. The group provides a statement such as “people with disabilities should be allowed to go to school” or “people with disabilities have a right to have children and get married.” The participants are then asked to demonstrate that they “agree,” “disagree,” or “don’t know” by standing in a corresponding area. Each group discusses and presents reasons for their position, and everyone is given the option to change their position at any time.

In an additional activity, the audience learns an important achievement from the lives of each of the actors. The facilitator holds up a sign and



Wan Smolbag Rainbow theater group performing their 2013 play, *Ae Blong Hem I Blaen Nomo*
(Davis Ragonmal, 2013)

reads out a particular achievement written on it. The audience then guesses whose achievement it is, choosing from the actors seated in front of them. This process is repeated until all of the actors have been matched with their achievement. The achievements include: “won a bronze medal at the Beijing Paralympics”, “holds a degree in tourism”, “has married and has a son”, “has traveled to 17 countries” and more. Then each actor is introduced and asked to tell the story of how they became disabled and how they had come to realize their achievement. The audience is very engaged in this activity, shouting out who they think has each achievement, and enthusiastically applauding when they find out whose it is, and after hearing the personal stories.

The play has been filmed, and a film is in production. The film acts as an additional tool in initiating dialogue around the rights of people with disabilities. The film includes the full performance, and interviews with community members and students who have seen the performance and been involved in the workshop. It will be distributed to Vanuatu schools and villages.⁶

Challenges

While this project has had significant impacts, it was challenging to design and produce. The Director and Scriptwriter described multiple challenges for this project including time management, defining the project, defining roles, and sensitivity to culture and disability. From an educational perspective, the design of the project strives to have a positive impact on the audience and create a safe environment for performers, while being both educational and entertaining.

Time is an important factor in creating a play. It requires consistent attendance and attention of everyone in the group. One approach that the group took was to meet, and have about an hour of spending time together before starting to work on the play. This gives an opportunity for the group to catch up and get to know each other better, strengthens friendships, and results in less chatting during the rehearsals.

Another challenge is how the group views the project – as a job or only an activity; this becomes important when dealing with issues of commitment, payment, and accepting new group members. If the group views the project as a recreational activity, their commitment to it may be lower, and when they are faced with interpersonal conflict, they feel that they can ignore the problem, or just walk away. This response is not conducive to creat-

ing a play. When people with disabilities approached the group to join, the group discussed the possibilities, noting that if more people join, they would each earn less money from the play. It was decided to not include additional actors, as the project was well underway and the actors wanted to maintain the group size and their individual incomes.

Having clear roles and responsibilities was essential. The director was firm that he would be the only one to make criticisms during rehearsals, because otherwise, the actors would give frequent direction to the other actors. It is important to involve caregivers, who come along with the actors, in the play so that they felt they had a place in the projects, and could actively contribute. The group has fourteen members with disabilities, and they come to the project with five caregivers, who provide support for those who need it. They took the approach of including the caregivers as actors in the play.

Sensitivity to both culture and disabilities were important for the director to keep in mind. In some scenes, the characters are bullying another character because of their disability. Comfort levels vary on what people are willing to act in terms of this scenario which they have all likely experienced firsthand. The group discussed how to go about this scene, and found ways of being honest and representative of their own experiences without making themselves uncomfortable.

In terms of human rights education, wsb references human rights in the post-play discussions, and portrays human rights in the productions themselves. In most theater projects, wsb presents stories of personal experiences, and discusses the scenarios in the personal level. This approach is used because it is more relatable than abstract understandings of rights which vary from person to person. For instance, one community member may understand rights as constitutional rights, while another may see it as something that is conditional, such as you have a right to go to school if your parents can pay for school fees.

Content is important to consider in writing the play. For instance, wsb has homosexual characters in its TV show, *Love Patrol*, because it creates a safe environment for the actors. In the context of Vanuatu, homosexuality is rarely accepted. To have a play on homosexuality and tour to villages may put actors in a dangerous position. Also with content, the project requires a continuous source of scripts to keep the actors engaged. These plays all deal

with the challenges that are faced by people with disabilities, and ideally will expand to other topics.

Impact and Critical analysis of experiences

WSB does not expect drama to have an immediate and significant impact on behavior. That said, it is extremely valuable to initiate dialogue on the role of people with disabilities in communities where children with disabilities are teased, excluded, left at home, and not given the opportunity for learning, socializing, and challenging themselves. The actors have seen significant changes in community's responses to people with disabilities since they began performing. For instance, more people attend the plays, most community members say that they support the rights of people with disabilities in the workshops, and individuals express that they have changed their beliefs about and treatment towards people with disabilities. The following quotations from three actors describe the impact of the project on communities.

Most villages, if they have a disabled person, they just keep them at home. They watch the play, and after say "We have learned not to keep all the people with disabilities at the house. We will take them to school and church"... They tell us that "we would insult and be disrespectful to people with disabilities but we don't anymore."

The villagers tell me that before the performance, able bodied people see disable people as "second-class person." They say, "You have a good play. We now get that people with and without disabilities are equal." They understand that we are all one... Before the play, they don't know, but after the workshop and play, people say that they agree that people with disabilities have rights.

The group talked about children with disabilities who they know, who have directly benefited from this project, because after the group visits the school, other children respect those with disabilities.

If the performance group goes to school, the students learn not to look down, swear, laugh at or hurt people with disabilities... If one child who has a disability comes to the school after the play, the kids understand that they are all the same. I know

kids who have disabilities in grades 3, 7, and 8 who have had this experience.

One WSB staff member who worked closely with the Rainbow Theatre Group significantly changed his perspectives through working with the group and seeing its play. He said that,

For me personally, they have definitely changed my way of thinking. Before, I used to think they were useless and an extra burden. I can honestly say that I am really ashamed. They are really friendly. For a moment I didn't see their disability and just take them for who they are. Hopefully with the film, others will see the way I do. I'm stunned. I've seen a blind guy act and he finds his way around the stage. He has so much courage and confidence... I am really amazed by their ability to act despite the limitation of disabilities... They have a voice inside them telling them to give up, but they fight every day. I not only see them as equal, but it gives me a new perspective. Maybe I'm not challenging myself enough because a blind man can act. They are very inspiring.

Responses from communities and schools included shifts in thinking around people with disabilities. For instance some students said that they never knew that people with disabilities have rights, and that they were amazed and inspired to see the talent of the acting group. In the communities, people responded by saying that the performance was really powerful. One elderly woman compared the play to seeing one's own child going through this experience, and she said that she found it very moving.

The use of drama is important in connecting with community members. One WSB actor said that "people see you as an actor but they don't know that you're not only an actor, you are also a community educator."

Personal Impact

The impacts of this project on the lives of the actors are significant. People with disabilities in Vanuatu are generally neglected, and not given the opportunity to have an education or connect with other people. As one WSB employee put it, "People tend to neglect disabled people and treat them as invisible." One of the actors with a disability said that "People in town and

people in villages, they think we are worthless and should only stay in the home. You can't have a friend like other people. You can't learn anything." There are little to no other activities or work available for people with disabilities in Vanuatu.

This project provides an opportunity for people with disabilities to meaningfully contribute to their community, make friends, try something new and learn new skills. An actor said that "it feels like we are doing something with our lives." The chance to leave the home and be around other people is valued; "I like leaving my house and am happy that I could go study in Fiji." Challenging oneself and trying new things is important for everyone in building confidence, and it is especially important for people with disabilities as they are constantly told what they cannot do. Another actor said, "Before I was mostly alone, and I didn't realize that I'd become an actor, but now I have acted in the sixth season of *Love Patrol!*" An actor described the development of confidence of a friend, and the group as a whole:

Before we were shy, but now we are loud – talking and calling to each other. For example, Mike didn't talk much at all and now he talks all the time. Being involved in this project brings out his shyness and now everyone is outspoken, loud, and makes a lot of noise. (Pseudonym used).

The actors have built strong friendships within and outside of the group; one actor said, "I have made lots of friends by being involved in the play. They all call out my name wherever I am – at wsb or at school or around town." Although their project is moving to rehearsals once per week, the group plans to participate in wsb pottery programs every week as a group. In sum, through the project, the actors are involved in meaningful work, develop a strong social network, and build confidence.

Benefits of this Format

This approach of using theater to begin talking about human rights issues is engaging and welcoming. Because there is no right or wrong answer to workshop questions, the audience feels comfortable to express their perspectives. The physicality of moving around is engaging and non-verbal. It transcends language barriers, and keeps everyone actively engaged. The actors have found that working with communities through theater and work-

shops is more effective than only workshops or training sessions for starting conversations:

We talk and advocate for our rights, but words are not enough. When we come with wsb and perform plays, our message stands out clearly in the play... Actions speak louder than words. When we just talk, it's not enough, but when we perform with wsb, it opens the eyes and minds of the communities.

Before, when we only talked with communities, everyone didn't get the message, but when we role play, everyone understands.

Ae Blong Hem I Blaeu Nomo acts as a vehicle for discussing the challenges for and role of people with disabilities in communities.

Key Elements of the WSB Approach

The following are some of the key elements of the wsb approach which may be helpful in adapting this model to other contexts.

- Use performances as a starting point for discussions around human rights.
- Design discussion and workshops so that there is no “right” answer.
- Respect everyone's perspective and allow all perspectives to be voiced.
- Do not rely heavily on the use of human rights and associated terminology which is difficult to relate to. Instead, use examples of real-life situations and talk about how everyone would deal with them and why.
- Be responsive to political events. For instance, wsb conducted workshops on the Family Protection Bill.
- Be responsive to community needs. wsb identified reproductive health as an area which many people lacked knowledge of, and designed projects around this.
- Support community members in fulfilling roles in all dimensions of theater, film production, workshops, etc.
- Keep workshops engaging by involving physical aspects and various forms of expression – writing, talking, debate, visual arts, tableaux, plays, etc.

- Provide accessible and relevant resources and training to communities and schools so they can run workshops independently.
- Adopt a multi-media and multi-prong approach. For example, wsb's radio drama, *Spare the Rod*, is accompanied by a combined teaching manual and comic book with interactive activities. Similarly, the wsb environment program includes school workshops, teaching resources, songs, films, plays, the Vanua-Tai Network, waste management projects, and a volunteer program.
- Build partnerships with communities, NGOs, and government.
- Work towards equality in gender, disability, and community representation in project staffing, payment, and responsibility.

Conclusion

In summary, the wsb Rainbow Theatre project is an example of how theater can be used to effectively initiate discussion around human rights issues. This format brings the focus back to the real-life experiences of people, in a way that is accessible to varying education levels and ages.

Endnotes

¹ To learn more about wsb and to access resources, visit <http://wansmolbag.org/DynamicPages.asp>.

² Bislama, one of the three national languages of Vanuatu, uses Melanesian grammar on mostly English vocabulary.

³ Prime Minister's Office, *Vanuatu Millenium Development Goals 2010 Report*, September 2010.

⁴ Vanuatu National Statistics Office, 2009 *Youth Monograph: Young People in Vanuatu*, 2012.

⁵ Wan Smolbag, *Love Patrol Resource Guide*, Series One to three, 2008. Available at www.wansmolbag.org/DynamicPages.asp?cid=26&navID=34.

⁶ The film of the play (*Ae Blo Hem I Blaen Nomo*) is available at YouTube: www.youtube.com/watch?=GCQdkpQRvfw. A short documentary on the play is also available on YouTube: www.youtube.com/watch?v=kHL-QeHxo0M.

Human Rights Education through TIE: A BITA Experience

Sisir Dutta

THE BANGLADESH INSTITUTE OF THEATRE ARTS (BITA) concentrates on spreading human rights culture, which promotes people's beliefs and practices based on the concept that every human being is entitled to dignity and rights, and to freedom to live and flourish. Gradual progression of the individual's development cements the norms and practices in the society and state. Hence, building a human rights culture is a relentless effort of introducing human rights norms and messages that influence people's perception and practice. To promote human rights culture, BITA must focus and work on human rights education broadly. BITA believes that human rights education is a major tool in changing the human rights situation in Bangladesh.

To promote human rights education, BITA innovated Theater in Education (TIE), an empowering tool to educate the common people especially young learners, in learning human rights as well as other development issues like agriculture, health, environment, etc. in an open and entertaining environment.

BITA

BITA is one of the non-governmental organizations in Bangladesh that initiated development activities through various modes of cultural interventions. It realized that empowerment is the precondition to the fulfillment of human desire and potential, based on a recognition and faith in people's own power and resources. It believed that the power, aspirations and resources of the communities could be nurtured, utilized and developed through systematic cultural interventions. With this realization and vision, BITA established itself since 1994 as a community-focused organization that performed different activities for cultural development. BITA is also committed to helping strengthen the process of broadening the core features of democracy and good governance.

BITA's mission is to become a partner of the poor and disadvantaged people in their culture-based approach of demanding for their human rights particularly those related to poverty alleviation. BITA envisions a society where respect and practice of rights by all is an integral part of life.

BITA involves marginalized and deprived communities in its initiatives and considers this process of engagement as rights education through culture-based approach, with strong local contents, and based on local situation. BITA's experience shows that this approach is an effective measure in raising people's awareness about the elements and conditions of poverty and in educating them to come out from the curse of poverty through capacity-building. The different innovative initiatives not only make people become aware but also help them organize to take collective efforts toward changing attitude and behavior, and develop their leadership quality essential in helping them improve their living condition. The approach includes equal participation of men, women and children, and collective efforts that create a better understanding of issues in their own communities.

BITA implements human rights programs at the grassroots level through its cultural approach, emphasizing the rights of marginalized people especially women, children and minority rights and aiming at fostering social harmony with respect for human rights. BITA has decided to focus on women and children because they are vulnerable to abuse and violence. Human rights and the law are intimately intermingled and interdependent in a rights-based society. Since the legal structure best protects the interest and rights of the people, BITA's awareness-raising initiatives help vulnerable groups know how to access informal and formal structures of the justice system.



BITA considerably addresses the trafficking and sexual exploitation of children and women issue through cultural initiatives. BITA has held campaigns on human trafficking issues in twenty-two districts in Bangladesh.

BITA Initiative: TIE Focusing on Human Rights

Theater-In-Education (TIE) has long been used as an exploratory tool in development. It has also been used as a tool in moral education and socialization. TIE is a new dimension of theatrical presentation that mainly concentrates on classroom-based performance and includes all the interactive theater practices that help support the educational process. It is a globally recognized process of enhancing the knowledge and information of people and/or children through a composite learning process. This process can be an educational tool for common people since the process instills trust and confidence instead of fear and uneasiness. Hence the process has the potential of propagating ideas and thoughts on people's rights, interests and liberation through education.

Since the early 1990s, BITA has been taking significant steps in exploring TIE as an educational form for young people. BITA has been emphasizing the formulation of communicative messages both to entertain and educate children in schools and in the communities. Under BITA's program, TIE has gained significant acceptance as a holistic learning process of two-way communication between instructor and the learner. As a result of its success in reaching young people's heart with messages, the intervention has been included in the core program on cultural promotion.

Theater assists all children in gaining confidence and a better sense of self-esteem. The activities for the classroom can be used as add-ons or even as integral parts of a regular curriculum. Based on such reflection, BITA from the very beginning has endeavored to carry out the interactive learning process to disseminate and exchange information and knowledge among the students. For this purpose, BITA targeted the marginalized and disadvantaged rural and semi-urban areas, where the traditional method in the education system continues to be employed. BITA is acclaimed as a pioneer organization for introducing TIE to support classroom-based education.

Earlier, through in-depth study, BITA observed that teaching in Bangladesh is mainly a one-way process. The active participation of the students is limited and cultural initiatives are totally absent in most schools.

Since the students do not find hilarity and entertainment in their lessons, they gradually lose interest in the activities inside the classroom that contributes to their dropping out from school as well as withdrawal from learning the lessons. Subsequently, these groups of children get engaged as child workers or with worse forms of earning money. As a consequence of this circumstance, the lower income families generally suffer. The situation argues that it is indispensable to bring about a change in the overall teaching method in the classroom-based education. Moreover, the dropped-out or non-school going children should be included in learning and information exchange processes.

Initially, only the curriculum-based topics were included in TIE. Gradually, some other issues have been included like motherland, environment, nature, climate, human rights, history, discrimination, protection of children and women, women's education, trafficking, juvenile crime, reproductive health, etc.

Following are some BITA projects that employed TIE as communication tool for children:

- Chittagong Cultural Upliftment project, supported by Heinrich Boll Foundation, Germany
- Child Rights Awareness Raising in Chittagong project, supported by Save the Children, Bangladesh
- Participatory Community Development through Cultural Initiatives, supported by Save the Children, Bangladesh
- Culture for the Promotion of Rights, supported by the Royal Norwegian Embassy in Bangladesh
- Culture for Empowerment of People, supported by the Embassy of Denmark in Bangladesh.

TIE Basic Goal and Objective

BITA aims to develop a social education process for children that enhances their knowledge on human rights using blissful theatrical approach.

BITA sets three specific outcomes:

1. Deliver human rights information aiming to create awareness among the school-going children in a joyful learning process

2. Intensify the knowledge level of the children through their meaningful participation in cultural initiatives in the communities
3. Diffuse human rights education among the training participants.

BITA started to employ TIE in its work in 1995. In the course of time, BITA has been able to cover more than twenty-five thousand children from approximately one hundred schools. In terms of geographical coverage, the initiative has been tested and implemented in greater Chittagong Area, Chittagong Hill Tracts and coastal areas of Bangladesh.

Anti-Trafficking Campaign through TIE

BITA, while working on different social issues with different stakeholder groups, observed that a large number of marginalized people especially children and women are in most vulnerable condition. Trafficking of women and children has become a serious social as well as moral problem in South Asia including Bangladesh. Every year, thousands of women and children are being smuggled out of the country through the border areas and sold in India and Pakistan. The trafficking in women and children has reached alarming dimensions. Although the major cause is poverty, gender discrimination and the lower status of girls and women are also contributing factors to trafficking. The involvement of children from poverty stricken families in economic activities leads them to trafficking. A large number of children from rural areas are being trafficked to different countries in search of job, lured by the trafficking groups. The southern part of Chittagong has been identified as one of the trafficking-prone areas of the country.

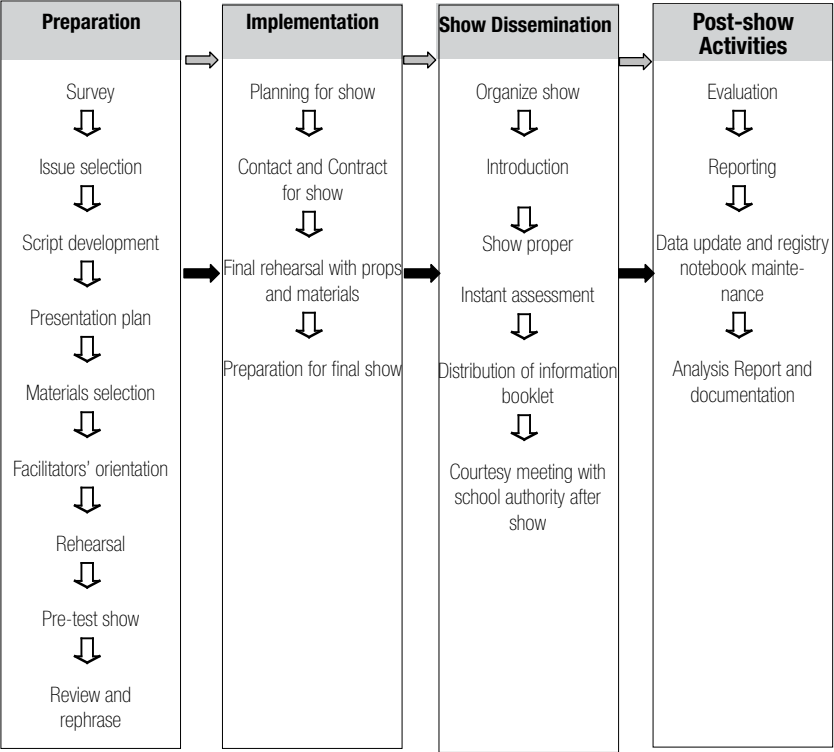
BITA has been undertaking national- and regional-level campaigns through different cultural activities, especially theater, to create broad-based understanding among the general populace about the importance of protecting women and children from being trafficked.

BITA started an alternative education process using TIE at rural and urban schools to inform students about trafficking: how the traffickers lured children, what happened after being trafficked, and how social-protection-net stopped trafficking. As result, the awareness of students developed and helped them become active in protecting children in their community from being trafficked.

BITA and the TIE Process and Tools

The TIE process designed by BITA has four major steps: Preparation, Implementation, Show Dissemination, and Post-show Activities. The whole process is shown in Table 1.

Table 1. TIE Implementation Process



BITA has employed the TIE process in its projects as shown in the experience of implementing the Chittagong Cultural Upliftment project.

Under the preparation stage, BITA studied the schools in Chittagong and observed the dropping out and irregular presence of students in school. It undertook a survey of the different formal and non-formal (community-based) primary schools in Chittagong and found that the one-way learning methods were mainly used, with the students having less scope to participate

in the sessions. It also learned that the primary school students preferred to learn more about the “seasonal variations” and “patriotism” topics found in the curriculum, though the students also found them hard to understand. BITA saw the need for an entertaining learning environment.

Under the implementation stage, BITA developed two stories and scripts in a workshop involving theater activists and BITA’s staff. The stories and scripts were about recreation and participation of children. The stories and scripts used in the theater productions employed various presentation styles such as songs, dances, acting, puppet show, and story telling along with the use of paintings, toys, colorful cloths, and masks. BITA decided to present the production on seasonal variations before students of classes II and III, and the production on patriotism before classes IV and V.

The production on seasonal variations was about the six seasons of Bangladesh. The objective was to introduce the students to nature, its changes, its impact on human life, the environmental changes due to the six seasons, etc. In relation to the rainy season, the story dealt with change in rivers, how people living near rivers survived during rainy season, the festivals observed to celebrate rain, cultivation during the rainy season, fishing activities during the rainy season, etc. For the summer season, the story focused on Bengali New year, and many events to celebrate the year, etc.

The other production on patriotism for classes IV and V dealt with the language movement and the way it ended with the war for liberation. It covered the International Mother Language Day and the heroes in the war for independence. The production aimed to inform the young students about the history of independence and the contribution of the people at different times in history in building the nation.

The performances were done both in schools and in training activities. BITA staff performed in schools while external resource persons joined the capacity-building training activities as TIE Facilitators.

Two BITA facilitators, female and male, were assigned to perform both in the school and in training activities.

A premiere show on the productions was organized to motivate and influence the school authorities. Afterward, with their appreciation and agreement obtained, BITA and interested schools signed contracts regarding show dissemination plan that considered the rainy season, social festivals, etc. in scheduling performances. The schools, selected through a survey, had most of their students hailing from underprivileged communities. Rehearsals for

the performance were done with the participation of children and school authorities. The schools organized the children, arranged the venue, and assigned teachers to assist in the dissemination plan implementation.

Under the show dissemination stage, the BITA facilitators brought materials that were displayed in the school premises. They started the activities by engaging the students in an amusing game, followed by an activity to introduce one another.

During the performance, the facilitators acted out stories that focused on certain issues. The students were very much involved in the performance; they were asked for reactions many times while some were engaged as performers.



After the performance, the students participated in a learning-based competition held in a joyful atmosphere and led by the teachers who remained present during the performance. The students themselves selected the “champion,” the student who shared the most learning. The competition was done through interactive discussion that involved all the students.

Before ending the activity, the students sang a song and were individually given a prize. At the last stage, two students (one male and one female) and the teacher expressed their views and opinions about the performance.

The show and interaction activities took around forty to forty-five minutes.

Under the post-show activities stage, BITA facilitators went back to the schools three months after the performances. The BITA facilitators con-

tacted the students and the teachers to assess the knowledge obtained and the practices learned. They observed that the students obtained adequate knowledge on the issues covered by the performances, and the students had shared their learning with fellow students. Most of them opined that TIE was an effective method of learning and suggested broader application covering other contents of the curriculum along with other social-cultural issues like child rights, human rights, discrimination, etc. The teachers had positive views regarding students getting a clear understanding of the issues disseminated through TIE and suggested a scaled up version for students of other classes. The experience revealed that TIE could be effective in educating as well as entertaining children of different ages and from different sectors.

BITA employed innovative tools to help students express their opinion. Ice-breaking activities helped the students enthusiastically participate in the session. The students played theatrical games, and drew pictures about the images of the productions that they remembered. The facilitators showed photographs used in the productions to engage the students in discussion.

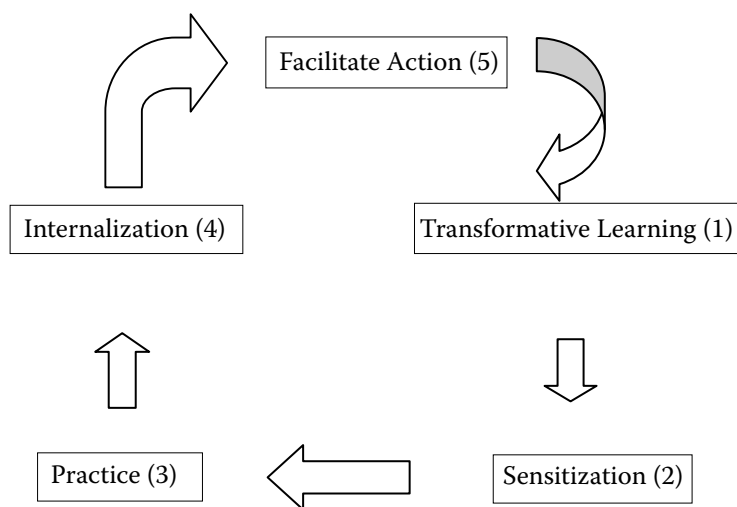
Using its experience and expertise, BITA has incorporated diversified rights-based topics, newer modalities and other capacity-building activities in training grassroots youth as TIE facilitators for other projects. Its shows gained expanded range of audiences from students of different classes to community children. Moreover, BITA developed attractive learning materials and distributed them to the children during TIE shows. These innovations have resulted in generating proactive role for the children within their capacities in protecting human rights in schools as well as communities. Some of the students constructively raised concerns to the teachers, helped poor children, returned back to school the dropped-out students, etc.

Following are the salient characteristics of the projects:

- The “Child Rights Awareness Raising in Chittagong project” keenly reflected child rights issues
- The “Participatory Community Development through Cultural Initiatives project” developed TIE production using ethnic language to make it comprehensible to ethnic children
- The “Culture for Promotion of Rights project” highlighted human rights issues
- The “Culture for Empowerment of People project” engaged and developed the skill of young people and capacitated the local partner organizations.

The acceptance and effectiveness of the TIE motivated BITA to incorporate the TIE tools as training methods. The tools were successfully applied in the training activities developed and organized by BITA such as those on human rights, culture and development, and theater practice and presentation trainings. It is worthy to mention that the United Nations Convention on the Rights of the Child training provided to schoolteachers was in response to a need aroused by the TIE presentation.

Human rights education is the central point of BITA's TIE program. BITA designed modules on selected human rights-based themes with interactive and learner-centered participatory methods and techniques including brainstorming, meditation, group discussion, case study, role-play, debate, mime, puppetry, experience sharing, etc. Most of the techniques are experiential, reflective and action-oriented followed by analytical debriefing to sensitize the participants. The process is based on continuous traveling between the heart and the head, and rediscovering of feelings and understandings of individuals. The process includes a cycle of change in human mind by which the participants will be able to identify their role and responsibilities and can facilitate action against any kind of human rights violation or promote human rights culture in the society.



BITA's work led to the adoption of TIE by teacher groups in their teacher-training curriculum. It also affected students, as in the case of "Theatre Education Resource Forum." Young students created this Forum based on their own interest and enthusiasm with the "PPP" motto (Participation, Practice and Performance). BITA played a catalyst's role in this initiative. This young and dynamic group works in schools and colleges to educate students on rights, gender, child rights and other important issues that the formal educational institutions do not cover. The Forum educates on these issues by employing the TIE process that allows students to learn through games, and other fun and enjoyable activities. The Forum recruits as members those students who are really enthusiastic about its work and obviously not involved in any anti-social and anti-state activities.

BITA, on the other hand, received recognition as a distinctive communication media entity for learning and teaching. It also received international recognition for its work. It is part of the Asian Regional Theatre and Education Network (ARTEN) whose members employ TIE.

Challenges

BITA faces the major challenge of getting space to hold TIE program activities within the regular class schedule followed in schools as well as in satisfying the demand from students who experience TIE. The easy-to-understand presentations by skilled resource persons lead to more demand from the students for presentations on more difficult issues. This in turn means that the capacity of teachers to facilitate learning using TIE has to be improved to enable them to help build a congenial environment inside the classroom.

What is the Dream on the Way Forward for this Process?

The Bangladeshi education system requires radical change. BITA believes that this change is possible only if a progressive national educational policy was duly implemented. It is imperative that entertaining teaching and learning methods are enunciated in the educational policy. BITA endeavors to take the necessary initiatives that would facilitate the acceptance of a model teaching and learning practice in the educational policy.

Since people in some public universities acquire competencies on institutional theater education, they need access to or opportunity to explore the

skill of students through practicum. BITA aims to widen the access of these academics, theater practitioners and think-tank people to the field.

BITA also promotes the process of exchanging knowledge and information among the children who dropped out of school or never went to school.

From the perspective of indigenous and ethnic communities, classroom-based education system is a threat due to the gap between the language used inside the classroom and the ones in their own communities. Education using the mother tongue is a pre-requisite for the development of human resources in these localities. BITA sees the TIE process as a significant and relevant medium to be able to overcome this situation.

Conclusion

The development of a human rights culture in society is only possible when people know their rights and stand for their entitlements. In order for this to happen, human rights education is a prerequisite at the community level. Human rights education helps people see themselves as change agents. It is a participatory practice aimed at empowering individuals, groups and communities through fostering knowledge, skills and attitudes consistent with internationally recognized human rights principles. The youth are key players in this process. TIE is the best model for fostering human rights education in the society. And human rights education through cultural presentation plays a vital role in building social structures that support participatory democracy in the society.

The Lantern of Legal Literacy

BRAC

WOMEN ACROSS BANGLADESH face discrimination as a result of their social subordination to men in a long-established patriarchal society. Access to a holistic set of services and provisions such as livelihood, property, and basic amenities such as food, clothing, shelter, essential healthcare and primary education are often denied to women due to age old prejudicial religious and customary practices. Weak implementation of formal laws and legal structures add to this dilemma. As a result, women's mobility and participation within their communities are restricted and their voices muted when seeking claims to equitable rights.

Legal education is a bridge to legal empowerment for poor and vulnerable communities such as poor women in most communities. Bangladesh is not an exception. Via this nexus of poverty and education, awareness of the laws and the legal system creates an opportunity for these groups to use their new found knowledge and helps women organize themselves to defend against social prejudice and violations that occur within their own homes and localities. In this way, these marginalized populations are transformed into human rights advocates and receive respect and dignity within society in recognition of their unique roles.

There are a host of non-governmental organizations (NGOs) working in Bangladesh on legal empowerment interventions aimed at achieving access to equitable justice nationwide.

BRAC

BRAC began its activities in 1970 with a post-cyclone relief program. BRAC was officially established in Bangladesh in 1972 by Sir Fazle Hasan Abed. It is a development organization dedicated to the alleviation of poverty by empowering the poor to realize their potential and bring about positive change in their own lives. Its approach, therefore, is comprehensive with services in education, health care, social and economic empowerment, finance and enterprise development, human rights and legal aid, agriculture and food

security, as well as environmental sustainability and disaster preparedness. BRAC has substantial operations in a growing number of Asian and African countries since 2002 including the Caribbean region of Haiti, where it can achieve a major impact on reducing poverty and improving livelihoods.

Human Rights and Legal Aid Services Program

Immediately after the independence of Bangladesh in 1972, it expanded its focus to include conscientization of the poor, aiming at sensitization regarding the causes of exploitation. In the mid-1980s, BRAC established the Human Rights and Legal Aid Services (HRLS) Program. Originally known as the Paralegal Program it was created to defend the rights of poor and marginalized populations through legal education, legal aid, and supportive services to realize legal empowerment. The program's mission is to protect vulnerable communities from discrimination and exploitation and ensure equitable access to justice. The HRLS program is the largest NGO-led legal aid initiative in the world.

With the aim of focusing a rights-based lens to human development, the objectives of HRLS are to:

- Create awareness on human rights and laws to empower the poor and marginalized through community mobilization and capacity building
- Resolve conflict through legal aid services
- Utilize the legal system to reduce violence against women and children
- Sensitize actors in the legal system in the principles of human rights and gender justice
- Help to build a critical link between government and rights-based organizations to energize social action
- Work towards institutional reform and implement best practices.

Three-pronged Approach

HRLS promotes a three-pronged approach to service delivery consisting of the following:

Human Rights and Legal Education - The human rights and legal education (HRLE) classes educate women about their legal rights, fundamental

laws, and existing legal aid frameworks to create the critical mass needed to oppose injustices.

Community Mobilization - Workshops with grassroots community leaders are organized locally to increase awareness on gender equality, encourage participation, and develop human rights knowledge. Mobilizing the elite is a first step to reducing corruption and enhancing coordination to prevent structural mistreatment of vulnerable people in both government and social institutions.

Legal Aid Clinics - The HRLS program has five hundred seventeen legal aid clinics countrywide. The clinics are a one-stop solution for poor and excluded community members especially women to receive legal counsel, have access to alternative dispute resolution (ADR), legal coordination and support networks. With these resources HRLS helps individuals build a case, understand the legal system, and get the comprehensive medical and social support they need in the wake of an injustice.

The proceeding segments of this article highlight the nature, scope, and positive impact of the HRLS program's legal literacy model in threading legal awareness and social behavioral change into the fabric of grassroots communities around Bangladesh.

Human Rights and Legal Education

The HRLS program operates a hallmark legal education component titled Human Rights and Legal Education (HRLE) that ignites a legal justice seeking-culture among HRLE course graduates. The HRLE model was inceptioned in 1986 with a cadre of barefoot lawyers. These barefoot lawyers, known in Bangla as *Shibikas* or volunteers, are trained as instructors of the legal awareness classes. They travel off the beaten path from village to village and impart legal education to grassroots communities mainly women. The legal literacy course teaches Bangladesh Constitutional law, criminal law, Muslim and Hindu Family Law, Muslim and Hindu Inheritance Law, Christian Inheritance law, land law and also portrays the functionality of Bangladesh's formal and informal legal systems.

a. Current curriculum structure

A new curriculum has recently been developed to shift the paradigm from a purely legal literacy focus to one of rights articulation. This HRLE curriculum is held for twelve days.

The launching pad of the HRLE curriculum is a situation or entitlement (such as property rights) around which a discussion of laws, policies and procedures that support access to justice follows. Some lessons in the new curriculum include 'family, society and me', 'abuse', 'gender discrimination' in society, 'legal terms' such as GD (General Diary), FIR (First Incident Report), etc. The classes also include exposure visits that are meant to demystify government bureaucracy and procedures essential to accessing legal support and justice. Three high performing participants from each HRLE class are chosen to form a Rights Realization Committee to support community members in articulating demand for property rights. They undertake visits to key government offices. Along with helping demystify government bureaucracy and procedures essential to accessing legal support and justice, the visits can assist in making these institutions more approachable for locals.

Table 1: Major contents of the new curriculum

New HRLE Course Syllabus	
Day 1	Family and social analysis
Day 2	Social discrimination and gender
Day 3	Abuse
Day 4	Basic rights and entitlements
Day 5	Marriage
Day 6	Dowry
Day 7	Divorce, separation, guardianship and custody, post nuptial rights
Day 8	Police duties and jurisdiction
Day 9	Hindu, Muslim and Christian woman's right to land
Day 10	Opportunities for women to utilize, own and control land
Day 11	Land mutation, tax and <i>khas</i> (state-owned) land
Day 12	Closing day

b. Capacity development

The new teaching methodology, which is undergoing an initial testing phase, incorporates a problem-solving approach to legal literacy by centering the rights-based curriculum in the context of the social and economic profile of participants. Class participants are encouraged to identify barriers preventing them from seeking justice and are guided to think strategically to overcome them. The HRLE Shebikas are being retrained in the new interac-

tive teaching methodology. These refresher trainings are outlined in greater detail below.

- Barefoot lawyers participate in refresher trainings based on their own unique schedules:
- Monthly Refreshers are held at field level for one day each month
- Yearly refreshers are held at BRAC Learning Centers for six days.

Daylong and yearly refresher trainings of HRLE Shebikas are conducted by HRLS field-based trainers. The former is held in either BRAC's area/branch offices and the latter are conducted in BRAC's Learning Center's training institutes. The refreshers are an effective way of standardizing the quality of the Shebika's performance and of keeping them updated on current laws.

c. Participant profile

The profile of HRLE participants typifies BRAC's efforts to work with poor and vulnerable communities especially women, organize them, create a conducive environment for them to lift themselves out of poverty, and raise their voices against injustice. HRLS selects women from destitute communities who lack knowledge of existing laws and the legal system with a scope to visualize and understand how the legal framework can work for them. Both BRAC and non-BRAC program participants and local community members participate in the HRLE Class.

No learning experience is complete without students being able to apply their theoretical knowledge empirically. HRLE gives course participants the opportunity to put their legal literacy skills into action. After the completion of the HRLE course, three best graduates form an Odhikar Bastobayon Committee (OBC) or the Rights Implementation Committee. These groups are perceived as human rights advocates as they assist in quelling rights violations that occur within their communities. In this way, both the barefoot lawyers and OBC members are critical links for accessing justice for human rights offences.

d. Materials

The HRLE class is premised on image-based learning patterns as the majority of the participants are illiterate. The illustrations are action-based images that synchronize with each lesson, topic, and sub topic.

BRAC uses a mixed bag of learning materials in the HRLE class. The list below is per class:

- 1 Chart (Outlining specific laws)
- 1 Poster (Discussing ‘Who am I’ within the greater social context)
- 1 Poster (Illustrating the myth that ‘My wife does not work’)
- 1 Guide (For use as a resource by the Shebikas)
- Pictorial Cards (showing gender perception related scenarios).

e. Activities undertaken

HRLS has continuously implemented its legal literacy program for twenty-six years. Educational activities had been held in various parts of Bangladesh, and actions taken by the course participants have run into thousands, with more than three million community members as participants. Below is a summary of the statistics on activities undertaken through the years.

Table 2. Activities undertaken till September 2012

Human rights & legal education classes held	162,516
HRLE graduates	3,759,330
Community leaders' workshop held (union, <i>upazila</i> [sub-district] and district level)	15,428
Complaints received	182,170
Complaints resolved by ADR	98,430
Cases sent to court	33,524
Judgment received in favor	16,620
Monetary compensation received through ADR and cases	828,963,376 Bangladeshi Taka (BDT)

The Barefoot Lawyers

The HRLE has helped community members obtain the necessary knowledge, skills and attitude on using the law and human rights principles to resolve the problems they face in their communities. As shown in Table 2, thousands of cases have been received and brought to various forums (alternative dispute resolution mechanisms and courts) and were resolved.

These barefoot lawyers have stories to tell. Their stories provide concrete image of the effect of legal literacy. The stories of two barefoot lawyers, Alea Begum and Mukul Jaan, provide good examples of the lives and commitment to action of human rights agents working in the HRLS program.

Alea Begum

Alea Begum is a HRLS barefoot lawyer from Narayangonj. Her inspiration to become a human rights worker sprang from her struggle to secure a decent education as a child due to her family's economic background.

To Alea, education and social awareness was the golden thread of social change. Unfortunately, Alea's hopes of completing her education were short lived. When she was studying in Class 6, she was married off as a child. However, this did not prevent her from finishing her studies. With this conviction, Alea went on to successfully complete her formal schooling and higher education.

With equal confidence, Alea proved her intellect and talent while assuming versatile roles as a nurse providing first aid within her neighbourhood, as well as an accounts clerk, and a worker at a cooperative society where she even went on to instruct local women on handicrafts work. Alea's first ever exposure to BRAC came when she became a BRAC school teacher by renting out her own home to this institution. Shortly afterwards, Alea extended her skills to set up a local committee comprising of mothers whose children studied at this BRAC School. At this forum, Alea encouraged members to talk about community-based agendas.

At the time, Alea believed that though she had come this far because she was educated, literacy alone was not the only key to addressing social issues and upholding human dignity around her. It was then that Alea took up training to become an HRLE barefoot lawyer in 1999.

As a passionate human rights advocate of the HRLS program, Alea not only imparted legal literacy to rural grassroots women but also proactively promoted mediation of family disputes and prevented rights violations such as child marriage, domestic violence incidences, etc. from occurring within the community. Alea's life-changing experiences did not stop here; her charisma and unique leadership qualities led her to newer heights when she was elected as Vice Chairman of the local government's Union Parishad (Assembly). Under this dynamic role, Alea went on to curb a series of injustices, e.g., protesting against child rape, etc., for which she received acute criticisms and death threats from locals for daring to act against such culturally sensitive issues. Despite this tumultuous chapter in Alea's life, she continues to battle against all odds and work diligently for rural, social, and human development.

Today, Alea lives life with the philosophy that female liberties must stem from one's own home. With this empowering strength, she believes women's lives will change dramatically.

Mukul Jaan

Mukul Jaan comes from Gurudaspur, in the Natore district in northern Bangladesh. She is a member of the HRLS grassroots advocacy network OBC.

Mukul Jaan became inspired by the idea of upholding human rights and dignity of destitute people from her neighbors who were either attending or had completed the HRLE course. Mukul's acquaintances often discussed the significance of the knowledge they had acquired from the HRLE course. Their level of awareness on laws including formal and informal frameworks, not to mention their motivation, began to inspire Mukul Jaan towards a fresh outlook on a community congregating and stopping injustices from occurring within their localities. Without any hesitation, Mukul enrolled into the HRLE course.

Mukul Jaan completed the HRLE course successfully. She felt happy to have gotten the opportunity to learn about the various laws of the state and the legal justice system that is currently in place like her neighbors did.

After Mukul Jaan became equipped with theoretical human rights and legal awareness from the HRLE course, nothing could stand in her path from applying this intelligence in vital real life situations. It was an episode on 31 October 2012 that sparked a flame in the hearts of Mukul Jaan and her fellow OBC members, Monwara and Afela. Mukul and her comrades demonstrated their ingenuity in preventing a child marriage from taking place in their community. A student of Class 5 named Rizwana was being forced by her family to marry. On hearing this startling news, these OBC members gathered themselves together and hastily reached Rizwana's house. During their visit, Mukul Jaan in particular spoke out about child marriage being a punishable offense. She explained how this crime had dangerous consequences on a girl child in terms of health risks, she spoke of the pitfalls of stopping Rizwana's education, and how this incident will inflict grave psychological trauma on Rizwana.

Despite the OBC's audacious efforts, Rizwana's family still decided to go ahead with their daughter's marriage. The OBC's inability to dodge this violation compelled them to seek a more stolid stance on the matter. Mukul Jaan and her two other OBC colleagues sought the Union Parishad Chairman's guidance

and assistance to stop Rizwana's wedding immediately. In the end, this collaborative attempt proved to be successful. Mukul Jaan and the OBC's relentless efforts to quell this child marriage has given Rizwana a new lease on life. She has resumed her formal education due to her family's newly acquired social awareness against this injustice and is now living in an environment that is conducive for her to continue leading a happy and healthy lifestyle.

The social implications of this story are that without the HRLE course, Mukul Jaan would not have been able to access legal literacy as a weapon of defense and knowledge. The promotion of legal awareness across Bangladesh is thus the fruit of HRLS vigilant legal empowerment network.

Implementing the HRLE Curriculum: Problems and Remedies

Rolling out the HRLE curriculum in all HRLS coverage areas around the country has proved to be a mammoth task. At the onset, a host of setbacks were faced in the smooth implementation of this curriculum that were eventually vetted and redressed to produce a legal literacy course with maximum quality. These are outlined below.

a. HRLE curriculum fees

The HRLE course curriculum fee per participant is BDT 30 (about 30 US cents). Initially, HRLS paid BDT 15 and the rest by course participants. This fee translated to income for the HRLE Shebikas, which hosted the literacy course, with BDT 30 earned for each participant. However, the fee proved increasingly difficult to pay especially for ultra poor participants wishing to enroll into this course. HRLS decided not to require the payment of HRLE fee from the participants and paid for the whole the fees instead. The Shebikas still earn an income of BDT 30 per participant for holding the curriculum.

b. Long course duration

Up until now, HRLE classes were run according to the twenty-two-day curriculum. These lengthy course durations proved cumbersome for participants who were mostly housewives. These women often had to leave their homes for long periods of time and travel long distance to attend the HRLE classes. For this reason, participants were irregular and simultaneously were unable to fully contribute to household income generation incurring losses in livelihood as a whole. Keeping this in mind, the new curriculum was shortened and now stands at twelve days as outlined above.

c. Restricted HRLE participation

In the early days of the program, HRLS only enrolled members from BRAC's loan-borrowing groups known as Village Organizations. But since 1998, it has encouraged participant intake from all over the country, irrespective of their affiliation to BRAC.

d. Traditional Mindsets

A patriarchal social structure and entrenched cultural beliefs of local communities overshadowed the teachings of the HRLE course in many of the locations where these classes were being delivered. This stunted participant enrollment. Though this critical issue could not be solved overnight, it was tackled proactively by HRLS with the aid of awareness-raising tools such as workshops with local leaders, law enforcement, local government and non-government actors, including community folk, to stress the importance of human rights and legal literacy in seeking equitable access to justice on the road to empowerment. Presently, HRLS Field Organisers (FOs) pay regular visits to the HRLS class sites to monitor the impact of the classes being held amidst locals. The FOs also interact with Shebikas and course participants during these sessions to assess the participants' comprehension levels of course topics and provide due guidance on a participatory and engaging approach to learning as adopted by HRLS.

Final Note

On its 26th year of operations, HRLS' legal literacy model is more robust than ever as it still serves as a versatile tool to spread human rights and legal awareness to excluded communities across Bangladesh enabling them to become the torchbearers of a just society.

The greatest challenge now lies in rolling out the HRLE curriculum for men because this requires extensive planning and foresight on pilot areas, target populations, induction of male HRLE volunteers to teach solely male participants, etc. Impact assessments of both HRLE for women and men need to happen thus providing scope for learning and filling in gaps that will determine smoother legal literacy service delivery. With a dedicated workforce set in place, HRLS is hopeful of a positive response in setting out an inclusive and dynamic approach to legal literacy and community awareness nationwide.

Peace Education Within the Human Rights Framework: Curriculum by Grassroots Organizations in South Asia

Nasreen S. M. Contractor*

PEACE EDUCATION is constrained by an apparent reluctance to define it precisely, perhaps because it is a multi-disciplinary field found in a variety of learning environments, practiced by educators with varying concerns and perspectives. The lack of definition may serve to preserve an element of creativity, which has been a source of pride among educators, but the lack of organizational structure that characterizes other fields of education, limits peace education to being something "innovative" and marginal from mainstream education. Based on my experience as an educator and my interactions with many community education organizations, I would argue that the lack of definition is precisely because peace education has sprung up in many parts of the world. Impelled by a range of socio-political concerns, the varied professional specializations of practitioners, the distinct circumstances that have led to the emergence of a variety of approaches and issue focuses, there is not one standard field, but a variety of sub-fields loosely held together by a few common purposes. This is amply demonstrated by the South Asia Toolkit for Peace Educators (South Asia Toolkit), published by the Asia South Pacific Association for Basic and Adult Education (ASPBAE) in 2007, a compilation of a variety of lesson plans organized under several modules and bound together by a curriculum framework that was defined over a series of discussions between educators working in a variety of conflict zones across the sub-region.

We live in a world of disparities where few enjoy advantages, a world of "peacelessness". Unless respective populations are intentionally educated to understand and pursue what is mutually beneficial to their own groups and other diverse groups, in no circumstances will a society experience "peace". Peace then is possible when society agrees that the overarching purpose of public policies is the achievement and maintenance of mutually beneficial

*Former Program Officer, Asia South Pacific Association for Basic and Adult Education (ASPBAE). Currently Co-Director, Women's Research & Action Group (WRAG), Mumbai, India.

circumstances that enhance the life possibilities of all. Such an agreement is identified as the universal respect for human rights. It is also an agreement to renounce the use of violence within society and to develop non-violent processes for dispute settlement and decision making.

ASPBAE

ASPBAE is a regional association of more than two hundred organizations and individuals. It works towards promoting quality education for all and transformative and liberating, life-long adult education and learning. It strives to strengthen an Asia-Pacific movement to support community and people's organizations, national education coalitions, teachers unions, campaign networks, and other civil society groups and institutions in holding governments and the international donor community accountable in meeting education targets and commitments.

Through its work ASPBAE lobbies with governments to

- Ensure the right of all to an education
- Uphold education as an empowering tool to combat poverty and all forms of exclusion and discrimination
- Enable active and meaningful participation in governance
- Build a culture of peace and international understanding.

ASPBAE believes in the transformative function of adult and basic education, especially to promote the learning interests of the disadvantaged and vulnerable groups. It believes that education and adult learning are essential means to combat poverty, fight all forms of discrimination, equip citizens to actively participate in development and governance; empowers women and men, children and adults, individuals and communities to cope, survive and transform their position and conditions; and build a just peace.

ASPBAE is a network of organizations and individuals involved in formal and non-formal adult education, working with and through non-governmental organizations (NGOs), community organizations, government agencies, universities, trade unions, indigenous people, women's organizations, the media, and other institutions of civil society across the Asia Pacific.

It offers capacity-building programs such as the Basic Leadership Development Course (BLDC), Quality Adult Education and NeXT.

BLDC is a significant learning event for ASPBAE members. It is a six-day residential program and an induction to ASPBAE's network and to adult education work. It aims to expand the 'leadership corps' in the Asia South Pacific region committed to the right of all to learn, and to promote the learning needs and interests of marginalized groups.

BLDC provides opportunities for adult educators to

- Share, learn and apply adult learning principles and practices to development issues and challenges in the Asia Pacific region
- Develop leadership skills in policy advocacy
- Promote regional networks for adult education
- Focus on gender awareness, regional diversity, and cultural sensitivities
- Gain a better understanding of and develop a commitment to ASPBAE.

While ASPBAE's work is focused on ensuring basic and adult education in the region, it recognizes the importance of defining the components that make up good quality education and learning. ASPBAE aims to steer its thematic programs, such as women's political participation and indigenous education, around quality standards for adult education, or benchmarks, which are rights-based, gender just, and empowering. The Quality Adult Education initiative aims to:

- Help advocates for adult education deepen analysis and thinking on possible alternative policies especially on adult education governance and financing, away from a minimalist/residual approach to adult learning
- Assist adult education practitioners in setting guidelines or yardsticks from which to assess their own work - in the design, implementation, facilitation, evaluation, and contributing to individual and social change
- Contribute to building a more robust knowledge base on quality adult education, drawn from the very rich experience of NGOs and community educators in the Asia South Pacific.

To expand its vision to develop a wider pool of leaders in adult education, ASPBAE offers its members an intensive learning process called NeXT. NeXT is designed to build and nurture regional trainer-facilitators as well

as adult education policy advocates in the Asia South Pacific region. It is an 18-month learning program with built-in opportunities for learning and gaining in-depth knowledge of ASPBAE's programs at the regional, sub-regional and national levels through a mentoring process.

Peace Education

ASPBAE's Peace Education curriculum is an activity based, participant-centered process, built on the foundation of Experiential Education (EE). The participants must DO something, be actively involved. Then after or even during the activity, the learners actively REFLECT on their experience. What did we do? What did we learn? How did I feel? The final and crucial part of the process for the participants is the discovery of how to APPLY their new knowledge or behavior to the world they live in.

Learning/education does not usually happen in a vacuum, which contains only the learner and a guide. Most of the time learning happens in a group. Therefore, Peace Education has to happen in a group. From the single student "Do, Reflect, Apply" learning, the Toolkit moves to a group learning process founded on building a safe community where the participants can explore, try new behaviors, take risks and learn from their experiences. Community-building is an integral part of the education process.

Developing a Toolkit

There are several examples of pioneering and innovative practice of peace education in schools and colleges and by NGOs, youth groups and other civil society organizations in local communities in the South Asia subregion. ASPBAE brought together several leading peace educators from the diverse conflict areas of India, Nepal, Bangladesh, Pakistan and Sri Lanka in consultations and workshops, to deliberate on the essential components of a peace education program and to develop and share effective and creative training methods whereby young people would be able to develop skills and insights, to be able to better deal with fundamental issues affecting our society today. This led to the idea of developing a South Asian training kit for peace educators.

The preparation of the curriculum for the training kit took place in a workshop held in Colombo in 2005. Thereafter partners contributed select

activities that were developed through their practice and best suited the particular themes. These were crafted into lesson plans. The activities were then piloted in workshops that brought together a mix of participants at the regional and sub-regional levels. Hence activities that were context specific were used and tested in effectiveness for a regional and sub-regional mix of participants. Those found most effective were retained in the final collection of lesson plans contained in the Toolkit. Thereafter the Toolkit was widely disseminated in printed form and electronically. Several workshops to demonstrate the use of the Toolkit have been conducted. These have served as Training of Trainers workshops that have multiplied the number of users of the Toolkit. The Toolkit was released in a press conference organized in Kathmandu which was attended by the Secretary of the Department of Education. It has been adopted as part of the mainstream education curriculum by schools in Nepal.

The training kit brings together contributions from these leading peace education practitioners. It comprises exercises that have been developed/sourced and used effectively as training tools among teachers, students and community leaders in the different conflict areas of South Asia.

The activities in the Toolkit are all designed to facilitate a participative approach. It is important to encourage the participants to take the ownership of their learning. Hence the activities in this kit are designed to help participants share their knowledge and with everyone's contribution, together, create new knowledge.

The Toolkit also contains background notes and appendices which a facilitator will find useful to read as preparatory material before engaging with participants on these issues. It is particularly important to study the note on "facilitation skills for the peace educator". This note contains ideas that are drawn from experience in facilitation of workshops that have been organized specifically to address the sensitive and politically controversial themes of peace, conflict and justice issues.

To conduct a comprehensive education program on peace and conflict, several sessions are recommended in which the facilitator can take participants through at least one activity of each module.

Alternatively, the facilitator can select a blend of activities to suit the time available, objectives and profile of the group. Even if participants are familiar with each other, starting with ice-breaking games is recommended to help create a conducive environment for participatory work. The mix of

lessons must combine the essential core of peace education as well as the supportive substantive components.

Human Rights Content

The “peace knowledge,” embedded in the curriculum of the South Asia Toolkit, is built on the components of human rights education which has developed out of a virtual crisis in human and social relations, manifested in repression, socio-economic deprivation, racism and sexism. The South Asia Toolkit brings together techniques for well-planned and guided learning that attempts to:

- Develop a definition of what is peace within a human rights and development frame
- Map conflict situations, analyzing types of conflict, causes, consequences
- Encourage an understanding of multi-culturalism to appreciate oneself and others
- Explore concepts like discrimination and prejudice to restore communication and build levels of trust between warring groups
- Provide opportunities to reflect on gender identities and think about how men and women are impacted by conflicts and other social issues
- Provide opportunities to experience and compare goal setting and problem solving through co-operation and competition
- Explore ways in dealing with conflict
- Draw out and enhance creative expressions of participants about issues and alternatives to conflict.

South Asia Toolkit for Peace Educators¹

There are various interpretations and some contentions about what should and should not constitute peace education. The possibilities are many and cover aspects such as: educating about peace; learning skills for peace making; and educating for peace emphasizing attitudes and awareness of global problems and human diversity. To maximize the potential of all that peace education can accomplish within a human rights framework, ASPBAE’s

South Asia Toolkit provides a structure for addressing the development of a comprehensive set of values and skills in the learners.

These include:

A) Core values and attitudes related to:

1. Human rights and democracy
2. Co-operation and solidarity
3. Preservation of cultures
4. Self and others
5. Internationalism
6. Protection of the environment
7. Multiculturalism and interfaith beliefs

a) Values and attitudes related to Human Rights and Democracy

1. Dignity
2. Equality
3. Justice
4. Protection of the rights of all peoples
5. Participation
6. Freedom of speech and expression
7. Freedom of belief

b) Values and attitudes related to Co-operation and Solidarity

1. Love of peace and harmony
2. Interdependence
3. Conflict resolution by peaceful means
4. Mutual understanding, co-operation and respect among individuals and societies
5. Culture of peace and co-operation

c) Values and attitudes related to the Preservation of Cultures

1. Respect for the family and all its members
2. Appreciation of one's own culture
3. Appreciation of the world's cultural heritage and human achievement
4. Sensitivity to social and cultural change

d) Values related to Self and Others

1. Self-awareness, reliance, esteem, and self-discipline
2. Respect and empathy in our relationship to others; loving and caring

3. Moral courage
4. Open-mindedness, trust, tolerance, equanimity and reconciliation
5. Inquiry and creativity
- e) Values and attitudes related to Internationalism
 1. Awareness of the rights and duties of citizenship
 2. Equality among nations
 3. Harmony between nationalism, regionalism and internationalism
 4. Awareness of global issues and their peaceful resolution
 5. Conflict resolution by peaceful means
 6. Respect and knowledge on International Law and International Humanitarian Law
- f) *Values and attitudes related to the Protection of the Environment*
 1. Interdependence of people and nature
 2. Appreciation and commitment to maintain and improve the environment for the survival of all species
 3. Promotion of a sustainable environment
- g) *Values and attitudes related to Multiculturalism and Interfaith*
 1. Freedom of thought, conscience and belief
 2. Freedom of religious practice
 3. Respect and appreciation for own culture and of others
 4. Mutual respect for the religious observance of others
 5. Equality of treatment of religions by the state.

B) Skills

The goal of peace education is for learners to develop the skills necessary to be proactive and effective as global citizen. These can be summarized under the following headings: Thinking Skills, Communication Skills and Personal Skills.

Thinking Skills

- Critical Thinking: The ability to distinguish fact, opinion and belief; to recognize bias and prejudice; to identify issues and problems as well as the assumptions in an argument; to reason correctly.
- Information Handling: The ability to form a hypothesis and test it; to know where to look for answers and how to select and reject information; to effectively weigh up evidence; to hypothesize eventual outcomes and consequences in order to be able to choose the most appropriate action.

- **Creative Thinking:** The ability to seek novel solutions and answers; to think laterally and approach problems for multiple perspectives.
- **Reflection:** The ability to stand back from a problem and identify its component parts; to effectively monitor thought processes and produce appropriate strategies for dealing with any particular problem.
- **Dialectical Thinking:** The ability to think about more than one point of view; understand both points of view; construct an argument from either point of view based on knowledge of the other.

Communication Skills

- **Presentation:** The ability to clearly and coherently explain ideas
- **Active listening:** The ability to listen carefully, understand and acknowledge the views of others.
- **Negotiation:** The ability to recognize the role and limitations of compromise as a tool for the cessation of conflict; to carry on a productive dialogue towards the resolution of a dispute.
- **Non- Verbal Communication:** The ability to recognize the meaning and significance of body language and other languages (arts, for example).

Personal Skills

- **Co-operation:** The ability to work effectively with others towards a common goal.
- **Adaptability:** The ability to change opinions in the light of evidence and reason.
- **Self- Discipline:** The ability to conduct one's self appropriately and manage time effectively.
- **Responsibility:** The ability to take on and complete tasks in an appropriate manner; being willing to assume a share of the responsibility.
- **Respect:** The ability to listen sensitively to others; make decisions based on fairness and equality; recognize that other's beliefs, views and ideas may differ from one's own.

A review of the forty-eight lesson plans in the South Asia Toolkit, though appearing simplistic, do lead the facilitator and the learner to stimulate reflection and discussion that tap into building the value and skill sets listed above.

The lesson plans are organized into the following modules:

1. Defining Peace
2. Identifying the major conflicts in South Asia
3. Diversity and Tolerance
4. Understanding and dealing with conflict
5. Religion and Peace Building
6. Social Sector Needs and Defense Spending
7. Gender, Peace & Justice
8. Working for Conflict Transformation.

Activities from the Diversity and Tolerance and Gender, Peace & Justice modules of the South Asia Toolkit are presented in the Annexes.

Concluding Remarks

Education is the process of permanent learning with includes several stages of life of people and has as its goal achieving spiritual, ethical, moral, affective, intellectual, artistic, and physical development, through the transmission and cultivation of values, knowledge, and skills. It is framed in respect for and valuing of human rights and fundamental liberties, multicultural diversity and peace, and national identity. It is empowering people to conduct their lives fully, to live together peacefully and to participate in forms that are responsible, tolerant, democratic, supportive of solidarity, and active in the community, and also work for and contributes to the development of the country. This definition of education is consistent with Paolo Friere's definition of education as "problem solving education" as different from "instrumentalist education." To take a real worldview, there needs to be a combination of both. Unfortunately the capitalist ideology of the world economy singularly supports a model of education that feeds the engine of material growth. What is needed to enrich the lives of youth is investing in education that also develops social capital - wherein we strive to develop future generations that can enjoy a society that provides life of quality beyond just material terms. Peace education is a component of humanistic education that can build humanistic minds, communities and societies.

Endnotes

¹ The ASPBAE South Asia Toolkit for Peace Educators is downloadable in the Publication and Reports section of ASPBAE's website, www.aspbae.org/node/66.

Annex A

Module on Diversity & Tolerance (ASPBAE South Asia Toolkit for Peace Educators, 2007)

Activity Title: Sharing Stories: Prejudice Activity

Time: One hour

Aims:

- To help individuals explore how they first became conscious of prejudice and discrimination and the feelings associated with it
- To make participants [become] aware that everyone has experienced prejudice and discrimination and that it comes in a variety of forms (not just racial).

Materials: None

Worksheets: None

Procedure:

- Facilitators should divide the class into small groups of no larger than 10 members.
- Each participant should be given the opportunity to relate a story in which they felt discriminated against, or in which they felt they had discriminated against someone else.
- Be sure that everyone has an equal opportunity to tell his or her story.

(Contributor: Community Outreach Project of the Diamond Jubilee High School, Mumbai, India)

Debrief and Notes:

- It is vital to continually relate stories back to how they made the person feel.
- Participants will often not offer this information without being asked by the facilitator.

- Remind participants about confidentiality.
- Also, mention that it is better not to refer to people in the class by name in their story.
- It is also unfair to indict someone who is not there to offer his or her perspective.
- It is important to acknowledge the fact that we cannot change what happened five minutes ago, let alone several years ago. The point is to figure out exactly what we are doing and then decide for ourselves if we want to continue doing the same things.
- Participants are often reluctant to volunteer to begin this activity. A good strategy is the facilitator; tell her/his own story first. This will help with the trust factor as well.

Annex B

Module on Diversity & Tolerance (ASPBAE South Asia Toolkit for Peace Educators, 2007)

Activity Title: Difference Posters

Time: One hour plus possible work at home

Aims:

- To think about all the ways in which people are different from each other
- To promote tolerance

Materials: Poster-size paper, pencil, coloured pens

Worksheets: None

Procedure:

- Tell the participants that they are going to be designing posters to be displayed later, and that the theme of the poster will be ‘difference’.
- To start, do a quick brainstorm with the participants about how we are similar and how we are different to each other (see notes below).
- In order to make their posters the participants will have to think carefully about what they will write and draw. To help, ask them about the kinds of messages they would like to convey through their posters (for examples, see notes below).
- They also need to think of a title or slogan for their poster.
- Ask the participants to make their posters. They may need to complete their posters for homework.
- When the posters are ready, display them in a suitable place.
- If time permits, discuss the posters with the participants: why did they draw or write a particular thing? What issues are most important to them? Why?

(Contributor: Human Rights Education Programme, Pakistan)

Debrief:

Some of the ways in which people could be different from each other: colour of hair/skin/eyes, shape and size, language, religion, ethnic origins, class, where we live, where we go to school, profession, interests, likes and dislikes, etc.

Possible theme points of the poster: people are different from each other; it is all right to be different from others; they may be as different to us as we are different to them; we should not be horrible to someone because they are different in some way or the other.

Annex C

Module on Gender, Peace & Justice (ASPBAE South Asia Toolkit for Peace Educators, 2007)

Activity Title: The New Girl in Class

Time: One hour

Aims:

- To explore concepts like discrimination and prejudice
- To help the participants realise how it feels to be discriminated against, by getting them to empathize with the girl in the story
- To reflect on our individual prejudices.

Materials: None

Worksheets: None

Procedure:

Slowly read the story below to the participants. You may have to read it twice so that they fully understand the main points.

The New Girl in Class

This is her first day in the new school. She has just transferred because her parents moved here from the south. She looks a bit different from the others and is a very quiet girl. Her family has moved into a not-so-good neighbourhood in town, as that was the only place they could get immediately. But they plan to move as soon as they find something better. The rumour of where she lives has already reached and circulated in class when she arrives on her first day.

As the day goes by, things just get worse. Nobody talks to her and they all give her strange looks and whisper while pointing and looking at her. She is rather uncomfortable about this and on several occasions she tries to talk to her classmates but they either walk away or look the other way.

Nobody answers her questions about the new school and nobody helps her find the cafeteria and other places she has to go during the day. Nobody gives her any attention at all. Everybody seems to be avoiding her. She is very uncomfortable and unhappy. Everybody looks away when asked by the teacher who will team up with her. Suddenly from the back of the classroom a girl gets up and says "I'll team up with her for this assignment." Now there are even more whispers around the classroom and everybody looks at the two girls. The girl who stood up is one of the better students and is generally liked by her classmates. During this assignment the two girls end up having a good time together. The other students in class find out that the new girl is a very nice person and she is finally accepted.

Ask the participants to recap the main points of the story and write them down in bullet points on the board. Hold a discussion about the story (see notes below).

(Contributor: Centre for Dialogue and Reconciliation, India)

Debrief and Notes:

Begin a discussion by referring to the notes written on the board. The discussion could revolve around the following issues:

- Why were all the girls discriminating against the new girl?
- Did they have a good basis for their prejudice?
- How do you think the new girl felt when she faced the discrimination?
- Would anyone like to share a story of how they faced discrimination and how they felt?

Annex D

Module on Gender, Peace & Justice (ASPBAE South Asia Toolkit for Peace Educators, 2007)

Activity Title: Gender and Discrimination

Time: One hour

Aims:

- To think about the various forms of discrimination faced by women on a daily basis
- To empathize with the problems women face and consider solutions to these problems.

Materials: None

Worksheets: None

Procedure:

Explain to the participants that the United Nations Development Programme (UNDP) has enumerated four categories or forms of discrimination against women:

- Denial of human capabilities
- Denial of economic opportunities
- Denial of political power
- Legal inequality + inadequate social protection from violence.

Divide the participants into groups of 5-8. Ask each group to look at the statistics below (1995) and identify the category of discrimination that is operating in that instance.

Once they have done this, they can get into the whole group and compare their perceptions and analysis.

(Contributor: Asmita, India)

Debrief and Notes:

[Substitute with recent statistics if available]:

- 70% of 1.3 billion poor are women
- Women's wages are less than men by 30-40%
- Women's non-monetized, invisible labor is worth US \$ 11 trillion a year!
- Women are small percentage of borrowers from banks
- 2/3rds of 900 million illiterates in South Asia are women
- 60% of 130 million children without primary school access are girls
- 1/2 a million female deaths are due to maternal mortality. 99% in South Asia
- 100 million women "missing" due to discrimination
- Women occupy 10% of parliamentary seats and 6% of cabinet positions [world wide]
- 50 % of women experience sexual violence
- 80% of refugees and internally displaced (of 24 million) are women
- In India the Sex Ratio is 1000:929
- Literacy: Male - 65.5; Female - 37.7.

Asia-Pacific Child Rights Award*

HURIGHTS OSAKA

CHILDREN IN NEARLY NINETY PERCENT OF HOMES in Asia and the Pacific watch two to five hours of television per day. Without a doubt, television plays a significant role in shaping children's social and emotional development.

Broadcasters from the region attending the Asia-Pacific Television Forum on Children and Youth in Seoul in 2001 discussed the role of this influence and pledged to pursue children's programming that was both of good quality and sensitive to children's issues. Because of that industry commitment, the Asia-Pacific Broadcasting Union (ABU) and Cable & Satellite Broadcasting Association of Asia (CASBAA) teamed with UNICEF East Asia and Pacific Regional Office to launch a Child Rights Award that honors individual broadcasters' follow-through on their pledge.

The Award

The Child Rights Award provides recognition to broadcasters and producers for quality children's programming and children's issues in Asia and the Pacific Region. It is given annually and intended to serve as a vehicle to highlight the need for better children's television and also to encourage broadcasters and producers to give more attention to better programming for and about children.

Programs both *for* children and *about* children are eligible and can cover any child rights issue. Entries can include documentaries that detail the plight of children, dramas that help break down stereotypes and discrimination, or animation that teaches and entertains.

Countries Covered by the Award

The entries for the Award are open to the following eligible countries: Afghanistan, Australia, Azerbaijan, Bangladesh, Bhutan, Brunei,

*This article is mainly based in the information from the Asia-Pacific Child Rights Award website, www.childrightsaward.org/.

Cambodia, China, Cook Islands, DPR Korea, Fiji, French Polynesia, Federated States of Micronesia, Kazakhstan, Kyrgyzstan, India, Indonesia, Japan, Kiribati, Korea, Lao PDR, Macau, Malaysia, Maldives, Mongolia, Myanmar, Marshal Islands, Nauru, Nepal, New Zealand, Niue, Pakistan, Palau, Papua New Guinea, the Philippines, Samoa, Singapore, Sri Lanka, Timor-Leste, Tajikistan, Thailand, Turkmenistan, Tuvalu, Tonga, Uzbekistan, Vanuatu, and Viet Nam.

Criteria for the Entries

Entries for the Award can be any program on or about children that addresses or explores child rights issues. Entries can include documentaries that detail the plight of the child, dramas that help break down stereotypes and discrimination or animation that teaches and entertains. The program should cover an aspect of a child's right issue articulated in the Convention on the Rights of the Child, the most widely ratified (given legal force) human rights convention of all time. The program should focus on children and young people under the age of eighteen years old (children) and address one of the issues raised in the fifty-four articles, plus two optional extras (or 'protocols') that outlines a child's right to life and survival (the right to food, health care, shelter, to a name and nationality), to develop (to go to school, to play, to have direct contact with parents and family), to participation (to express themselves, have access to information, share their opinions and be listened to, to freedom of thought, conscious and religion,) and to protection (to be safe from exploitation, abuse and violence).

The program can demonstrate a problem, highlight a solution or share a story based on experiences related to a child. For specific articles of the convention, please go to www.unicef.org/crc.

Entries for the Award are judged according to the following criteria:

- a. Concept: Does the program promote an original, innovative and engaging look at children and their rights, or an issue that affects their lives? Does the subject matter propel the audience to think about child rights issues different? Does it seek to represent children in a way that fully recognizes their story, opinion and voice?
- b. Execution: Are the sets, the camera work, the lighting, and the sound quality coordinated so as to enhance the presentation? Do the

casting, costuming, writing, directing, editing, etc., convey the idea of the program effectively to the viewer?

c. **Scoring:** Scoring is an individual decision. The juror alone will assign a point value, following the criteria and suggestions provided, to each program on its own merits, not in comparison to other entries.

Because programs are judged on their individual creative merit and achievement, the same numerical score can be given to more than one program. The highest point score that a program may earn is twenty points (ten for Execution and ten for Concept).

Jurors are not permitted to vote on programs from their own company. In addition, if they have any conflict of interest that does not allow them to make an impartial decision for a program, they should abstain from voting on that particular program. If they enter a score for a program from the company/organization they work for, the score will be considered null and void.

Award Announcement and Ceremony

The announcement and the award ceremony alternates between the Annual General Meeting of the ABU and the Annual CASBAA meeting in Hong Kong both held sometime in October or November.

The hosting partner makes the best effort of using the ceremony to get media attention to the award and the winner. They also share any media materials with all partners for further publicity and placement on the website.

There should also be efforts to allow for segments of the winning production to be used as a video clip on the website to further publicize the content or highlight the issues.

Depending on the copyright, the producer/broadcaster should be encouraged to allow the partners, with full consent, share and publicize the program.

Publicity materials should be provided, where possible by broadcaster or programmer to highlight the winning program.

Awardees

Since 2001, the Child Rights Award has been given annually to TV programs that portray the lives and situations of children who suffer from child rights

violations, and also stories of children trying to overcome their disadvantaged situations.

- 2012: “I-Witness: Piggy Bank,” GMA Network Inc. (Philippines)
- 2011: “Iori and Ibuki – Why We Were Born,” Shizuoka Telecasting (Japan)
- 2010: “Let Them Touch the Sky,” Smile Foundation (India)
- 2009: “All I Need,” by MTV EXIT
- 2008: “I-Witness: Child Beasts of Burden,” GMA Network Inc. (Philippines)
- 2007: “Children Left Behind,” Jade TVB (Hong Kong)
- 2006: “Conquering the Darkness – The Fight Against Memories of Abuse,” Kansai Telecasting Corporation (Japan)
- 2005: “Juvenile Injustice,” ABS-CBN Channel 2 (Philippines)
- 2004: “Hong Kong Connection: Children In Need,” Radio Television Hong Kong
- 2003: “Angels in Prison,” GMA-7 Channel (Philippines)
- 2002: “Child Soldiers,” Radio Television Hong Kong
- 2001: “Children Will Grow,” Mainichi Institute (Japan).

The 2012 Asia-Pacific Child Rights Award went to a TV documentary about a village boy who worked hard to get an education. “I-Witness: Piggy Bank” is a groundbreaking documentary by producer Kara David of GMA Network of the Philippines, a national TV station.¹

Filmed in a far-flung village in the Philippines, the fifty-minute long film tells the story of twelve-year old Anthony, who works hard every day and night to fulfill his dream of getting an education. From catching fish and washing cars to scouring for sea cucumbers at night, he saves every penny he earns in his piggy bank with the goal of being able to go to school.

In the Philippines, there are over three million children who are not in school because of poverty, the demand for child labor, poor health and nutrition and low preparedness for school. Of every one thousand entrants in Grade One, only seven graduate from Grade Six with sufficient mastery of English, mathematics, and science.

“Poverty, child labour and lack of education are common problems in the Philippines,” said Kara David, the presenter. “Through research, we found out that in Eastern Samar, several minors have little choice but to help their parents earn income—day and night. When Anthony dives and scours

the seabed all night to search for a sea cucumber used in Chinese traditional medicine, every breath he holds when diving for sea cucumbers is worth another penny, which would bring him closer to his dream.”

Kara David is a successful documentary producer and internationally recognized child rights advocate. She is a second-time winner of the Asia-Pacific Child Rights Award. Her documentary entitled “Angels in Prison,” examining the plight of young children born and living with their mothers in prisons in the Philippines, won the Asia-Pacific Child Rights Award in 2003.

David is the founder of “Project Malasakit” (Project Compassion) scholarship program that aims at providing children who do not have the opportunity to go to school with an education.

For Anthony, life has taken a good turn with the filming of the documentary. He was awarded a scholarship by the foundation of the film’s producer, Kara David, and no longer needs to engage in child labor, but can now focus on his education. But for many other children, the situation remains dire.

“All girls and boys must have the opportunity to go to school, regardless of their family’s income, geographic location or ethnicity,” states Mr. Festo Kavishe, MD, UNICEF Deputy Regional Director for East Asia and the Pacific. “Children who attend school not only go on to lead healthier and more productive lives, they also contribute to the development of their communities and strongly advance their countries’ social and economic development. Education is a key opportunity that should be given to every child.”

Mr. Javad Mottaghi, PhD, Secretary General of the Asia-Pacific Broadcasting Union added that “Piggy Bank was a worthy winner and a fine example of the quality of documentary making in the Asia-Pacific region. The story of a small boy battling to make a better life against enormous odds is told with obvious compassion and fearless honesty.”

The 2011 Asia-Pacific Child Rights Award

The documentary “*Iori and Ibuki – Why We Were Born*” received the 2011 Award.² “*Iori and Ibuki – Why We Were Born*” is a documentary from Japan that tracks the lives of two siblings who were each born with a disability.

Older sister Iori is blind and used to be troubled by why she could not see. “I can’t do anything useful. I want to die,” she says early in the film. Her younger brother Ibuki was born both physically and mentally impaired. He

has undergone eleven operations and been admitted to hospital thirty-three times.

Early in the film, his parents confessed they used to wonder if they did a good thing bringing him into the world. The story unfolds a compelling tale of resilience and optimism, as Ibuki's determination ultimately gives his sister and parents a source of strength and an appreciation for their own weaknesses and an understanding that everyone has a reason for being born – including people with disabilities.

The filmmaker and TV journalist, Mariko Hashimoto, talks with UNICEF about the eleven years she spent filming the documentary.

Q: What inspired you to make this film – how did you find this family?

MH: In 1999, I visited the Shizuoka Prefectural School for the Visually Impaired along the southern coast of central Japan to report on a ceremony to commemorate the school's 100th anniversary. Filming at a school for disabled children starts with checking who can be filmed and who cannot. During that process, a girl ran past my eyes. She was Iori Konagaya, then aged 8. She ran so fast that I initially assumed that she was weak-sighted. I later learned that she is totally blind. I felt a strong desire to talk to her. Although I had interviewed many children as an education news reporter, Iori had a different style of expression. What was the world like to a blind child like her? What kind of environment had she grown up in? I had so many questions to ask her. Iori took me to meet her family, including a blind older sister and a younger brother who was physically and mentally impaired. I thought life must have been hard for her family, but they were cheerful and resilient. Feeling that I might be able to convey something important through this family, I decided to film them.

Q: How did you develop the idea?

MH: In between periods of reporting other news, I frequently visited Iori's school and the Konagaya family and developed a relationship over eleven years of filming and interviewing them. When filming the same people for a long time, there is the advantage of establishing a rapport with the people being filmed. There is also the risk of becoming unable to view matters with a critical eye. I always tried to keep some distance. As a result, we managed to incorporate into the film universal issues in Japan, such as the increase in bullying, the increase in the number of severely handicapped children, the lack of nurses and facilities,

schools being closed to the public and the economic depression – Mr Konagaya became unemployed during the filming due to restructuring of the company where he had worked. Iori often walks in circles in a room, and I felt that her conflicts were the conflicts of our society.

I was unable to decide when to turn the collected material into a program. Then I found myself at a turning point. Both my parents, who had suffered from cancer, died one after the other. The Konagaya family consoled me. They were my role models. Through the loss of my parents, I came to realize how I wished they had lived longer – despite their constant need for care and their loss of speech. In Japan, more than 30,000 people, including small children, commit suicide every year. That sobering thought made me earnestly desire that all of us should value our precious lives, so I decided to depict the Konagaya family just as I saw them.

Q: What other difficulties did you encounter in filming this story?

MH: At some point, Iori started being bullied at school. She frequently complained to me, saying, “I have not achieved anything with the piano, studying or swimming. I am useless. It is pointless filming me”. Each time she complained, we talked the matter through. Sometimes I kept a little distance from her, saying, “Don’t behave like a spoiled child”. On such occasions, I had forgotten about Iori’s blindness, and I was afraid of being told to stop filming. At the same time, we encountered an impasse on filming at Iori’s school. She had been accepted at a nationally acclaimed junior high school in Tokyo for the visually impaired. People from all over Japan go to the school. When we applied for permission to film at the school, Iori’s classmates were fiercely opposed to it, saying things like, “How can you dare to enjoy filming people with a visual impairment? It serves no purpose to make a display of our impairment!” And they refused to be filmed. I initially tried to persuade them, but then I thought doing so would likely cause the bullying Iori suffered to worsen.

Although it was regrettable that we could not film Iori taking a step forward in society, we had to put up with it. Today, many adults with acquired visual impairment caused by diabetes or other diseases go to schools for the blind to become masseuses, but most of them dislike being filmed. We had the same situation at the special support school that Ibuki attended. I wish that disabled people could express their thoughts freely in front of the camera. I believe that today’s society, in which disabled people are obliged to live “secretly”, must be changed. I long for a society free from discrimination. I believe that this longing is

due to having seen my father fall victim to a speech disorder caused by sickness and consequently losing his confidence, forcing him to spend his later years in isolation.

Q: What has been the reaction from audiences after watching it?

MH: We received many comments, from both the young and the old, regardless of whether they were disabled or not, from viewers who put themselves in the shoes of the people being filmed. We had comments such as, “I strongly felt the significance of life and family” or “I began to think about the meaning of my birth”. And, “I am ashamed of myself for brooding over trifling issues”. The film was used for values education in many schools, and we received valuable comments from children.

Q: After eleven years, it must be odd to not meet the family without a camera. Is this the end of filming the family?

MH: After the program was broadcast, Iori said, “Please continue filming. Please keep making an appeal to people through me so that many handicapped people can live proudly.” Her growth brought tears to my eyes. Ibuki also began to recognize me as “Ms. Hashimoto from TV Shizuoka” by hearing my voice. Kazumi, their mother, said, “Ibuki cannot do anything on his own. I am not sure how much he understands, but he can read minds. I believe that he is showing his gratitude for (your) filming him for a long time”.

A good news story requires a good scoop. I believe that the same applies to documentaries. I believe that the power to find a shining protagonist and a persistent effort to reveal social issues are the sources of newsworthy stories. I am proud that I found this family. I am going to follow this family until the mother’s wish is fulfilled, as expressed in her comment: “After Iori gets married, gives birth to a child who is able to see and the child becomes able to support Iori, I would like to focus my attention on the care of Ibuki”.

Q: What are your plans in the future to promote the children’s rights?

MH: Japan, as you know, was severely hit by an earthquake. Some children lost their parents instantly when the tsunami struck. Some children cannot go out or even breathe deeply because of the accident at the nuclear reactor. Some children have been bullied because they lived near the nuclear power plant. Some disabled children could not find safety in shelters due to the lack of medical equipment. To help children live happily and free from discrimination, I would like to continue to make programs that help to identify social issues and find solutions.

The Partners

Three partners support the Child Rights Award, namely, the Asia–Pacific Broadcasting Union (ABU), Cable & Satellite Broadcasting Association of Asia (CASBAA) and United Nations Children’s Fund (UNICEF).

ABU is a non-profit, non-governmental, professional association of broadcasting organizations, formed in 1964 to facilitate the development of broadcasting in the Asia–Pacific region. It provides a forum for promoting the collective interests of television and radio broadcasters and engages in activities to encourage regional and international cooperation between broadcasters. It currently has more than two hundred members in fifty-eight countries. It organizes many activities and projects to promote excellence in broadcasting and to improve programming, skills and technologies of its members, including the ABU Children’s TV Programme Item Exchange.³

Established in 1991, CASBAA is the Association for digital pay TV, content, platforms, advertising and video delivery across Asia for the past two decades. Spanning seventeen geographic markets, CASBAA and its Members reach over four hundred twenty million connections through a footprint ranging from China to Australasia, Japan to Pakistan. The CASBAA mission is to promote the growth of pay TV and video content through industry information, networking exchanges and events while promoting global best practices.⁴

UNICEF works in more than one hundred ninety countries and territories to help children survive and thrive, from early childhood through adolescence. The world’s largest provider of vaccines for developing countries, UNICEF supports child health and nutrition, good water and sanitation, quality basic education for all boys and girls, and the protection of children from violence, exploitation, and AIDS. UNICEF is funded entirely by the voluntary contributions of individuals, businesses, foundations and governments.⁵

Final Note

The Asia-Pacific Child Rights Award was established by the members of the broadcasting industry in the region in order to support what they committed to do in relation to children and youth.

The 2001 Declaration of the Asia-Pacific Television Forum on Children and Youth has called on ABU and CASBAA to⁶

3. Recognize exceptional efforts by Asia-Pacific broadcasters to uphold and promote the rights of children and youth by establishing a special ABU-CASBAA "UNICEF" annual award in the area of news, education and entertainment programming.

5. Support efforts to facilitate the production of high quality and relevant programming for children and youth, such as the ABU's Working Party for Children.

The call was appropriately responded to with the subsequent establishment of the Asia-Pacific Child Rights Award.

But more importantly, the award is a concrete form of compliance with the "the television industry [commitment] to producing programming for and about children that respects and upholds the rights enshrined in the Convention on the Rights of the Child." And this commitment was originally stated in the "internationally accepted Children's Television Charter..., which has been reaffirmed in this region by the Asian Declaration on Child Rights and the Media."⁷

This commitment of the broadcasting industry is expressed well in this report:⁸

"The issue of children's rights is an important one for the Asia-Pacific," Dr Mottaghi says. "I think the people who produce the programs do it because they are driven by a passion for children's rights, and it is good to recognise excellence in this field and encourage others."

xxx

xxx

xxx

"It is always important to celebrate the reason our more than 225 members do what they do," he says. "That is to make programs that make our world a better place."

Indeed, the Asia-Pacific Child Rights Award is a step towards making the Asia-Pacific a better place for children.

Endnotes

¹ Text in subsequent paragraphs taken from Philippine Documentary on Education wins 2012 Asia-Pacific Child Rights Award, at www.childrightsaward.org/.

² Text based on "Q & A with Mariko Hashimoto, Child Rights Award-winning documentary filmmaker of Iori and Ibuki - Why We Were Born (winner of the Asia-Pacific Child Rights Award 2011)" at www.childrightsaward.org/interview.html.

³ For more information on ABU, please visit www.abu.org.my.

⁴ For more information on CASBAA, please visit www.casbaa.com.

⁵ For more information about UNICEF East Asia and Pacific, visit www.unicef.org/eapro; or for UNICEF South Asia, visit www.unicef.org/rosa.

⁶ Declaration of the Asia-Pacific Television Forum on Children and Youth, 7 February 2001, Seoul, Republic of Korea. Full text available at www.unicef.org/broadcast/tvforum/2001-declaration.html.

⁷ Ibid., Preamble.

⁸ Awards for children's rights programs to be presented at the ABU General Assembly, www.abu.org.my/Latest_News-@-Awards_for_childrens_rights_programs_to_be_presented_at_the_ABU_General_Assembly.aspx.

National Human Rights Commission of Mongolia: Building Positive Attitude to Human Rights

Bolorsaihan Badamsambuu

HUMAN RIGHTS EDUCATION is not just a system of training and knowledge building but also a continuous process in everyday life and work to protect and ensure human rights. In addition, it is closely related to building a society in which people, especially the marginalized groups, are empowered and enabled to demand their rights, while duty bearers are enabled to have the full capacity to fulfill their duties. Thus, the National Human Rights Commission of Mongolia (NHRCM), since its establishment in 2001, has been assessing the situation of human rights and freedoms in Mongolia and independently providing the government with recommendations on what problems exist in Mongolia, what should be improved, and what support should be provided to every human rights education action.

Human Rights Promotion

According to the United Nations World Programme on Human Rights Education (WPHRE), human rights education is “... education, training and information aiming at building a universal culture of human rights through the sharing of knowledge, imparting of skills and moulding of attitudes...”¹

The United Nations Office of the High Commissioner for Human Rights (OHCHR) and UNESCO elaborated this definition by stating that:²

A comprehensive education in human rights not only provides knowledge about human rights and the mechanisms that protect them, but also imparts the skills needed to promote, defend and apply human rights in daily life. Human rights education fosters the attitudes and behaviors needed to uphold human rights for all members of society.

The WPHRE plan of action definition states that the purpose of human rights education is to build a culture of human rights. In order to build a culture of human rights, a duty placed upon the State by virtue of its membership in the United Nations and adherence to a range of international human rights treaties and conventions, it must impart knowledge about human rights and their enforcement/protection mechanisms, provide skills to promote, defend and apply human rights, and shape attitudes and behavior so that human rights are upheld.

Human rights education is a core component of any country's efforts to strengthen respect for human rights and fundamental freedoms. Since the founding of the United Nations (1945) and the proclamation of the Universal Declaration of Human Rights (1948), the necessity and potential of education as one of the primary vehicles to promote and protect human rights have been recognized. Dynamic efforts for the promotion of human rights education have been made since the 1993 World Conference on Human Rights propelled a cohesive effort throughout the international community to strengthen human rights education. These initiatives, including the most recently adopted United Nations Declaration on Human Rights Education and Training,³ offer Mongolia an opportunity to develop a concrete plan to meet its commitments in promoting and protecting human rights in Mongolia.

As Mongolia envisions and formulates the road to national recovery in light of the global and national dynamics, it is the NHRM's view that human rights education - adequately resourced and effectively practiced within each sector - is an integral component of the human rights and equality infrastructure needed to ensure the well-being of all who reside in the country.

The 2003 National Human Rights Action Plan (NHRAP) has the objectives of developing formal and informal human rights education systems by establishing baselines, needs assessment, and scope of action (provision 1.1.2.6); developing a sub-program on human rights education for its staff in preparation for the tasks; and training human rights trainers. Four years passed since the adoption of the NHRAP and yet the provisions for undertaking baseline study and developing sub-programs have not materialized. In part, this slow development has been attributed to uncertain financial support and unclear implementation mechanisms. Cabinet resolution #17 (2007) approved the NHRAP Operational Plan (2007-2008) that made the Ministry of Education, Culture and Science responsible for devising the sub-

program for developing model human rights curriculums for formal and informal education and preparing the training of trainers (TOT) modules. However, relevant authorities should take into consideration the fact that the resolution remains unclear on the financing aspect of the sub-program.

Current Human Rights Education Programs

The second phase of the WPHRE prioritizes human rights education and training of public servants, law enforcement officers (including police, prison personnel and border patrols) and military personnel. Human rights education is essential in equipping the personnel of the public service with the knowledge, skills, attitudes and ways of doing their work that promote and protect human rights. In the Mongolian context, there is a broad recognition of the importance of human rights education and training in a variety of statutory and policymaking bodies. There is an understanding that embedding human rights in public sector practice means linking human rights with standards of policy and service delivery, and that these standards should be benchmarked and monitored to measure performance and that mechanisms should be in place to hold the government to account.

In addition to meeting human rights obligations, ensuring the highest quality of human rights training for public servants across the public service system enhances staff morale and quality of service delivery. Despite this, the State and its organs do not provide systematic training on human rights for public servants. There is little guidance tailored to service providers in applying human rights principles in their work. The approach taken by the Civil Service Council of Mongolia is a welcome exception. Key training providers (including the Academy of Management in Mongolia) for the Civil Service Council of Mongolia are receptive to enhancing the human rights capacity of the public servants they train. In addition, there exists a most welcomed openness to increasing the profile of human rights across the public service sector.

The Civil Service Council of Mongolia led the way in terms of good practice in relation to human rights education and training in the public service. Each government department is responsible for the training and development of its staff. There is more emphasis in the public service on the delivery of quality services. There are implicit references to human rights principles in the government's quality public services initiative, but little

training has taken place due to resource constraints. Human rights education and training can develop the skills and know-how in applying human rights principles in public service practice.

NHRCM holds an annual average of three hundred twenty training sessions with two thousand five hundred participants. The training sessions generally cover the following topics: “Basic concept of human rights,” “International human rights treaties and mechanisms,” “Human rights-based approach,” and “Human rights in criminal procedure.” The sessions are designed for officials of law-enforcement organizations regardless of position.

In addition, to raise human rights awareness as well as promote human rights, NHRCM uses different methods including the development of brochures, training materials and guidance for promoting human rights using different mediums (namely, TV/radio programs and Moodle-based online training platform).

NHRCM puts high priority to human rights education in its cooperation work with state organizations. It enters into Memorandums of Understanding (MOUs) with state organizations to define priority areas of cooperation including holding training at the workplace, preparing trainers, and organizing training for staff.

Observations

There are some important observations regarding the human rights education activities of NHRCM for the public servants. These observations are themselves learnings that should be considered in the future activities of NHRCM.

a. Human rights violations recognition as first key step

In NHRCM’s human rights education activities for public servants, the participants would deny at the beginning the existence of any form of human rights violation in the performance of their duties. They would instead point to the popular yet wrong notion that only those who violated the laws or the criminals violated human rights. In view of this situation, NHRCM decided to give special attention to the particular issue of torture and the right not to be tortured.

NHRCM investigations on human rights violations such as the 2005 national-level project on “Banning torture and other cruel, inhuman, or degrading treatment or punishment” have uncovered various forms of very latent and chronic ill-behavior among the public servants involved. There seems to be patterns of abuse as much as organizational weaknesses that bring about these kinds of human rights violations.

To ensure proper attention on the violations, NHRCM added a chapter in its annual reports on these specific forms of human rights violations. The results of the 2005 investigation on torture was featured in the chapter on the situation of human rights and freedoms in the 2005 annual report of the NHRCM. The State Great Khural (parliament), having received and considered the 2005 annual report, issued a resolution requiring change in the behavior of public servants. Additionally, the General Authority for Implementing Court Decisions also recognized the existence of ill-behavior among public servants that led to human rights violations.

The recognition of existence of human rights violations perpetrated by public servants and the expression of the need to change their behavior laid the ground for human rights education to help address the issue.

The General Authority for Implementing Court Decisions acted to address the faults and ill-conduct of public servants in their activities and formalized an agreement with the NHRCM to co-organize regional training sessions and workshops every year to raise the awareness on human rights of its officers and employees. NHRCM also issued a guide to public officers and employees on how to apply human rights principles in their work.

b. Formal cooperation agreements with government agencies

NHRCM has been entering into MOUs with different government agencies regarding cooperation on human rights concerns. The MOUs define the scope of cooperation between them, and include provisions on human rights education. NHRCM’s human rights education activities employ the participatory approach including sharing of individual experiences, use of gender-sensitive case studies, group discussion, and debate on specific human rights violations.

NHRCM has MOUs with several government agencies, namely, the National Authority for Children, General Authority for State Registration, General Police Department, General Authority for Specialized Inspection,

General Authority for Border Protection, and General Staff of the Armed Force.

NHRCM expanded its formal cooperation agreement to non-governmental organizations (Confederation of Mongolian Trade Unions, Mongolian Employers' Federation) and to foreign and international organizations (such as New Zealand Human Rights Commission, National Human Rights Commission of Korea, United Nations Development Programme, Swiss Agency for Development and Cooperation).

The MOUs have been helpful in undertaking human rights education activities in general, and human rights education for public servants in particular. Human rights education projects with government agencies received support from the local non-governmental, foreign and international organizations that have MOUs with NHRCM.

Through the MOUs, the government supports the public servants by ensuring their training or workshops at the workplace, seeking the possibility of involving those in local areas in the training activities or workshops, allowing them to take leave from work to attend the training activities, and securing the work environment for trainers.

c. Change in perception and behavior

There appears to be positive change in the attitude of officials of law enforcement agencies and administrative bodies who participated in human rights education activities. For the purpose of preventing misconduct that has become common practice (and largely undetected by internal investigations) and in order to comply with the requirement of applying human rights principles in the operations of the government agencies, these officials have started to request the NHRCM for cooperation in organizing inquiries, making analysis part of documentations, and holding training sessions.

d. Changing the understanding of human rights

The lack of clear understanding of human rights leads to actions that either violate human rights or ignore international human rights instruments. NHRCM has to take action to ensure that government agencies support human rights rather than violate or ignore them.

The city government of Ulaanbaatar previously claimed that the NHRCM need not interfere with its work of addressing the problems of its citizens. In 1995, the Capital City Citizens Representatives Khural (Council)

adopted Ordinance No. 69 (later amended by Ordinance No. 46, 2000, and Ordinance No. 8, 2001) that imposed the so-called “service fee” on people who move and settle in the capital city of Ulaanbaatar. Adults have to pay 50,000 MNT (35 US dollars) service fee, while minors (under the age of 18) pay 25,000 MNT (17 US dollars). This requirement clearly violated the right to freedom of movement. Based on this requirement, migration expenses for a five-member family with three children goes up to 200,000 MNT (140 US dollars) on the average. There is neither information nor a system of accounting for the expenses made using the service fees collected. All arguments lead to a conclusion that this Ordinance is equivalent to the strangling of the right to freedom of movement through economic means.

Some *aimags* (provinces) and *soums* (lower administration units) adopted the same rule:

- The Board of the Kherlen Soum Citizens Representative Khural enacted in 2001 Ordinance No. 15 imposing fees for new residents, 10,000 MNT (7 US dollars) for adults and 5,000 MNT (3 US dollars and 50 cents) for minors.
- The Board of Darkhan-Uul Aimag Citizens Representative Khural enacted on 14 April 2001 Order No. 25 imposing a one-time fee of 25,000 MNT (17 US dollars) per person nineteen years of age and above as well as a monthly temporary residence fee of 2,000 MNT (1 US dollar and 40 cents) for each adult.

Considering the imposition of “service fee” to be able to reside in Ulaanbaatar as human rights violation, the NHRM petitioned the Supreme Court to revoke the Ulaanbaatar Ordinance. The Court ruled in favor of the NHRM and revoked the order of the City Governor. This case illustrates a successful effort of the NHRM in having malpractices in local areas abolished.

Judges and arbiters previously took the stance that international treaties and conventions need not be given importance. Based on Article 15.6.3 of the Law on the Courts of Mongolia, the Supreme Court issued on 28 February 2008 Resolution 09 on “Using international treaties which Mongolia is a party to and the internationally recognized norms in court practice.” Paragraph 6 of Resolution No. 9 directed judges to use international treaties in adjudicating court cases. However, judges explained that their failure to apply the international treaties was due to the lack of of-

ficial translation of the instruments, and even if there is one, it does not get published on the State Gazette. Paragraph 13 of the resolution made the NHRCM and the Department of Law and Treaty of the Ministry of Foreign Affairs in cooperation with the Ministry of Justice in-charge of providing all courts and judges with correct information in timely manner about the official translation of international treaties to which Mongolia is a party, list of treaties, their validation periods and enforcement dates, dates of their ratification, and information regarding official publication of international treaties. As for arbiters, paragraph 12 of the resolution and the *Convention on the Recognition and Enforcement of Foreign Arbitral Awards*, 1958 required them to apply the international instruments in the cases before them.

Although armed force units did not recognize the importance of civilian human rights monitoring, NHRCM continues to undertake inquiries that lead to findings of ill treatment and adverse conditions that violate human rights. After monitoring and inquiry, NHRCM reported to the Parliament of Mongolia for the first time in 2007 the rules on service misconduct and its consequences, disciplinary sanctions, housing and living conditions of military servants, food and uniform supply of military servants, medicare services and medication supplies, pensions, allowances and social protection of military servants, and the right to work of civilian staff. The report has become the basis of systematic change regarding malpractices that were remnants of the Soviet regime.

d. Cooperation partnership

Aside from providing public servants with human rights education, another aspect of the issue is the formation of partnership between government agencies and NHRCM. In 2012, the General Police Department, requested NHRCM for an analysis of its rules and regulations to determine whether or not there were provisions or clauses that violate human rights. Having received complaints from participants during training sessions regarding the treatment of women in the government agencies, NHRCM made an inquiry and assessed the condition of the workplace of women who were referred to as “public special servants.” NHRCM included its findings in the 2011 report on human rights and freedoms situation in Mongolia. As a consequence, government agencies responded by changing systems in order to put an end to the misconduct mentioned in the report, and the employees of the concerned government agencies expressed support for the NHRCM

activities and praised its contributions to human rights protection by clarifying the specific issues (such as age, gender and education discrimination, sexual harassment, service misconduct, political polarization) of the institutions where hierarchy of command exists.

Since the 2003 National Human Rights Action Plan obliges the government to promote human rights education, the NHRCM took a leading role in training government personnel on this task. As a result, regardless of the status of employees (be they public administrative [those occupying high positions such as managers, chiefs, etc.], public special [those belonging to uniformed services such as members of the police and the military, officers of the intelligence agency, and also prosecutors, judges, etc.], or public service [they include teachers, doctors, nurses, social workers, etc.] servants), government agencies started to adopt and implement training programs that are carried out throughout the year at the organizational level. These programs showed the importance of human rights education.

In addition, the government agencies have given high value to training programs to provide human rights education and expanded their cooperation with civil society. For example, NHRCM, in cooperation with Electors' Education Center and Amnesty International Mongolia, organized trainers' training and prepared counterpart trainers of the same level that contribute to building human rights culture within the organization.

Because the limited number of human rights education officers prevents the NHRCM from holding training sessions at every request, it commenced an "e-training campus" as an alternative, and to enhance the effectiveness of, training program.

The human rights education activities of the NHRCM held on its own initiative as well as in cooperation with governmental and non-governmental organizations have been very effective in building and improving the capacity of public servants who implement the government's duties and responsibilities to respect, protect, and fulfil/realize human rights.

Endnotes

¹ Article 3, World Programme for Human Rights Education, Revised draft plan of action for the first phase (2005-2007) of the World Programme for Human Rights Education, UNGA A/59/525/Rev.1, page 3.

² The Plan of Action for 2005-2009 in Brief, page 1.

³ The declaration was adopted by the United Nations General Assembly on 19 December 2011, see United Nations General Assembly A/RES/66/137, 16 February 2012.

Human Rights Education for Civil Servants in Korea:

Current Situation and Tasks

Cheol Hong Kim

IT CAN BE SAID that Korea started to have interest in human rights education in the 1990s. While human rights organizations had the earlier initiatives, human rights education for civil servants became more active after the establishment of the National Human Rights Commission of Korea (NHRCK) in 2001. Article 26 of the NHRCK Act provides that the NHRCK “shall conduct education and raise public awareness necessary to awaken and elevate public consciousness of human rights.” The NHRCK is given the responsibility to provide human rights education to all, including those in national institutions (covering legislative, administrative, and judicial bodies), local governments, and relevant public and private organizations.¹ These efforts implement the national human rights institution mandate under the United Nation’s (UN) “Paris Principles” and the Vienna Declaration and Programme of Action.²

Based on a comprehensive analysis of the UN definition of human rights education and the concept understood by Korean implementers, the NHRCK defined human rights education as all educational activities that contribute to developing a society where human rights are respected by facilitating understanding and knowledge about human rights; cultivating values, attitude and character to respect human rights; and increasing capabilities on handling human rights violations and discrimination.

Human rights education is a transformative movement that aims to realize the human rights of the participants as well as to protect the human rights of others. Human rights education can be seen as a process where education is continuously happening within a place for learning, and using methods and environment that respect human rights.

In order to effectively undertake human rights education in the Korean society, the NHRCK started to administer customized human rights education programs for schools, the public, and the civil society. Public human rights education refers to education of those affiliated with the national and local governments. In other words, it refers to human rights education taking place according

to Article 26 of the NHRCK Act that specifies the national institutions and the local governments to be covered, including detention and protection centers as defined in Article 2(3).

Human rights education for civil servants in this article refers only to the educational activities administered to those working in the administrative sector of the government (excluding school faculties, and two other sectors of the government: legislative and judicial). Simply put, human rights education in Korea is administered to civil servants affiliated to the national or local governments.

In order for human rights education for civil servants to continue, the NHRCK implemented the “human rights education institutionalization” program. Under this program, NHRCK took the first step of increasing the awareness of the need for human rights education. Up until now, the level of recognition of human rights education within public institutions has been very low due mostly to the stigma attached to human rights education. The NHRCK developed the “Pilot human rights sensitivity development course” that was subsequently incorporated in most in-house training programs of different institutions. The second measure, in consultation with training institutions, introduced human rights education to the respective public offices through the development of textbooks and materials. The third step involved the support for human rights training of trainers programs. Finally, NHRCK established mechanisms to monitor the state of human rights education program implementation and management.

The NHRCK comprehensively manages human rights education in order that Korea could be at the forefront of developing human rights education that would allow it to expand to the different aspects of society.

I. Current State of the Institutionalization of Human Rights Education for Civil Servants

Human rights institutionalization has several levels: 1) establishment of a human rights subject in the regular curriculum of training institutions; 2) establishment of a regular human rights education curriculum in the training institutions; and 3) reform of the human rights education guidelines and related legislations.

Among the trends in the institutionalization³ of human rights education for civil servants, the most distinct current trend is the addition of a provision on human rights education in laws such as those regarding mental health and homeless people as well as in human rights ordinances of local

governments. There is also a trend regarding the inclusion of human rights education as an official administrative obligation.

In the context of the reform of the administrative system for the police and the military, and in line with the prevention of human rights violations and acts of discrimination, the NHRCK prioritized the institutionalization of human rights education for civil servants in police and correctional facilities that were the subject of the most number of complaints of human rights violations received by the Commission. As a result, human rights education has become part of the administrative obligation in the training of members of the military, police, and prosecutor's office.⁴ The education program is meant to raise the human rights consciousness of the civil servants in these facilities and lessen cases of human rights violations and discrimination attributed to them.

The human rights education programs for the professionals working in facilities that protect and care for the socially marginalized people (such as the facilities for mental health, homeless people, child welfare, and social welfare) have been strengthened to prevent human rights violations. These programs implement the provision on the obligation to undertake human rights education in laws regarding the socially marginalized such as the Mental Health Act, Child Welfare Act, Homeless Welfare Act, Social Welfare Service Act, and the Framework Act on Juveniles. For example, in order to prevent the occurrence of cases such as the infamous "Crucible" incident,⁵ the NHRCK raised the interest of the public on the welfare of children with disabilities and other socially marginalized people.

The human rights ordinances that protect the human rights of local residents have also made human rights education an obligation of the local governments. These human rights ordinances have been enacted not only by metropolitan city governments but also by municipal governments.

The "regionalization of human rights education" can be seen as an encouraging phenomenon. Thirty-two local governments (eight metropolitan city governments, and twenty-four municipal governments) have human rights education provisions in their human rights ordinances. Generally, the local governments require⁶ the administrative heads to implement human rights education program for the civil servants.

The human rights education program being implemented by the local government does not only focus on civil servants, but also includes employees of corporations supported by the government (through financial investment or

contribution), and members of public institutions (including public enterprises of the Local Public Enterprise Act).

The human rights education commitments of local governments have been carried out in the following manner:

- Incorporation of human rights education in training civil servants based on the 2006 “Guidelines on Education and Training for Civil Servants”
- Development of “human rights curriculum” in the civil servant training institutes of local governments (2008-2012)
- Application of human rights-based processes (Jeju, Chungbuk, Gwangju, Busan, Jeonnam - 2008-2012)
- Enactment of human rights ordinances (Gwangju, Chonbuk, etc.).

Finally, with human rights education being implemented as a policy under the 2006 “Guidelines on Education and Training for Civil Servants,” special lectures on human rights have been held in the educational institutions for national civil servants. This started in 2007 with the inclusion of human rights education in the civil servants training (two or more weeks) according to the 2006 “Guidelines on Education and Training for Civil Servants.” However, in the same year, human rights education was removed from the coverage of the 2006 “Guidelines on Education and Training for Civil Servants” with the start of the new government under President Lee Myungbak. But it was included again as a policy in 2011.

The Ministry of National Defense has been using since 2006, just before the adoption of human rights education policies, a curriculum called the “fundamental rights of military personnel.” This curriculum covered the training institutions for the navy, air force and army personnel.

II. Human Rights Education for Civil Servants

a. Human Rights Education for the Military

Human rights education for the military officially started in 2005, when the military’s human rights records were a major issue, with the implementation of NHRCK’s three-year “Fundamental Military Human Rights Education Plan.”⁷ NHRCK started a training program to establish a foundational infrastructure for the introduction of human rights education within the military training. In 2005, the NHRCK held a fifteen-session human rights special lecture series (involving five thousand four hundred eighty people) for military investigators, and a chairperson’s special lecture for the generals of the navy, air force, and army

(Mugunghwa Committee). Also, in order to develop key resource persons who would take charge of human rights education within the military a three-day “Person in Charge of Military Human Rights Training Program” was implemented for the first time targeting human rights counselors and investigators (December 2005).

During the 2006-2007 period, the first human rights sensitivity development program was implemented for military commanders and drill instructors in charge of human rights education. To instill human rights values within the military and to change the understanding of human rights by military commanders, the “Human Rights Leadership for Commanders” (one day program) was carried out for first line battalion commanders. The program rotated four times in the different regions for a total of eight sessions (four sessions in 2006 with one hundred fifty people, and four sessions in 2007 with one hundred seventy people).⁸ An additional military human rights education training program was implemented during the same period (thirty-five 35 people in 2006, forty people in 2007) aimed at improving the human rights sensitivity and human rights education instruction capabilities of the people in charge of human rights education and tasks within the military.

Human rights education in the military was institutionalized with the adoption of the “Regulation on Human Rights Education in the Military” in 2008. Although the NHRCK led the human rights education program for the military before the Regulation, the Ministry of National Defense, army, navy, and air forces had already assumed important roles in developing their respective programs. And within the military, the focus had shifted from the Ministry of National Defense to the respective army, air force, and navy services.

Human rights education in the military after 2008 (including the Ministry of National Defense and Army, Air Force, and Navy) as presented in Table 1 had the following achievements:

- 2008 – fifty-two sessions, with a total of two thousand eight hundred twelve participants
- 2009 – sixty three sessions, with twelve thousand seven hundred eighteen participants
- 2010- three hundred fifty-five sessions, with forty-two thousand four hundred seventy-four participants
- 2011 – two thousand nine hundred twenty-eight sessions with 1,808,283 participants.

Table 1. Human Rights Education for the Military (2008-2011)

Section	No. of Programs				No. of Training				No. of Participants			
	2008	2009	2010	2011	2008	2009	2010	2011	2008	2009	2010	2011
Human Rights Education Curriculum (six or more hours)	9	9	10	13	19	15	11	22	767	594	666	2,750
Human Rights Special Lecture (not more than six hours)	-	-	-	-	33	48	344	2,906	2,045	12,124	41,808	1,805,533
Total	9	9	10	13	52	63	355	2,928	2,812	12,718	42,474	1,808,283

The annual average number of participants per session was increasing during the 2008-2011 period: fifty-four (2008), two hundred one (2009), one hundred nineteen (2010), and six hundred seventeen (2011). The increasing number of participants as well as lectures during the 2008-2011 period can be seen as a result of the increase in human rights problems occurring within the military as well as its efforts to strengthen education within the military camp. Most of the human rights lectures in 2011 either lasted for one or two hours, with two thousand ninety-five one-hour lectures (72.1 percent of the total number of lectures for that year), and seven hundred seventy-seven two-hour lectures (26.7 percent). Special lectures constituted the majority of the activities (98.8 percent). Lecturers from within the military delivered the majority (98.2 percent) of the human rights curriculum lectures and special lectures.

The one-night, two-day human rights education program was held nine times with nineteen sessions in 2008, nine times with fifteen sessions in 2009, ten times with eleven sessions in 2010, and thirteen times with twenty-two sessions in 2011. The NHRCK and the Ministry of National Defense started to jointly hold the sessions, but the current program that is fast expanding is implemented solely by the Ministry.

From 2008 until 2011, different curriculums were developed in the military sector, namely,

- Ministry of Defense: curriculums for military medical workers, military drill instructors, military detention center workers, investigation personnel, and military judicial officers
- Army: curriculums for division level personnel, battalion commanders, military personnel
- Navy: curriculums for person in charge of human rights, military judicial officers
- Air Force: curriculum for affiliated officials.

b. Human Rights Education Civil Servants

In implementing the human rights education program for the civil servants in the national and local governments, the NHRCK published a textbook in 2003 entitled *Administration and Human Rights*. In 2006, this was developed into an online human rights education material.

Starting from 2005, the NHRCK researched the situation of human rights education for the different levels of civil servants at the civil servant training facilities. The research revealed that six institutions (Central Officials Training Institute, Korean Civic Education Institute for Democracy, Korean Human Resource Development Institute for Health and Welfare, Korea National Diplomatic Academy, Information and Communication Officials Training Institute, and National Institute of Environmental Research) held more than nineteen training activities for more than 19,000 participants. Specific issues (such as gender equality) were covered by many of the training curriculums employed. This showed, however, the lack of a more comprehensive human rights curriculum.

With this situation, workshops for the managers of the educational facilities were held in 2008 and 2009 to improve the recognition of the need for human rights education and to widen the implementation of the human rights education program. As a result, over sixteen city and provincial governments adopted their respective human rights curriculums. A research on the human rights education situation in 2009-2011 revealed that the training institutes for civil servants held fifty-one sessions (one hundred fifty-eight hours) for two thousand nine hundred fifty-six participants in 2009, one hundred twenty sessions (two hundred seventy-nine hours) for ten thousand two hundred ninety-

five participants in 2010, one hundred fifty-two sessions (two hundred ninety-four hours) for eleven thousand five hundred fifty-nine participants in 2011, for a total of three hundred twenty-two sessions (eight hundred thirty-one hours) for twenty-four thousand eight hundred twelve participants. The implementation of the human rights education program is expanding annually; see Table 2 for more details.

Table 2. Human Rights Education for Civil Servants in Training Institutes (2009- 2011)⁹

	Overall			2009			2010			2011		
	Session	Time	Person	Session	Time	Person	Session	Time	Person	Session	Time	Person
Total	323	832	24,812	51	158	2,956	120	279	10,295	152	394	11,559
Human Rights Education Curriculum	14	193	1,055	1	54	91	3	37	77	10	101	887
Human Rights Special Lecture	309	639	23,757	50	104	2,867	117	242	10,218	142	293	10,672

Per session, the average number of training participants is almost seventy-seven, for an average of about two and a half hours. In contrast to the data on human rights education activities for the military, the human rights education activities for civil servants were much less due to the different manner of implementing their education programs.

There were more special lectures on specific issues such as women's rights held than general human rights lectures in 2009. But in 2010 and 2011, more general human rights lectures were held than lectures on women's rights. Several other issues relating to children, senior citizens, multi-cultural society have been discussed in other special lectures. And the resource persons for the lectures (general and special) were mainly not from within the training institutes.

The human rights education program for local government officials (who were in charge of training other local officials) on increasing human rights sensitivity was first initiated by Chungcheongbuk-do (one two-day program) and Jeju Human Resource Development Institute (two three-day programs). In 2010, Jeju and Daegu Metropolitan City offered two curriculums three times. In 2011, Gwangju, Daegu, Jeollanam-do, Jeju, Chungcheongnam-do and Chungcheongbuk-do offered six curriculums ten times. Table 3 provides de-

tails on the 2011 activities of these local governments. The initial three two-day curriculums expanded to three five-day curriculums. The increase in the program length allowed the diversification of human rights themes - general human rights, multi-culture, persons with disabilities, senior citizens, marginalized peoples, and North Koreans.

Table 3. Human Rights Education in Education Institutes for Local Government Officials - 2011

Educational Institute	Curriculum	Target	Time	Participants
Gwangju Metropolitan City Local Government Officials Education Institute	Understanding the Socially Vulnerable	Under Level 6	3 days	22
	Developing Human Rights Sensitivity	Under Level 6	3 days	20
	Understanding Multi-Cultural Society	All employees	3 days	85
Daegu Metropolitan City Local Government Officials Education Institute	Developing Human Rights Sensitivity	All employees	2 days	180
Jeollanam-do Local Government Officials Education Institute	Prohibiting Discrimination against Persons with Disabilities and Implementing Human Rights	Under Level 6	2 days	147
Jeju Human Resource Development Center	Human Rights and Developing People's Rights	Under Level 5	2 days	245
Chungcheongnam-do Officials Education Center	Understanding Multi-Cultural Society	Under Level 6	3 days	28
Chungcheongbuk-do Local Government Training Center	Understanding Multi-Cultural Society	Under Level 6	3 days	160

In order to minimize difficulties with the limited timeframe of human rights education activities, NHRCK established in 2005 the online human rights education center. The online human rights education curriculum was officially implemented in 2006. NHRCK offers seven online curriculums for civil servants, namely, 1) Basic course on understanding human rights, 2) Advanced course on understanding of human rights, 3) Prevention of discrimination against persons with disabilities, 4) Prevention of sex discrimination, 5) Administration and human rights, 6) Advanced course on prevention of discrimination against persons with disabilities, and 7) Human rights for educators.

Participation in the online human rights education program for civil servants has steadily increased, as shown in Table 4. To be specific, in 2007 there were nine

sessions with 4,895 participants, in 2008 there were seven sessions with 4,199 participants, in 2009 there were twenty-seven sessions with 5,592 participants, in 2010 there were forty-one sessions with 6,543 participants, 2011 there were thirty-nine sessions with 8,511 participants, and in 2012 there were forty-eight sessions with 10,776 participants. In total, one hundred seventy-one sessions were held with 40,516 participants. The percentage of administrative civil servant participants overall in the online education program was 47.6%.

Table 4. Online Education Program for Civil Servants (2007~2012)

Year	Total		Administrative Civil Servants		Educators		Citizens		Others	
	Session	Persons	Session	Persons	Session	Persons	Session	Persons	Session	Persons
2007	37	9,435	9	4,895	2	1,430	9	783	17	2,327
2008	31	12,394	7	4,199	13	7,011	7	884	4	300
2009	60	13,573	27	5,592	18	7,338	12	534	3	109
2010	65	10,538	41	6,543	24	3,995	-	-	-	-
2011	71	14,681	39	8,511	30	6,139	-	-	2	31
2012	109	21,550	48	10,776	30	8,747	31	2,027	-	-

NHRCK also established the annual human rights policy leadership program for civil servants. This program was developed to counter the one-way, lecturer-centered and ineffective basic human rights education program and turned it into a participant-centered education program.

c. Human Rights Education for Prosecutors, Correctional Facility Officials, and Other Ministry of Justice Officials

From its establishment and until 2006, NHRCK had been implementing a human rights sensitivity curriculum for prosecutors and correctional facility officials. This human rights curriculum subsequently became a regular course at the Institute of Justice. NHRCK worked with the Ministry of Justice in a way that enabled it (Ministry of Justice) to carry out the human rights education program on its own.

In 2008, the Ministry of Justice adopted the “Three-Year Plan to Develop Human Rights Sensitivity” and by 2010 it trained forty-eight internal instructors in its four offices: Prosecution, Correctional, Immigration, and Social Protection and Rehabilitation. A human rights sensitivity education program was developed for each office. Table 6 shows the number of sessions held by the Ministry of Justice during the 2008-2010 period.

Table 6. Human Rights Education Activities of the Ministry of Justice (2008-2010)

Year	2008		2009		2010	
	Session	Participant	Session	Participant	Session	Participant
Human Rights Sensitivity Training	15	475	15	428	18	455
Human Rights Courses (Institute of Justice)	50	1,646	24	1,141	18	563
Role-Play (Newly Appointed Prosecutors)	3	135	3	139	-	-
Instructor Development Program	10	196	11	154	6	72
External Instructors Human Rights Special Lecture	-	-	30	903	28	1,030
Total	78	2,452	83	2,765	70	2,120

In addition to this, the Ministry of Justice has produced a human rights video documentary for the personnel in the Prosecution, Correctional, Immigration, and Social Protection and Rehabilitation offices. The video documentary was widely distributed to affiliated organizations. In comparison to the role-play-focused human rights sensitivity training activities done by external instructors, videos have been evaluated to be educationally effective.

d. Human Rights Education for the Police¹⁰

The human rights education program for the police has been implemented the most, among the programs for the civil servants. The human rights education program for the police started to be implemented in 2002. With an annual ten-hour mandatory human rights course since 2004, human rights education expanded across various areas in the police structure covering the police train-

ing institutes and continuing education institutes like the Korean National Police University, Central Police Academy, and the Investigation and Security Institute.

In 2009, the National Police Agency broadly implemented the human rights education program through the training of resource persons, fundamental duty education, and other educational activities regarding public office. Under the human rights resource person training course, the “human rights instructor course” and the “victim’s support course” were taught. In the fundamental duty education course, according to level and the core education duty involved, human rights courses like “police and human rights” and “victim protection” were developed and taught. In 2008, the National Police Agency implemented five hundred twenty-four courses educating over 438,904 people.

III. Materials for Human Rights Education for Civil Servants

The NHRCK developed basic textbooks, lecture outlines (in powerpoint presentations), online human rights education programs and materials for human rights education for civil servants as part of its institutionalization efforts.

For the training of members of the police, NHRCK produced and disseminated the following materials: *Police Force: Guide to Human Rights* (2002),¹¹ *Investigators and Human Rights* (2008), *Security Guards and Human Rights* (2008). The National Police Agency adopted two of these materials as textbooks in their own training. In 2010, the three books (human rights guide, human rights and investigation and human rights and security guards) were compiled into one book entitled *Police and Human Rights*.

Every presentation related to police activity is structured in the following manner: a) core human rights issue; b) case problems; c) precedent cases and related regulations; d) interpretation; and e) practical guide to respecting human rights. The presentations are used by human rights educators. These presentations are being converted into online materials.

Along with these materials, NHRCK developed in 2003 a material on participant-centered methods for the police force called *Human Rights Education Methods for the Police*. This material was developed to support instructors in giving effective human rights education to the members of the police. It covers sections on human rights protection, human rights sensitivity development, and conflict resolution skills development.

NHRCK also produced and disseminated materials for prosecutors, correctional officers, and judicial officers, such as the *Prosecutor's Guide to Human Rights* and *Correctional Officers' Guide to Human Rights*. NHRCK collaborated with the Ministry of Justice in developing the *National Army Human Rights Education Textbook* (2007), and the *Medical Sector Human Rights Education Textbook* (2008). NHRCK, the Ministry of National Defense and the National Police Agency produced the *Investigation and Human Rights Textbook* as human rights education material within the military.

The *National Army Human Rights Education Textbook* was the first human rights education textbook for the military that was jointly produced by the NHRCK and the Ministry of National Defense to be used as materials by the instructors. This textbook, meant to increase human rights awareness and sensitivity among military personnel, has six major chapters: correct understanding of human rights; human rights and the military; the right to command and human rights; legal position and the rights of the soldier; war or conflict and human rights; soldiers' human rights, and then appendix. In the chapter on soldiers' human rights, the discussion covers the right of the soldier to be protected from violence, right to privacy, right to health and rest, right to perform service in a sanitary and pleasant environment, and disciplinary action and criminal procedure and human rights. The chapter also discusses the regulations on the right of the soldier to remedy in case of human rights violations. The textbook will have an online version that can be used in the online courses of the military.

NHRCK also produced a textbook on human rights and public administration for civil servants, along with a lesson plan for instructors (in power-point presentation). The textbook has an online version, and is being used for online human rights courses. For civil servants handling foreign migrant matters, NHRCK produced *Human Rights Guide to Different But Equal Migrants* that includes standard lesson plans on issues related to migrants and video materials in compact disks. In 2012, in order to increase understanding of discrimination, NHRCK produced Discrimination Prevention Course that is planned to be used in late 2013.

Table 7 provides a list of the materials produced by NHRCK in collaboration with other public institutions.

Table 7. Human Rights Textbooks for Civil Servants

Target	Human Rights Education Materials
Police Officers	Police Force: Guide to Human Rights (with lesson plans) Human Rights Education Methods for the Police Force Investigators and Human Rights Security Guards and Human Rights
Ministry of Justice Officials	Prosecutors' Guide to Human Rights (with lesson plans) Correctional Officers' Guide to Human Rights (with lesson plans) Finding the Road to Human Rights for Correctional Officers (Video) Human Rights Textbook for Immigration Officials
Military Personnel	National Military Human Rights Textbook (with lesson plans) Medical Service and Human Rights
National Government Civil Servants	Administration and Human Rights (on- and offline material with standard lesson plans) Information and Human Rights Lesson Plans Interpretation of Human Rights Understanding Human Rights Lesson Plans Understanding the Universal Declaration on Human Rights (comic book)
Social Welfare Personnel	Living Facility of Persons with Disabilities Human Rights Education Program Materials on Human Rights Education Program for Senior Citizens (with standard lesson plans) Materials on Mental Disability Human Rights Education (Supplementary Materials and Lesson Plans) Materials on Migrants' Human Rights (with lesson plans) Materials on Human Rights of the Homeless People
Legislative and Judicial Officers	Research on Human Rights Education Material Development for the Legislative Sector Research on Human Rights Education Material Development for the Judicial Sector
Corporations, Media	Introduction to Human Rights Management Media Personnel Guide to the Human Rights of Persons with Disabilities

NHRCK currently provides two- to three-hour-session lesson plans (in powerpoint presentation format);¹² human rights movies; human rights

UCC (user created content, a digital material); photos; posters; and information materials on human rights and public administration, senior citizens and human rights, and migrants and human rights. These materials are all available online, visit the website of the Human Rights Education Center of NHRCK (www.edu.nhrc.go.kr).

IV. Structure of the Education Program

Human rights education for civil servants aims to develop their capacity to protect the human rights of the people through appropriate actions and to resolve problems from a human rights perspective. To be able to achieve this aim, it is necessary for civil servants to 1) develop human rights knowledge; 2) gain skills on protecting human rights; and 3) strengthen attitude towards human rights sensitivity and protection.

In relation to effective human rights training program, participant-centered (in contrast to lecturer-centered) methodologies that emphasize the active role of the participants (through games, roleplay, debate and other activities) are more effective. Thus the structure of the current training programs is participant-centered, being administered with experts in human rights content and participatory methodologies.

The 2005 human rights sensitivity development course has the following program:

Day 1:

Ice breaker and introduction to subject
Opening the heart
Activities to promote human rights knowledge and sensitivity
Watch human rights movie

Day 2:

Developing human rights sensitivity
Breaking away from the discrimination and bias within me
Activity: The human rights scene that I experienced (Recognizing My Human Rights Reality)
Debate: Key points on the military and human rights
Lecture: Viewing the Korean military from a human rights perspective
Discussion: Military Personnel and Family

Day 3:

Problem recognition and resolution
 Lecture: Understanding the military and human rights standards
 Debate: Key points on the military and human rights
 Workshop: Military human rights problems and finding solutions
 My promise to exercise learned material
 Understanding non-violent communication

Day 4:

Review and wrap up
 Understanding human rights education instruction design
 Human rights education program structure
 Presentation
 Training program evaluation

This type of training program was faithfully followed till 2007 by trainers for correctional officials, prosecutors, and other civil servants. However, from 2008, the training duration was shortened to two days and one night while increasing the number of sessions that mainly increased the lecture-type activities. While these changes are becoming the trend in training programs, there are efforts at maintaining the lecture-type activities to not more than 50 percent of the program. This is seen at the Jeju Human Resource Development Institute program targeting local government officials:

Day 1

Opening our heart
 Understanding human rights
 Understanding human rights for the socially vulnerable (persons with disability, women, children, migrants, senior citizens)¹³

Day 2

Human rights key points case for administration
 Human rights problem I experienced and resolution workshop
 Presentation
 Evaluation

V. Human Rights Education for the Korean Civil Servants: Results and Tasks

The results of the “Research on the Ten-Year Human Rights Education Plan” show that human rights education for civil servants has

- Increased the recognition of the necessity of human rights education among the civil servants

- Increased the number of human rights education activities for civil servants
- Institutionalized the achievements of human rights education for civil servants.¹⁴

At the time of the establishment of the NHRCK, the recognition of the necessity of human rights education for civil servants was very low, even perceived in negative light. Thus the increased recognition of the necessity of human rights education among the civil servants is very encouraging. This is especially so in the program for the police and the military where the institutionalization of human rights education can be seen.

There has been significant annual increase in the number of human rights education activities for the police, military, Ministry of Justice, and other government agencies. Likewise, the number of human rights-related courses, human rights curriculums, and human rights educators has increased.

The trend on enactment of human rights ordinances and the adoption of human rights regulations points to institutionalization of human rights education. By virtue of the human rights ordinances by thirty-two local governments, officials in charge of implementing the ordinances and other affiliated officials are obligated to receive human rights education. In addition, the 2006 “Guidelines on Education and Training for Civil Servants” and the training curriculum under the training plan for civil servant education have established a human rights subject.

For the police, military and prosecution sectors, as earlier mentioned, human rights education has become an obligation because of their human rights training programs and the administrative principles. The laws for the vulnerable groups in society such as the Mental Welfare Act, Homeless Welfare Act, and the Child Welfare Act provide bases for human rights education as obligation to be performed by the government.

Despite these achievements, there are still many tasks to be undertaken. First, alongside the increase in the number of human rights education programs is the need to raise the standard of quality of the programs. Large scale increase of one-time special lectures as well as the formality of having on record the holding of human rights education activity because it is a requirement does not equate to effective human rights education program.

Second, there is a need to increase the quality of the activities by adopting and disseminating a “Civil Servant Human Rights Education Guide.” There is also a need to increase the specialization of the human rights education programs by developing specific curriculums, teaching and learning methods as well as training and organizing expert instructors. Instead of one-time lecture programs, there should be human rights education programs that cover the whole career period from entrance to the service to retirement. It is especially necessary to train expert instructors who use participatory methodologies and have a high level of human rights sensitivity and thus capable of employing the “human rights education through human rights” approach. There is a need to develop participatory teaching-learning methodologies appropriate to different groups and human rights themes.

Third, while human rights education has been institutionalized, there is still a need for a law that would comprehensively build a system that guarantees to all the right to receive human rights education. The opportunities for human rights education in Korea are still few and the current regulations for systematic and sustainable human rights education programming are still inadequate. Without appropriate legislation, the implementation of human rights education program for civil servants is subject to the person in charge in the educational institutions. The legislation can systematically institutionalize human rights education for civil servants. It can also comprehensively build a system that would make public institutions administer human rights education programs in different sectors of the Korean society. The legislation would make human rights education a legal obligation of the government.¹⁵

Fourth, there is a need to develop a system of cooperation on human rights education that covers both the national and the local levels. Although the NHRCK is currently separately managing human rights associations according to specific themes (school, military, homeless, and senior citizens), there is still a need for a comprehensive association that designs human rights education programs for all sectors including the civil service sector.

There is a need for local government human rights education associations that would comprise a national network of such associations. The NHRCK can help in this regard since the human rights ordinances from nineteen local governments (two metropolitan cities, and seventeen towns) provide that, in setting up human rights education program, cooperation with NHRCK is allowed when needed.

Fifth, there is a need for the establishment of a human rights education monitoring system that would cover the programs of national and local government institutions.¹⁶ The lack of monitoring system makes the quality of the human rights education programs difficult to guarantee. With a monitoring system, the development of an index to measure the effectiveness of the education programs becomes a need. As an institution responsible for the human rights education of the whole Korean society, NHRCK must introduce a human rights education guideline that can be used for monitoring purposes.

Sixth, since human rights education in Korea is still at the early stage of development, there is a need to develop human rights education expertise, materials and services in order to have effective education programs. There is also a need for systems for the development of creative ideas on human rights education.

There is a need for a separate institute that would make human rights education programs accessible to all, not only to the few sectors that are required to access them. This institute must develop human rights education programs, materials and textbooks, and various educational methods.

Finally, there is a need for a separate national human rights education policy/action plan.¹⁷ With the adoption of the United Nations Decade for Human Rights Education (1995-2004) and its global implementation, the adoption of a national human rights education action plan was highly recommended. Such a national action plan can also support Korea's role as one of the leaders in human rights education in the international community.

Conclusion

Within the human rights education program for civil servants, it is most important to break the "victim-assailant" frame of mind and develop the perspective of "human rights leader." The lecture-oriented education for the civil servants is based on the "victims" perspective, which views civil servants as targets of "dormant assailants" as well as targets of human rights protection. This type of education is not really human rights education because it infringes on the dignity of the civil servants and creates a stigma on human rights education as a whole. Before considering them as civil servants, they should first be seen as human beings who have the right to protection of their dignity and values. Therefore, they should be treated with

dignity. They should be allowed to feel their responsibility to respect human rights through their own recognition of the human rights problem.

Civil servants develop through human rights education a human rights-based way of thinking that tells them not only to insist on their own rights and dignity but also not to discriminate or commit any act of human rights violation. As a consequence, they become “human rights leaders” who help build a society where all human rights are respected, and guarantee the protection and realization of the rights of the vulnerable groups in society.

However, this cannot be achieved through a single lecture on human rights. This is because the ability to understand and support human rights, as well as the ability to respect human dignity, can only be nurtured through educational methods and environment that respect human rights. Human rights education does not happen in an environment that ignores human dignity and through instructor-focused teaching methods. Furthermore, in order to have an effective human rights education for civil servants, the following are needed:

- Instead of hierarchical relationship between instructors and participants, adopt an approach based on mutual learning and equality. There is a need to redefine the role of an educator. An educator is not someone who teaches theory, but someone who tries to understand the situation of the civil servants and join them in trying to resolve problems they (civil servants) encounter. In this process, the educator helps the civil servants gain the capacity to resolve problems on their own. There is a need to apply participatory methodologies where the participants are actively involved in the learning process and the educator and participants work together to resolve issues.
- Apply the practical approach that considers the unique situations of the participants in the education process.¹⁸ This approach emphasizes the transition of knowledge learned to actual practice. Civil servants do not only want to know the principles for the protection of human rights but also how these principles are effectively applied in their own work. If this aspect is not considered in the education process, human rights education program will neither be effective nor gain the trust of the civil servants.
- Emphasize the approach that develops human rights sensitivity and thus brings change in attitude and behavior. Due to the nature of their work, civil servants have the potential of committing human

rights violations. In view of this, aside from learning principles and skills, the sensitivity of the civil servants should also be aimed at. In situations where there are no clearly applicable human rights standards, civil servants have to use their human rights sensitivity to judge what action to take that would respect human rights.

- Employ flexible human rights education curriculum and management to be able to adjust to the different characteristics, requests, and available time of the participants.
- Use a variety of educational methods in order to obtain active involvement of the participants in the education process and maintain their interest. Increased diversity of educational methods increases the effectiveness of learning.

Endnotes

¹ Article 26 (Education and Public Awareness on Human Rights)

1. The Commission shall conduct education and raise public awareness necessary to awaken and elevate public consciousness of human rights.
2. The Commission may consult with the Minister of Education, Science and Technology to include content concerning human rights in school curricula under Article 23 of the Elementary and Secondary Education Act.
3. The Commission may consult with the heads of schools established under Article 2 of the Higher Education Act on necessary matters for the development of human rights education and research.
4. The Commission may consult with the heads of related state institutions or local governments to include human rights subject matter in employment or promotion examinations and training or education courses for public officials.
5. The Commission may, in consultation with the heads of research institutions or study associations established under Article 8 and Article 18 of the Act on the Establishment, Operation and Fosterage of Government-Invested Research Institutions, and Article 8 and Article 18 of the Act on the Establishment, Operation and Fosterage of Government-Invested Research Institutions in Science and Technology Field, request them to conduct research on human rights or to carry out such research jointly with the Commission.
6. The Commission may recommend continuing-educational organizations or facilities established under Article 2 (2) of the Social Education Act to include human rights-related contents in their educational programs

Source: www.humanrights.go.kr/english/information/legalMaterials02.jsp.

² Article 3 of the Paris Principles states:

3. A national institution shall, inter alia, have the following responsibilities:

xxx

xxx

xxx

f. To assist in the formulation of programmes for the teaching of, and research into, human rights and to take part in their execution in schools, universities and professional circles;

g. 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.

(Annex - Principles Relating to the Status of National Institutions - National institutions for the promotion and protection of human rights – UNGA A/RES/48/134, 20 December 1993)

³ 'Human rights institutionalization' means the obligation through regulation or internal administrative principles to undertake human rights education in the specialized areas in Korean society such as schools, police service, military service, etc. Also, it is defined as the establishment of a human rights curriculum or subject in training programs.

⁴ Besides the Military Human Rights Education Training, the other educational initiatives are the following: the barracks management training; training on human rights protection during military investigations, human rights protection in investigation regulations (Ministry of Justice), riot police management principles (National Police Agency), and principles on duty for human rights protection of police officials.

⁵ This refers to the case of sexual abuse by school officials of the students with disabilities in Gwangju Inhwah School, a special school for students with hearing and speech impairment. The sexual abuse reportedly occurred during the 2000-2005 period. The school is located in Gwangju city, Korea.

⁶ Only twenty-four local governments are administering one or more human rights education programs, the only cities that administer two or more programs are Gwangju and Seoul Seongbuk-gu.

⁷ For the expansion of human rights education within the military, NHRCK established a three-year plan (2005-2007). This plan aimed at establishing a human rights-friendly military environment to prevent human rights violations, and provided for the establishment of a cooperation system between the Ministry of National Defense and the army, navy, and air force, the institutionalization of human rights courses within the military, the strengthening of human resources such as training human rights instructors, development of education materials, and the adoption of military policy reform on developing human rights as a priority.

⁸ The program is structured as follows: military personnel human rights issue cases, avoiding bias and discrimination within me, and finding human rights guarantee for the soldiers.

⁹ Thirty civil servant training institutions responded to the survey, while ten other institutions failed to do so. It was concluded that these ten institutions had no plan to implement, or did not plan for, human rights education.

¹⁰ The situation of human rights education for the police force is not included since it was not involved after 2009.

¹¹ *Police Force: Guide to Human Rights* (2002) is the basic human rights textbook for human rights education of police officials. This textbook has seven chapters dealing with the following topics: What are human rights, police force action and human rights issues, investigation and human rights, torture and human rights, security guards and intelligence activities and human rights, utilization of police equipment and human rights, and immediate judgment and human rights. In addition, the appendix includes “things to consider,” “things to talk about,” “things to read about,” “police and self-examination and answers,” and “NHRCK assistance and process.”

¹² The lesson plans cover the following issues: police and human rights, prosecutor and human rights, correctional officer and human rights, Universal Declaration of Human Rights, understanding human rights, intelligence and human rights, police investigation and human rights, senior citizens and human rights, administration and human rights, persons with mental illness and human rights, multi-culture and human rights, adolescents and human rights, business and human rights, military and human rights.

¹³ When the time for lecture was lengthened, rather than adopt a comprehensive approach to the issues of the socially vulnerable, the course was structured to specifically address the different aspects of human rights such as persons with disabilities and human rights, child rights, human rights of migrants, etc.

¹⁴ NHRCK, “Human Rights Education Ten Year Action Plan Initial Research” (2011). Professor Na Dalsuk, in her paper “Legislative Reform for the Improvement of Human Rights Education” sees that the success of the programs for the human rights education of civil servants needs an increase in the interest on human rights education, increase in the number of programs, and the institutionalization of human rights education.

¹⁵ The United Nations Declaration on Human Rights Education and Training (adopted by the United Nations General Assembly in December 2011) provides in Article 1 that “[E]veryone has the right to know, seek and receive information about all human rights and fundamental freedoms and should have access to human rights education and training.” There is a need for a human rights education legislation to put this Declaration into practice.

¹⁶ The NHRCK has already gathered data on the situation of civil servant training institutions and university human rights classes, their allotted hours, and the number of participants.

¹⁷ The Philippines implemented a human rights education plan separate from the national human rights policy action plan. In addition, as of 2000 over eighteen countries (including Tunisia, Mali, Senegal, Venezuela, Ecuador, Mexico, Panama, Belarus, Cyprus, Croatia, Republic of Czechoslovakia, Romania, Denmark, Turkey, Uzbekistan, India, Japan, the Philippines) have separately adopted national human rights education plan.

¹⁸ The UN Office of High Commissioner for Human Rights recommended the preparation of a human rights program for specific work position and duty. For example, for higher ranking officials the focus is on strategy for enacting human rights-

friendly legislation and policy development. For lower ranking officials, the focus is on undertaking the educational activities. Furthermore, it recommends specialized human rights education programs according to special duties, like criminal investigation or maintenance of public decency, or service to the public.

Crossing Boundaries in an Educating City: A Case Study of City Human Rights Education at the Open University of Kaohsiung

Elsa Wen-Ying HSU*

DO PHENOMENA associated with globalization, such as the cross-border movement of people, the development and reproduction of living space, and the rapid development of media and communication technology point the way towards a more open society or a retreat into a gated society? In response to the challenges of globalization, the city must provide residents with lifelong learning opportunities, enabling them to develop modern civic skills. These skills have far-reaching significance for the construction of an open and inclusive society and development of a sustainable city. This paper explores how city governments use cross-border open long-distance learning resources and the principles of lifelong learning to direct teachers and students to consider the issues surrounding the “gated societies” produced by globalization. It is hoped that students will participate in the development of the civic literacy and human rights values needed to realize an open society. This paper also explores the achievements and challenges associated with using long-distance educational resources and lifelong learning to develop the knowledge, emotional cognition, and behaviors associated with modern civic society. The paper uses the case of multidisciplinary courses on core civic skills taught by the Open University of Kaohsiung (OUK), exploring how Kaohsiung is reinventing itself as an “educating city” using the public space available in its city mass transit systems to establish the Human Rights Studio. These efforts have provided citizens with access to open learning, giving individuals the opportunity to expand their thinking and exchange ideas, increasing their problem-solving capabilities, and helping the city achieve its human rights objectives.

*Director, Research & Development Department, Open University of Kaohsiung and Director, Human Rights Learning Studio.

Development of a Globalized Open Society and Human Rights Education

Urbanization and globalization continue to present challenge to the provision of civic rights and social protection. From struggles over housing, transportation, educations, as well as lesbian, gay, bisexual, and transgender (LGBT) rights and cultural rights, it is clear that there are practical limitations in the ability of government policy to guarantee certain rights. This also presents a challenge to the open society. We can review the potential threats presented by globalization to the open society on at least three dimensions.

First, the creation of social vulnerability created by cross-border population flows and responses to human rights issues. Should the national government take responsibility for human rights protection within its political borders, or are human rights protections in an open society something that city residents with different cultural identities must strive for? Are residents in multi-cultural societies more tolerant, or do such societies tend to produce a “gated” human rights environment? Is the development of media and communication technology under globalization a form of processed information and a cold-blooded invisible hand, or a filter on the truth and a guarantee of rational decision-making? Does the explosion of globalized information bring benefits for city residents or simply provide even more information that cannot be absorbed? In addition, is the reengineering of public space and its associated aesthetic discourse an elite bureaucratic project under a capitalist cultural hegemony, or a form of joint decision-making involving the general public to widen access to open public spaces? Is the image of the city where the cultures of the world collide rendered as an aesthetic environment of public sharing or further alienation and exclusion?

Capitalist economic globalization has produced paradoxical phenomena of what Zygmunt Bauman labels “global wealth” and “local poverty,” producing a powerful reaction against globalization.¹ In order to secure their livelihood, increasing numbers of people from all corners of the world are struggling for economic and social rights. These basic human rights deserve protection, yet in an increasingly competitive world, the traditional state security apparatus has struggled to remove the burden of risk from its citizens. For a long time, there has been a structural tension in international society caused by the unequal attention to political and economic human rights, meaning that when faced with issues related to globalization, the state is often unable to respond to democratic demands for human rights protection.

This also highlights that in a harmonious society, the autonomy and independence of each individual should be acknowledged as the basis of a globalized open society. Therefore, it is necessary to provide global social insurance mechanisms that address the coexistence of poverty and affluence, find solutions to the differences that exist between the Northern and Southern hemispheres as well as the cultures of East and West, and identify a greater diversity of approaches to deal with a multiplicity of different issues.

Facing social developments associated with urbanization and globalization, the development of key civic skills and human rights education must include civic literacy in areas such as democracy, ethics, the media, technology, and aesthetics, in order to prevent formation of a gated society and promote the development of an open society. Democratic literacy can be conceptualized as understanding and participation, consideration and consultation, and respect and inclusiveness. Ethical literacy can be conceptualized as morality, justice, and responsibility. Media literacy can be conceptualized as self-discipline and rational judgment, and finding consensus. Finally, aesthetic literacy can be conceptualized as aesthetic appreciation and open intellect.

Open University of Kaohsiung and Human Rights Education

The Open University of Kaohsiung was established in 1996 and has six departments and one center. The OUK is located in the industrial area with the highest revenue in Taiwan, Hsiao-Kang Linhai Industrial Park, in Kaohsiung City, a beautiful harbor city with 1.5 million citizens in the South. Therefore, the OUK will act as the catalyst of industrial area reformation and beautification of urban districts, as well as a city learning resource center of conservation and sustainability. Located in southern Kaohsiung, Siaogang District is gateway to the world for the city through transportation and business. Kaohsiung International Airport handles dozens of flights heading to major cities outside of Taiwan, while MRT and high speed rail link the rest of the island to it. Situated in the center of this district, the OUK is well connected and will utilize this advantage to create novel opportunities as a conference and learning center.

The vision and mission of the OUK feature the core values of a city university, since it was established by Kaohsiung City Government, and a social education institute. The OUK has the advantage in vitalizing the adult edu-

cation market as a social education institute. It is essential that it develops tight partnership with urban human resources revitalization and cultivation in Kaohsiung. As part of all ongoing plans the OUK is engaged in, enhancing the quality of human resources development and international cooperation are the two major missions. In establishing a human right city, the OUK implements two projects, Human Rights Learning Studio as well as the Empowering Center of New Immigrants located in the Kaohsiung MRT. The OUK, the most competent social education university, will not just facilitate the building and enriching of city education network, but also provide infinite possibilities for development in metro Kaohsiung with global opportunities and diversities in the future.

“Open Society and Civic Literacy” Courses

This paper uses a series of courses on “Open Society and Civil Literacy” run by OUK to explore the possibility of establishing teaching focused on core civic skills at an open university to carry out human rights education. This group of courses has obtained funding from the Ministry of Education, and works with the Kaohsiung City government Human Rights Studio project to deliver innovative human rights education.

Course Framework and Objectives

The course framework is largely constructed around four main dimensions: public rights, gender culture, media information, and living space. The skills necessary for an open society, including awareness of human rights, understanding and acceptance of diverse gender cultures, ability to read and evaluate information contained in the media, and the building of harmonious public space, are taught in multidisciplinary courses on City and Human Rights, Readings on Diverse Genders, Media Literacy, and City Aesthetics. These course designs incorporate learning through service and provide a diverse space for deliberative democracy, incorporating four core civic skills (democratic, ethical, media, and aesthetic literacy) into the course design (see Figure 1).

From the perspective of building an open society, general education is used to develop core civic skills. And key learning goals on the dimensions of knowledge, technical abilities, and interpersonal skills are identified:

1. Knowledge goals: Students should be able to articulate the human rights, cultural, information, and public space requirements for an open society, as well as the problem of the gated society under globalization.
2. Skills goals: Students should be able to apply relevant knowledge and skills to respond to and resolve problems of alienation, exclusion, and conflict caused by globalization.
3. Interpersonal goals: Students should have actual interactions outside class to internalize the values and virtues needed for an open society, including human rights, democracy, ethics, rule of law, justice, truth, knowledge, aesthetic appreciation, and friendliness into everyday social life.

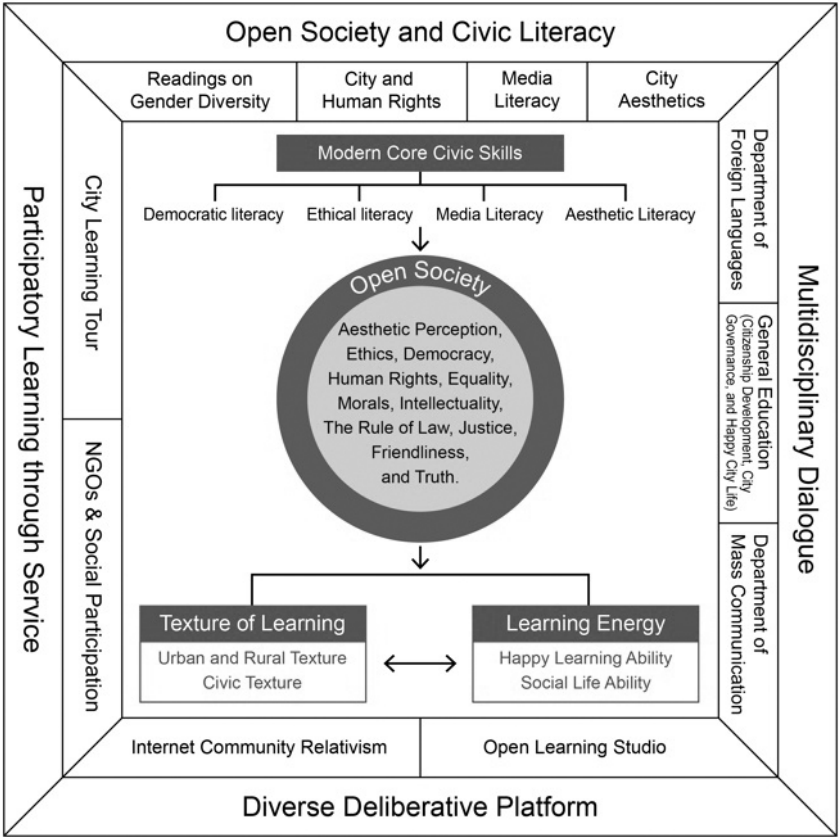


Figure 1: “Open Society and Civic Literacy” Course Framework

The teaching objectives of the course “City and Human Rights” are as follows:

1. Knowledge goals: Students should be able to articulate basic human rights concepts, the development of city human rights, and the development of international mechanisms for the protection of city human rights. Students should also be able to describe Taiwan's current human rights mechanisms and challenges to human rights. Students should possess attributes of democratic and ethical literacy, including democratic deliberation, justice and responsibility, and respect and inclusiveness. They should also have basic knowledge of urban multiculturalism, urban public affairs, and urban public aesthetics.
2. Skills goals: Students should be able to resolve cases related to city human rights issues, and offer knowledge and technical skills to help build protection mechanisms for city human rights issues, to put in place core democratic and ethical civic skills such as consultative deliberation and rational participation. At the same time, students should possess the ability to apply basic civil skills such as evaluating the information they read and aesthetic appreciation in urban public affairs.
3. Affective / interpersonal goals: Students can apply democratic, ethical, and other basic civic literacy acquired in class to interpersonal relations and interaction after class, demonstrating democratic and ethical literacy, including respect and inclusiveness, the spirit of democracy and the rule of law, justice and ethical values, and consultative deliberation in everyday social life. At the same time, skills such as self-discipline, rational judgment, and approachable intellect are incorporated into the everyday urban life.

Class Dialogue and Cooperation Mechanisms

The series of courses is responsible for teaching primary and secondary core civic skills, as a basis for a complementary dialogue between teaching and learning. In order to achieve a cross-boundary dialogue between and the horizontal and linear integration of teaching goals for core civic skills, a division of labor and cooperation mechanism operates as follows:

1. The overall spirit of the series of courses: Each course is responsible for teaching its primary core civic skill, and forming horizontal

- links and dialogue with other core civic skills to achieve the overall teaching aims of the course series.
2. Group teaching workshop: Teachers and teaching assistants organize a group-teaching workshop held at the beginning and middle of the semester, regularly reviewing the division of labor and cooperation between courses, and carrying out necessary adjustments and supplementary measures.
 3. Team teaching: Aside from invited lecturers from outside the university, each course teacher also acts as a team teacher for other courses, helping to integrate core civic skills taught in each course.
 4. Internet dialogue platform: To encourage exchange of ideas between different courses, the course series also incorporates an internet dialogue platform. An online teacher-student feedback mechanism provides a space to link each week's teaching themes and teaching reference for each course.
 5. Open learning studio: The course series incorporates common lecture times, breaking free from the standardized class timetable. Creating an open learning space allows staff and students on all courses to engage in open learning, and enables lively exchange of perspectives between students and teachers on each course.

The features of the "City and Human Rights" teaching activities are as follows:

1. Let the people decide: The class is divided into small groups to discuss human rights issues and produce policy appraisal reports for submission to city and county governments and assemblies.
2. Electronic deliberative democracy: Encourage students to deliberate and debate human rights issues on internet message boards, building links for community action among city residents.
3. Community human rights promotion programs: Organize student participation in community human rights service provision or learning activities, collaborating on community human rights projects (for example, participation in the Kaohsiung City Human Rights Learning Studio and other group human rights service provision or learning projects).
4. Creative human rights work: Provide guidance and encouragement for students to use the knowledge obtained from study of human

rights issues to participate in various human rights creative activities (for example, the 2012 Kaohsiung City Human Rights Press Prize or human rights reporting, essay writing, or photography activities related to human rights issues).

5. Training of human rights volunteer guides: Organize training for city human rights volunteer guides, encourage students to study the city's human rights legacies, and develop human resources skills base to effectively utilize the city's human rights culture and tourism assets.

Cross-Border and Cross-Domain: The Educating City and the Development of Citizens' Human Rights Literacy

The purposes of civic education are to nurture the political capabilities and knowledge of citizens (including human rights, democracy, and the political system), develop critical thinking, instill certain values and attitudes (for example, respect for others, peaceful coexistence), and encourage active participation (school and community).² Regardless of differences between countries in civic education curriculums, the development of participation-oriented civic education has become an increasing priority in many countries. However, most countries recognize that there is still no objective and standardized measure of the effectiveness of non-theoretical learning delivered by civic education programs. Establishing universal principles for civic education is a major challenge, which some countries have tried to address through new civic education programs or methods.³

This paper uses educational courses on human rights at the OUK, a social education university in Taiwan, as its case study. It explores ways to develop the educating city and use open public space in the mass transit system to create a framework of interdisciplinary courses on human rights that build the modern core civic skills and literacy required for an open society. The series of courses is centered on lifelong learning, using an experimental curriculum design to explore new possibilities for human rights education. Regarding the implications of innovative human rights education based on the principles of the open society for the development of core civic skills and literacy, this paper proposes the following conclusions:

The Power Deconstruction and Reconstruction of Learning Spaces: The possibility of the power deconstruction and reconstruction of urban learn-

ing spaces in an open society is dependent on the activation of the potentials of the educating city.⁴ An example of such reconstruction of space is the innovative transformation of space on public space on the Kaohsiung metro system into a space for education and the transfer of knowledge. This paper explores the practice of human rights education, transcending the traditional ideas of institution-based education and current approaches to outdoor education, using open public space linked to the Kaohsiung MRT Formosa Boulevard Station Human Rights Learning Studio to create the possibility of a new cross-border and cross-domain learning space. The use of public open space enables learners (including registered students, non-registered city residents, and passing commuters) to freely join and leave an imagined community based on different themes and conversations. In order to implement the concept of the “Human Rights City,” the Kaohsiung City Government Human Rights Commission authorized the OUK to establish a “Human Rights Learning Studio” at the Kaohsiung MRT Formosa Boulevard Station, providing information on human rights history and assimilating human rights ideals into the everyday lives of the people. The “Human Rights Learning Studio” is committed to transforming Formosa Boulevard MRT station into a “transfer station for human rights knowledge and values,” and producing a harmonious society that ensures human dignity and mutual tolerance, protecting and advancing human rights. A human rights city, where everyone lives in a sustainable open society, learning human rights and human rights innovation, and where people show mutual understanding and care for each other, ensures that people can enjoy human rights. The Human Rights Studio is located in city public space, making full use of a mass transit transfer station, providing unlimited open human rights learning, creating a “Human Rights Knowledge Depot,” a “Human Rights Energy Center,” and “Praise of Human Rights” installations. Educational services include a human rights book and video archive, dissemination of information on human rights activities, a human rights salon, lectures, creative works, reading groups, seminars, film appreciation events, Human Rights Monopoly game, human rights tours, human rights vows, and famous human rights quotations. This place offers a space for reading, learning, dialogue, and presentation of diverse human rights creative works (Figure 2).

Figure 2: Kaohsiung City Human Rights Learning Studio



Human Rights Salon Lectures for Disadvantaged City Residents



LGBT Rights – The Rainbow Taiwan Relay – Kaohsiung Start of the Race Press Conference



Human Rights Studio – Human Rights Energy Center



Human Rights Studio – Praise of Human Rights



Human Rights Studio - Human Rights Knowledge Depot



Concert for the 2012 Kaohsiung City Human Rights Press Prize Ceremony

The Creation of a Model of Dialogue and Voluntary Consensus Based on Human Rights Understanding: Amartya Sen points out that the relationship between globalization and choice need not be conflicted. This means

that as more opportunities are opened up, the choices of each individual should be accepted by the community. From this perspective, it becomes easier to understand the complex relationship between local and national culture on the one hand, and globalization on the other.⁵ In contrast to the homogenized system based on enrollment according to test scores found in traditional universities, this course makes use of the unique character of the student body at a social education university.⁶ For instance, in the classroom, students can be divided into different groups, enabling learning between students from different generations and socioeconomic background, with varying educational attainments and workplace experience to engage in dynamic discussion on various human rights topics, enabling students to gain a new understanding of the open society and learn from the ideas of others. This method of teaching enables links to be drawn between human rights dialogues in each generation and individual attitudes towards human rights issues.

The Building of New Citizenship Rights for the Open Society and Learning Core Civic Skills: Different understandings of human rights form the basis of harmonious social interactions based on healthy civil society values and attitudes.⁷ A culture of human rights is an expression of human rights awareness at the individual level. It reflects an awareness of the rights of citizens that transcends the political gated society and an acceptance of all human rights and respect for human dignity of all and without discrimination (rather than something bequeathed). An acceptance of the rights of citizens in an open society forms the very foundation of the universal human rights values. The course explores emerging human rights issues through a program of blended learning, combining class and online teaching through a digital platform for wide ranging discussion. The course uses a constant process of “contact - collision - deconstruction - construction - collision - deconstruction – reconstruction” to explore students’ existing beliefs, and looks out whether and how beliefs and actions change in the human rights learning process.

Conclusion

The formation of a harmonious, tolerant, and vibrant global multicultural society involves both the way residents view their own identity and the extent to which residents are accepted by their families, other local resi-

dents, business and labor organizations, government agencies and other stakeholders. This paper explores the application of progressive thinking on social education policy as the basis for policy innovation on new open educational resources. It uses the example of the Open University of Kaohsiung course on "Open Society and Civic Literacy" to analyze how open educational resources and strategy from across different fields and disciplines are integrated to achieve this purpose. The analysis shows that creative deconstruction and reconstruction of educational learning space helped develop civic literacy among students while an educating-city could facilitate open education resources for open global immigrant societies. In conclusion, this paper advocates a creative collaborative integration of central and local government systems to construct a multi-dimensional and multicultural free learning zone educational support system, with the aim of increasing the actual learning effectiveness of long-distance education for the realization of an open and tolerant society.

Endnotes

¹ Ulrich Beck, *What Is Globalization?* (Wiley, 2000), page 31.

² Eurydice European Unit, *Citizenship Education at school in Europe*, 2005, page 10.

³ *Ibid.*, pages 28, 35-36, 40, 43-44.

⁴ IAEC, *International Charter for Educating Cities* (International Association of Educating Cities, 2001).

⁵ "Masters of the Century Interview: 1998 Nobel Laureate in Economics Amartya Sen," *China Times*, 26 December 1999, page 3; "Profile: Amartya Sen," *China Times*, 26 December 1999, page 3.

⁶ In accordance with Taiwan's law, citizens at least 18 years of age shall have access to open universities regardless of educational qualifications and without any admissions test requirements.

⁷ Navanethem Pillay, "Opening Remarks to the Seminar on Articles 19th and 20th," October 2, 2008, Geneva: United Nations High Commissioner for Human Rights.

Castan Centre for Human Rights Law: A Decade of Human Rights Training in Australia and Asia

Andre Dao and Adam McBeth

THE CASTAN CENTRE FOR HUMAN RIGHTS LAW seeks to promote and protect human rights through the generation and dissemination of public scholarship in international and domestic human rights law.

In pursuit of this mission, the Centre brings the work of human rights scholars, practitioners and advocates from a wide range of disciplines together in the Centre's key activities of research, teaching, public education (lectures, seminars, conferences, speeches, media presentations, etc.), applied research, advice work and consultancies.

The Castan Centre is named after Ron Castan AM QC (1939-1999), who was a passionate advocate for the recognition and protection of human rights and a distinguished member of the Victorian Bar.

Since being established in 2000, the Castan Centre has provided extensive human rights training for Australian government departments and overseas public officials. The Centre has also run courses for officers in the Australian Department of Foreign Affairs and Trade, as well as Australian Agency for International Development (AUSAID) courses for government and civil society participants from Indonesia, Iraq, Vietnam and Burma/Myanmar. Involvement in these courses reflects the Centre's commitment to helping improve human rights in our region.

State Level Training – The Victorian Charter

The Victorian Charter of Human Rights and Responsibilities came into full effect on 1 January 2008. The Charter is a Victorian law which sets out the basic rights, freedoms and responsibilities of all people in Victoria. It was the second piece of state or territory wide human rights legislation to be passed, after the *Human Rights Act* was introduced in the Australian Capital Territory in 2004. The introduction of the Victorian legislation generated a

high degree of demand from professional bodies for training on the Charter's meaning and likely effects, as well as government departments and statutory bodies who sought to better understand their new responsibilities.

In the lead-up to the implementation of the Charter, the Castan Centre conducted training for the Judicial College of Victoria, the Victorian Department of Justice and the Victorian Equal Opportunity and Human Rights Commission.

In 2007 the Castan Centre conducted human rights training courses for the Judicial College of Victoria, which is responsible for the continuing education of all of Victoria's judges and judicial officers. The Castan Centre provided training focusing on those parts of the Charter most relevant to judges, in particular those sections giving judges the power to declare law incompatible with the Charter or to interpret laws in such a way as to make them compatible. The presentations introduced personnel to the Charter and included discussions of sections on interpretation of statutory provisions and declarations of incompatibility. These courses highlighted some general characteristics of human rights, as well as human rights law sources which underpin the Charter. They also focused on the historical background to the Charter, as well as the Victorian Government's "whole of government" approach. In the same year, the Castan Centre conducted a training course entitled "The Charter and Rights to Criminal Justice: Training for Prosecutors" on behalf of the Victorian Department of Justice.

As part of a human rights training program the Castan Centre undertook three projects for the Victorian Equal Opportunity and Human Rights Commission (VEORHC) in 2006-2007, with the emphasis on challenges likely to be faced by the Commission with the implementation of the new Charter. VEORHC has a unique mandate to educate the community about human rights, so training focused partly on creating a group of people capable of delivering training to community groups. To complement this effort, the Castan Centre also developed appropriate materials and case studies for non-legally trained people, much of which is now freely available on the VEORHC website. The three projects covered with VEORHC were i) Applied Human Rights Training to help Commission staff to identify issues regarding Charter rights; ii) Development of Human Rights Training Resources; and iii) Legal Training to Commission personnel.

After the Charter came into effect, the Castan Centre ran further training for legal professionals: “Charter Workshop – Theory and Practice, Practical Training for Victorian Barristers on the Victorian Charter”.

National Level Training

AusAID and DFAT

The Castan Centre has had over a decade of experience providing human rights training to government officials at a national level. Beginning in 2002, the Centre developed and delivered many human rights training workshops over nine years to officers in the Australian Department of Foreign Affairs & Trade (DFAT) in Canberra. In later years, the Castan Centre course was integrated into DFAT’s graduate traineeship program.

The Castan Centre also conducted training in Human Rights, Governance and Law Reform for AusAID officials during some of this period.

These courses for government bureaucrats focused in detail on legal content, but also had a practical emphasis for the staff in their daily work. They included in-depth discussions about how the different human rights principles might come into conflict in a practical context, and consideration of the various competing pressures in international diplomacy. To that end, Castan Centre trainers worked closely with DFAT staff to design a program that was meaningful to their work.

The courses have been well received by the participants, who have relished the chance to flesh out their daily duties from a human rights point of view.

The Aurora Project

Between 2006 and 2012 the Castan Centre has participated in The Aurora Project, a program aimed at assisting Indigenous communities dealing with native title issues. In 2006, the Castan Centre successfully tendered to conduct a capacity-building professional development program for the staff of Native Title Representative Bodies (NTRBs). NTRBs perform the crucial task of assisting native title claimants and holders to navigate the legal processes and procedures involved with making applications under the Native Title Act, as well as assisting with negotiations related to Indigenous Land Use Agreements.

The project was commissioned by the Australian Federal Government, and was supported by the University of New South Wales, as well as the law faculty at Monash University. The Federal Government was following up on a report issued by a parliamentary committee on Native Title. The Committee's report stated that there was a need to "increase the stock of knowledge" of NTRBs, and especially for the professional staff working at the representative bodies. The Parliamentary report also generated significant public discussion and attracted widespread interest among many different groups including the media, politicians, academics, bureaucratic/departmental personnel, the judiciary, commercial law firms and naturally the NTRBs themselves.

One of the initiatives put in place by the project is a student placement program for NTRBs, which gave students the opportunity to gain valuable first-hand experience of the field, while also assisting the NTRBs in their daily operation. The program oversaw the creation of an induction manual to provide new staff with an understanding of both the context in which they are working and the key legal and native title concepts, issues and processes. Training, development and support needs of current NTRB staff were also addressed. In a wider context, the importance of familiarizing the legal community with the work and career opportunities within the NTRBs was also recognized and the program aimed to foster the creation of a network of people working within and connected to the work of the NTRBs to provide support, and training. At the time of the successful tender, Centre Deputy Director Melissa Castan said "this is a great opportunity for the Commonwealth, the NTRBs and academic specialists to work together on improving professional development in this field".

International Level Training

The bulk of the Castan Centre's human rights training experience has been in the international sphere, with a particular focus on the Southeast Asian subregion.

Burma

The Castan Centre delivered a series of Human Rights and Responsibilities workshops for mid-level civil servants in Rangoon from 2002 under the auspices of AUSAID. The series included workshops on

the Convention on the Rights of the Child and on the Convention on the Elimination of All Forms of Discrimination against Women.

The experience of delivering human rights training to bureaucrats in a regime that was clearly among the worst human rights abusers of the time brought a great deal of controversy and debate. The considered view of the Castan Centre members involved with this course was that it was important to engage with the regime and expose them to the concepts of international human rights law, however the very real risk that the participation in such a course could be used as a fig leaf of respectability for a regime that had no intention of genuine reform was very much acknowledged and in the thoughts of the trainers. Ultimately this program was discontinued after the Australian government's change of policy regarding engagement with the Burmese regime following the re-arrest of Aung San Suu Kyi in 2003.

Indonesia

Since 2001 the Castan Centre has developed a strong record of delivering human rights training for Indonesian officials through the Indonesia-Australia Specialized Training Project. The project is an AUSAID program funded by the Australian and Indonesian governments. The Castan Centre's involvement in this program reflects its mandate, to promote and protect human rights not only in Australia but also across the world. Ms. Julie Debeljak, PhD, the team leader of the program, explains further, "The Centre views this program, and other such programs, as an opportunity to engage with governments about human rights. Given that States are the primary obligation holders under international human rights law, what better way to influence the behaviours of governments than through education and dialogue?"

Four separate programs were delivered under this project between 2001 and 2006. In each course, between sixteen and twenty Indonesian participants took part, drawn from government ministries and agencies – particularly the Ministry of Justice and Human Rights, as well as the Ministry of Foreign Affairs and the Attorney General's Department, and regional government offices including Aceh and Papua – as well as academic institutions and non-governmental organizations. Judges, police officers and journalists have also been among the programs' participants. Each program ran for three months and comprised of lectures and seminars on the general theme

of the nature, form and protection of human rights, as well as on-site agency visits.

Each of the four courses included a program of lectures and seminars on the general theme of the nature, form and protection of human rights at international, regional and domestic levels. Topical issues at the time of each course were also considered in depth, including: the rights of women and children; terrorism; the right to health; conflict resolution and post-conflict reconstruction; the rights of internally displaced peoples; corporations and human rights; and the myriad of human rights issues flowing from border control. Transparency, accountability and anti-corruption in government were also key themes in the training.

A wide range of Monash University lecturers and expert guest speakers were engaged and a large number of federal and state agencies hosted visits from the delegation.

On-site agency visits were an integral part of the course, providing participants a greater understanding and experience of the workings of Australian institutions dealing with human rights. These included visits in Melbourne, where the Castan Centre is based, as well as Canberra, the national capital, and Sydney. The precise itinerary varied from one course to another, but included the following at various times.

The Melbourne program of on-site visits included among others the Victorian Parliament, the Federal Court, Equal Opportunity and Human Rights Commission, Amnesty International, Victorian Aboriginal Legal Service, the Victorian Foundation for the Victims of Torture, the Disability Employment Advocacy Centre and two prisons (one run by the government and one privately run).

In Canberra their visits included the Attorney General's Department, Department of Foreign Affairs and Trade, Australian Institute of Aboriginal and Torres Strait Islanders, Australian Federal Police, Commonwealth Director of Public Prosecutions and the Australian Council for Overseas Aid.

Sydney on-site visits included the Australian Law Reform Commission, Human Rights and Equal Opportunity Commission, Independent Commission Against Corruption, Police Integrity Commission and Legal Aid Commission.

Ani Purwanti Ani, a lecturer in the Faculty of Law at Diponegoro University in Central Java, was one of the training participants on the 2004

course. She said that she wanted to participate in the program “to develop my knowledge about Human Rights, especially women in the law and to understand the implementation of Human Rights in Australia.” She said that the most useful part of the training was learning about “charters and treaties such as the Convention Against Torture, Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination Against Women.”

Another training participant, Muhammad Iqbal Muhammad, was Chief Information Officer of Human Rights Information Systems in the Ministry of Law and Human Rights. He said that he wanted to take part in the program because his “work involves socialization and dissemination of human rights information and I really need to improve and increase my knowledge of human rights. The other important things are experiences of other countries, about how they solve human rights issues”. He said that he hoped to learn “new perspectives and experiences in the human rights field, both theoretical and practical”, and that the most interesting part of the course were the “discussions, debates, and the sharing of ideas” made possible by the lessons in the classroom. He also said that the “instructors use appropriate teaching methods and play an important role, although the material/ subjects are difficult”.

Their participation in the program reflects a strong individual commitment to human rights and to implementing change, as they leave their families and homes to immerse themselves in another country for three months of intensive study, discussion and debate.

The content and format of the program were varied, resulting in a lively, thought provoking and challenging three months of seminars and on-site visits to institutions that deal with human rights issues. According to Ms. Debeljak, the structure of the program was carefully balanced to give participants a solid foundation in human rights theory and concepts, while also ensuring that they “are equipped to translate the knowledge gained during the Australian training program to their workplaces and Indonesian society more generally upon their return home.” The various site visits in Melbourne, Sydney and Canberra aimed to provide “practical, workplace related training” and were combined with a strong emphasis on case studies and group exercises. This approach recognized the importance of participants gaining “practical skills to develop effective strategies for the better protection and promotion of human rights in Indonesia.”

This focus on practicality, and returning to Indonesia with a solid plan of how to implement what they have learned and absorbed over their months in Australia was reflected in one of the major outcomes of the program, the design and implementation of individual Action Plans. The Action Plans are intended to translate the knowledge acquired during the course into practical outcomes for the participants in their workplace or in Indonesian society generally, and thereby further the implementation of the promotion and protection of human rights within Indonesia. "Change, however small or large, will be effected through the implementation of the Action Plans", said Ms. Debeljak. "Each participant will leave Australia with at least one strategy to pursue to improve human rights in Indonesia upon their return."

The program also provides the opportunity for a constant exchange of ideas and perspectives between the participants and the presenters themselves. As reflected upon by Ms. Debeljak, "there are many wonderful moments when a participant asks a question or offers a comment that demonstrates a nuanced understanding of a human rights issue. Indeed, some of their observations make me revise my own long-held opinions about certain issues." The program provided a reminder of the value of discussion and debate, and of the value that different perspectives and experiences can offer: "Training programs are always a two-way street. There is always an exchange of ideas, information and knowledge throughout these programs. The greatest insight I have gained is with respect to Indonesian culture. This helps me situate debates about the universality of human rights, pluralism and cultural relativism in a way that no amount of reading could ever do."

Iraq

Looking beyond East Asia, the Castan Centre has also run human rights courses for Iraqi officials.

The Castan Centre, in partnership with Monash International, has run human rights courses as part of the Rehabilitation Assistance Facility: Iraq (RAFI), which is an AusAID funded program managed by SAGRIC International. The Castan Centre, in partnership with Monash International, ran human rights courses as part of RAFI.

The first course in 2004 was a fourteen-day human rights course for five members of the Iraqi Ministry for Human Rights. The training entailed sessions on introductory human rights concepts, international human rights law, as well as human rights issues and case studies in Iraq and Australia.

As part of the program, the trainees travelled to Sydney where the Human Rights and Equal Opportunity Commission and the Asia-Pacific Forum for Human Rights Institutions hosted them. The trainees also travelled to Canberra, where they received information on the Australian electoral process, and were hosted by the Australian Electoral Commission in the National Tally Room on election night, 9 October 2004.

The Castan Centre's engagement with Iraqi officials has continued in the years that followed. In October 2007 Castan Centre Deputy Director Adam McBeth provided training for officers of the Iraqi Ministry of Human Rights on "Corporations, international trade and human rights". Further training has been provided on a broad range of human rights topics as part of the Rehabilitation Assistance Facility: Iraq project several times since then, and this program remains an ongoing commitment of the Castan Centre. Most recently, the Castan Centre delivered a training course for delegates from the Iraqi Ministry of Human Rights in Transitional Justice in May 2012, with another program of training for Iraqi delegates scheduled for December 2012.

Conclusion

With over a decade of human rights training experience, the Castan Centre has seen a growing interest in learning about human rights both in Australia and across the Southeast Asia subregion. At each level, state, national or international, the Centre's training programs are tailored to suit the participants and the subject matter. This flexibility has allowed the Castan Centre keep its courses relevant and useful for the participants in their everyday work. The Castan Centre sees its training activities as a central component of its mission to protect and promote human rights, and looks forward to expanding its training programs to include participants from the corporate sector in the future.

Human Rights Education: Soochow University, Taipei

Chang Fo-chuan Center for the Study of Human Rights

BEGINNING IN 1995, several faculty members of the Political Science Department at Soochow University took upon themselves to offer courses in the human rights field, both at the undergraduate and graduate levels. They also collaborated with colleagues in Yang-ming Medical College (now the National Yang-ming University) and Taipei Municipal Teacher's College (now the Taipei Municipal University of Education) in training teachers and compiling teaching materials for primary and secondary schools. In 1998, an International Conference on Human Rights Education was held in Taipei, and scholars and experts from the US, Europe and Japan gathered together to discuss the strengthening of human rights education in Taiwan.

The Chang Fo-chuan Center for the Study of Human Rights

The Chang Fo-chuan Center for the Study of Human Rights was founded in 2001, the first human rights research institute in Taiwan. It aims at the promotion of human rights education and the establishment of a human rights culture, notably through:

- Promoting human rights research in Taiwan, integrating humanities, social sciences, and natural sciences, as well as practical arts such as public health and social work, in an interdisciplinary approach.
- Advancing human rights education, first by offering courses in international protection of human rights, women's rights, rights of the indigenous peoples, etc. in the Political Science Department, and proceeding to set up the undergraduate human rights program (2004) and MA degree program in human rights (2008).
- Training human rights non-governmental organization (NGO) workers by setting up workshops and seminars. Through the years the Center has cooperated with many human rights NGOs in spon-

soring workshops and summer camps for both human rights workers and university students.

- Contributing to international exchange by holding international conferences in Taipei and encouraging faculty members and students to attend conferences abroad and work with international NGOs.

The Undergraduate Human Rights Program

The Undergraduate Human Rights Program was set up in 2004. It is designed for students from diverse disciplines and backgrounds. The students must complete twenty-four credit hours before they are awarded a certification. They are encouraged to take part in internships working with human rights NGOs. The program is interdisciplinary, emphasizing the integration of theory and practice. The core courses are human rights philosophy, the history of human rights thought, and international human rights law. The elective courses include art and literature, social sciences, law and policy, as well as environmental studies and public health. The faculty is drawn from Soochow University, National Taiwan University, Fu Jen University, Yang Ming University, Taipei Municipal University of Education and Academia Sinica, as well as practicing human rights lawyers and NGO leaders. So far more than two hundred students have participated in this program, and over fifty some have earned their certificate. Many of our students went on to work for the NGOs, after their graduation from the university.

MA Degree in Human Rights

Based on the experiences of Chang Fo-chuan Center for the Study of Human Rights and the undergraduate Human Rights Program, the MA degree program in Human Rights was set up in 2008, aiming at the further promotion of human rights education and practical training for government officials and NGO workers. It is the first and only MA degree program in this field in Taiwan. The basic idea of the program is similar to that of the undergraduate human rights program, emphasizing the integration of theory and practice, incorporating both civil and political rights on the one hand and economic and social rights on the other. Well-known courses include human rights philosophy, the right to health and the protection of environment, etc. It is

mandated that students must complete twenty-four credit hours of courses, including three credit hours in internship and the submission of a MA thesis.

The students come from many universities and colleges in Taiwan, with diverse backgrounds and training, including students in arts and theater, law, environment, and journalism. At this time, there are about thirty students in the program, and five students have graduated from the program.

Human Rights Journal: Taiwan Human Rights Journal

After over a year of discussion and debate, the Chang Fo-chuan Center for the Study of Human Rights at Soochow University, Taipei has decided to launch a human rights journal. Since the mid-1980s, Taiwan has witnessed a process of democratization. Civil society has been rejuvenated, and NGOs, including human rights organizations, have become more robust. More and more scholars from different disciplinary backgrounds, such as law, sociology, philosophy, politics, public health and anthropology, etc, have begun to engage in research and teaching in the field of human rights. Plainly, human rights research and pedagogy has emerged as a new academic discipline in Taiwan. However, there is as yet no academic journal for human rights studies. Our journal is designed to fill this gap.

We envision a journal of the highest standard; balancing theoretical and practical perspectives; drawing upon different disciplines, including law, sociology, philosophy, politics, public health and anthropology, etc; and addressing concrete issues confronting society. Generally speaking, every issue will have a special feature consisting of a cluster of three or four articles. For example, the inaugural issue will feature three articles dealing with different aspects of Taiwan's implementation of the International Bill of Rights (the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights). There will also be research notes, notes from the field, and book review essays.

Although the Journal is published and managed by the Chang Fo-chuan Center for the Study of Human Rights, it rightly belongs to the academic community and human rights NGOs in Taiwan as a whole. It is our sincere wish that in due time it will become a valuable shared resource for the Chinese-speaking communities in different parts of the world.

Human Rights Dictionary¹

The idea of a glossary that compared the Taiwan human rights record against international standards would be useful for promoting the understanding of human rights in Taiwan was first proposed in 2003. The dictionary subsequently evolved over a period of several years. It soon became clear, however, that for our purposes a broader reach of human rights concepts, events, phenomena, and laws needed to be included, and so we set out to create a far more elaborate volume. It was later decided to include sections on Mainland China and Hong Kong in the volume so that it would be useful to the entire Chinese-speaking community and for international scholars of comparative human rights. These two sections were written in 2006. This dictionary is thus comprised of four parts. The large international section is a compendium of universal human rights principles, laws, methods, institutions, and issues. This is followed by the three area sections, in which these jurisdictions are analyzed in terms of the standards or benchmarks in "International section."

The reader will quickly notice that each section has its own character. This reflects in part the different origins of the various sections, and also the different situations in the three areas. Taiwan thus focuses on events, institutions, and people who have played an important role in the sudden and dramatic realization of human rights on the island during the 1990s. The Mainland China section has a strong political focus, reflecting this area's inchoate state of human rights development. The Hong Kong section reflects the fact that under British administration, human rights became reasonably well established in the law, and the focus is now on preventing their erosion and expanding rights in new directions. Thus the Hong Kong section has a strong legalistic bent. There was no effort to apply all the concepts of the "International" section to the three jurisdictions, which have a relatively narrow focus.

International Conferences

The Chang Fo-chuan Center for the Study of Human Rights has been holding international conferences since its establishment in 2001. It held conferences on various topics including the following:

- National Human Rights Commissions (2001)

- Literature and Social Justice (2002)
- Indigenous Rights (2003)
- Human Rights Education (2004)
- Human Rights Education in a Diverse and Changing Asia (2006)
- Civics and Human Rights Education in Asia (2009)
- Propagation and Implementation of the Idea of Human Rights (2010)
- International Human Rights Covenants (2011)
- International Conference of Restorative Justice, Human Rights and Peace Education (March 2012)
- East Asia Symposium: Legislation and the Developing Asylum Policy in East Asia Responding to Forced Migration and Human Trafficking (October 2012).

Human Rights Week

The Chang Fo-chuan Center for the Study of Human Rights holds the Human Rights Week each year since 2004. It adopted a particular theme for each year, as in the following:

- Defending Tenzin Delek of Tibet (2004)
- Migrant Workers are not Slaves (2005)
- Free Burma (2006)
- Genocide in Darfur (2007)
- The 60th Anniversary of the Universal Declaration of Human Rights (2008)
- The Suppressed Voices in China: Rights Defending, Tibet and Uyghur (2009)
- Anti-death Penalty Poster Exhibition, Music and films festival (2010).

Study Group and Mini-courses

In addition to conferences, Chang Fo-chuan Center for the Study of Human Rights holds study group sessions and mini-courses. The study group sessions have been held annually with topics ranging from discussion of human rights in relation to constitutionalism to discussion of theories of democracy and public reasoning. The mini-courses, on the other hand, took up

issues ranging from general human rights concepts to specific human rights issues to national human rights mechanism. See Annex for the list of topics taken up in the study group and mini-course topics.

Final Note

Looking back on the past fifteen years, it can only be said that the Center and the human rights programs, both the undergraduate and graduate, are still in the beginning stage of development and growth. They can be strengthened and expanded. The support and encouragement of the larger society definitely will play an important role, while the efforts of everyone at the Center and the programs, including the students, are indispensable.

Annex 1

Study Group Topics

- Human Rights and Constitutionalism: Immanuel Kant, Carlos Nino (2003)
- Evil and Punishment of Human Rights Violation: Hannah Arendt, Carlos Nino (2004)
- The South African Truth and Reconciliation Commission: Archbishop Desmond Mpilo Tutu, Nelson Mandela, Commission's Final Report, Antjie Krog (2005)
- Radical Evil: Richard Bernstein (2006).
- Development, Poverty and the Capability Approach: Amartya Sen, Martha Nussbaum (2007)
- Globalization, Development and the Rights of the Disadvantaged: David Held, Joseph Stiglitz, Jeffrey Sachs, Peter Singer (2008)
- Global Poverty and Theories of Justice: Thomas Pogge, Amartya Sen (2009)
- Theories of Democracy and Public Reasoning: John Rawls, Amartya Sen and Ronald Dworkin (2010).

Mini Courses

- Prof. Theo van Boven, Maastricht University, the Netherlands. "International Human Rights Law: Concepts, Mechanism and the Practice" (2007)
- Prof. Ian Neary, University of Oxford, UK. "The Rights of the Children and Patients in Taiwan, Japan and South Korea" (2008)
- Prof. Flora Arellano, Polytechnic University of the Philippines, The Philippines. "Child Labor and Child Sex Workers in the Philippines" (2009)
- Prof. Zang Boshu, Independent Chinese Scholar, China. "The Constitutional Reform and Transition to a Democratic Society in China" (2010)
- Prof. Bill Black, the University of British Columbia, Canada. "Canadian Legal System and the Two International Human Rights Covenants" (2010)
- Prof. Theodore S. Orin, Utica College, USA. "Responsibility to Protect (R2P): An Evolving Principle of International Law" (2011)

- Dr. Alessandro Amicarelli, Italy. “Human Rights, Minorities and Religious Freedom” (2012).

Endnotes

¹ *Human Rights Dictionary - International, Mainland China Hong Kong, and Taiwan* (Bilingual). Professor Mab Huang was the editor-in-chief, and Professors Theodore Orlin, James Seymour, Daniel Yu were the editors. It was published in Taipei in 2007.

A Global Legal Empowerment Network: Learning from Others, Growing the Movement

H. Abigail Moy

FOR THE ESTIMATED FOUR BILLION PEOPLE who fall outside the protection of the law,¹ human rights exist only as a lofty concept, with no real impact on daily lives. Too many barriers – whether cost, dysfunction, corruption, abuse of power, or unjust laws – inhibit people’s ability to meaningfully enjoy their basic rights.

Legal empowerment strategies bring human rights to life by finding practical ways of overcoming these challenges. Grassroots efforts, drawing inspiration from legal aid and access to justice traditions, help people to regularly exercise their rights, or to access remedies when said rights are violated. These measures go hand-in-hand with institutional reforms that enhance government responsiveness to the assertion of rights by citizens and communities.²

In India, for example, Namati utilizes legal empowerment techniques to improve the enforcement of laws that protect the rights of communities affected by industrialization along the Kutch coast in Gujarat state. Throughout the region, fishing grounds and estuarine landscapes that sustain many livelihoods are in increasing demand by industries, which benefit from the area’s abundance of water and accessibility to ports. However, firms rarely suffer consequences for flouting the environmental regulations that preserve local residents’ basic rights to life, livelihood, and natural resources. Namati works with communities to develop and implement strategies for raising public awareness of regulations, documenting violations, advocating for regulatory enforcement on the basis of gathered evidence, and pursuing impact litigation in the event of continued inaction.

Practitioners have deployed these and other legal empowerment techniques in defense of human rights in a variety of areas. Cases involved range from a patient denied drugs at a medical clinic, to an agricultural loan held up for a bribe, to a woman deprived of her rightful inheritance, and to a prisoner tortured and detained without charges. Viable legal empowerment

solutions exist for each of these situations, and many more.³ For all the potential of the legal empowerment approach, however, the global community of practice surrounding its use is relatively young and undeveloped.

The Call for a Global Network

In 2008, the United Nations High Commission on Legal Empowerment for the Poor proposed global priorities aimed at ensuring legal protection and opportunity for all.⁴ Among its recommendations, the Commission called on multilateral agencies, foundations, grassroots movements, and civil society organizations to form a global forum and virtual arena for legal empowerment. The report also emphasized the need for regional dialogue on legal empowerment, the sharing of best practices, the development of policy instruments for national implementation, and the fostering of regional cooperation.⁵

In the ensuing years, the Open Society Justice Initiative and the World Bank Justice for the Poor Program convened leaders from legal empowerment movements around the world to take forward these recommendations. Two initiatives were launched as a result of these discussions: Namati – an international organization dedicated to legal empowerment – and the Global Legal Empowerment Network – an international community of practice that Namati helps to convene.⁶

A committee of fourteen respected practitioners from different countries guides the development of the Global Legal Empowerment Network.⁷ The members of this “Network Guidance Committee” lead capacity-building initiatives in their respective regions, primarily by hosting or contributing to regional meetings for members of the global network. Thus far, the network has hosted regional meetings in Dhaka, Bangladesh; Kampala, Uganda; Buenos Aires, Argentina; Jakarta, Indonesia; and an upcoming meeting in Amman, Jordan.

This paper focuses on the experiences of network members from Asia, the efforts of the Global Legal Empowerment Network to support their work, and techniques for strengthening regional dialogue and collaboration.

Community Paralegals and the Asian Legal Empowerment Experience

Legal empowerment programs often rely on community paralegals to spearhead their grassroots efforts. Community paralegals receive basic

training in domestic and human rights law, as well as in skills like mediation, organizing, education, and advocacy.⁸ Like primary health workers, paralegals are close to the communities in which they work. This proximity, combined with a familiarity with a flexible set of tools, helps them find concrete solutions to instances of injustice.⁹ Some paralegals work with nongovernmental organizations (NGOs)—including legal NGOs, community-based organizations, and membership associations like workers' unions—while others are part of government legal aid programs. They are typically linked to a small corps of lawyers, with possible resort to litigation or high-level advocacy when frontline methods fail.¹⁰

Paralegals have been empowering communities throughout Asia for decades, historically as a means of addressing human rights violations committed under repressive regimes. The methods developed during that time also serve paralegals in present-day efforts to foster development, prevent conflict, and enhance state accountability.

In the Philippines, for example, the Free Legal Assistance Group deployed community paralegals in response to suppression under the Marcos regime during the 1970s.¹¹ Since the collapse of the dictatorship, a number of civil society organizations and cause-oriented movements, including farmers' and fisherfolks' associations, have adopted the paralegal model under the banner of "alternative lawyering."¹² In Indonesia, community paralegals trained by legal aid institutions have played a role in social justice movements since the 1980s. Working as community organizers for marginalized groups during Soeharto's New Order, paralegals supported peasants reclaiming land and natural resources, women demanding gender equality, and labor unions seeking better working conditions.¹³ In rural China during the 1980s, the state established village mediation committees and legal services offices staffed by community paralegal equivalents – volunteers and grassroots legal workers as opposed to professionally qualified lawyers.¹⁴ In recent years, networks of self-educated "barefoot lawyers," enabled by laws permitting citizen-representatives in civil and administrative litigation, have been disseminating legal knowledge and filing lawsuits against government bodies and officials on behalf of aggrieved citizens.¹⁵

Many more examples exist, contributing to a legal empowerment landscape in Asia that is diverse and thriving.¹⁶ The region is host to numerous paralegal startups, law school clinics, and umbrella organizations pooling years of collective legal empowerment experience. Given the region's wealth

of knowledge and experimental activity in this field, the organizers of the global network's meetings chose paralegal programming as their focus. The meetings offered paralegal practitioners opportunities to learn from international experts and one another, and to explore comparative methods for tackling common challenges.

Regional Meetings: Opportunities to Learn, Share, and Collaborate

The Global Legal Empowerment Network has thus far hosted two meetings for the Asian region:

- The South Asian Monitoring and Evaluation Practitioner's Fair, hosted by Namati, BRAC, Multiple Action Research Group (MARG), and the Open Society Justice Initiative on April 19-20, 2012 in Dhaka, Bangladesh. Over fifty participants from ten countries attended.
- The Southeast Asia Regional Meeting on Legal Empowerment, hosted by Namati, the Indonesia Legal Resource Center (ILRC), TIFA Foundation, and Open Society Justice Initiative on November 6-7, 2012 in Jakarta, Indonesia. Over sixty-five participants from fifteen countries attended.¹⁷

The meetings sought to develop skills in areas where network members had noticed a dearth of regional resources. One key theme involved methods for evaluating the impact of legal empowerment efforts, and for adapting program activity accordingly. Training on this issue targeted data management, case management, and system design for paralegal programs. Another central issue entailed the training and supervision of paralegals, particularly for work with sensitive issues, vulnerable populations, or insecure situations. The meetings also explored various strategies for strengthening paralegal practice, including techniques for engaging with formal authorities, state institutions, and customary leaders; for advocating for national policies relating to paralegals; or for building supportive networks and retaining high-quality volunteers.

The beneficiaries of these meetings included legal empowerment practitioners of all kinds: directors, managers, and trainers of paralegal programs, as well as paralegals themselves; lawyers and other legal aid service providers; staff and consultants from multilateral implementing agencies and donors; and government officials, academics, and researchers. The meet-

ings brought together practitioners from across a number of disciplines, including land and natural resource rights; women's empowerment and gender-based issues; criminal justice and prisoners' rights; accountability of essential services; mediation and dispute resolution; and labor rights and economic empowerment.

Meeting agendas were composed of a mix of presentations, interactive modules, and moderated discussions. Experts from various regions of the world, in many cases drawn from the Network Guidance Committee, advised and trained participants during these sessions. Participants, for their part, arrived with concrete challenges, cases, and monitoring and evaluation (M&E) plans, which they proceeded to workshop throughout the meetings. At the close of each meeting, select participants presented on the feedback they received, and elaborated on the potential next steps they would pursue upon return.

Interactive Learning Sessions

At the outset, meeting organizers agreed that knowledge transfer could best be facilitated through engaging, interactive activities. Below is a sample of learning sessions from the regional meetings.

Expert-led Fair & Discussion Groups

The Dhaka meeting combined expert presentations on M&E methods with a *mela*,¹⁸ wherein each expert set up a table as a fair stall focused on a particular method or set of methods. Participants were invited to freely move around the room to ask additional questions on the methods and get one-on-one feedback from resource persons on their M&E plans.

The experts, also referred to as "resource persons," opened by explaining in turn the fundamentals of the monitoring or evaluation method in which they specialized. Each resource person tied the approach to his or her own experience in evaluating legal empowerment efforts, or to practical tools recommended for conference participants. For example, one resource person shared the case intake form developed by Timap for Justice in Sierra Leone, an organization with which he worked as a paralegal for many years, explaining in detail how the form is used and what data is aggregated for monitoring purposes. Afterwards, the experts fielded questions on their

methods and participated in a moderated discussion on their presentations as a whole.

During the fair portion of the meeting, some participants spent the majority of their time at one table, engaging in deep discussion with the resource person and others from civil society groups. Others visited multiple tables to ask questions about different components of their M&E plan. The conversations at each table were driven by conference participants based on their questions and needs.

At one table, the resource person and participants discussed the use of ethnographic methods to inform efforts to grow university legal clinics, through analyzing basic and accessible data from student surveys and interviews. At another stall, participants developed a peer review mechanism to monitor a door-to-door outreach campaign. Those at the table brainstormed ideas on aspects of the outreach process that could be measured, such as the mobilizer's effectiveness of communication, attitude, and any change in the larger community. At yet another table, a systems expert taught the basics of structuring data and using Excel tools for analysis. He enacted a live demonstration based on specific inquiries from participants, and coached them on the use of the computer program on their own laptops.

In the feedback collected at the end of the conference, more than 93 percent of attendees had a positive view of the usefulness of the one-on-one feedback and circulation between stalls (7 percent of attendees did not respond to the question). As one participant wrote, the fair portion of the conference "was interesting and informative in so far as it provided a chance to sit back and reflect on one's M&E framework." Another wrote, "having brief expert presentations was helpful in order to expose participants to the methods and generate questions that could be brought to the fair."

Each One Teach One

At the Jakarta meeting, one of the most successful sessions drew inspiration from the "Each one Teach one" teaching method, which encourages groups to learn and teach lessons to each other in rotating groups.¹⁹ Through teaching, participants reinforce the lessons that they learn, while benefiting from the opportunity to learn from their peers.

The session divided participants into six groups. Each was assigned an expert in a key area pertaining to the management and monitoring of paralegals:

- Organizing and training paralegals
- Designing and implementing case management systems
- Using case intake forms and procedures
- Mechanisms for supervising and communicating with paralegals
- Assembling a good case study
- Case tracking as a monitoring tool.

To begin, the experts – drawn from the Network Guidance Committee, meeting organizers, and experienced volunteers among the participants – delivered an instructional presentation to the group on their given topic. Afterwards, each group worked closely with their expert to translate that information into an instructional presentation of their own, complete with visual aids, an outlined lesson plan, and a division of roles among group members.

Once prepared, groups were coupled together. Within each pairing, groups took turns teaching each other their lesson. Once a “teaching” group was satisfied that their partner had absorbed their lesson, they gave the “student” group a colored badge to indicate their achievement. A rotation cycle ensured that every group had the chance to be paired with every other group, until all colored badges had been collected. Notes on each topic were consolidated and shared at the end of the session.

Because the meeting was multilingual, visual aids proved particularly useful. One expert assembled an interactive diagram of a case management system using cards that he taped to the wall. He rearranged the cards to demonstrate how to navigate and adapt the system to different situations. His group manipulated the same diagram when teaching the lesson to others. Another expert conveyed principles of effective paralegal training through drawings and simple mnemonics. His group’s sessions consistently exhibited high energy and elicited enthusiastic responses.

In a follow-up survey, participants voted the “Each One Teach One” module the most useful to their needs, out of all the sessions in the meeting. Participants indicated that they gained the most out of the lessons on paralegal training, case management systems, and case studies. One respondent wrote, “structure and systems are even more important than I thought, so I will implement that in our work.” Another participant detailed how the frequency and structure of her organization’s paralegal trainings would change as a result of the guidelines learned in the session. Participants also offered

useful critiques to organizers: they recommended that more time should be allocated to each teaching session, to accommodate complex concepts as well as questions and answers. Overall, participants took inspiration from the session in many ways. As one participant noted, “Each One Teach One is a really inspiring participatory method and I will use it in my training.”

Working groups on concrete challenges

Another popular session at the Jakarta meeting involved collective brainstorming around concrete challenges. Prior to the meeting, organizers asked each participant to submit one to three challenges currently confronting their paralegal programs. Organizers classified the challenges according to common themes. They selected a representative challenge for each theme, striving to give every organization a chance to workshop at least one of their submitted challenges.

The participants selected to present their challenges first described their problem to the general audience. Then, everyone broke up into small working groups to collectively brainstorm solutions. Each host participant took notes as to the feedback received, shared their thoughts on the applicability or drawbacks of their peers’ proposals, and drew up a draft plan of action, detailing steps that could be taken to address the problem. At the end of each session, host participants described their plan of action to the general audience, taking additional feedback from the greater group.

While host participants recorded specific, self-contained activities wherever possible, brainstorming by nature is a fluid and imprecise exercise. Many working groups resembled storytelling circles, in which participants who had faced similar problems shared their experiences and solutions. The host participants, in turn, understood that many of the solutions proposed had to be adapted in light of political, cultural, or security factors. The action plans developed by each participant thus reflected this awareness. Typically, host participants identified areas meriting further research or ideas that they would bring back to their colleagues at home for further discussion and development.

One host participant, for example, sought out methods for increasing respect for paralegals among the state agencies with which they worked. She explained that resistance to paralegal requests or pressure hampered their ability to resolve cases. Her action plan included recommendations from her peers on how to proactively build relationships with state authori-

ties, whether by inviting them to present at trainings, observe paralegals in action, participate in celebratory activities, or enter into memorandums of understanding. The host participant also noted broader strategies to explore, such as cultivating relationships with top-level authorities that have influence over the local officials with whom paralegals interact – rather than focusing only on the latter – or advocating for legislation or policies recognizing the role of paralegals in the justice system.

Paralegal Challenges

The following are excerpts from the challenges submitted for collaborative brainstorming by participants of the Southeast Asia Regional Meeting on Legal Empowerment.

“Paralegals work [is] embedded in the local context and their work scope includes fact-finding and compiling evidence in communities. However, this also implies that paralegals have to work in high-risk areas. It has been reported that security forces threatened members of paralegal networks with arrest under the special laws without provision of sufficient evidence. *What can be done to improve the safety and security of paralegals on duty?*”

“Paralegals not only communicate between client and lawyer, but also are responsible for communicating with state officials such as the police, the military as well as public administration. More often, these state institutions show a lack of cooperation towards paralegals, since they are not real lawyers and thus less respected and of lower hierarchy. *What can be done to improve the image of paralegal work and to gain more understanding and respect from authorities?*”

“Political interference from political parties affects the impact of the activities that [our NGO] conducts in communities affected by land grabbing. An example of the difficulties [our NGO] faces can be seen in the following scenario: A community protests to the government to get their land back. Then opposition parties, civil society and grassroots groups get involved in the conflict. The local authority fears that a successful

resolution of the conflict would benefit the opposition party, rather than the ruling party, from which most high-ranking officers and local authority members hail. Thus community representatives are often intimidated, harassed and/or imprisoned by the authorities. *How can we avoid political interference in the cases we are involved in?*

“[Our NGO] serves migrant workers who were victims/survivors of illegal recruitment and human trafficking. Our service providers, especially paralegals, are often helpless because in spite of the decision of repatriated victims/survivors to file cases against their recruiters (usually a foreign agency or employer and the Filipino recruiter on the job site), prosecution is not possible since the traffickers /illegal recruiters are outside the country. *What can we paralegal practitioners and advocates do together that can widen our reach especially to the vulnerable domestic and construction workers on the job site in times of crisis?*”

“As an organization working for the fast tracking of the implementation of agrarian reform in our country, we partnered with the Department of Agrarian Reform to train farmer paralegals in areas with a high land acquisition balance of agricultural lands. We were able to conduct area visits and closely monitor the progress of the cases and the implementation of the reform program through tactical sessions and legal clinics. After the project ended, our engagement with the community became limited as funding for the project ceased. *What tips/suggestions can be made to improve the monitoring of the progress of the paralegals’ work given that our presence and engagement in the area is limited? What sustainability mechanisms can be suggested in order to ensure the continuity of the paralegal program?*”

In their feedback, participants regularly cited “discussing real challenges and solutions” among the meeting’s most important experiences. Host presenters pointed to the harvesting of potential answers to their problems as a highlight. Several asked for continued dialogue to develop their action plans, both online and beyond. In general, participants noted that hearing about the comparative experiences of others in the region was both educational and important to them.

Beyond Meetings: Challenges and Aspirations

While the regional meetings have proven inspiring for many, extending the dialogue beyond these face-to-face events presents a unique challenge for the Global Legal Empowerment Network. Members speak multiple languages, are dispersed across many countries, deal with time and resource constraints, and often have limited access to internet. Partial remedies exist for these barriers to communication, but Namati and network members are constantly searching for more effective solutions.

For those with internet access, Namati has built an online platform that features a tools-sharing database for practical resources, a question-and-answer forum, and thematic working groups.²⁰ The website operates in over fifty languages, although translation can be rudimentary in some cases. To accommodate those who may have reduced bandwidth but able to access e-mail, Namati is developing systems that support participation in virtual discussions via email and internet browsers alike.

Web-based technology, however, can only go so far. To complement these efforts, Namati and the Open Society Justice Initiative have, on occasion, connected network members with the technical assistance or funding necessary to make good on the workplans developed during regional meetings. Only a few of the participants have benefited from these arrangements, however, leaving appetite for more.

Namati is currently exploring a number of alternatives for augmenting connectivity. Exchange visits, conference calls, national or sub-regional training opportunities, and creative usage of SMS technology have the potential to enrich learning exchanges between members significantly. Still, each option is relatively untested within the legal empowerment community, making it difficult to determine their ideal form without some measure of trial-and-error. As we experiment with different strategies, Namati

is fortunate to count on the contributions of Network members, who continue to share ideas for taking forward the visions generated at the regional meetings.

Conclusion

The Global Legal Empowerment Network was founded on the belief that our global community of practitioners could gain from greater dialogue and more collaboration. During the formative consultations that led to the launch of Namati and the global network, legal empowerment activists agreed that too many programs are working in isolation; they do not benefit from empirical evidence or the experience of others. Through the network, its regional meetings, and its convening activity, we are closing that gap.

In the words of one of our meeting participants, “sharing experiences from each organization and country; working together to find solutions and share challenges; and learning to use legal empowerment as a tool for advocacy of human rights” were the three most important things that the Network’s regional meetings offered to the community. By cultivating opportunities for interaction, the Network offers a forum for practitioners to share tools and strategies, to learn from one another, and ultimately to build a broader, stronger movement.

Endnotes

¹ Commission on Legal Empowerment of the Poor (CLEP), “Making the Law Work for Everyone: Volume One,” Report of the Commission on Legal Empowerment of the Poor, 2008.

² Such reforms include strengthening grievance mechanisms to deal with breaches in public service delivery or guaranteeing access to government information. See Vivek Maru and H. Abigail Moy, “Legal Empowerment and Public Administration: A Map of the Landscape, and Three Emerging Insights,” June 2012, publication forthcoming (on file with author).

³ To learn more about legal empowerment efforts taken to address such situations, see, for example, www.namati.org/entry/law-and-development-from-the-ground-up-bridging-health-care-by-the-sewa-river, www.namati.org/newsposts/manonkoh-village-achieves-partial-victory-with-londonmining-company, www.namati.org/entry/paralegal-work-has-been-very-important-to-women-in-our-community/, www.namati.org/entry/he-was-torturing-a-suspect-before-my-very-eyes/.

⁴ CLEP, *op. cit.*

⁵ Ibid., pages 83-89.

⁶ The virtual portal for the network can be accessed at www.namati.org/network. There, users can access a tools database to exchange practical resources; connect with other practitioners and pose questions to the community; and keep up-to-date on recent developments in the field through the newsfeed, blog, and e-mail alerts.

⁷ See www.namati.org/about/guidance-committee.

⁸ See The Kampala Declaration on Community Paralegals, 26 July 2012, available at: www.namati.org/kampala-declaration.

⁹ See Vivek Maru, "Allies Unknown: Social Accountability and Legal Empowerment," 12 *Health and Human Rights Journal*, 83, (2010).

¹⁰ Ibid., page 87.

¹¹ See Jennifer Franco, Hector Soliman, and Maria Roda Cisnero, "Contemporary Community Based Paralegalism in the Philippines: Opportunities and Challenges," April 13, 2011, publication forthcoming (on file with author).

¹² See The Alternative Law Groups, available at: www.alternativelawgroups.org/about.asp?sec=history.

¹³ See Ward Berenschot and Taufik Rinaldi, "Paralegals and Legal Aid in Indonesia: Enlarging the Shadow of the Law," July 2011, publication forthcoming (on file with author); Buyung Nasution, "The Legal Aid Movement in Indonesia: Towards the Implementation of the Structural Legal Aid Concept," *ASEAN Perspectives on Human Rights and Democracy in International Relations* (Quezon City: University of the Philippines Center for Integrative and Development Studies and UP Press, 1995).

¹⁴ Alford, William P., "Tasseled Loafers for Barefoot Lawyers: Transformations and Tensions in the World of Chinese Lawyers," 141 *China Quarterly* 22, 28-29 (1995).

¹⁵ See Ying Xing, "Barefoot Lawyers and Rural Conflicts," in Ching Kwan Lee and You-tien Hsing, editors, *Reclaiming Chinese Society: The New Social Activism* (New York: Routledge, 2010). Some well-known "barefoot" lawyers, like Chen Guangcheng, have garnered the assistance of highly trained human rights lawyers. See Jonathan Benney, "Lawyers, not law? A Taxonomy of the Legal Profession in China," *Asia Research Institute Working Paper Series No. 175*, February 2012, pages 4-9.

¹⁶ In Vietnam, for example, a legislative scheme from the 1990s authorizes voluntary grassroots mediators, elected by their communities, to resolve family and civil disputes, minor administrative disputes, and property disagreements based on relevant laws, policies, and custom. See John Gillespie and Albert H.Y. Chen, *Legal Reforms in China and Vietnam: A Comparison of Asian Communist Regimes* (New York: Routledge, 2010), pages 196-97.

¹⁷ Representatives from paralegal programs in Bangladesh, Burma, Cambodia, China, East Timor, India, Indonesia, Laos, Malaysia, Nepal, Pakistan, the Philippines, Thailand, and Vietnam, among other countries, attended these meetings.

¹⁸ Mela means fair or festival; originating from Sanskrit, mela is a widely used word in South Asia.

¹⁹ Meeting participant Bridges Across Borders Southeast Asia Community Legal Education Initiative (BABSEA CLE) recommended this teaching method and coordinated the session. See http://wordpress.babseacle.org/wp-content/uploads/2010/05/BABSEA_CLE_Teaching_Methods_Manual-7-Sep-2010.pdf.

²⁰ Visit the Global Legal Empowerment Network site at: www.namati.org/network.

Social Education and Kominkan

Yoko Arai and Miho Tokiwa-Fuse

THE KOMINKAN, community-based social education institution run by the education board of the local government, has become a symbol of social education in Japan. It has played a role in ensuring that people at the community level were able to exercise their right to education. It has invariably been involved in facilitating education on various social issues.

In 2009, a network of civil society organizations on social education in Japan prepared a report that dealt with the various aspects of social education in Japan including the role of the Kominkan. The report entitled “Social Education/Adult Education in Japan: Policies, Practices and Movements During the Last 12 Years” was prepared by the Japanese Domestic Grass-roots Meeting for the Sixth International Conference on Adult Education (CONFINTEA VI) in November 2009.¹

Below is an edited excerpt of sections of the report focusing mainly on social education and the Kominkan - their history, significance and the challenges being faced.

I. Social Education in Japan

Japanese Concept of Social Education²

In Japan, ‘adult education’ (*Seijin Kyouiku* in Japanese) is not a concept or term that enjoys wide currency. The commonly used concept is ‘social education’ (*Shakai Kyouiku* in Japanese), which can be roughly translated into adult and community education and is widely used in laws and government policies, and in research and practice.

The forms of education in Japan are conventionally categorized into:

- a) Home education, which is held privately at home for children;
- b) School education, which is the formal education for children or adults at schools; and
- c) Social education, which includes all educational activities in society at large falling outside the above a and b categories.

A wide variety of educational activities come under the term 'social education': they can be nonformal education provided by social education institutions such as the community learning centers run by local governments called Kominkans, public libraries and museums, or learning that accompanies voluntary activities of citizens in clubs, volunteer organizations, community organizations, and so on: they can be conducted inside the classroom in school-type environment where learners are taught by teachers, or outside the classrooms as self/mutual education activity of a group of citizens who teach and learn from each other: and participants can be of any age (children, youth, adults or the elderly) and a mixture of different age groups (e.g., children and adults).

Social education is closely connected to home education and school education. It includes such examples as parents' learning to improve their home education and the activities of Parent-Teacher Associations (PTAs) aiming for the betterment of school education. Some local governments have come to offer social education to the residents almost solely related to home education.

This phenomenon was promoted by the revision of the Social Education Act in 2001, which clearly stated that a board of education in a local government has the responsibility for promoting the residents' learning concerning home education through classes, assemblies and public lectures.

In the three categories of education, adult education overlaps both school education and social education: the institutions in the field of school education include universities, vocational schools (*Senshuu Gakkou*) and miscellaneous schools (*Kakushu Gakkou*, where practical skills such as driving, cooking and foreign languages are taught) and those in social education are Kominkans, museums, public libraries, public sports facilities and educational institutions for young people with a lodging function called *Seinen no Ie*.

Adult education is also provided in various institutions that are not administratively designed for education: for example, the labor administration offices/labor information centers offer seminars and public lectures for employees and employers.

While the Japanese government has conducted a 'social education survey' every year, it has been largely indifferent to the profiles (such as the sex and age) of the participants of social education unless the educational programs in question are targeted to specific sex/age groups. It has tended

to be satisfied with such rough data as budgets or the number of users of a given social education institution. For this reason it has not been very useful when one would like to know the state of adult education/learning included in social education in Japan.

As mentioned above, the concept of social education itself is all-inclusive and indiscriminate about who (and how old) the participants are. While this is a unique way of categorizing education and has its own merit, in order to grasp in detail the reality of social education, with which adult education/learning partly overlaps, it is necessary to modify the methods of collecting data for a social education survey.

The Constitution and Fundamental Law of Education

After World War II, Japan enacted a new Constitution with three major principles: sovereignty resides in the people, respect for the rights of people, and renunciation of war for peace and democracy. Under this Constitution, the Fundamental Law of Education was enacted in 1948. This law has the core idea that the purpose of education is to respect and foster the freedom and autonomy of individuals and that it is important to protect the independence of education from political powers. Under this idea, local autonomous bodies (especially municipalities, not prefectures) have the responsibility for educational administration. And each local autonomous body must have an education board that is different and independent from the other administrative sections in order to keep educational policies free from any political control from other fields.

From the following year, 1949, a series of education-related laws were enacted including the Social Education Law in 1949, Library Law in 1950, Museum Law in 1951, Promotion Law for Youth Class in 1953, and Promotion Law for Sports in 1961.

Right to Social Education

The Social Education Law was soon revised in 1951 with the addition of a new chapter on regulations for social education director. Revision of some articles of this law also occurred in 1959. The 1959 revision met resistance because of fear that political control of social education would become stronger. Subsequent amendments of the Social Education Law were minor, usually with a change of a few words.

The local governments mainly implemented the social education/adult education policies under these education-related laws.

Movements on learning and social education would at times support or join the local governments in implementing educational policies, but also oppose them at other times. Some movements called for change in these policies.

In line with the philosophy of the Fundamental Law of Education, Article 3 of the Social Education Law provides that “State and Public Bodies” (meaning the national and local governments) have to perform their “function” of assisting in the maintenance of “congenial environment” for the development of social education. Article 12 strictly prohibits these “State and Public Bodies” from controlling social education organizations and their activities.

These articles uphold the philosophy of ‘social education’ that the learners are the subjects who decide on how to develop their own learning, what cultural and sports activities under some conditions could be created through a variety of ways. In short, they state the right to learn from both points of view of freedom and welfare.

Despite these ideas under the Social Education Law, social educational policies started to change from late 1950s toward control of learning programs for local residents. Some of the social education (government) officials who supported the residents’ right to learn were moved from the social education section to other parts of the administration office for political reasons. This problem was then known as the “unfair shift of social education officials.” This problem often occurred during the 1960s and the 1970s. Moreover, some local governments refused to allow some learning activities of residents to be held in public education facilities.

Against this policy trend, movements of people articulating the right to learn and the idea of ‘right to social education’ became popular. In some municipalities, the power of residents espousing the idea of ‘right to social education’ changed the social education policies to those that made the residents themselves the leaders in promoting them.

During this period of tension between people and the national and local governments, national-level social education movements were born. For example, *Monthly Journal Social Education* started in 1957. This journal started the annual national conference for social education study in 1961, which gave birth to the Japan Association for Promotion of Social Education

in 1963. These developments in the social education movement democratized social education once more and helped social education develop more. The journal, the association, and the movements are still existing at present.

Contradiction Within Lifelong Learning Act

However, the enactment of the Lifelong Learning Promotion Maintenance Act³ in 1990 changed the previous trend mentioned. This law provided legal justification for the 1976 report of the Council of Social Education (National), the 1981 report of the Central Council for Education, and the policies of 'lifelong education' and 'lifelong learning' that had already started to be implemented with budget from the 1981 fiscal year. Moreover, the Ministry of Education put the Lifelong Learning Department at the first tier in the structure of the ministry and made social education part of its function.

The government enacted the Law on Promotion and Maintenance for Lifelong Learning with no consideration for its relation to the Social Education Law. The Law on Promotion and Maintenance for Lifelong Learning mainly covers policies of prefectural governments and for districts whose areas are bigger than municipalities. It also covers not only about the policies related to the Ministry of Education but also those related to the Ministry of International Trade and Industry. The government tried to implement lifelong learning policies beyond the power of local governments, and also explored a market for lifelong learning business.

In the first half of the 1990s, many Ministries implemented policies that used the words 'lifelong learning.' This made 'lifelong learning' not merely a component of educational policies but part of policies on many other issues (industrial, welfare, labor, home affairs, community, etc.). Some local governments (both prefectural and municipal) responded to this new policy movement and sought opinions from the public in making their own lifelong learning policies. Some of them made their social education plans on lifelong learning through their education boards. But before the local governments were able to implement their plans in mid-1990s, they started to face financial difficulties alongside the implementation of the decentralization program of the national government. While there is no research data to be able to analyze whether the local governments were effective in implementing their lifelong learning plans or continued them in the 1990s, it is clear that the boom of lifelong learning policy has gone away.

Revision of the Social Education Law

Looking back at the legal and political trends in the social education field since the mid-1990s, several features arose:

- a. The regulation that promoted participation of residents in the process of adopting social education policies has been weakened,
- b. Control by the government of social education has prevailed, and
- c. Ideas and policies to protect and support the right to social education have been set aside.

The decentralization policy of the national government in mid-1990s promoted the deregulation policy in order to reduce the budget of the local governments. In line with this process, the 1999 revision of the Social Education Law made the provision on participation of residents in policy-making unclear. The membership of the local residents in the Kominkan Advisory Committee and the Advisory Committee of Social Education became vague with the use of the phrase “persons who are related to school or social education.” The provision that suggests democratic selection of representatives from among the residents has disappeared.

The Social Education Law was again revised in 2001, just two years after its last revision. A new provision was added in Article 3, the article that provides for the principal philosophy of the law (the idea of ‘congenial environment’ for social education). The new provision, as the second provision of Article 3, provides that the national and local governments are responsible both for linking social education to school education and for improving home education. The 1999 revision was again revised with the phrase “persons who contribute to making home education better” being used instead. This again affected the membership of the Kominkan Advisory Committees and the Advisory Committees of Social Education from among the residents.

Article 5 of the Social Education Law (Affairs of Local Board of Education) was revised with the insertion of two new sections: “Matters concerning the planning of courses in the provision of learning opportunities for home education, the sponsorship of meetings, and the encouragement thereof” and “Matters concerning the implementation of projects to provide young people with opportunities for social service experience, including volunteer activities, nature experience and the encouragement thereof.”

These 2001 revisions showed the new policy direction of controlling social education activities, which seemed to be inconsistent with the basic principle of 'deregulation' in the 1999 revision.

2006 'Revision' of Fundamental Law of Education

The Fundamental Law of Education was significantly revised in December 2006. New articles were added that provided a different perspective on education.

A new article entitled "Lifelong Learning" was added parallel to the article on social education. In this new article, "lifelong learning" was presented based on the framework that separates "individual learning" from the society to which individuals contribute by the fruit of one's learning. The article on social education was also revised by stating that social education should meet both individual demands and social needs.

The idea of education in these two new articles under the 2006 revision differs from the original idea under the 1948 Fundamental Law of Education. The original provision in the 1948 Fundamental Law of Education states that society should develop through the development of the whole personality and positive spirit of individuals, whereas the new articles in the 2006 revision define education in the framework of two parallel poles - the 'individual' and the 'society'. In addition, the purposes of education in the 1948 law are stated modestly and philosophically. The 2006 revision adds narrow and moralistic purposes such as respect for discipline in school and love of hometown ('love of the country and region'), which do not seem to fit the 1948 purposes of education.

The 1948 provision that education "shall not be subject to improper control, but it shall be directly responsible to the whole people" was revised in 2006 by replacing the clause "but it shall be directly responsible to the whole people" with "and shall be carried out in accordance with this and other acts." This latter new clause allows other laws to be enacted and read into the main law, the 1948 Fundamental Law of Education, and thus views the profound idea of freedom of education in reverse. This revision, in effect, weakened the idea of freedom of education.

Another new article, now Article 17, adds the idea of a "Basic Plan for the Promotion of Education" that the national government should adopt. But the new article also requires local governments to adopt their own educational plans with reference to such national plan. While this latter com-

ment seems to restore the idea that local governments have primary authority on educational policy and administration, an important principle of educational administration in Japan, it actually strengthens the control of the national government over education.

Under this situation, there is a need to ensure the autonomy of local governments in both the national basic plan and local plans. It is also important that the local residents elaborate the local educational plans to be able to promote the learning activities of people and keep the freedom of learners and educational institutions. It is a challenge to social educators to continue and develop the philosophy of 'congenial environment' in the future policies for the promotion of social education.

2008 'Revision' of the Social Education Law

The Social Education Law was amended in May 2008 in accordance with the 2006 revision of the 1948 Fundamental Law of Education. A new section was added to Article 3 of the law regarding the importance of stronger connection of social education to both school education and home education. Moreover, under a new section, the local legislative councils were given the authority to decide on support for the education of primary and secondary school students. The amendment of Article 13 loosened the system on public subsidy for social education. Under the previous system, only the Advisory Committee on Social Education as a legal committee with representatives of local residents could give to the local government the approval for its subsidy on social education groups. This was meant to keep the subsidies to these groups not subject to government control. The new amendment permitted the local government to subsidize social education groups without the approval of the Advisory Committee on Social Education, though they need the final approval of another committee.

Under these amendments of the Social Education Law, there was concern that the important system of participation of citizens in the Social Education Advisory Committee would weaken. Also, the participation of the citizens in the policymaking process on adult education would also weaken with no alternative system for citizens' participation having been presented.

The 2008 revisions also changed the qualifications for the position of social education director by adding as necessary qualifications the experience of being librarian or museum curator to the experience of being a so-

cial education associate director or a school teacher. And a new article was added regarding the “evaluation” of the management of Kominkans.

Outsourcing the Management of Institutions for Social Education

During the decade of 2000s, the national government compelled local governments to outsource the management of public facilities under the decentralization policy. The 2003 revision of the Local Autonomy Law introduced the designated manager system. Although this revision was expected to exempt social educational facilities, the Ministry of Education, Culture, Sports, Science and Technology (MEXT) supported the application of the system to social education facilities by issuing a statement entitled “About the Application of Designated Manager System to Social Education Facilities” in January 2005. People involved in social education, Kominkan and public libraries opposed this stance of the MEXT. Those opposing the MEXT stance included Kominkan Advisory Committees in several municipalities, even the one in Hiroshima city where the Kominkans had already been outsourced to its public foundation. Some of them made petitions to their local governments against this outsourcing.

The Japan Association for the Promotion of Social Education (JAPSE) expressed in January 2005 its opposition to the introduction by MEXT of a new system in managing public social education facilities.⁴ JAPSE listed what it saw were problems of the new system:

- It spread the idea that beneficiaries should pay for public services in social education
- It created an obstacle to the participation of the residents in policymaking
- It destroyed the freedom of learning because the designated institutions system prefers profitability and efficiency
- It denied the continuity of social education
- It made the working conditions worse and less professional for people working for social education.

But the MEXT document started to influence some local governments leading to the change in the management system of some public institutions and facilities of social education such as Kominkans, libraries and museums.

Local Governments and Social Education Staff

Social educational policies and programs are mainly implemented by local governments. After World War II, social education gained support with staff under the local Education Boards. In the 1970s, the number of local governments that officially employed workers for social education gradually increased. Some local governments took care of ensuring staff allocation for social education, allowed them to remain working in social education for a longer period if they wanted to do so, and some of them even hired specific workers as social education staff who worked only for adult education policy or programs.

But in early 1980s, some local governments started to assign staff to social education programs for shorter periods than before. They transferred staff working on social education to the other administration offices easily. They seemed to have been influenced by the new theory of managing local governments. At the same time, due to the national government demand for the reduction of the number of local government staff, some local governments pretended that they were reducing, or not increasing, the number of staff. In the adult education fields, they did it by outsourcing the management of social education facilities to outside public corporations that local governments have helped establish.

In the 1990s, local governments tended to replace the number of permanent staff by part-time staff. They also introduced the outsourcing system more widely. They did the same thing in social education field too. Under the "designated manager system," the relations between the social education staff and the local government staff weakened because the social education staffs were hired by outside designated organizations. Local governments' contact with social education staff was coursed through the designated organizations.

Similar situations usually gave rise to a social problem in the official workers system caused by low employment rate of part-time staff. Part-time workers were usually employed for short periods and their wages were low and usually could not be raised. Their situation worsened even more when they were transferred by the local governments to the organizations that managed the facilities under the management outsourcing scheme.

In general, therefore, the people working on social education policies and programs could not keep their professional positions anymore and also faced the same deterioration of working conditions that local government

personnel encountered. This trend created a serious challenge to social education under the administration of local governments.

For a long time, the national government has not adopted a policy that respected the particular importance of social education and has not improved and reinforced the professional status of the social education staff. There is a qualification system under three laws for the position of the social education director, the librarian and the curator. The national government lowered the level of qualifications under the 1996 revision of government regulations for the qualifications for these three positions. With the change of government rules on social education staff system, the recommendations of the Advisory Committee for Lifelong Learning based on these qualifications resulted in people with such qualifications not being able to get proper jobs. The understanding within the government of the value of social and adult education jobs and their particular quality, and the vision for recovering or recreating the social education staff system failed to progress.

Abandonment of the Youth Education Policies

Before World War II, national and local governments took care and sometimes organized women and youth organizations, and used them to implement their social education/adult education policies in Japan. These women and youth organizations were disbanded, and then revived after the war. They eradicated their old image of having supported the government regarding the war, and continued their important role in social education in local communities. But urbanization caused the gradual decrease in the number of these organizations, and their role in social education weakened.

In the 1960s and 1970s, the activities of PTAs, the social education classes in Kominkans, and other activities led to the creation of many groups of young mothers. They covered a variety of areas of learning and developed their own activities. They developed both as target and stakeholders of social education.

In the 1960s, social education programs in Kominkans focused on classes for young people who migrated from rural to urban areas with the aim of helping them live active life in their new places of residence. At the same time, the activities of youth organizations in rural areas continued. But with the rise in the number of youth enrolling in secondary schools and universities from late 1970s and early 1980s, the youth became less interested

in activities in local communities and the place of youth education in social education programs weakened.

Due to this trend the Law for Promotion of the Education Class for the Youth enacted in 1953 was repealed, along with the revision of one hundred fourteen laws, under the new Package Promoting Decentralization Law in 1999.

The Law for the Promotion of the Education Class for the Youth had problems. There were youth and other movements that opposed the law due to fear that it would lead to government control of the educational activities that were freely developed by youth organizations in local communities. The law was also opposed on the ground that it promoted a cheap way of educating young workers, instead of giving more financial support to encourage them to take night courses under the official secondary school programs.

However, the repeal of the Law for the Promotion of the Education Class for the Youth was not due to these opposing views. It was in line with the trend of abolishing youth education programs initiated by some prefectural governments since the early 1990s, similar to the ending or abandoning and turning over 'Youth House,' institutions and buildings to municipal governments. Thus both national and local governments retreated from supporting youth education.

The Advisory Committee for Lifelong Learning, which prepared some provisions on the deregulation of the education activities under the Package Promoting Decentralization Law, explained that the Law for Promotion of the Education Class for the Youth lost the need for its existence because of the increase in the number of youth going to upper secondary and higher level of education. Consequently, this situation weakened the youth education policies in the communities.

At the heels of the decreased support for youth education in late 1990s rose the phenomenon of youth who did not have the "will to work" giving rise to popular terms like "freeter" (young person who refused to become permanent employee, taking temporary or part-timework instead)⁵ and "NEET" (not in education, employment, or training). The Ministry of Health, Labor and Welfare launched projects such as "Supplementary School for Self-help of Youth" from July 2005, seminars, and Support Station for Youth in Community all over the country. But these projects were limited to supporting the youth in gaining employment by 'enlightening the youth about work' and 'supporting the youth to adapt to the society'. They were far from

the educational projects that support the youth in freely organizing learning movements by themselves.

In December 2006, the government issued 'the Integrated Plan for Supporting Re-Challenge', consisting of projects from the different ministries. The plan does not only have projects on youth education but also on adult education. The plan seemed to be based on the idea of making people adapt to the existing social structure. Would this plan develop its perspective and include educational projects that support the development of people's critical consciousness in a variety of fields and bring up people who would make their own society by themselves based on this consciousness? Would this plan include the education on labor unions that support workers' consciousness about their right to work? But the ruling party changed in 2009 and a different policy was adopted.

Social Movements Related to Social Education Movements

Japan has a long history of labor and union education movements since before the World War II. The Labor College of Tokyo and the Labor College of Osaka, established in the 1920s (Taisho era), fostered the thoughts and culture of workers who led the labor union movement and sometimes engaged in labor disputes. After World War II, many study/learning clubs within the labor unions came about. At present, there are also some active learning movements of workers such as the Association for Labor Education or the Unions of Civil Engineering and Construction Workers.

From the 1960s, some local government public workers' movements started to develop their activities together with the movements of residents in developing municipal-level learning movements to change local government policies. Social education staff often managed such movements as members of local government public workers' union. Teachers' unions also organized learning movements in the community such as 'Meetings on Education,' and some of them developed programs together with the learning movements of residents in the 1970s and the 1980s. In some cases, the farmers' cooperative movements and other cooperative movements developed together with or including social education movements.

The establishment of the Japanese Trade Union Confederation in 1989 was a momentum for the labor movement organizations in Japan. This development can also be viewed differently. It can either be seen as the unification or the division of the labor movement. Actually, labor movements

lost their power gradually during the 1970s and the 1980s. According to the summary of the results of the basic survey on trade unions made by the Ministry of Health, Labor and Welfare, the number of trade union members was highest at 12,699 in 1998 but started to decrease until 2007. The rate of union membership among all workers has been decreasing since 1975 and was at 18.1 percent in 2007. From 2005 to 2011, the rate has remained at 18 percent average, and decreased to 17.9 percent in 2012.⁶

However, there are some movements that steadily continue as well as some new movements. For example, in some regions, local government public workers learning movements continue or recover their strength together with the residents' learning movements. The activities of the Institutions for the Study of Problems of Local Bodies in some regions of Japan and the continuation or the recovery of the Learning School Movements of Local Bodies are also examples. Moreover, new labor movements of non-regular workers have arisen due to their worsening working conditions. These movements should get the attention of people in social education to know how and what learning movements would develop from them and how do social education movements learn from and contribute to them.

II. Kominkan

The Kominkans constitute one of the primary institutions for social education in Japan. In July 1946, the then Ministry of Education recommended through an official letter to local governments the establishment of Kominkans in the communities. The Kominkans were established not only for people to learn about democracy and engage in educational and cultural activities, but also to provide a place for people to meet and develop their abilities together by performing industrial, welfare and other activities that help develop the community. Because funding was not fixed, Kominkans varied in size and manner of operation. The number of Kominkans established in each municipality also varied. The total number of Kominkans increased rapidly and reached 36,406 in 1955. It was the highest number of Kominkans in history.⁷

Present Condition of Kominkan

The Kominkans were covered by Article 7 of the 1948 Fundamental Law of Education. After the establishment of 'Board of Education' in every

municipality by the then new administrative system of education in Japan, Kominkans spread widely as public institutions for social education. Public-service corporations were permitted to establish Kominkans, though they could only establish a small number of them. Prefectural governments were not permitted to establish Kominkans. As a result, the Kominkans were rooted in local communities as public institutions for adult education.

Some Kominkans were seen as community learning activities because they did not have their own buildings, and used facilities such as primary schools and temples for their activities. These Kominkans were often called “Kominkans with no roof but the blue sky” or “Kominkan with only a sign-board” in their early stages. With the consolidation of many towns and villages in the 1950s, the total number of Kominkans decreased rapidly in the 1960s. The condition of their buildings hardly changed. By 1968, there were only 13,785 Kominkans.

In the 1970s, they began to increase in number. During this period, most Kominkans had their own buildings; the “Kominkans of the town” had prevailed. By 2005, there were 17,143 Kominkans. Counting also the quasi-Kominkans, the total would be more than 18,000. This number was much bigger than the number of lower secondary schools in Japan, which was 11,035 in 2005. Because of their big number, Kominkans can be considered the primary institution for social education in Japan.

Changes from the Mid-1990s

A review of the policy trend on the Kominkans during the past decade reveals some problems.

According to government report on the “number by types of facilities for social education,” the total number of Kominkans and quasi-Kominkans combined reached 19,063 in 1999.⁸ But they decreased to 18,810 in 2002, and to 18,182 in 2005. The number of Kominkans has decreased from 18,257 in 1999 to 17,947 in 2002, and then to 17,143 in 2005. This means that 1,114 Kominkans disappeared from 1999 to 2005. Compared to other facilities for social education that increased in number, though a little bit, except for women’s education facilities and private sports facilities, the decrease in the number of Kominkans as primary institutions for social education shows the deterioration of social education policies in Japan.

Local governments have reduced the number of Kominkans in two ways: first, by giving different name and category from social education

to newly-established institutions that should actually be properly considered Kominkans; second, by changing the name and category of the existing Kominkan. The latter case often happens when they rebuild the existing building of Kominkan or when they reform the administrative structure of local governments.

Some local governments adopted these policies because the national government stopped giving support to Kominkans.

There was no funding support from the national government when the Kominkan system was established just after World War II, although the national government recommended their establishment. They explained that people in each community had to build and manage their own Kominkan by themselves. But soon after, in 1950s, the then Ministry of Education started to subsidize the building or management of Kominkans by the local governments, although the 1959 revision of Social Education Law restricted the use of the subsidy only to building the Kominkan facility. The subsidy continued and increased a bit till 1980. Although the subsidy continued but in decreased amount after 1980, a lot of the local governments were encouraged to build or rebuild Kominkans using this subsidy. The amount of decreased subsidy for each Kominkan ranged from five million Yen (nearly 50,000 US dollars at current rate) for each of the forty-seven Kominkans with regular size, and eighty-five million Yen (around 830,000 US dollars at current rate) for each of the nineteen big Kominkans under the 1995 budget. However, the national government stopped new requests for subsidy for Kominkans in the 1997 budget, and gave the last requested subsidy in the 1998 budget. A press release by the then Ministry of Education stated that the national government stopped this subsidy because they understood that the conditions of existing community facilities were sufficient.

Removal of the Name “Kominkan”

The removal of the name “Kominkan” is one of the reasons for the decrease in the number of Kominkans. It is also a deliberate violation of the freedom to learn and undervalues social education.

The consolidation of towns, resulting in lesser number of towns, could be a cause for the reduction in the number of Kominkans as earlier mentioned. However, whether or not this was a major cause in reducing the number of Kominkans is unclear. Some towns kept the existing Kominkans even after consolidation. They used them for their community activities.

Some local governments preferred to convert the Kominkans from educational facilities to other purposes such as community centers, because they want to use them mainly for community development. Others made only ad hoc change, such as changing the administration of Kominkan from under the Board of Education to another body, because they wanted to keep the name of Kominkan to avoid trouble from concerned residents, or they wanted to use the popularity and “legacy” of Kominkan in each community.

A similar policy trend in the 1970s was observed when the Ministry of Home Affairs promoted community policy. However, this policy did not affect the number of Kominkans. Many local governments established more Kominkans during this period.

In 2000s, some local governments dared to change Kominkans even though these Kominkans were performing excellently in their social education programs. The use of their buildings was changed to that of ordinary community buildings, with no relation to education or to the nature of Kominkan.

For example, in 1990 Nagoya city had sixteen Kominkans whose names were originally ‘Social Education Centers’ and then changed to ‘Lifelong Learning Centers.’ But their legal category was the same as that of the Kominkans, and their staff had undertaken very good social education activities with the residents in each district. In 2000, Nagoya city changed their legal category as Kominkans and put them under the jurisdiction of the community development department in each district’s administrative structure (which belonged to the general administration section) instead of the Board of Education. This happened despite the fact that a large movement of people was opposed to it.

After that, in Nagoya city, a scheduled lecture in a Lifelong Learning Center was stopped by the city government on the ground that the person who would give the lecture seemed to be opposed to the position of Lifelong Learning Center, which should support the policies of the local government. This was reported by the newspapers in 2001.

In another example, Kitakyushu city had Kominkans that were also doing excellent work in close collaboration with the local communities. The city added the name and function of ‘Community Welfare Center’ to the Kominkans. But the two names created a problem. The city changed the names to ‘Citizens Centers’ and moved their legal category to that belonging to the general administration section.

Another case is in Hirakata City. In 1963, the Advisory Committee on Social Education and Kominkan of this city clearly stated the idea of social education in its report entitled “Social Education for All Citizens,” *Social Education in Hirakata*, No. 2. They stated the idea in short sentences with some explanation: ‘The citizens based on their own view undertake social education,’ ‘People have the right to social education,’ ‘The essence of social education is to learn the Constitution,’ ‘Social education has to empower the autonomy of residents,’ ‘Social education is the learning part of popular movements,’ ‘Social education has to grow, cultivate and protect democracy.’ These statements were later called the ‘Thesis from Hirakata.’ These statements encouraged people who were engaged in social education movements in 1970s all over Japan to promote the idea of the right to social education and the freedom of learning.

New residents in Hirakata city in the early 1980s learned about these statements. They created active movements for the establishment of Kominkans, undertook activities, and requested the Hirakata city government to establish more Kominkans.

But in 2006, Hirakata city abolished the Kominkan system and changed the names of existing Kominkans to ‘Lifelong Learning Centers.’ It also changed the jurisdiction over them from the Board of Education to the general administration section, despite several years of opposition of many people to it.

These cases show that some local governments abolished the Kominkan system along with their social education policies in order to diminish the value of social education and adult education, or to restrict the purpose of learning of the residents to that which would only fit community development. It can be assumed that such policies also influenced the decrease in the total number of Kominkans since the same trend occurred in other local governments as well.

Designated Manager System and the Kominkans

As earlier discussed, in promoting the decentralization policy since the 1990s, the national government recommended that local governments outsource their enterprises to private sectors. With the 2003 revision of the Local Autonomy Act, the national government introduced for-profit organizations into the designated manager system, although they were not permitted to manage public facilities before. The government strongly request-

ed the local governments to use this system in their administration. Under the new guideline for administrative reform of local governments (issued in March 2004), the local governments were requested to evaluate all existing public facilities to check the possibilities for outsource management to “designated managers” until September 2006.

This 2004 guideline influenced the social education facilities in Japan when some local governments introduced the ‘designated manager system’ to public social education facilities. The number of Kominkans that have been outsourced to the “designated manager system” reached five hundred seventy-four in 2005.

The adverse effect of the designated manager system on the Kominkans has been raised, even at the *Diet* (parliament). During the discussion on the revision of the Social Education Act in 2008, the Diet issued a resolution stating that the government should “...take sufficient care about the bad effects of introducing the designated manager on staffing for social education facilities like Kominkans, libraries, museums, in order to support lifelong learning of people and meet the increasing learning demand.”

The number of Kominkans that have been outsourced to the “designated manager system” once reached 1,220 in 2008, but decreased to 1,161 in 2011.⁹

Deterioration of the Residents’ Participation

As mentioned earlier, when the Social Education Law was revised in 1999 together with many other laws under the decentralization policy of the government, the role of the residents’ participation system in the Social Education Law was minimized. The Kominkans were no longer required to have Advisory Committees, the bodies that represent the founding philosophy of Kominkan. The Kominkans were supposed to operate from the time of their founding in line with the intention, and through the power, of their respective community residents.

The report of the Central Advisory Committee of the Ministry of Education, which proposed the 1999 revision of Social Education Law, discussed the role of the Kominkan Advisory Committee system in terms of ‘deregulation,’ but also virtually stated that the Advisory Committees were not working well. Actually there were active Kominkan Advisory Committees whose members were “elected” in a process similar to official elections, held official meetings often (more than once a month), actively discussed

issues, and sometimes presented recommendations to the Directors of the Kominkans on various matters including the appointment of the Directors.

Data shows that from 1999, the number of Kominkan Advisory Committees had been decreasing. Some local governments established another system that allowed the participation of residents in the Kominkan operations, but there were no statistics on these cases. With the opposition of people and staff of Kominkan to the law revision, some local governments dared to keep their existing ordinances related to Kominkans in spite of the 1999 revision. Moreover, one local government even strengthened its ordinances on the participation of residents in the Kominkans.¹⁰

The Standards for Establishment and Management of Kominkans

The Standards for the Establishment and Management of the Kominkans, adopted through the revision of the Social Education Law in 1959, were actually minimum standards (referring to area coverage, facilities, staff, etc.). The national government wanted the local governments to make their own improvements on the Kominkans using the minimum standards. This started the discussions in the local governments on what the Kominkans should be. There were proposals from the then Ministry of Education itself and the National Kominkan Association that was founded in 1951.

In 1973, the Kominkan staff and a researcher in a Tokyo suburb called Santama came up with an excellent proposal entitled “Looking for the New Kominkan Model.” The proposal, later known as the “Santama thesis”, contained four roles for the Kominkan:

- a. Open space for the residents
- b. Base for group activities
- c. The residents’ own “university”
- d. Park for creating culture.

There were also seven management principles:

- a. Promote freedom and equity
- b. “No fees”
- c. Keep the Kominkan independent as an institution for learning and cultural activities
- d. Have qualified staff
- e. Allocate one Kominkan to each community

- f. Have sufficient and varied equipments, and
- g. Facilitate the participation of the residents in its management.

The Santama thesis contributed to the creation of movements of people around early 1970s that campaigned for the establishment of Kominkans. The movements also presented ideas on how the Kominkans should be established and operated using the Santama thesis.

But after twenty-five years, two revisions of the Standards Provision for the Establishment and Management of the Kominkans dealt with the

- a. removal of the word “specific” referring to the Director and officers of the Kominkan that indicated the importance that these positions be occupied by people who have special knowledge on social education (1998 revisions)

- b. removal of articles on facilities and equipments in line with the decentralization policy, removal of provision on the need for specific officials with social education qualification (2003 revisions)

- c. addition of articles that recommended various activities such as family education, voluntary activities by youth and cooperation between school, family and community, and so on, and addition of an article on self-evaluation of operations (2003 revisions)

- d. addition of an article encouraging the introduction of “night services” according to the condition of each community (2008 revisions).

It is easy to imagine how a legal provision like letter “d” above lengthens service time to attract residents without careful consideration, and how the revisions of the standards provisions are promoted to support the outsourcing of public services to private sectors.

The revisions of the Standards for the Establishment and Management of Kominkans, on one hand, and the challenges of financial allocation and physical condition of Kominkans, on the other hand, changed the activities of the Kominkans to serve other purposes.

Social Education Practices through Kominkans

Social education practices through the Kominkans are varied and their targets are not only adults and youth but also children. Their district coverage is usually as small as a public school district for primary school or lower secondary school.

There are a lot of small Kominkans that are like affiliated Kominkans. Some small Kominkans fall within the categories of Kominkans in the Social Education Law, but others are not counted as Kominkans by the local government even though people call them 'Kominkans' or similar names. These latter types of Kominkan are generally known as 'hamlet Kominkans' or 'autonomous Kominkans' and there are no national statistics about them yet. People often perform their community activities using both types of Kominkans as their base.

On the other hand there are also other types of Kominkans that have a lot of programs and projects. Kominkan officials plan and implement these programs and projects with the community residents. Some residents' groups are sometimes born from such programs and projects and usually continue their activities after the implementation of the programs and projects ended. This type of Kominkans is typical of those established after 1970s. And they have a variety of programs and projects.

Recommendations

The Kominkan, which is established and firmly rooted in the community, can cultivate diverse learning and promote cultural and sports activities that support people's development of local communities based on their own efforts and will. Considering this, the following are recommendations in support of the Kominkans:

A. To promote the establishment of a Kominkan in every local community and to keep the Kominkan even when rebuilding the facility

In order for local governments to support the establishment of Kominkans with the appropriate size and number necessary for the daily life of people in each local community:

(1) The national government should provide financial support to the local governments for the establishment and maintenance of Kominkans

(2) The prefectural governments should also provide financial support to the towns for the establishment and maintenance of Kominkans

(3) The local governments should keep the Kominkans as institutions for adult education, provide them with enough budget to be able to perform tasks for the empowerment of residents, and keep the system to protect the freedom of the residents to learn.

B. To appoint specific officers with qualification for social education to each Kominkan

(1) The national government should establish a national qualification system for Kominkan officers.

Kominkans need qualified staff who understand both the essence of social education and the functions of Kominkan, and have appropriate abilities to be able to perform the activities of the Kominkans in accordance with the challenges faced by the residents in their local communities.

It is the better policy to make the specific staff qualification system for Kominkan rather than a general qualification system for social education facilities. This is a more effective system according to the experiences in the long history of social education in Japan.

(2) The local governments should make the best effort to appoint highly motivated staff with the appropriate abilities to the Kominkans and to let them work at Kominkans for a long time in order to make the best of their own experiences.

(3) The town, city, prefectural and national governments should each make such policies that support the Kominkan staff in developing self-designed training courses to develop their motivations and abilities. The policies should include sending Kominkan staff to training courses in accordance with their requests, supporting them to organize and implement training courses by themselves, and so on.

C. To appropriate budget for the appointment of Kominkan officers

The national government should appropriate budget to support the local governments' appointment of officers to each Kominkan.

D. To promote the democratic management of Kominkan

(1) The national government should declare and adopt basic regulations on the importance of the participation of the residents in the management of Kominkans. The Kominkans should empower the residents and use their varied abilities in Kominkan management; and the Social Education Law, the Standards for the Establishment and Management of Kominkans and other legal requirements should be appropriately revised.

For example, the Advisory Committee system for Kominkans must have, or develop, the regulations for democratic operations by introducing clearer ideas for residents' participation.

(2) The local governments should keep the Kominkans as educational institutions and independent from any political control, with the understanding that Kominkans should contribute to the development of the local community and support policies of governments only when they support and promote independent learning of residents including the learning to research, analyze and critically discuss the policies by themselves.

E. To develop social education practices through the partnership of residents and Kominkan officers

The community residents and Kominkan officers should develop learning free from the fear about creating tensions between or among them in both processes of learning and actions, and also develop learning from the wider view beyond their community, by making the best use of the place and operations of Kominkans.

Conclusion

After CONFINTEA VI in 2009, the number of Kominkans continued to decrease from 17,947 in 2005 to 15,943 in 2008, to 14,681 in 2010.[i] This means that 2,462 Kominkans disappeared or were changed to other facilities from 2005 to 2010. This number is more than twice the number of Kominkans that ceased to exist from 1999 to 2005, numbering 1,114. Actually, more Kominkans could have disappeared or been changed to other facilities because a few local governments established new Kominkans during the same period.

Keeping the name “Kominkan” and changing only the administration structure from under the Board of Education to another body (because of mainly community development policy shift) seem to prevail even among the municipalities that were famous for excellent social education practices of their Kominkans and the Kominkan officers.

Moreover, some local governments seem to try to use Kominkans for political purpose by keeping them as social education institutions despite lack of understanding of education that promotes human rights, which means education that respects freedom of learning.

Even some excellent social education officers or Kominkan officers dare to accept those distorted Kominkan policies in order to keep the Kominkans in their municipalities under the pressure of financial crisis. These decisions

were dangerous. A severe dispute on this issue exists among civil society movements.

The national government is now trying to change the education system, even the education board system. Moreover, there is a move to change the Constitution.

We all have to learn more and more critically about the many challenges to social education at every level not only at the community level. We also have to take care that the political powers do not use social education institutions including Kominkans for their own purpose, similar to the situation before World War II. The political powers, even those with good intention, easily fall into the trap of using education only for their own political purpose.

Under these present complex situations in Japan, we the social educators through the civil society movements network have to promote and invent stronger and more flexible social education system by utilizing the legacy of social education experiences including Kominkan experiences and by ensuring the prevalence of and adherence to the excellent and important philosophy of the right to learn and the freedom of learning among all of us.

Endnotes

¹ CONFITEA VI was held from 1 to 4 December 2009 in Belém, Brazil.

² This section 'is an edited version of "1. 'Social education' and adult education: a word on the term and concept" included in the chapter I-2 of the first part of the 2009 report, written by Miho Tokiwa-Fuse of Japan Society for the Study of Adult and Community Education (JSSACE). The rest of the article are edited excerpts of the following sections: "3. The 'Revisions of some laws close[ly] related to Social Education,'" "4. The other trends of policies of social education," "6. Some other topics among changes of recent social education policies or so on" in chapter I-2 of the first part, and of chapter II-1 'Kominkan' in the second part of the report. These sections were, written and translated by Yoko Arai of Japan Association for Promotion of Social Education (JAPSE). Yoko Arai also wrote the concluding paragraph, as new text.

³ The formal title of the law is: Law Concerning the Establishment of Implementation Systems and Other Measures for the Promotion of Lifelong Learning.

⁴ "The Opinion of JAPSE on the 25 January 2005 document of the Ministry of Education, Culture, Sports, Science and Technology about the designated manager system."

⁵ See Reiko Kosugi, Youth Employment in Japan's Economic Recovery: 'Freeters' and 'NEETS,' *The Asia-Pacific Journal: Japan Focus*, www.japanfocus.org/-kosugi-reiko/2022.

⁶ See Table 1, The transition of the number of trade unions, membership and density rates, General Study on labor-management relations FY 2012, 2012 December, Ministry of Health, Labour and Welfare, in Japanese. See also Table 7-1, Trade union membership and density rates (national official statistics), *Databook of International Labour Statistics 2013*, Japan Institute for Labour Policy and Training, www.jil.go.jp/english/estatis/databook/2013/07.htm

⁷ Ministry of Education, *The History of Kominkan During the Past Ten Years* (Tokyo: Ministry of Education, 1958).

⁸ Ministry of Education, Culture, Sports, Science and Technology, *The Social Education Research Report, FY 1999, FY 2002, FY 2005* (Tokyo: MEXT).

⁹ Ministry of Education, Culture, Sports, Science and Technology, *The Social Education Research Report, FY 2008, FY 2011* (Tokyo: MEXT).

¹⁰ "Modern Approaches to the Legal System Related to Adult and Community Education," *The Annual Book* No. 47 (Tokyo: JSSACE, 2003).

¹¹ Op. cit.

Regional Programming on Human Rights Education

Jefferson R. Plantilla

MORE THAN SIX MONTHS after formal opening in December 1994, the Asia-Pacific Human Rights Information Center had not yet launched a regional program. It had a formal mandate to promote human rights in the Asia-Pacific region. And it was envisioned to contribute to the preparation of the region for the establishment of a regional human rights mechanism.

People behind the establishment of the Asia-Pacific Human Rights Information Center, also known as HURIGHTS OSAKA, wanted to establish a regional program on human rights education. They saw the opportunity offered by the results of the 1993 World Conference on Human Rights, and the subsequent adoption of a Decade for Human Rights Education by the United Nations General Assembly in December 1994.

Finally, in mid-1995, HURIGHTS OSAKA started the groundwork of linking with Asian institutions that eventually led to the development of a regional program on human rights education.

The Context

In the early 1980s, there were discussions in the United Nations about the need to have a regional human rights mechanism in the vast Asia-Pacific region. Since there were already regional human rights mechanisms in the Americas, Africa and Europe, why could not there be such mechanism in the Asia-Pacific? The first United Nations-sponsored Asian regional workshop on human rights held in Colombo, Sri Lanka in 1982 discussed this issue. There was no consensus for or against the proposal to establish a regional human rights mechanism in the Asia-Pacific. The government representatives could only agree to further discuss the issue.¹ But they all agreed that human rights should be promoted in Asia.

A year after this major human rights event in the region, in 1983, the then United Nations officer Yo Kubota raised the idea of Japan helping in the process of establishing a regional human rights mechanism in the Asia-

Pacific. He exhorted his fellow Japanese to help realize the idea by setting up a center that would do the task on the strength of the local people and local governments in Japan.

The local social movement in Osaka² started to lobby the Osaka prefectural and city governments to support the establishment of such a center. A decade-long work succeeded in the establishment of a local-government and civil-society-supported Asia-Pacific Human Rights Information Center in 1994.

In early 1990s, with the successful lobbying for the adoption of a United Nations Decade for Human Rights Education (UN Decade), those who were involved in the lobby work at the regional and national levels continued their tasks by pursuing human rights education activities under the banner of the UN Decade.

The UN Decade played the role of a rallying point for all educational activities related in one way or another to human rights. Various types of organizations saw the need to use the UN Decade in promoting human rights education, or their version of it. There was relatively positive support for human rights education at the national level, particularly the governments in several Asian countries.

The Bangkok-based Asian Regional Resource Center for Human Rights Education (ARRC)³ promoted the UN Decade at the regional level. It tried to link the various activities related to human rights education in the different countries in Asia to the UN Decade. It came out with directory of institutions related to human rights education (two editions), a research report on human rights education situation, training materials on human rights education, and list of materials on human rights education (two editions). It had a quarterly newsletter (*ARRC Post*) that reported on human rights education initiatives in the region, as well as occasional journal on human rights education. It held numerous training and other workshops from early 1990s involving educators from many Asian countries.

ARRC focused mainly on the non-formal education system. It networked with non-governmental organizations (NGOs) that provided various types of non-formal education activities ranging from paralegal training to workshops on using theater to promote human rights.

There was also hardly any other regional program or project that focused solely on human rights education in the early 1990s. Other regional initiatives in the mid-1990s had human rights education component in their

programs as shown in a meeting of regional NGOs hosted by HURIGHTS OSAKA in 1995 in Bangkok.⁴ They undertook human rights education in relation to specific issues or fields of education.

Considering this context, HURIGHTS OSAKA saw the need to fill a gap at the regional level and decided to focus on the formal education system.

First Stage

HURIGHTS OSAKA launched its regional human rights education program in early 1996. As the first stage of the regional program, HURIGHTS OSAKA initiated a research on cultural values and human rights. The research dealt with the generally unexplored area of the dynamic links between human rights and the varied cultures existing in several countries in Asia, and defined the human rights education implications of this issue at the national level.

The research results were presented in a regional meeting of representatives of non-governmental and governmental institutions in ten Asian countries in 1997. The participants in this meeting endorsed the use of the cultural values-human rights framework in human rights education in the school systems.⁵



Regional Conference (Bangkok, 1997)

Contemplating the second stage of the regional human rights education program, and considering the results of the 1997 regional meeting in Bangkok, HURIGHTS OSAKA decided that its activities should:

- a. Focus on the formal education sector
- b. Involve NGOs that work on human rights education in the school system
- c. Continue the collaboration with the national human rights institutions
- d. Find ways and means of promoting human rights education in the school systems in Asia.

The initial activities under the regional human rights education program of HURIGHTS OSAKA provided an opportunity for people and institutions in several countries in the region to link up and share information on the development of human rights curriculum or in the teaching of subjects with human rights content.

The subsequent activities of HURIGHTS OSAKA consisted of several tasks. The first major task was to understand these unrelated human rights education initiatives in the region. The 1997 regional meeting in Bangkok showed both the existing experiences in several countries in the region on human rights education in the formal education system, and the potential for more extensive development of the field. The second major task was to find a common thread among these initiatives that might help make human rights education more acceptable among the many uninvolved schools and government agencies in the region. This involved clarifying the meaning of human rights, the effects of learning human rights, and the methods in teaching human rights. The Bangkok regional meeting discussed the various reasons behind the resistance to human rights education in the school system that generally arose from a misunderstanding of the very concept of human rights education.

There was also the significant element of mainstreaming human rights education in the formal education system by relating it, among other roots, to positive local cultures. Thus the third task referred to the use of a framework (cultural values-human rights framework) on which human rights education might have a better chance of getting attention and support.

Second Stage (1998-1999)

The second stage of the regional human rights education program of HURIGHTS OSAKA built on the work of the first stage. The second stage was mainly devoted to understanding the existing experiences on human rights education in the school systems in the region, the best practices, and the areas for further development.

To be able to achieve this goal, several workshops were held at both sub-regional and regional levels.

The sub-regional workshops were held during the May-September 1998 period covering Southeast, South and Northeast Asia. The subregional workshops had by and large the following objectives:

1. To review the basic linkages between culture and human rights, and trends in human rights education in general;
2. To share experiences and materials on human rights education in the school system;
3. To discuss areas that require further improvement and propose concrete measures in addressing them;
4. To draft suggested teaching modules or program on the issue of cultural values and human rights that would form a manual for human rights education in the school system; and
5. To draw up possible plans for regional-level implementation of the suggested teaching modules or program.



Southeast Asian Consultation Workshop (Surabaya, 1998)



Northeast Asian Consultation Workshop (Seoul, 1998)



South Asian Consultation Workshop (New Delhi, 1998)

The series of workshops ended with a regional workshop, held in November 1998, that had the following objectives:

1. To review the results of the sub-regional workshops including the draft manual on human rights education in schools;
2. To discuss and propose measures to resolve problems encountered or to be encountered in promoting human rights education in schools; and
3. To explore further areas of work (such as training program) among the participating groups.

The participants in both sub-regional and regional workshops were representatives of NGOs involved in human rights education in the school system, private and public schools, government agencies (such as the Ministry of Education), and national human rights institutions. Two to three representatives from each country in each sub-region were invited to participate in the sub-regional workshops, while at least one representative from each of these countries participated in the regional workshop.

Since the whole regional program was presented as a concrete effort in implementing the UN Decade for Human Rights Education in the region, the promotion of the concept of human rights culture was given much emphasis.

As reported in the *Schools, Human Rights and Society - Report of the 1998 Workshops on Human Rights Education in Schools* (1999), the second stage of the regional human rights education program identified commonalities among the varied country experiences such as issues and problems they encountered.⁶

Some of the commonalities refer to the following issues:

- a. Starting point of the teaching of human rights – values or moral education subjects as starting points for human rights education
- b. Integration and Separate Subject approaches – two approaches are being employed: teaching human rights in whatever subjects in the school curriculum and having a specific human rights subject (or activity).
- c. Materials developed – several types of teaching and learning materials on human rights have been developed but their wide dissemination depended on institutions involved (NGOs have generally much limited capacity to produce and disseminate such materials).

- d. Cooperation between government education agencies and NGOs – this cooperation existed in many of the programs discussed in the workshop
- e. Governmental mandate on human rights education – some governments have adopted either human rights or other policies that support human rights education
- f. Teacher training program – there are existing teacher training programs in several countries on the teaching of human rights in the school system
- g. Human rights issues – many programs on human rights education focus on the rights of the child.

The problems encountered refer to three major areas - government, schools, society:

a. In relation to the government

- 1. There is bias against human rights education as shown in the national ideology, and the influence of the political party in power. In cases where legal sanction for human rights education in school system exists, absence of political will hinders the full implementation of programs;
- 2. There is lack of knowledge on human rights by government personnel; and
- 3. There is also lack of recognition of problems in schools by the government.

b. In relation to the schools

- 1. There is tension between the pedagogical process being employed in schools and the human rights education program;
- 2. There is weak motivation among teachers on teaching human rights . They also exhibit bias against human rights/human rights education;
- 3. There is a large number of students per class, and short class hours;
- 4. School teachers receive low pay;
- 5. Knowledge-centered education negates the importance of understanding relations with other people and with society;
- 6. Teachers and students have communication gap since students are restricted in expressing their own opinions;

7. The paternalistic education system fosters one-way teaching methodology where the teachers demand that the students simply listen to their lectures;
8. Students develop conformist behavior that affects their individuality;
9. There is contradiction between the ideas learned in school and the experiences at home;
10. The use of the positivist paradigm of teaching in schools weakens the teaching of human rights since critical thinking becomes less important in the learning process. Human rights education occupies a very low position in the priorities of the schools because it is not included in the examinations for higher level studies. Many view competitive, examination-oriented education system as oppressive to the students;
11. There is a shortage of materials (e.g., teaching modules, teaching aids, reference materials, funding, among others) for human rights education, and of teachers who have appropriate training to teach human rights;
12. There is an overloading of teaching tasks that prevents the introduction of new subjects or other activities in the school. The teaching of human rights is seen therefore as an additional burden, and cannot be accommodated within the existing school curriculum;
13. There are school regulations violating human rights principles (such as on punishment of students) that continue to be implemented.

c. In relation to the society in general

1. The parents have weak motivation in supporting human rights education;
2. The general populace may be passive, cynical, or have a negative view of human rights. There is a mistaken notion about the purpose of human rights education especially in relation to the role of citizens in the society;
3. Although human rights education is officially recognized by governments, it still suffers from restrictive political situations that prevent full development of the programs as far as content and methodology are concerned.

These problems more or less reflect the situation of the teaching and learning of human rights within the school system in South, Southeast and Northeast Asia during much of the decade of the 1990s. And yet, many of these problems were still raised in the following decade of the 2000s.

HURIGHTS OSAKA's response to the situation, no matter how limited, had to relate to these problems as well as opportunities existing at the end of the 1990s decade.

Third Stage (2000 – present)

The third stage of the regional human rights education program started with another round of meetings with educators from the different countries in the region. The meetings focused on three areas: research, material development, and teacher training.

HURIGHTS OSAKA regarded 2001 as the year for the review of the past activities and the identification of its future regional activities to support the further development of human rights education in the school system. In this light, HURIGHTS OSAKA held consultation meetings on three key areas with educators from Japan and other Asian countries.

Prior to the meetings, HURIGHTS OSAKA undertook a mini-survey of people related to human rights education on the three areas. The compiled responses were discussed in the consultation meetings. The consultation meeting on research, held on 16-18 September 2001, discussed the current perceived needs for research related to human rights education in the school system; research activities in support of human rights education in the school system such as those regarding curriculum development, culture and human rights, etc.; the possible research partners for specific research activities; and the resources and timetable for the research activities. The meeting participants agreed on the feasibility of a comparative study or multi-country survey that would provide an independent and critical review of the existing state of human rights education in the school system in several Asian countries. The study would review the policy framework (relating to human rights issues and human rights education), the human rights curriculum, the degree of human rights awareness of students and teachers, the problems (teacher skills and materials) being encountered, and the follow-up measures (role of parents and society). There was also discussion on the methodology, partners, financial support, and steps to take, etc. in undertaking the suggested research project.



Consultation Meeting on Research (Osaka, 2001)

The second meeting focusing on training, held on 18-20 October 2001, discussed a possible training program, and identified training objectives, course content, criteria for participants, resource persons, course materials, duration of the course, etc. The meeting participants suggested that the training program should have the following general goals: to sharpen/deepen consciousness of teachers on human rights; to facilitate teacher empowerment by helping develop knowledge, skills and attitude on human rights education; to enable teachers to develop more democratic learning environment; and to enable teachers to develop a networking system with other institutions and groups. They suggested the use of interactive and participatory methodology in the training such as lecture-discussion sessions, role-play, case study, games, etc. They also discussed and identified the basic contents, participants, partners and implementation mechanism for training. They agreed that the materials that would be developed and used in the training program should be based on the experiences of different countries.

Finally, the third meeting focusing on material development, held on 15-17 December 2001, discussed the current state of, and needs for, materials for human rights education in the school system; the development of materials based on the existing materials in the region; and the process of selecting type, content, users, and writers of the materials. The suggestions for the types of materials that could be produced included: supplementary text-



Consultation Meeting on Training (Osaka, 2001)

book (to help students' understanding on both domestic and foreign human rights issues), exercise materials (ready-to-use materials that include stories and illustrations as well as information on human rights), information sheet (containing materials for human rights education including new learning/teaching methods, and different approaches to human rights education), sample curricular framework on human rights (for teachers to integrate human rights into curricular subjects), and materials for basic understanding of human rights (questions and answers on human rights concept, and illustrative ways of understanding the concepts). The meeting participants also discussed the possible partners for material development.



Consultation Meeting on Material Development (Osaka, 2001)

HURIGHTS OSAKA adopted the results of the consultation meetings as guide in developing projects under the regional human rights education program. During the 2003-2012 period, HURIGHTS OSAKA implemented projects at both subregional and regional levels that corresponded by and large to the results of the consultation meetings, while also implementing agreements made in the 1998 subregional consultation workshops.

Research Projects

The experience of the first regional research project (focusing on cultural values and human rights) provided an important guide to the subsequent research projects that were implemented after the 2001 consultation meeting on research.

These subsequent research projects focused more exclusively on human rights education in the school system. They probed on specific issues affecting human rights education, and provided information on areas that require further development as well as opportunities for future activities.

The first research project implemented in 2003 followed to a large extent the recommendations of the 2001 consultation meeting on research. The project was conceptualized in a meeting with invited research partners in Bangkok in 2003. The research partners agreed on a research on the two ends of the educational spectrum: educational policy and human rights awareness, and one middle component – the school curriculum.

The research project coincided with the ending of the UN Decade in 2004. It thus responded to the need to find out how governments supported the UN Decade, and what impact did the government support make on the human rights awareness of the students (and also teachers).

The original idea was to cover many countries in South, Southeast and Northeast Asia. But both financial limitation and difficulty of finding research partners restricted the coverage of the research project to four countries: two from South (India and Sri Lanka), one from Southeast (Philippines) and another one in Northeast Asia (Japan) subregions.

The research project was meant to be an indicative survey using sampling method and involving respondents who represented the characteristics (gender, ethnic, economic status, rural-urban divide, etc.) of the countries involved (India, Japan, Philippines and Sri Lanka).

The general objective of the research project was to provide an independent and critical review of the existing state of human rights education in the school system in several Asian countries. Specifically, this research project was meant

- To clarify governments' support for human rights education in the school system
- To clarify problem areas in implementing human rights education in the school system
- To identify measures for effective human rights education in the school system (such as support for teachers - empowerment)

The research project examined three major components: educational framework, school curriculum, and human rights awareness of students and teachers. Each component considered the following subjects:

a. Educational framework

1. Laws, policies, and guidelines (memorandums, executive orders, memorandums of understanding, etc.)
2. Items covered by laws, policies, and guidelines
 - schools – public and private
 - institutions/agencies – Ministry of Education
 - contents
 - vision, mission, objectives
 - human rights
3. Implementation measures provided for in the laws, policies, and guidelines
4. Support provided for the implementation of the laws, policies, and guidelines
 - funds
 - development of curriculum
 - development of teaching/learning materials
 - teacher training program
 - partnership with other institutions (local, national, regional, international)
 - human rights expertise
5. Co/extra-curricular activities provided for in the laws, policies, and guidelines.

b. Human rights curriculum

1. Curricular objectives
2. Contents: human rights concepts and practice
3. Presentation of human rights
 - issues covered (women, children, culture and religion, etc.)
 - emphasis (international human rights standards, or domestic laws)
4. “Exercise of rights” (respecting the rights of others, conflict resolution skills)
5. Teaching/learning methodologies (teacher–centered versus student-centered, classroom versus field/out of class work)
6. Evaluation system on
 - School ethos – systems, rules, hierarchy
 - Teaching/learning materials
 - Extra/co-curricular activities

c. Field survey

1. Respondents
 - students – two thousand respondents per country, with an average age of fourteen years (two classes per school – eighty students/average number of respondents) at the secondary school level
 - teachers – fifty respondents per country from twenty public/private schools – two teacher-respondents per school
2. Methods
 - questionnaire survey
 - focused group discussions (FGD)
 - five schools chosen for the FGD
 - participants – from schools with most articulate students
 - fifty students (ten students per group per school)
 - ten teachers (two teachers per group per school)
3. Survey contents:
 - sources of knowledge of human rights – school, media, family, community, neighborhood
 - clusters of questions
 - subject areas – knowledge, attitude, behavior
 - process of learning/teaching
 - materials

- school ethos
 - practice
4. Data analysis - use of common computer program
 5. Survey administrators – national core groups.



Research Partners Meeting (Bangkok, 2003)

The field survey was undertaken during the 2004-2005 period in each of the countries involved. Prior to this, the research partners prepared a common survey questionnaire that was later on translated into different languages (five Indian languages and in Japanese language). Due to differences in the situations of the countries involved, the survey questions were adapted to the specific country context in terms of words and examples used. The Indian and Philippine surveys covered different parts of the two countries, which contributed to the longer period of administering the survey questionnaires. The Japanese survey, however, covered only one city (Osaka city) in view of the difficulty of administering such survey in Japanese schools in different parts of the country.⁷

The summary of the results of the research project has two parts: essay for the analyses of the educational policies and school curriculums, and explanation of the statistical results of the human rights awareness survey.⁸ The



Research Partners Meeting (Delhi, 2005)

full report, entitled *The Educational Policies and Human Rights Awareness - Japan, India, the Philippines and Sri Lanka* was published in New Delhi, India in 2008. Two country reports were published separately in New Delhi (*Human Rights Education in Indian Schools*, 2007)⁹ and in Manila (*Human Rights Education in Philippine Schools*, 2006).¹⁰

The educational policy research was continued with a research project for Southeast Asia that started in 2006 under the “Regional mapping, collection of best practices and coordination of initiatives to promote human rights education in South-East Asian school systems” project of the UN Office of the High Commissioner for Human Rights (OHCHR) and UNESCO Asia-Pacific Education Bureau. This was meant to help implement the first phase plan of action of the UN World Programme for Human Rights Education (WPHRE). An Advisory Panel composed of representatives of OHCHR and UNESCO decided on the Southeast Asian countries covered by the research project, namely, Cambodia, Indonesia, Lao PDR, and Thailand. A fifth country (Vietnam) could have been included but the government concerned failed to give a response to the invitation of the Advisory Panel to join the research project. The decision on countries to be covered by the research project was based on the following considerations:

- a. Existence of UN projects in the country, which can provide support for, or somehow get linked to, the project. UNESCO projects on human rights education can be promoted through the project
- b. Existence of national institutions that can host the implementation of the project. These institutions can be the Ministries of Education, the

national human rights institutions, or government-sponsored human rights centers

- c. Existence of various of types of schools - public or private, secular or faith-based schools
- d. Existence of program regarding the school curriculum - such as the curriculum reform projects
- e. Existence of projects involving teacher education institutions.

The National Teams for Human Rights Education (NTHREs) formed in the four countries covered by the project undertook the national-level research. HURIGHTS OSAKA coordinated the research project implementation.¹¹

The representatives of the NTHREs, the Advisory Panel, and HURIGHTS OSAKA met to review the research work done. HURIGHTS OSAKA monitored the research work through direct communication with the NTHREs and visit to the countries involved. A Southeast Asian conference was held in August 2008 in Bangkok to present the research reports.



Conference on WPHRE Research in Southeast Asia (Bangkok, 2008)

The Lao (*Both Lay Ngan - Sithi Manout Nay Kansiuksa*, in Lao language) and Indonesian (*Pendidikan Hak Asasi Manusia Pada Sekolah-Sekolah Di Indonesia: Sebuah Tinjauan Awal*, in Bahasa Indonesia language) research

reports were published in 2008 in Vientiane and Jakarta respectively, while the publication of the full research report entitled *Human Rights Education in the School Systems in Southeast Asia - Cambodia, Indonesia, Lao PDR and Thailand*, was published in 2009. The preparation of the final research report benefited from the prior research project of HURIGHTS OSAKA on educational policy and human rights education. The full research report was published in Bangkok, Thailand in cooperation with the Office of Human Rights Studies and Social Development in Mahidol University.¹²

The latest research project under the regional human rights education program was a research on educational policies and school curriculum in the Northeast Asia subregion. The planning for this research project was held in a meeting of Northeast Asian educators on 11-13 March 2008 that discussed the following:

1. Review of the current situation of human rights education in Northeast Asian schools
2. Identification of feasible suggestions for a Northeast Asian program or project in response to the current (and projected) situation in the subregion
3. Agreement on steps toward a Northeast Asian human rights education network (as part of proposed Asian network).



Meeting on Northeast Asian Research Project (Osaka, 2008)

HURIGHTS OSAKA subsequently adopted the research project plan with the long-term objective of helping institutionalize human rights education within the school systems in Northeast Asia. In the short term, the research project aimed to have a concrete presentation of the current challenges and opportunities relating to human rights education within the school systems in Northeast Asia by a) providing detailed discussion on the challenges and opportunities common as well as unique among the countries in the subregion; b) providing detailed presentation on concrete experiences that address the challenges and make use of the opportunities; c) creating a network among Northeast Asian educators that continues the exchange of information on the development of human rights education in the different school systems.

Individual researchers from Hong Kong, Japan, Korea, Mongolia and Taiwan implemented the research project during the 2009-2010 period. A final research report entitled *The State of Human Rights Education in Northeast Asian School Systems: Obstacles, Challenges, Opportunities* was published in 2010.

The Northeast Asian research project completed the series of research on educational policies and school curriculums of HURIGHTS OSAKA. The research projects covered India and Sri Lanka in South Asia; Cambodia, Indonesia, Lao PDR, the Philippines, and Thailand in Southeast Asia; and Hong Kong, Japan, Korea, Mongolia and Taiwan in Northeast Asia. But since many countries in Asia have not been covered by the research on educational policies and school curriculum, there is a possibility of continuing the research in the future.

In the meantime, the research results should be used in promoting human rights education in the school systems in Asia and the Pacific. The opportunities for the use of the research results arise from the two other components of the regional human rights education program: material development and training.

Material Development Projects

HURIGHTS OSAKA adopted a subregional approach in developing teaching and learning materials on human rights. It started with the Southeast Asia project on developing lesson plans in 2003, followed by a South Asian re-

source material project in 2009, and another resource material project for Northeast Asia in 2011.

The development of such materials was mainly collaborative in character with the participation of educators from the subregions ensured from the start till the end of the production process.

HURIGHTS OSAKA, the Philippine Department of Education and the Philippine Commission on Human Rights jointly organized the ASEAN Writing Workshop on 19-27 June 2001.¹³ This Writing Workshop or Writeshop was a follow-up activity to the Southeast Asia Pilot Teacher Training Workshop held in Bali, Indonesia in 1999. The Writeshop produced forty-eight lesson plans from twenty-six participants composed of teachers, education researchers, curriculum developers and NGO workers from Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Vietnam. The nine-day Writeshop had the following objectives:

a. General Objectives:

It aimed at developing human rights teaching guides for Southeast Asian schools. Participants were expected to draft sample teaching guides for primary and secondary school levels focusing on basic concepts and principles of human rights and contextualized in each country's cultures, beliefs and practices. In this regard, the principle of universality of human rights was emphasized. The Writeshop also aimed to serve as a venue for Southeast Asian human rights educators to share and exchange experiences in teaching human rights in the formal education system.

b. Specific Objectives:

1. To formulate ASEAN Human Rights Education Vision and Mission;
2. To review human rights standards and principles in order to identify core human rights concepts for basic education;
3. To reexamine linkages between human rights and Southeast Asian cultures in order to help translate human rights concepts into educational materials;
4. To train on how to relate human rights lesson plans to the existing school curriculum;
5. To identify various strategies for infusion of human rights in the formal education curriculum;

6. To identify programs for extra and co-curricular activities and/or community-based human rights activities;
7. To prepare an action plan regarding strategy in regional lobby for human rights education; and
8. To strengthen linkages among educators in Southeast Asia involved in human rights education in the school system.

The nine-day Writeshop program comprised of the following major components:

1. Review of human rights education programs, human rights principles, human rights education approaches, strategies and methods; and formulation of ASEAN Human Rights Education Vision and Mission;
2. Writing of human rights teaching guides;
3. Teaching demonstration using the teaching guides developed; and
4. Planning for follow-up activities.

In writing the lesson plans, the Writeshop participants considered the following factors:

1. School curriculums were already established and could not be easily amended to accommodate human rights education as a separate subject;
2. A review of the curriculums and teaching materials was needed to find out how human rights concepts could be discussed within the existing subject areas;
3. Using a common framework in developing materials was preferred for a better understanding by the participants of the materials developed;
4. Testing of the drafted materials could be done in the respective countries to determine how they suited the existing school curriculums.

The Writeshop also produced a common human rights curricular framework that included the relevant human rights issues affecting people at various levels - personal, community, country, regional and international levels; the core values to be taught per subject and year level; and the human rights concepts that relate to the core values. The development of a

human rights curricular framework helped the Writeshop participants organize their thoughts on the content (relevant core values based on existing curriculums and appropriate human rights), subjects and year levels of the drafted lesson plans.



Southeast Asian Writing Workshop (Tagaytay, 2001)

A common format for lesson plans was also adopted. This format, while following standard lesson plan format, had elements that discussed human rights concepts.¹⁴

All participants reviewed the draft lesson plans, while a panel of educators commented on the objectives, materials for use by the teachers and students, the procedure for teaching, and the core values and human rights concepts involved. Each member of the panel was later on assigned to assist a country delegation in improving the drafted lesson plans.

In order to test the lesson plans, the participants demonstrated the teaching of the lesson plans in primary and secondary schools in Manila. All participants appreciated the teaching demonstration experience. They were happy in finding the students enthusiastic in discussing human rights. They also realized that human rights, as a subject matter, were not new to the students.



Teaching Demonstration (Manila, 2001)

The schools involved (Aurora Quezon Elementary School and Manila Science High School) were “effective” or highly rated public schools. The participants found the students smart and able to easily interact with them.

Subsequent to the Writeshop, HURIGHTS OSAKA formed a Review Team in 2002 composed of representatives from each of the countries represented in the Writeshop. The Review Team decided on the lesson plans for primary and secondary levels to be included in a final set of lesson plans that would be published. It also edited the lesson plans based on the following agreed guidelines:¹⁵

1. The specific problems or issues as identified in the table of lesson plans adopted by the Review Team should be those within the experience of the students;
2. The lesson plans should have general applicability to the Southeast Asian context and flexibility for adaptation to national curriculums, and other national educational conditions. Statements should be written in a general sense to make the lesson plans easily adaptable to any of the countries in Southeast Asia;
3. Notes for the teachers in each lesson plan should be added to explain the topics and the related human rights concepts;
4. Each lesson plan should be appropriate for forty to fifty-minute session, but could be adjusted to longer session period;
5. The lesson plans should use simple language;

6. A single specific human right should be the content for each lesson plan;
7. There should be consistency among the different parts of the lesson plan (from objectives to application).

The edited lesson plans were subsequently published in one book, *Human Rights Lesson Plans for Southeast Asian Schools*, in 2003 in Bangkok, Thailand. The pdf file of the book was uploaded on a number of websites including those of HURIGHTS OSAKA and the supporting institutions (Friedrich Naumann Foundation and the UNESCO Asia-Pacific Bureau).¹⁶

The *Human Rights Lesson Plans for Southeast Asian Schools* was also translated into Bahasa Indonesia, Bahasa Malaysia, Khmer, and Vietnamese languages.¹⁷

The holding of the Writeshop and the formation of a Review Team reflected the collaborative nature of HURIGHTS OSAKA's project implementation system. They were based on the experiences in Southeast Asia (the Writeshop idea came from the Philippine experience of developing lesson plans with the participation of representatives of various stakeholders [government offices, NGOs, and schools] as lesson plan writers; the teaching demonstration component repeated the experience in the 1999 Southeast Asia Pilot Teacher Training Workshop in Bali where participants actively interacted with students despite apprehension about language; and the Review Team consisted of the leading participants¹⁸ in the Writeshop) that strengthened ownership of the lesson plans by the Southeast Asian educators.

The material for South Asia developed after the second South Asian training workshop organized by HURIGHTS OSAKA in December 2005 in New Delhi, India.¹⁹ From among the key participants and resource persons in the training workshop, a training material drafting team was formed to plan and prepare a South Asian training material.

While the Southeast Asian lesson plans publication was explicitly supportive of the UN Decade, the South Asian lesson plans publication supported the first phase plan of action²⁰ of the WPHRE.

The project partners met in Osaka in 2006 and in Bangkok in 2007 to discuss the contents and mechanism for developing the South Asian material. Unlike the Southeast Asian lesson plans publication, the South Asian lesson plans publication did not involve the writing and editing of lesson plans. Instead, the South Asian publication used existing materials on discussions

of human rights principles and standards, the human rights situation in the sub-region, and human rights lesson plans. These contents differentiated the Southeast Asian publication from its South Asian counterpart.

The publication, entitled *South Asian Teachers and Human Rights Education – Resource Training Material* was printed in New Delhi in 2009. It was described in the following manner:

This teacher training resource material uses the WPHRE's first phase plan of action as its main framework. It presents in a contextualised way human rights and the practice of human rights education. It provides teachers with basic information on the content of human rights education and the means by which human rights education is put into practice. It draws much from the experiences in South Asia on the different aspects of human rights education in the school system. It is meant to be a complementary material to any training programme on human rights/human rights education for teachers as well as other officials in the formal education system.

The South Asian lesson plans publication, similar to the Southeast Asian lesson plans publication, was meant to be used by teachers inside the classroom as well as by trainers in teacher training programs. The lesson plans included in the South Asian publication had different formats and were taken from existing South Asian human rights education publications. The publication showed the diversity of human rights education materials in South Asia.

The Northeast Asian material was the latest material developed under the regional human rights education program. The publication of the research report on the review of the state of human rights education in Northeast Asia in 2010, prepared the ground for the development of a human rights education material for Northeast Asia.

In September 2011, HURIGHTS OSAKA held a meeting with educators from China, Hong Kong, Japan, Korea, Mongolia and Taiwan to discuss a project for the development of a human rights education material for Northeast Asia. The plan for the project was agreed upon in this meeting.

The invited educators agreed to contribute lesson plans based on existing materials in the subregion. They also agreed to use the lesson plan format of the *Human Rights Lesson Plans for Southeast Asian Schools*, which meant adapting existing lesson plans to that format. As a guide on the col-



Meeting on Northeast Asian Material Development Project (Osaka, 2011)

lection of lesson plans, a human rights curricular framework based on the Southeast Asian publication was also adopted.

A meeting of the contributors as well as other educators reviewed the draft lesson plans submitted. They gave comments and suggestions on how to improve the draft lesson plans. The second meeting was held in September 2012. HURIGHTS OSAKA did the final edit of the lesson plans.

The output, a publication, consisted of four main parts: human rights standards and mechanisms, human rights education situation in Northeast Asia, human rights curricular framework, and the lesson plans. The publication was printed with the title *Human Rights Education in Northeast Asian School Systems – Resource Material* in 2013.

As a resource material, it has sets of information that are considered important for the teachers and education officials to know to be able to support human rights education within the school system. Thus the discussion on human rights standards and mechanisms is complemented by the discussion on actual programs and opportunities that exist in Northeast Asia through which the human rights standards are being put into use.

The resource material is designed as a practical material, not a “heavy” discussion of concepts that might not appeal to teachers. It is meant to raise interest among the teachers who have not taught human rights before and thus encourage them to further study the human rights standards and explore the existing programs/structures/mechanisms/resources on human

rights at national and local levels in teaching human rights. In this sense, human rights are understood not in academic sense but more as practical measures that already exist in different countries in one way or another.

The resource material for Northeast Asia followed the paths of the previous materials for Southeast and South Asia, and improved on them to some extent. Paraphrasing the explanation in the introduction of the *Human Rights Education in Northeast Asian School Systems – Resource Material*, there are common characteristics among the three materials:

- a) They are contextualized in each subregion
- b) They are composed as much as possible of some of the best teaching and learning materials for human rights education that are available in the subregions (particularly for South and Northeast Asian materials; the Southeast Asian material mainly used lesson plans that were developed in a workshop)
- c) They embody the perspectives and experiences of the human rights educators in the subregions (particularly those that relate to the challenges of teaching/learning human rights within the school systems in Northeast Asia)
- d) They promote the international human rights standards through their concrete application as lesson plans content, teaching/learning process, school rules and regulations, teachers' guides, and school-community relations
- e) They are appropriate materials for teaching and learning as well as teacher-training, and
- f) They are supportive of networking among Asian educators that facilitates exchange of information on the development of human rights education in the different school systems.

Training Activities

HURIGHTS OSAKA's training activities were planned through a mixture of its own internal planning and in response to the results of other activities. Thus there were workshops that were planned straight from the discussions during the 1998 consultation workshops stage, and workshops that were planned due to the program approach taken by HURIGHTS OSAKA (namely, the 2001 consultation meetings).

The first training workshop organized by HURIGHTS OSAKA was the Southeast Pilot Teacher Training Workshop held in 1999 in Bali, Indonesia.²¹ It had the the following elements:

a. An ASEAN focus

- dealing with experiences of various institutions in the subregion;
- situating human rights education programs within the realities of the subregion;
- discussing the issue of culture and human rights in the context of the subregion; and
- developing a vision for human rights education in the subregion.

b. Networking among human rights educators as well as relevant institutions in the subregion.

c. Using participant-centered methodology, which requires participants' involvement in activities such as small group discussion sessions that have no resource persons and whose facilitators provide minimal input.



Pilot Southeast Asian Training Workshop (Bali, 1999)

These elements were translated into the following training objectives:

- To explicitly identify and integrate human rights in the school curriculum and teacher training programs

- To demonstrate knowledge, attitudes, and skills in promoting human rights in schools in various capacities (as teacher trainers and curriculum developers, for example)
- To use participant-centered methodology
- To develop skills in designing teacher-training programs and action plans for dissemination, evaluation, and monitoring of human rights education
- To develop a support system for national activities through networking
- To develop an understanding of the various human rights education experiences in Southeast Asia.

Educators from Cambodia, Indonesia, the Philippines, Thailand, and Vietnam who attended the workshop came under the following categories:

- teacher trainers
- teaching-material developers
- curriculum developers
- officers of teachers' colleges and education faculties of universities, and
- school heads.



Pilot Southeast Asian Training Workshop (Bali, 1999)

The participants discussed the human rights and human rights education situation in their respective countries, including the culture-human rights relationship. These discussions became the framework of the training.

The participants also discussed the following matters:

- Inhibiting Factors, Supporting Factors, and Feasible Measures in Human Rights Education – analysis of the current situation in the countries represented
- Profile of Human Rights Advocates (as Teachers and as Students) – discussion of desirable characteristics of teachers and students who engage in the human rights education process
- Curriculum Development – analysis of existing school curriculum to determine areas/topics/subjects where human rights can be taught
- Lesson Planning – development of teaching guides appropriate for current school curriculums
- Teaching Demonstration – testing of the lesson plans developed inside the classrooms of a secondary school in Bali (with English as the medium of instruction)
- Evaluating Human Rights Education Programs – discussion of various ways of assessing the teaching and learning of human rights
- Country Visions – an exercise in defining a desirable situation of the country in the future as far as human rights education is concerned
- Proposals for Follow-up Activities – discussion on suggested activities as next steps after the pilot training workshop
- Workshop Evaluation.

The main suggestions as next steps were the following:

1. Hold a writing workshop (writeshop) for facilitators
2. Develop human rights education modules for facilitators and teachers
3. Undertake country-level research on local cultures and traditions (on rice culture, for example, and including the negative aspects) for teaching-material development
4. Strengthen the partnership between schools.

The first and second suggestions led to the holding of “a workshop on developing human rights lesson plans for Southeast Asian educators (SEA Writeshop)” in 2001 in the Philippines.²²

The second training workshop of HURIGHTS OSAKA was organized in Bangkok in 2000²³ as a follow-up to the consultation workshop for South Asia in 1998 in New Delhi. In consideration of the then existing resource persons for the training, some of the activities in the Bali pilot training workshop were not held in the South Asian workshop such as developing lesson plans, teaching demonstration, evaluation of human rights education program, and visioning of the future exercise.



First South Asian Training Workshop (Bangkok, 2000)

This was followed by another training workshop for South Asia held in 2005 in New Delhi in cooperation with the Centre for Peace and Conflict Resolution of the Jamia Millia Islamia.²⁴ This workshop was different from the previous training workshops due to the focus on curriculum developers and other educators from the Ministries of Education and government education institutes in India, Nepal, Pakistan, and Sri Lanka. Most participants and resource persons, therefore, were from government agencies. The main reason for this arrangement was the need to concentrate the impact of the training on the school curriculum, through the educators within the government system.



Second South Asian Training Workshop (New Delhi, 2005)

The objectives of the training workshop were limited to the following:

- To review international human rights standards, focusing on basic human rights documents including the Universal Declaration of Human Rights and the Convention on the Rights of the Child
- To review experiences in India, Japan and the Philippines on integrating human rights education into the school curriculum
- To undertake practical exercises on integrating human rights education into the school curriculum.

Much of the activities in the training workshop were mainly divided into discussion on human rights standards, school curriculum and exercise on integration of human rights education into the curriculums. It must be noted, however, that there was a sharing of experience between South and Southeast Asians with the presentation of the Philippine experience in human rights education in the school system as well as the results of the survey on human rights awareness of students. The results of the survey of the human rights awareness of Indian students were likewise presented in the training workshop.

One concrete result of the training workshop was the planning for the development of a resource material on human rights education for South Asia.

The final training workshop in the series of subregional training workshops held by HURIGHTS OSAKA was a Southeast Asian training workshop that focused on the *Human Rights Lesson Plans for Southeast Asian*

Schools and its version in Bahasa Indonesia, Bahasa Malaysia, Khmer, and Vietnamese languages. This workshop was held in 2005 in Manila with the participation of educators from Cambodia, Indonesia, Lao PDR, the Philippines, Timor Leste and Vietnam.



Second Southeast Asian Training Workshop (Manila, 2005)

The Southeast Asian workshop was held with the following objectives:

1. To orient the participants on the *Human Rights Lesson Plans for Southeast Asian Schools*; and
2. To train them on the use of the ideas in the publication for teacher training.

To achieve these purposes, the workshop program consisted of the following major components:

1. Discussion on basic human rights principles
2. Discussion on components of the publication, namely, human rights curricular framework and the human rights lesson plans
3. Discussion on the use of the publication as a teacher training material in the different countries represented.

This training workshop was specifically devoted to training other educators in the subregion on the use of the Southeast Asian lesson plans publication. The publication (in original English version and versions in languages in Southeast Asia) was launched during the training workshop. The members of the Regional Review Team from Cambodia, Indonesia,

Malaysia, the Philippines, and Vietnam acted as resource persons in the training workshop.

It is notable that of the many training workshops held by HURIGHTS OSAKA, none was done in Northeast Asia. This is partly explained by the length of time it took to finish projects in Southeast and South Asian subregions. Educators and partner-institutions in these two subregions also provided much needed support for the holding of activities that in turn encouraged HURIGHTS OSAKA to continue focusing its projects in these subregions.

Publications

Simultaneous with the implementation of projects on research, material development and training are the publications that came out either as regular, annual publications or as results of the activities (particularly the research and material development activities).

In preparing the publications, HURIGHTS OSAKA adhered to several intertwining approaches in gathering materials. These approaches are discussed below.

a. Lazaric approach

There is a story of a man named Lazarus who died, was entombed and then brought back to life. This story mirrors the approach taken by HURIGHTS OSAKA in gathering materials for its regular English publications, including those devoted to human rights education.

In the human rights field, people take much effort in writing petitions, reports, and many other types of documents on a wide range of human rights-related issues. However, many of these documents do not survive beyond the networks of the institutions involved, or the activities where the documents were presented, or the special institutions they were submitted to for consideration.

Whenever good documents come to the notice of HURIGHTS OSAKA, it engages in Lazarus-like effort of getting them revived and giving them the chance to be disseminated beyond their circles. This is the Lazaric approach that HURIGHTS OSAKA takes in collecting materials for the publications on human rights education. Several types of documents are taken into consideration in this regard. In the case of United Nations-sponsored activities (seminars, workshops), some papers written for circulation to the

participants provide good discussion on human rights education programs or activities as well as critical review of human rights education experiences. These papers do not form part of the United Nations official report on the activities. Only the official documentations of the activities are included in the United Nations reports. They can take the form of the declarations of the member-states represented in the activities that were adopted after a discussion within an official drafting group and voted upon at the plenary sessions. Proceedings report can appear as annex of the report on the activities involved by the United Nations Secretary General to the General Assembly. All other documents that are being circulated in the activities are mainly meant for participants' use. They likely end up in the shelves of the participants and the United Nations staff involved. Such papers are wasted if they did not get disseminated beyond the people who attended the activities. Whenever HURIGHTS OSAKA has the opportunity to get these papers, they are considered for publication. They may be edited to fit the purpose of the publication.

There are also papers prepared for United Nations human rights treaty monitoring bodies that are circulated online by the authors, normally by institutions or networks of institutions. In some cases, the United Nations website includes them as documents submitted to the specific sessions of the human rights treaty monitoring bodies. They may provide comprehensive discussion of particular issues or programs. And in cases of reports prepared by networks of institutions, they can be very long documents. From a practical viewpoint, long reports might not be the most appropriate form of expressing concerns to members of the human rights treaty monitoring bodies. Their detailed discussion of issues, complete with facts and figures, may not be given as much attention by the members of the treaty bodies who have the enormous task of sifting through piles of documents. For their own purposes, they would need short documents that clearly state the core issues and concerns. But for HURIGHTS OSAKA, these comprehensively written reports are important documents that deserved to be published. Sections of these reports or detailed summaries can be prepared for publication.

In the same way, papers that have been written about human rights education that have no prospect of getting further dissemination other than to few people who received them are possible candidates for HURIGHTS OSAKA's publications. They may be papers written as a result of research on particular issues or activities. They can be the initial research papers of stu-

dents in graduate studies, masteral or doctorate courses. As students, their papers may not have the avenue for publication within the rigid and also limited academic community. And precisely because these papers are not for academic journals that they qualify best for HURIGHTS OSAKA's English publications. Theoretical discussions are important, but they have limited audience among field workers, or people who are looking for ideas on how to implement or even support programs.

In using the Lazaric approach, HURIGHTS OSAKA saves many good papers from being hidden within the limited confines of the shelves of United Nations staff or the archives of the networks of institutions. Instead, they are given another chance of being made available in print as well as online to a wider audience.

b. Research approach

In line with HURIGHTS OSAKA's mandate as a human rights center, gathering of information for eventual dissemination took the form of research. The first regional activity on human rights education of HURIGHTS OSAKA was a research project, and the research output became its first book publication in the English language.

Several publications of HURIGHTS OSAKA arose from a number of research projects on human rights education.²⁵

HURIGHTS OSAKA started its English publications on human rights education with the publication of a research on culture and human rights in 1997. The research project was initially conceived in 1995 as a survey of the existing initiatives on human rights education in the formal education system in Asia. But funding was a problem, and thus HURIGHTS OSAKA had to seek funding support elsewhere. It sought funding for the project from a Japanese foundation, which was not known for supporting human rights or human rights education projects. However, it was very much supportive of culture-related projects involving Asian countries. HURIGHTS OSAKA revised its project plan and incorporated the culture component in order to receive funding support. Thus the publication turned out to be a research report on Asian cultural values and human rights, with a specific section on human rights education initiatives in the formal education system. This is the publication entitled *Human Rights in Asian Cultures – Continuity and Change*²⁶ that was published in New Delhi in 1997.

While the decision to include culture in the research project was necessary to get funding support, the relationship between culture and human rights was a very important issue for human rights in general and human rights education in particular. Then, and even at present, human rights educators faced the problem of linking human rights to local cultures. In many cases, educators found a contradiction between human rights and local cultures. Thus the publication pointed to aspects of cultures (cultural values in particular) that support human rights. This is significant from the human rights education perspective.²⁷

Two years later, in 1999, HURIGHTS OSAKA published the proceedings report of its series of subregional consultation workshops held in Surabaya, Indonesia for Southeast Asia, New Delhi, India for South Asia and Seoul, Korea for Northeast Asia in 1998, and the regional workshop held in November 1998 in Osaka, Japan. The report, entitled *Schools, Human Rights and Society - Report of the 1998 Workshops on Human Rights Education in Schools*, provided an overview of the situation of the human rights teaching and learning existing during the late 1990s in the three Asian subregions. It discussed the initiatives of government and non-governmental institutions, the commonalities and differences among these initiatives, and the challenges faced. The significance of the report lies in the integration of perspectives of educators who either belong to the formal education system (as officials of the Ministry of Education or schools) and the non-formal education field who implemented non-governmental programs in schools. To a large extent, their views were similar with regard to the many facets of human rights education in the school system.

Several other research projects on human rights education resulted in the publication of research reports.

c. Documentation approach

As a human rights center, HURIGHTS OSAKA has limited capacity to gather and disseminate human rights information. Similar to any regional institution or initiative, it had to choose a particular area of work to enable it to create a sufficient database that could be shared with the Asia-Pacific region.

HURIGHTS OSAKA's main regional intervention is in the form of human rights education program. In implementing this regional program, it undertakes several types of activities ranging from organizing workshops,

meetings and conferences, to developing teaching/learning materials, to preparing publications. And one type of publication that has been started since mid-1990s is the one based on the documentation approach. This approach can be defined as a continued gathering of information on a specific area of interest over a long period of time in order to build a comprehensive and substantial information base. Thus, the information base on human rights education of HURIGHTS OSAKA is a collection of various types of edited reports from different institutions in different countries in Asia and the Pacific. Taken as a whole, the reports and other materials (such as teaching/learning materials that have been separately collected) provide a broad picture of the state of the art of human rights education in the region. And since the field continuously evolves, the gathering work likewise continues.

HURIGHTS OSAKA has adopted the documentation approach in its publications on human rights education. This is the approach taken in its annual human rights education publications.

The regional human rights education meeting organized by HURIGHTS OSAKA in 1997 in Bangkok, Thailand yielded a number of papers that could form a single publication.²⁸ Thus a conference proceedings report was planned that would include these papers. In view, however, of the existence of several materials on human rights education, the publication plan expanded to cover other papers related to human rights education in the school system. The publication that came out in 1998 was entitled *Human Rights Education in Asian Schools* to reflect the focus of HURIGHTS OSAKA's regional program.

Having seen the value of the publication of a collection of papers devoted to a specific area of human rights education, a new set of papers was collected in the following year and published as volume two of the *Human Rights Education in Asian Schools*. Thus an annual publication on human rights education in the school system in Asia was born.

Institutions involved in human rights education in the school system were sought and requested to submit documentations of their activities. Majority of the documents received discussed institutional programs - how they started (i.e., the story behind the development of the programs), how the educational program fitted the main institutional program (which did not necessarily have an educational character), what activities were undertaken, what materials were used, who implemented the activities, how they worked with schools (or even with teachers and their organizations), what

problems were encountered, what results were obtained, and what impact if any came about in relation to the students, teachers, the school, and even the surrounding local community.

Many NGOs, doing programs in the non-formal education field and working with poor and dis-advantaged communities, have also been requested to send documentations. Some NGOs provided direct services (such as legal assistance to poor and dis-advantaged communities) that were complemented by educational intervention as part of their empowerment objective. A significant number of these NGOs worked with schools, bridging a gap among programs that were largely divided into non-formal and formal education systems.

A few university-based institutions such as the human rights centers that have human rights education programs have also been invited to provide reports of their activities that HURIGHTS OSAKA eventually published in the different volumes of *Human Rights Education in Asian Schools*.

There were also educational research institutions and individual researchers, who probed on the different aspects of human rights education in the formal education system, contributing to the publication. Some research activities focused on evaluation of human rights education programs (such as the development of teaching/learning materials, teacher training, programs on particular areas such as anti-discrimination program), others looked into educational policies (such as laws and national action plans that support human rights education, education reform in general and curriculum reform in particular), some analyzed attitudes toward human rights among students, teachers, school and education officials. There were also research activities that looked into the teaching of particular human rights instrument such as the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination Against Women. There were also research projects on policy changes that led to the restriction of human rights education, sometimes in favor of other internationally-sanctioned programs such as values education or education for sustainable development, or on policy changes that give more emphasis on good behavior and discipline by strengthening moral education (and weakening human rights education as a result). Reports on research on the impact of human rights education on students have also been submitted and published by HURIGHTS OSAKA.

The variety of reports published in the *Human Rights Education in Asian Schools* shows the complex system within which human rights education operates. And this can be seen both as a problem and an opportunity. On one hand, this means that human rights education is at the mercy of the huge formal education system that is largely beyond the control of human rights educators. On the other hand, the complexity of the system provides human rights education with various opportunities to exist despite the tendency of official educational policies to be unconcerned with human rights education.

Human Rights Education in Asian Schools also indicated the sad reality of cessation of programs and even closure of institutions that support human rights education. In such cases, what mattered were the experiences expressed that could guide other educators in developing and implementing human rights education programs.

Under the documentation approach, all types of developments in the field of human rights education in the school system are published year after year. Each report is seen as an essential building block in the broad human rights education structure in Asia.

HURIGHTS OSAKA published twelve volumes of *Human Rights Education in Asian Schools* covering a period of twelve years (1998 to 2009). While the publication has been discontinued, the documentation of human rights education in the school system experiences continues. This time, the relevant reports are published under a more general human rights education publication – *Human Rights Education in Asia-Pacific*. *Human Rights Education in Asian Schools* has performed well in its documentation role, it²⁹

yielded more than two hundred articles from almost two hundred contributors in more than twenty countries in Asia and beyond. Individuals and various types of institutions contributed articles on mainly ground-level experiences on the teaching and learning of human rights.

d. Appeal-for-documentation approach

Related to the documentation approach is an approach that essentially appeals to institutions to document their experiences. This is true of institutions that do not properly document their activities. By presenting the op-

portunity to disseminate their experiences to a wider audience, HURIGHTS OSAKA requests these institutions to make the appropriate reports.

In many cases, preparing appropriate reports on activities is not an institutional habit. Though reports exist, they are not necessarily fit for publication. They can consist of reports to institutions that provide support to their programs (financially or otherwise), or ad hoc activity reports that have narrow focus and likely incomplete information.

HURIGHTS OSAKA promotes the importance of documentation for a number of reasons, namely, such reports provide the institutions the opportunity to gather all necessary information on activities held or programs implemented and take stock of their experiences; to initiate a system of documenting activities that support regular in-house evaluation and program development exercises; to have appropriate materials for the promotion of their programs to other institutions (not only to funding agencies but also to other institutions that are searching for human rights education ideas based on actual experiences); and to network with other institutions doing the same programs.

The request for reports therefore is also an appeal for an initial step towards institutionalized documentation of program implementation among institutions.

Networking and Crossing Borders

At the start of the regional program on human rights education of HURIGHTS OSAKA, a question arose on the kind of institutions that should be involved in the program. It was easy to choose the NGOs as the main participants in the program. But it was not right to confine the program to NGOs because there were other institutions that were involved in human rights education. There were governmental as well as institutions established by law that had mandates on human rights education. Their participation in the program should be appropriate. Thus they were included in the program being developed in mid-1990s.

But one question was intriguing: Was HURIGHTS OSAKA capable of inviting government institutions to take part in its activities?

From a bureaucratic mindset, probably the answer should be in the negative. Indeed that proved to be true when, years later, an invitation regarding participation in an international activity extended to a local government of-

fice in Osaka was rejected. The basic argument was that such an invitation for an international activity must be coursed through Japan's Ministry of Foreign Affairs. This was probably technically right, but it was also an overly narrow and uninformed perspective of a bureaucrat. Local governments in Japan have their respective international activities that likely never go through the vetting of the national agencies concerned.

But considering the reality that many government agencies in Asia were willing to get support for their programs through international activities, inviting them to join regional activities such as those of HURIGHTS OSAKA should be welcomed. This was proven true in many countries covered by the regional program of HURIGHTS OSAKA when it started implementing a series of consultation workshops on human rights education in South, Southeast and Northeast Asia. Education officials from a number of countries joined the regional activities of HURIGHTS OSAKA. Some government institutions even went further by becoming HURIGHTS OSAKA's project partners.

A basic argument supporting the invitation to relevant government agencies to join the regional activities was the fact that HURIGHTS OSAKA had support from the Osaka city and prefectural governments. It used this facet of its institutional character, during the 1990s and 2000s at least, to show that HURIGHTS OSAKA was an institution that worked with government institutions in Japan. To a large extent, this character of HURIGHTS OSAKA provided an assurance to the government agencies in other countries that the program being implemented was not meant to be anti-government exercise. Despite the changes in perception about human rights from late 1990s, government agencies tended to be wary about human rights programs and institutions. They probably feared being involved in criticizing governments' failure to take appropriate measures in addressing human rights violations. Thus it was necessary for HURIGHTS OSAKA to assuage such concerns by emphasizing its local government link, and the promotion of human rights being the sole objective of the activities.

The same line of thinking was used in relation to the national human rights institutions. During the late 1990s, several national human rights institutions already existed in South and Southeast Asia. HURIGHTS OSAKA saw a great opportunity in getting their support in the implementation of the regional program on human rights education. Since these institutions had human rights education mandate, the invitation for them to join the activities of HURIGHTS OSAKA was received very well. In both South and

Southeast Asian workshops in late 1990s, the national human rights institutions were HURIGHTS OSAKA partners, providing substantial support to the activities.

Government agencies are important players in mainstreaming human rights education, in terms of capacity to sustain programs and the existence of infrastructures (such as schools and training centers) and personnel to implement programs.

National human rights institutions, on the other hand, have the proper access to the governments as much as the legal status to influence them. They also have resources (though limited) to implement programs.

In some countries, the national human rights institutions have engaged government agencies in human rights education projects ranging from training personnel to developing materials to undertaking joint public human rights awareness activities. HURIGHTS OSAKA benefited from these existing relationships.

The work with government agencies extended to the engagement with the UN through the OHCHR and UNESCO. The projects undertaken with the OHCHR and UNESCO strengthened even more the work of HURIGHTS OSAKA with governments in a number of countries in Asia.

HURIGHTS OSAKA worked with the OHCHR and UNESCO in implementing in Asia the two major human rights education programs of the UN: the UN Decade and the first phase plan of action of the World Programme for Human Rights Education (WPHRE). In 1999, HURIGHTS OSAKA assisted the OHCHR in organizing the Subregional Training Workshop on Human Rights Education in Northeast Asia in Seoul, Korea.³⁰ The training workshop was actually originally planned by HURIGHTS OSAKA, the Korean National Commission for UNESCO, and Korean educators as a follow-up to the 1998 Northeast Asian consultation workshop held in Seoul, Korea. These institutions worked together in lobbying the Korean Ministry of Education and the OHCHR to support the Northeast Asian workshop plan. It was also the first training workshop in Northeast Asia on human rights education that involved China, Korea, Japan³¹ and Mongolia.

This project started the series of activities of the OHCHR on human rights education in Asia that involved HURIGHTS OSAKA.

In 2003, UNESCO Asia-Pacific Bureau of Education supported the translation and printing of several human rights education materials (including the *Human Rights Lesson Plan for Southeast Asian Schools*).

In 2005, OHCHR provided support for the holding of the training workshops in Southeast and South Asia. HURIGHTS OSAKA also received support from UNESCO Asia-Pacific Bureau of Education for the Southeast Asian training workshop.³²

In 2006, OHCHR, UNESCO Asia-Pacific Bureau of Education and HURIGHTS OSAKA jointly implemented a project surveying the state of human rights education in the school systems of several Southeast Asian countries.³³

HURIGHTS OSAKA also worked with the OHCHR on the translation human rights education materials into Chinese language, a study tour to the Philippines of a delegation from China, and the human rights education seminar in China and workshop in Iran.

The funding for the projects and activities of HURIGHTS OSAKA is partly sourced from foundations and UN agencies. HURIGHTS OSAKA received fund grants from the Japan Foundation for its initial research project on culture and human rights in 1996, Ford Foundation for the South Asian consultation workshop in New Delhi in 1998, and Friedrich Naumann Foundation for the development and printing of the Southeast Asian lesson plans. The 1998 Southeast Asian consultation workshop in Surabaya, the 1999 pilot training workshop in Bali, and the 2001 writeshop in Manila received support from SEAFILD/CIDA³⁴ but the fund was given to the partners (Center for Human Rights Studies of Surabaya University and the Philippine Commission on Human Rights) of HURIGHTS OSAKA in the projects.

Below is a summary of the type of institutions that HURIGHTS OSAKA has networked with from the start of its regional human rights education program:

Institution	Project	Country/Subregion
Ministries of Education (including their special institutes)	Southeast, South and Northeast Asian workshops; Southeast Asian research on human rights education; Southeast Asian material development	Cambodia, Philippines, Indonesia, Thailand, Vietnam, Nepal, Sri Lanka, Korea
National Human Rights Institutions	Southeast and South Asian workshops; Southeast and Northeast Asian material development	Philippines, Indonesia, Malaysia, Thailand, India, Mongolia
University-based human rights centers	Southeast and South Asian workshops and research; Northeast Asian material development	Indonesia, Thailand, India, China

Non-governmental organizations	Aside from ARRC, other NGOs were always invited to join the workshops and other activities held by HURIGHTS OSAKA. Publication of books (Indian Social Institute – Delhi), Northeast Asian material development (Hong Kong Human Rights Monitor)	Southeast, South and Northeast Asia
Regional institutions	Workshops and conferences (ARRC and APCEU)	Thailand, Korea
Intergovernmental organizations	Material development in Southeast Asia (UNESCO); research on human rights education in Southeast Asia (UNESCO, OHCHR), study tour (OHCHR)	Southeast and Northeast Asia
Foundations	Southeast Asian material development (Friedrich Naumann Foundation); research on culture and human rights (Japan Foundation); South Asian consultation workshop (Ford Foundation)	Southeast, South and Northeast Asia
Schools	School teachers and administrators have been invited to join the activities	Southeast, South and Northeast Asia
Other institutions	Regional training workshop on human rights and Northeast Asian workshop (Korean National Commission for UNESCO)	Asia, and Northeast Asia

HURIGHTS OSAKA has networked with many human rights centers, NGOs, national human rights institutions, and other institutions (such as schools) in relation to human rights education activities. In doing so, HURIGHTS OSAKA crossed the undefined borders that separated these institutions.

Challenges

Given that HURIGHTS OSAKA did not have sufficient resources to support regional activities, it relied to a significant extent on partnership with other institutions in implementing many activities.

The other institutions that worked with HURIGHTS OSAKA, however, faced a number of challenges of their own:

- a. Human rights education policy and/or program change – government agencies, national human rights institutions, UN agencies, and other institutions have their respective policies and programs on human rights

education to follow. Once change in their policies and programs occur, support for activities to follow-up on past activities is likely affected.

b. Staff change – change of staff in the institutions involved also means possible change in the plans of such institutions that may affect the continuation of projects that have been started.

c. Funding policies – there is also a general policy in funding programs that limit financial support to a particular institution and/or project. The need to provide financial support to other institutions or projects is a justified basis for this funding policy. The funding mechanisms themselves have limited funds to disburse to qualified institutions and projects, and thus the necessity of spreading the limited resources to as many institutions and projects as possible.

The educational policy environment in several countries has also posed a challenge to HURIGHTS OSAKA. The policy change can be caused by the change of leadership in government, which in turn change priorities in relation to education matters. In the case of Japan, while a national action plan and a law on human rights education have existed since 1990s and early 2000s, the Japanese Ministry of Education, Technology and Science has recently pursued the strengthening of the basic subjects (language, science, mathematics) in terms of content and time allotment, and the weakening of other subjects (such as the Synthetic Learning subject) that have been identified as places for human rights education. There has also been more stress on moral education, and hardly a mention on human rights education. The message being sent out is that there is a need for more discipline among students as well as harmonious relationship among people, and the school curriculum must respond to that need.

At the regional level, human rights education has lost its “popularity” with the ending of the UN Decade. Many initiatives on human rights education lost a “global banner” that the UN Decade provided earlier. In this light, there seemed to be a weakening of national programs on human rights education in the school system. And while the UN Decade was ending, other UN education initiatives came about particularly the education for sustainable development (ESD) that had more government support than the UN Decade. And while human rights are included in the concept of sustainable development, many ESD initiatives fail to cover human rights, and focus more on environmental issues.

While the first phase plan of the WPHRE focused on human rights education in the school system, it did not make as much impact as the UN Decade. The process leading to the adoption of the WPHRE by the UN was not as widely supported as that of the UN Decade, which was recognized by many NGOs as a major step in the international recognition of the significance of human rights education. In this context, HURIGHTS OSAKA has to pursue its program in the school system with less supportive national and regional environment.

HURIGHTS OSAKA also faces the challenge of building up the subsequent or follow-up program that maximizes the activities that have been completed. Is it appropriate to have more training as the next step? Or, considering the weakened momentum for human rights education in the school system, is it better to rebuild the support structure by revisiting previous partners and planning new projects to promote human rights education in the school system? Or, considering the WPHRE, would it be wise to shift support to the focus(es) of its next phase(s)?

Concluding Notes

A little over five years after its formal opening, HURIGHTS OSAKA received an honorable mention award in the UNESCO Prize for Human Rights Education 2000. The award recognized the human rights education work that HURIGHTS OSAKA had been doing in the first five years of its existence. This encouraged HURIGHTS OSAKA to continue to improve what it had started.

HURIGHTS OSAKA has adhered to a consultative and collaborative process as a major component in developing and implementing its regional human rights education program.

In the process of implementing the regional program, it established relations with many institutions (non-governmental and governmental) in the region that were related to human rights work. It was able to tap the participation of institutions that had not been actively involved in many regional initiatives on human rights. It was able to find a niche in the regional human rights education field that complemented the existing national programs on human rights education.

By following the policy of encouraging meaningful work relationships with non-governmental institutions, private and public schools, education

agencies of governments, and national human rights institutions, the regional program of HURIGHTS OSAKA facilitated greater exchange of ideas on human rights education in the formal education system. It helped draw out the rich experiences from these institutions. More significantly, such experiences being rooted in the realities of the countries in the region provided the necessary guide in promoting relevant and practical human rights education.

But HURIGHTS OSAKA has to face its own reality that affected its regional program in the past, and will continue to do so in the future.

HURIGHTS OSAKA is a local institution despite its name and its previous objectives.³⁵ Being a local institution, it devotes much of its resources (materials, facilities, staff and funds) to local activities. The regional program (human rights education, publications, networking, etc.) receives a small percentage of HURIGHTS OSAKA resources.

The lobbying done by the local civil society on the Osaka local governments to support the establishment of a human rights center that would serve Asia-Pacific was unique in the history of human rights movement in the region. It was unprecedented during that period of the 1980s. At the conception of HURIGHTS OSAKA, the stress was obviously on the service to the Asia-Pacific region in terms of human rights promotion. But this was not maintained to a large extent when the operations of HURIGHTS OSAKA started.

In 2014, HURIGHTS OSAKA will celebrate its 20th anniversary. It should be able to take stock of its experience in the past two decades, and define what it should do in the future. While the regional human rights education program yielded many activities and outputs, there still lies the challenge of doing more to continue pursuing the objective of promoting human rights in the Asia-Pacific.

Annex A**HURIGHTS OSAKA publications (1997-2013)
related to human rights education**

<p>Human Rights Education in Asia-Pacific (2010-present)</p>	<p>Human Rights Education in Asian Schools (1998-2009 - 12 volumes)</p>	<p>Human Rights Lesson Plans for Southeast Asian Schools (2003)¹</p>	<p>South Asian Teachers and Human Rights Education - A Training Resource Material (2010)</p>
<p>Human Rights Education in Northeast Asian School Systems – Resource Material (2013)</p>	<p>Human Rights Education in Indian Schools (2007)</p>	<p>Educational Policies and Human Rights Awareness - Japan, India, the Philippines and Sri Lanka (2008)</p>	<p>Human Rights Education in the School Systems in Southeast Asia - Cambodia, Indonesia, Lao PDR and Thailand (2009)</p>
<p>Human Rights Education in Philippine Schools (2006)</p>	<p>The State of Human Rights Education in Northeast Asian School Systems: Obstacles, Challenges, Opportunities (2010)</p>	<p>Schools, Human Rights and Society (1998)</p>	<p>Human Rights in Asian Cultures - Continuity and Change (1997)</p>

¹ This publication has Bahasa Indonesia, Bahasa Melayu, Khmer, and Vietnamese versions. Visit www.hurights.or.jp/english/publication.html for more information

Endnotes

¹ See “Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region,” United Nations, New York, 1982.

² This social movement was led by the anti-Buraku discrimination movement and included groups working on other issues.

³ The name of ARRC was slightly changed in 2001 by adding “Pacific,” Asia-Pacific Regional Resource Center for Human Rights Education.

⁴ See Jefferson R. Plantilla, “Regional Human Rights Education Initiatives,” *FOCUS Asia-Pacific*, vol. 2, November 1995, available at www.hurights.or.jp/archives/focus/section2/1995/11/regional-human-rights-education-initiatives.html. See also Jefferson R. Plantilla, “Human Rights Education in Asia-Pacific: A Brief Review,” *Human Rights Education in Asia-Pacific*, vol. 1, 262-283, available at www.hurights.or.jp/archives/asia-pacific/section1/2010/10/volume-one-1.html; and www.academia.edu/536593/Human_Rights_Education_in_Asia-Pacific_A_Brief_Review.

⁵ See summary of the meeting discussions in “Human Rights, Culture and the Schools,” *FOCUS Asia-Pacific*, vol. 10, December 1997, available at www.hurights.or.jp/archives/focus/section2/1997/12/human-rights-culture-and-the-schools.html.

⁶ “Human Rights Education in Asian Schools: Achievements, Problems and Prospects,” chapter one of the *Schools, Human Rights and Society - Report of the 1998 Workshops on Human Rights Education in Schools*, available at www.hurights.or.jp/archives/other_publications/human-rights-education-in-asian-schools-achievements-problems-and-prospects.html.

⁷ The survey questionnaire for the Osaka schools was also shortened due to the comments of the Osaka Board of Education officials before granting permission to undertake the survey.

⁸ Due to technical problems, the results of the survey of human rights awareness in Sri Lanka were not included in the final research report.

⁹ A commercial printing company (Academic Excellence in New Delhi) published the book.

¹⁰ The Philippine Normal University, whose official headed the Philippine research, published the book.

¹¹ A Regional Project Team, which officially monitored the national-level research work and also undertook research on relevant human rights education practices in the school system in Asia, was formed composed of the author and Ms. Bencharat Sae Chua of the then Office of Human Rights Studies and Social Development of Mahidol University.

¹² The name of the center was changed in 2011 to Institute of Human Rights and Peace Studies (IHRP). See profile of IHRP in the second edition of *Directory of Asia-Pacific Human Rights Centers* (Osaka: HURIGHTS OSAKA, 2013), pages 138-139.

¹³ See “ASEAN Writeshop,” *FOCUS Asia-Pacific*, vol. 25, 2001, available at www.hurights.or.jp/archives/focus/section2/2001/09/asean-writeshop.html, and also “SEA Writeshop: Developing Human Rights Lesson Plans,” *Human Rights Education in Asian Schools*, vol. 5, pages 79-90, available at www.hurights.or.jp/archives/hu

man_rights_education_in_asian_schools/section2/2002/03/sea-writeshop-developing-human-rights-lesson-plans.html.

¹⁴ See pages 6-11 of the *Human Rights Lesson Plans for Southeast Asian Schools* (Bangkok: HURIGHTS OSAKA, 2003) for the explanation on the lesson plan format and contents.

¹⁵ See "Southeast Asian Human Rights Lesson Plans," *FOCUS Asia-Pacific*, vol 29, 2002, available at www.hurights.or.jp/archives/focus/section2/2002/09/southeast-asian-human-rights-lesson-plans.html.

¹⁶ The whole file of the *Human Rights Lesson Plans for Southeast Asian Schools* can be downloaded from the following websites:

1. UNESCO Asia-Pacific Bureau of Education

www.unescobkk.org/index.php?id=3125

2. Friedrich Naumann Foundation Manila Office

www.fnf.org.ph/news/human-rights-lesson-plans.htm

3. University of Minnesota

www1.umn.edu/humanrts/edumat/

www1.umn.edu/humanrts/edumat/SoutheastAsianHRE.pdf

www.wfirt.org/humanrts/edumat/

4. Human Rights Education Associates (HREA)

www.hrea.org/erc/Library/display.php?doc_id=2971&category_id=18&category_type=3

5. Amnesty International Australia

http://action.amnesty.org.au/hre/comments/lesson_plans/6.

6. HURIGHTS OSAKA

www.hurights.or.jp/education_e.html#5

Additional listings:

1. UNESCO-Pakistan

<http://islamic.saintanthonysft.com/Unesco/manuals.html>

<http://unesco.org.pk/education/teachereducation/manuals.html>

2. United Nations Office of the High Commissioner for Human Rights (OHCHR)

www.unhchr.ch/hredu.nsf/LookupAllMATen/EAoC4AC93BEF53E6C1256DE300542987?OpenDocument

3. Applied Learning Teaching Resources (Australia)

<http://appliedlearning.pbworks.com/w/page/13470699/Human-rights-Lesson-plans> (disabled as of 23 May 2013 visit)

4. Broadcast Pdf Documents

http://beepdf.com/doc/2731/human_rights_lesson_plans.html

5. Marksw eb of Books and Manuals

www.imarksw eb.net/book/lesson+plan+in+technology+livelihood+education/ (disabled as of 23 May 2013 visit)

6. Commons - Open Educational Resources

www.oercommons.org/courses/human-rights-lesson-plans-for-southeast-asian-schools

www.oerrecommender.org/resources/66855?details=true

7. PDFMoo.com

www.pdfmoo.com/politics-files/8933/human-rights-lesson-plans.html (linked to UMN)

8. TWBN Groups

<http://groups.teacherswithoutborders.org/en/education-h-rights/node/10849>

9. Joey Davila

www.joeydavila.com/lu/free+philippine+format+lesson+plans/ (linked to UMN) (disabled as of 23 May 2013 visit)

10. SEAPYrAMID Mega Search

www.seapyramid.net/rt/lesson-plan-for-grade-2-makabayan/11 (disabled as of 23 May 2013 visit)

11. SavedPDF.org

www.savepdf.org/more-human-rights-lesson-plans-169013.html (disabled as of 23 May 2013 visit)

12. HUMAN RIGHTS RESOURCE CENTER MALAYSIA

<http://wordpress.com/?ref=footer>

<http://hrforall.wordpress.com/page/18/>

¹⁷ The lesson plans were also translated into Japanese, Chinese and Farsi languages under separate projects. With the exception of the Farsi version, the translated versions are available at the HURIGHTS OSAKA website, www.hurights.or.jp/english/publication.html.

¹⁸ One member of the Review Team representing Malaysia was not in the Writeshop. She was the Commissioner in charge of human rights education at the National Human Rights Commission of Malaysia.

¹⁹ See HURIGHTS OSAKA, "South Asia Workshop on Human Rights Education in Schools," *Human Rights Education in Asian Schools*, vol. 9, available at www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/2006/03/south-asia-workshop-on-human-rights-education-in-schools.html.

²⁰ Initially set for a three-year period, the first phase plan of action of the WPHRE was extended to five years (2005-2009). See United Nations Human Rights Council resolution (A/HRC/6/L.16).

²¹ See HURIGHTS OSAKA, "Southeast Asia Pilot Teacher Training Workshop on Human Rights Education in Schools," *Human Rights Education in Asian Schools*, vol. 3, available at www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/2000/03/southeast-asia-pilot-teacher-training-workshop-on-human-rights-education-in-schools.html.

²² "SEA Writeshop: Developing Human Rights Lesson Plans," *Human Rights Education in Asian Schools*, vol. 5, 79-90, available at www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/2002/03/sea-writeshop-developing-human-rights-lesson-plans.html.

²³ See "South Asia Training Workshop on Human Rights Education in Schools," *Human Rights Education in Asian Schools*, vol. 4, available at www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/2001/03/south-asia-training-workshop-on-human-rights-education-in-schools.html.

²⁴ HURIGHTS OSAKA, "South Asia Workshop on Human Rights Education in Schools," *FOCUS Asia-Pacific*, vol. 42, 2005, available at www.hurights.or.jp/archives/focus/section2/2005/12/south-asia-workshop-on-human-rights-education-in-

schools.html. For more detailed discussion of the proceedings of the training workshop see HURIGHTS OSAKA, "South Asia Workshop on Human Rights Education in Schools," *Human Rights Education in Asian Schools*, vol. 9, available at www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/2006/03/south-asia-workshop-on-human-rights-education-in-schools.html.

²⁵ HURIGHTS OSAKA has other research projects with publications as output such as the research on social development and human rights with two monographs (*Development and Democracy: Philippines' Quest for the Next Century* and *Social Development and Human Rights in Indonesia*, both published in 1998), research on human rights centers in Asia-Pacific that resulted in the publication of two editions of the *Directory of Asia-Pacific Human Rights Centers* (2008 and 2013), and research on law, jurisprudence and human rights that led to the publication of *Law, Jurisprudence and Human Rights in Asia* (2011).

²⁶ This book was co-edited by the author and one of the research partners, Sebasti L. Raj, S.J., whose institution, the Indian Social Institute – Delhi, published the whole research report.

²⁷ This is also significant in light of the persistent assertion that human rights contradict "Asian values," despite the fact that the existence of "Asian values" in the vast Asian region has largely been disputed. Values upheld in many countries in Asia are similar to those values upheld in other regions.

²⁸ This was the Regional Meeting on Human Rights Education held on 23-25 September 1997 in Bangkok and organized in cooperation with the Asian Regional Resource Center for Human Rights Education (ARRC) and Child Rights Asianet. The documents circulated at the meeting were the following:

I. Experiences in HRE in Schools

1. The United Nations and Human Rights Education in School, Ms. Valai na Pombejr
2. Notes on Human Rights Education in Schools, Commissioner Sapparinah Sadli (National Commission on Human Rights, Indonesia)
3. Human Rights Education in Kunijima High School, Toru Sasaki (Osaka, Japan)
4. What motivated the Movement for the Defence of Democratic Rights (M.D.D.R.) to workout a Human Rights Education Program in schools?, H.M. Chitral Perera (Colombo, Sri Lanka)
5. Human Rights Education in Schools - Some Aspects of Sri Lanka Experience, Laksiri Fernando (Sri Lanka Foundation)
6. The National Initiative In Human Rights Education In Schools and The Role of National Human Rights Commission, Lakshmi Singh (National Human Rights Commission, India)
7. Inroads to the Philippine Formal Education System - The Jose W. Diokno Foundation Experience, Janet Atutubo (J.W. Diokno Foundation, Manila, Philippines)
8. Teaching of Mathematics and Human Rights, Mavic Villena (Manila, Philippines)
9. Human Rights Education in Cambodian Schools - the Experience of the Last Three Years, Ms. Mengho Leang (Phnom Penh, Cambodia)

10. Human Rights Modules for Year IV (Prototype Materials), Commission on Human Rights and the Department of Education, Culture and Sports (Manila, Philippines)

II. Papers on Cultural Values and Human Rights

1. Indian Cultural Values and The Promotion of Human Rights, Sebasti L. Raj and Bansidhar Pradhan (Indian Social Institute, New Delhi, India)
2. Asia's Cultural Values and Human Rights, The Philippine Perspective : Diego G. Quejada II and Romelino Obinario (Quezon City, Philippines)
3. Human Rights and Javanese Ethics, Johan Ferdinand (Jakarta, Indonesia)
4. Japan and Cultural Development in East Asia - Possibilities of a New Human Rights Culture, Kinhide Mushakoji (Meiji Gakuin University, Tokyo, Japan)
5. Articulating Modern Notions of Human Rights in Sri Lanka in the Context of the Paradigmatic Positions of Buddhist Ethics: A Brief Comment on Problems and Concerns, Sasanka Perera (University of Colombo, Colombo)
6. Cultural Values and Human Rights in the light of Korean Perspective: Byung-Sun Oh, (Sogang University, Seoul)
7. Cultural Values and Human Rights: Siddhartha (Bangalore, India)

III. Other Papers

1. Opening Speech of Prof. Borwornsak Uwanno, Dean of Faculty of Law, Chulalongkorn University
2. Welcome Remarks of Prof. Dong-hoon Kim, Director, HURIGHTS OSAKA
3. Annual Report 1996, Cambodian Institute of Human Rights
4. Regional Newsletter in Asia and the Pacific (UNESCO Associated Schools Project)
5. Asia-Pacific Network for International Education and Values Education (UNESCO APNIEVE: UNESCO Principal Regional Office) brochure
6. Report of the Asian Regional Study Session on Human Rights, Forum-Asia
7. Some Writings on the Wall, HURIGHTS OSAKA
8. BATINGAW, official publication of the Commission on Human Rights (Manila, Philippines)
9. DOWA EDUCATION: Educational Challenge Toward A Discrimination-Free Japan, Buraku Liberation Research Institute
10. Shattering the Myth of the Homogenous Society: Minority Issues and Movements in Japan - JPRN MONOGRAPH SERIES
11. Asia Pacific NGO Human Rights Congress (New Delhi, December 1996) report
12. Preliminary Report on the GO-NGO-ACADEME National Consultation Workshop on Human Rights Education, February 3-5, 1997 (Commission on Human Rights, Philippines)
12. Dignity, Democracy and Diversity: An Educational Model for Co-existence Between Minority and Majority, Wichai Srirat (Child Rights Asianet, Bangkok,, Thailand)
13. *FOCUS Asia-Pacific* (June and September 1997 vols. 8 & 9), HURIGHTS OSAKA.

²⁹ Taken from the Foreword by Osamu Shiraishi, Director of HURIGHTS OSAKA, in the first volume of *Human Rights Education in Asia-Pacific*, available at www.hurights.or.jp/archives/asia-pacific/.

³⁰ This is based on the agreement between OHCHR and HURIGHTS OSAKA nominated as RAS/99/AH/15 - Enhancing national capacities for human rights education in Northeast Asian schools. The subregional training workshop was held on 1-4 December 1999 in Seoul, Korea.

³¹ There was no official delegation from Japan for this training workshop. A junior staff of the Japanese consulate in Seoul briefly attended the training workshop to deliver a report on the state of human rights education in Japan.

³² This is Project RAS/04/AH/10 - Implementation of the Two-Year Programme of Action for the Framework on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region Capacity Building for Human Rights Education in Schools: Southeast and South Asia -2005-2006.

³³ This is GLO/06/HC/01-RRDB - Activity code 1U11, World Programme for Human Rights Education 2006-2008 - Regional mapping, collection of best practices and coordination of initiatives to promote human rights education in South-East Asian school systems.

³⁴ Southeast Asia Fund for Institutional and Legal Development (SEAFILD) and the Canadian International Development Agency (CIDA)

³⁵ The first three original objectives of HURIGHTS OSAKA have regional character: 1) To promote human rights in the Asia-Pacific region; 2) To convey Asia-Pacific perspectives on human rights to the international community; 3) To ensure inclusion of human rights principles in Japanese international cooperation activities. When HURIGHTS OSAKA was registered as a foundation in 2012, the first objective was "1) To engender popular understanding in Osaka of the international human rights standards." The two other objectives are the following: "2) To support international exchange between Osaka and countries in Asia-Pacific through collection and dissemination of information and materials on human rights; 3) To promote human rights in Asia-Pacific in cooperation with national and regional institutions as well as the United Nations." Considering the first two objectives, emphasis seemed to be more on the domestic needs.

Appendices

Appendix 1

Declaration on the Rights of School Refusing Children

Preamble

We, the children, have specific personality characteristics.

However, most school refusing children experience harm caused by people who cannot understand our worries and pain regarding social values that say that attending official school is natural.

We declare that all adults should appeal for our rights. We ask adults, especially parents and teachers, to hear our voices, and respect our thoughts, sense of values, and our best interest. We appeal through this declaration to change the society to one in which all school refusing children and children who suffer while going to school can choose to live and learn in ways that match their own personality.

1. Right to education

We have the right to education. We have the right to decide whether we would go to school or not. Compulsory education means that the government and guardians must propose to all children to access education. Compulsory education does not mean that children go to school.

2. Right to learn

We have the right to learn in ways fitted to ourselves. Learning is knowing something by our will not by compulsion. We learn a lot of things in our life.

3. Right to choose the way we learn and grow up

We have the right to decide where and how we learn and grow up (for example, school, free school, free space, home education). Please do not force the thinking that going to school is natural to children.

4. Right to take a rest safely

We have the right to take a rest safely. Please assure that we can take a rest in a place where we can be safe, and do not make us go to school or other places against our will.

5. Right to live as we are

We have inherent personality. Do not let children compete or compare each other.

We decide the pace and the way we live by ourselves.

6. Right not to be discriminated

We are respected without discrimination of any kind, and irrespective of school refusal, handicap, school scores, ability, age, sex, appearance, nationality, family background, etc. For example, please do not restrict the relationship among children caused by the prejudice that a son or daughter may become school refusing child if he/she plays with school refusing children.

7. Right to be assured of government financial support

We have the right to be assured by government of financial support in the same manner with children who go to school.

For example, school refusing children who belonged to free school or free space can use the season ticket for students whose age ranges from primary school to secondary school. However, upon reaching secondary school age, if he/she does not belong to official secondary school, he/she cannot apply for this service. We ask all adults to change the system to ensure that all children are equally assured of government financial support.

8. Right to grow up safely and be protected against all forms of abuse

We have the right to grow up safely and be protected against abuse caused by school refusal. Adults must not allow any kind of punishment, abuse, and forced admission to hospital on the children.

9. Right to privacy

Adults must not interfere with our privacy. For example, the following are interferences with our privacy: a) Teachers calling on us without our agreement and phoning us repeatedly irrespective of time to persuade us to go to school again; b) Parents talking with our teacher about us without our agreement. First of all, please listen to our views regarding all matters affecting us and respect them.

10. Right to be accepted as an equal personality

Adults must recognize us as having equal existence and act together to assure the rights of the child in school, society and daily life. We need a relationship and an environment where we can express our views as they are.

11. Right to a way of life of school refusing child

Adults should respect how school refusing children live. At first, please face us to understand what school refusal is.

12. Respect the rights of others

We respect the rights and freedom of others.

13. Right to learn the rights of the child

We have the right to learn our rights. The government and adults should assure the opportunity for children to learn the rights of the child. We can judge whether the rights of the child are assured or not by ourselves.

Adopted by all children and youth participants in the Twentieth Nationwide Conference on Considering School Refusal, 23 August 2009, Tokyo, Japan.

Appendix 2

Tajimi City Ordinance on Children's Rights

Tajimi City Ordinance No. 27

Promulgated on 25 September 2003

Entered into force on 1 January 2004

Table of Contents

Preamble

Chapter I: General Provisions

Article 1. Purpose

Article 2. Definitions

Article 3. Responsibilities

Article 4. Support for Development

Chapter II: Dissemination of Information on Children's Rights

Article 5. Dissemination of Information on Children's Rights

Article 6. Day of Children's Rights

Chapter III: Protection and Promotion of Children's Rights in Places Where They Live

Article 7. Protection and Promotion of Children's Rights at Home

Article 8. Protection and Promotion of Children's Rights at Child Institutions

Article 9. Protection and Promotion of Children's Rights in the Community

Chapter IV: Children's Views and Participation

Article 10. Promotion of Children's Views and Participation

Article 11. Children's Conference

Article 12. Children's Views and Participation in Child Institutions

Chapter V: Remedies for and Recovery from Violations of Children's Rights

Article 13. Children's Rights Commissioners

Article 14. Functions of the Commissioners

Article 15. Respect for the Commissioners' Recommendations

Article 16. Collaboration for Remedies and Recovery

Article 17. Support for and Cooperation with the Commissioners

Article 18. Report

Chapter VI: Promotion and Review of Policies for Children

Article 19. Promotion of Policies

Article 20. Committee on Children's Rights

Article 21. Functions of the Committee

Article 22. Proposals and Respect for Them

Chapter VII: Miscellaneous

Article 23. Authorization

Preamble

Community where differences among children are valued and respected as unique characters

Each and every child is an individual human being, whose existence cannot be replaced by anyone else. Children and adults are partners who lead their own lives, respecting the values of life. Children are, as individual human beings, entitled to have their rights respected. They can achieve healthy development in the environment where their rights are guaranteed.

Community where children can lead their own lives with a sense of security

Children have their own concerns and worries. They can seek for help with a sense of security and be protected.

Children have their own thoughts. Even younger children have their own wills and ideas. They can express their thoughts and views freely and have them respected.

Children have their own potentials and ways of development. They can form themselves on their own pace and among themselves.

Community where people respect and support each other

Children begin to be able to value others when they start valuing themselves. Through learning about, becoming aware of and equipping themselves with their own rights, children can develop capacities to value others' rights and respect each other's rights.

Children shall be supported in ways which enable them to develop good relationships among children themselves and with adults.

Community where children can contribute to the present and future development of Tajimi

Children can participate in community development as partners who contribute to the development of Tajimi on an equal footing. In the community where children are happy, adults are also happy. Children shall be valued as members of society and supported in the performance of their unique roles.

Community that values peace and culture and connects with the world

Children can achieve healthy development in peace and in a rich environment. They shall be supported in ways which enable them to think about children in Japan and in the world and do what they can.

Seeking to build a community like this, and in the spirit of the Convention on the Rights of the Child, we shall make it clear that Tajimi City is a community that respects children's rights and hereby adopt the Tajimi City Ordinance on Children's Rights.

Chapter I. General Provisions

Article 1. Purpose

The present Ordinance aims to protect and promote children's rights, paying attention to their best interests as a primary consideration, by providing for the dissemination of information on children's rights, for mechanisms to protect these rights and support children's development and for other matters.

Article 2. Definitions

1. For the purpose of the present Ordinance, the term "children" shall mean those below the age of eighteen years. It shall also cover other people who are considered as appropriate to be entitled to these rights on an equal footing.

2. For the purpose of the present Ordinance, the term "child institutions" shall mean child welfare facilities defined under the Child Welfare Act (1947, Law No.164), schools defined under the School Education Law (1947, Law No. 26) or other kinds of institutions where children are enrolled in, attend and use with a view to growing up and learning.

Article 3. Responsibilities

1. The City shall respect children's rights and shall seek to protect and promote them through all policies and measures.
2. Parents and other guardians shall recognize that they have primary responsibilities for the protection and promotion of the rights of children under their care and seek to fulfill the responsibilities.
3. Establishers, administrators and personnel of child institutions (hereafter referred to as "child institution personnel") shall seek to protect and promote children's rights in these institutions.
4. Citizens shall seek to protect and promote children's rights in relevant places and opportunities.
5. The City, parents and other guardians, child institution personnel and citizens shall collaborate with each other in the promotion and protection of children's rights.
6. The City shall seek to protect and promote children's rights in and outside the City in cooperation with national and other local authorities.

Article 4. Support for Development

The City, parents and other guardians, institution personnel and citizens shall support children in ways which enable them to achieve healthy development on their own pace and style as an individual human being.

Chapter II. Dissemination of Information on Children's Rights**Article 5. Dissemination of Information on Children's Rights**

1. The City shall seek to disseminate information on children's rights in various ways.
2. The City shall provide support for education on and learning about children's rights at home, child institutions and the community.
3. The City shall support children in learning about their own rights.

Article 6. Day of Children's Rights

1. With a view to promoting interests in and understanding of children's rights as well as relevant initiatives, a Tajimi Day of Children's Rights shall be designated.
2. The Tajimi Day of Children's Rights shall be November 20.
3. The City shall commemorate the Day by implementing programs appropriate for its objectives with citizens' participation.

Chapter III. Protection and Promotion of Children's Rights in Places Where They Live

Article 7. Protection and Promotion of Children's Rights at Home

1. Parents and other guardians shall recognize the roles played by the family in the healthy development of children as well as protection and promotion of their rights. They shall protect and promote the rights of children under their care.
2. The City shall provide support for parents and other guardians so that they can be involved in child-rearing with a sense of security and fulfill their responsibilities.
3. Parents and other guardians shall refrain from being involved in abuse and neglect as well as other forms of violation of children's rights.
4. The City shall collaborate with relevant bodies and personnel for early identification of, appropriate help for and rehabilitation of abused children as well as for prevention of abuse and neglect.

Article 8. Protection and Promotion of Children's Rights at Child Institutions

1. Child institution personnel shall support children in ways which enable them to grow up and learn positively in an environment where their rights are protected and promoted.
2. Establishers and administrators of child institutions shall support their staff in the protection and promotion of children's rights.
3. Child institution personnel shall refrain from being involved in abuse, neglect and corporal punishment as well as other forms of violation of children's rights.
4. Child institution personnel shall seek to eliminate bullying.
5. Child institution personnel shall seek to collaborate with relevant bodies and personnel for complaints on, remedies for and prevention of abuse and neglect, corporal punishment, bullying and other problems.
6. Child institution personnel shall take appropriate responses to non-attendance at school and other problems in collaboration with relevant bodies and personnel.
7. Child institution personnel shall [disclose information on how the children under their care are growing up and learning, and be accountable for them].

Article 9. Protection and Promotion of Children's Rights in the Community

1. Citizens shall seek to ensure that children's rights are protected and promoted in the community and that children can achieve healthy development.
2. The City shall support and collaborate with citizens' activities for children's development.

3. Citizens shall seek to ensure and expand safe and comfortable places in the community, where children can rest, play, learn and develop relationships with a sense of security, and to support activities to maintain such places.

Chapter IV. Children's Views and Participation

Article 10. Promotion of Children's Views and Participation

The City, parents and other guardians, child institution personnel and citizens shall support children to enable them to express their views and to participate at home, child institutions and the community.

Article 11. Children's Conference

1. The City shall organize a Children's Conference to ensure that children can express their views on and participate in community development and as well as the formulation and implementation of local policies.

2. The Tajimi Children's Conference may formulate its views and submit them to the City.

3. The City shall respect the views submitted by the Tajimi Children's Conference.

Article 12. Children's Views and Participation in Child Institutions

1. Child institution personnel shall encourage and support children's voluntary and positive activities, with a view to promoting children's views and participation.

2. Establishers and administrators of schools shall provide opportunities for children, parents and other guardians, school staff and other parties concerned to participate and express their views, with a view to promoting children's views and participation.

Chapter V. Remedies for and Recovery from Violations of Children's Rights

Article 13. Children's Rights Commissioners

1. In order to provide prompt and appropriate remedies for children whose rights have been violated and to support their recovery, Tajimi Children's Rights Commissioners [hereafter referred to as "Commissioner(s)"] shall be appointed.

2. There shall not be more than three Commissioners.

3. The Commissioners shall be appointed by the Mayor, with the consent of the Parliament, from among those who have understanding of and rich experience in

children's rights.

4. The term of the Commissioners shall be three years. Reappointment shall not be prohibited.

5. When a Commissioner is considered incapable of performing his/her functions due to physical or mental health problems, or when he/she is regarded as having been involved in inappropriate behavior, including non-compliance with his/her duties, the Mayor may dismiss him/her with the consent of the Parliament.

6. A Commissioner may resign with the Mayor's consent.

Article 14. Functions of the Commissioners

1. The Commissioners shall:

- a. Receive complaints on violations of children's rights and provide advice and support for remedies for and recovery of victims;
- b. Conduct investigation, be involved in arbitration and make recommendations or requests for redress, upon applications for remedies for violations of children's rights, or on their own initiative when necessary, with a view to ensuring remedies for and recovery of victims; and,
- c. Ask for reports on the measures taken in response to the recommendations or requests for redress under subparagraph (b).

2. The Commissioners may, when necessary, make public recommendations or requests for redress under paragraph 1, subparagraph (b) [above] as well as reports under paragraph 1, subparagraph (c).

3. The Commissioners shall not disclose secrets that came to his/her knowledge through the performance of his/her functions, even after he/she has left the post.

Article 15. Respect for the Commissioners' Recommendations

Those who have received recommendations or requests for redress under Article 14, paragraph 1, subparagraph (b) shall respect them and seek to take necessary measures.

Article 16. Collaboration for Remedies and Recovery

The Commissioners shall seek to collaborate with relevant bodies and personnel to ensure remedies for and recovery of children whose rights have been violated.

Article 17. Support for and Cooperation with the Commissioners

1. The City shall support the Commissioners' activities, while respecting their

independence.

2. Parents and other guardians, child institution personnel and citizens shall cooperate with the Commissioners' activities.

Article 18. Report

The Commissioners shall submit annual reports on their activities to the Mayor and the Parliament. The Commissioners' reports shall be made public to citizens widely.

Chapter VI. Promotion and Review of Policies for Children

Article 19. Promotion of Policies

1. The City shall formulate a plan to promote children's rights and undertake comprehensive implementation of policies for children.

2. In the formulation of the plan under paragraph 1, the City shall consult citizens as well as the Tajimi Committee on Children's Rights, which is to be established in accordance to Article 20.

Article 20. Committee on Children's Rights

1. With a view to reviewing the implementation of policies in accordance with the present Ordinance as well as to protecting and promoting children's rights, there shall be established a Tajimi Committee on the Rights of the Child [hereafter referred to as "the Committee"].

2. The Committee shall consist of no more than ten members.

3. The members of the Committee shall be appointed by the Mayor from among persons and citizens with knowledge and experience in human rights, welfare, education and other relevant fields.

4. The term of the members of the Committee shall be three years. The term of a substitute member shall be the remainder of the term of his/her predecessor. Reappointment shall not be prohibited.

Article 21. Functions of the Committee

1. The Committee shall investigate and examine the situation of children's rights as well as how children's rights are protected and promoted in policies for children, upon requests by the Mayor, or on its own initiative when necessary.

2. The Committee may consult citizens when [undertaking] the examination under paragraph 1.

Article 21. Proposals and Respect for Them

1. The Committee shall report the results of its investigation and examination to the City with proposals.
2. The City shall respect the Committee's proposals and take necessary measures.

Chapter VII. Miscellaneous

Article 23. Authorization

The Mayor and other executive bodies shall be authorized to stipulate other necessary matters for the implementation of the present Ordinance.

Appendix 3

Gyeonggi-do Students' Human Rights Ordinance*

Gyeonggi Provincial Office of Education

October 2010

Chapter 1. General Provisions

Article 1. Purpose

1. The purpose of this Ordinance is to guarantee the dignity, values, freedoms and rights as [human beings] that would fulfill the students' human rights during the course of school education based on Article 31 of the Constitution of the Republic of Korea, [United Nations (UN)] Convention on the Rights of the Child, Article 12 and 13 of the Fundamental Education Act, and Article 18 paragraph 4 of the Elementary and Secondary Education Act.

Article 2. Definitions

1. The definition of terms used in this Ordinance is as follows:

'School' refers to schools within Gyeonggi Province according to Article 2 of the Elementary and Secondary Education Act.

'Student' refers to persons enrolled in a school as provided in subparagraph 1.

'Teaching Faculty' refers to employees of Article 19 paragraph 1 and paragraph 2 of the Elementary and Secondary Education Act.

'Students' Human Rights' refers to all rights among the dignity, values, freedom[s] and rights as human beings that can be applied to students as recognized by international conventions and international customs joined by the Republic of Korea such as the UN Convention on the Rights of the Child, or as guaranteed by the Constitution and laws.

Article 3. Principles on Guaranteeing the Students' Human Rights

1. The students' human rights provided in this Ordinance consist the minimum set of rights that must be guaranteed for students to maintain dignity as human beings and pursue happiness. The human rights of students shall not be neglected due to reasons such as not being listed in this Ordinance.

2. Limitations on students' human rights can be made, based on school regulations enacted or revised with the participation of students, when necessary for the purpose

of education only within the minimal range that does not infringe upon the fundamental human rights.

Article 4. Responsibilities

1. When establishing policies on education, the Superintendent of Education must strive to fulfill the students' human rights.

2. The founders and operators of schools, [principals], teaching faculty, parents or guardians of students, etc. shall strive to respect the students' human rights and to prevent their violation.

3. Students shall learn and protect their human rights, and shall strive to respect the human rights of others such as teachers.

4. The Superintendent of Education and the founder and operators of schools shall strive to provide educational facilities and environments suitable for the educational activities of students.

Chapter 2. Students' Human Rights

Part 1. [Right against Discrimination]

Article 5. [Right against Discrimination]

1. Students have the right not [to] be discriminated [based on] gender, religion, age, social status, hometown, home country, ethnicity, language, disabilities, physical features such as appearance, pregnancy or childbirth, family situations, race, skin color, ideals, political opinions, sexual orientation, medical history, disciplinary action, grades, etc.

2. The School must actively strive to guarantee the students' human rights for those suffering discrimination set forth in the above Paragraph 1.

Part 2. Freedom from Violence and Danger

Article 6. Right to be Free from Violence

1. Students have the right to be free from all physical and verbal violence including, but not limited to, being treated as an outcast, bullying and sexual violence.

2. Corporal punishment by the School is prohibited.

3. The School and the Superintendent of Education must make utmost efforts to prevent [treatment of students as] outcasts, bullying, sexual violence and other school violence, as well as to prevent corporal punishment.

Article 7. Safety from Danger

1. The School shall strive to organize and maintain a safety management system to ensure safety for the students.
2. In the event that an accident occurs at the School, the principal of the School shall promptly rescue the victim, and shall cooperate with relevant institutions and the community to prevent such accidents [from happening again].

Part 3. Right to [Education]**Article 8. Right to [Education]**

1. Without justifiable reasons according to laws and school regulations, the right [to education] of students shall not be violated.
2. The School shall not administer educational courses arbitrarily and shall not force students to participate in voluntary extracurricular activities in or outside of the School.
3. Vocational high schools must strive to guarantee the safety and right to education of students in practical courses.
4. The School and the Superintendent of Education must make utmost efforts to guarantee the [right to education] of students with disabilities (including those with temporary disabilities), students from multi-cultural families, students in arts and physical education, students having difficulties in learning, etc.

Article 9. Freedom to [Engage in] Educational Activities Aside from the Formal Curriculum

1. Students have the right to freely select and take part in educational activities aside from the formal/regular curriculum such as evening self-study sessions, supplementary lessons, etc.
2. The School shall not force students to attend evening self-study sessions and supplementary lessons, etc.
3. The School shall strive to guarantee the right of students to choose [among diverse] educational [activities] by developing and operating various programs based on the opinions of students for educational activities aside from the formal curriculum, such as after-school classes.

Article 10. Right to Rest

1. In order to form and develop a healthy and unique self, students have the right to take appropriate rest and be free of excessive study loads.
2. The School shall not violate the students' right to rest by forcing educational

activities aside from the formal curriculum.

3. The Superintendent of Education may limit educational activities aside from the formal curriculum in order to guarantee the right of students to rest.

Part 4. Confidentiality and Freedom [to Enjoy Privacy] and Rights to Access Information

Article 11. Right to Express [One's] Personality

1. Students have the right to express their personality through their appearance including clothing and hairstyles.

2. The School shall not regulate the students' hair length.

3. The School shall not restrict the rights of the above Paragraph 1 through school regulations without complying with the procedures of Article 18 and without justifiable reason.

Article 12. Freedom to [Enjoy Privacy]

1. Students shall have the freedom to possess and own personal items without receiving unjustifiable interference.

2. Unless urgently needed for the safety of students and faculty, the Teaching Faculty cannot inspect the personal items of students without their consent. In the event that the Teaching Faculty inspects the items of students as needed for educational purposes, the inspection shall be limited to the necessary minimum, and general inspections on all students shall not be conducted.

3. The Teaching Faculty shall not check the students' personal records such as diaries and notes in principle, and special caution shall be taken when doing so for educational purposes.

4. The School shall not prohibit possession of cellular phones by students. The School can restrict the use and possession of cellular phones when there are justifiable reasons such as class time and when in accordance with the procedures of Article 18.

5. The School can install closed circuit television (CCTV) only when it is difficult to achieve purposes such as safety using other methods. Students' opinions on the installation of CCTV and location of the [facility] shall be [considered], and the location must be clearly marked so that the CCTV is easily recognizable by any person.

Article 13. Right to Protection of Personal [Information]

1. Students have the right to have their personal information, such as [those] regarding family, friends, grades, and disciplinary records, etc. protected.

2. The School shall not force students to wear their nametag outside of school.
3. The School shall comply with legal and appropriate methods and procedures when collecting, handling and managing information concerning students.
4. The School shall not disclose or provide others with personal information of students, such as non-payment of tuition fees, without the consent of the student or his/her parent or guardian.
5. No person shall disclose personal information that may be disadvantageous to a student.

Article 14. Right to Access Information

1. Students, and their parents or guardians, have the right to view their school records at any time.
2. Students have the right to demand the School for disclosure of information that may have an effect on them.
3. Students and parents or guardians have the right to request for the correction or deletion of records that contain inaccurate contents, contents with no direct relation to educational activities, and contents that unreasonably infringe upon the rights of students.
4. The School must disclose information on school finances, such as budgets and balance accounts, to students through methods and contents that can be easily understood by students.

Part 5. Freedom of Conscience and Religion, and Freedom of Expression

Article 15. Freedom of Conscience and Religion

1. Students shall have freedom of conscience including their outlook on the world and life, values and moral judgments, etc. and the freedom of religion.
2. The School shall not force students to apologize, promise or otherwise testify to [matters] that may conflict with their conscience.
3. The School shall not force students to participate in religious events or take classes on religion without offering alternative classes.

Article 16. Freedom of Expression of [Own View]

1. Students have the right to freely express their [own view] on issues that affect them.
2. In the event that a student exercises his/her freedom of expression, the School shall not make unjustified or arbitrary interference or restrictions.

3. The School shall guarantee freedom of expression as much as possible in the student press, newspapers, and internet homepages, and shall make the effort to provide the necessary facilities, and administrative and financial support.

Part 6. Right [to Undertake Independent Activities] and Participation

Article 17. Right to [Undertake Independent Activities]

1. Independent activities of students such as clubs shall be ensured.
2. The School shall guarantee the freedom and independence of students to [form, recruit members and operate their own] organization, and shall not restrict participation as member of an organization for reasons such as grades.

Article 18. Right to Participate in Enactment and Revision of School Regulations and School Rules

1. Students have the right to participate in the enactment and revision of school regulations and school rules.
2. The School shall enact or revise school regulations and school rules while respecting the students' human rights, and post this on the school homepage.
3. In enacting and revising school regulations and school rules, the School shall listen to the opinions of students, and shall guarantee the rights of independent student organizations, such as the student council, to submit opinions.

Article 19. Right to Participate in Policy Making

1. Students have the right to participate in the operation of the School and in policy-making [regarding] education [by] the Office of Education.
2. Independent student organizations such as the student council and voluntary societies of students have the right to state their opinions on matters related to student rights.
3. The School principal and teachers shall make efforts to regularly listen to opinions [of the students] through meetings with student representatives.
4. Student representatives can participate and speak at the school [administration] committee on matters affecting students.
5. The School principal and the Superintendent of Education shall guarantee the participation of students when determining matters affecting students.

Part 7. Welfare Rights

Article 20. Rights on School Welfare

1. Students have the right to receive appropriate support, such as counseling, to overcome various circumstances such as academic underachievement, being a victim of violence, family problems, delinquency, etc. and for the development of identity such as discovering aptitudes and searching for future career paths.

2. The School and the Superintendent of Education shall provide prioritized support such as budget allotment for students having difficulties fulfilling their rights due to economic, social and cultural reasons such as poverty, disabilities, or being members of multi-cultural families.

3. The School and the Superintendent of Education shall establish and modify policies so that students can receive needed counseling to enjoy their right to social welfare, followed by concrete and practical assistance.

4. The School and the Superintendent of Education shall construct a cooperative network with local institutions concerning child welfare and human rights for students needing special counseling and care. In particular, programs that can educate parents or guardians and induce their participation and cooperation must be developed and operated.

Article 21. Rights [regarding] Educational Environment

1. Students have the right to receive education in a healthy and pleasant environment.

2. The School shall strive to establish optimal educational environments by procuring the appropriate quantity and quality of books and library space, maintaining a clean environment, constructing appropriate restrooms, locker rooms and rest areas, maintaining appropriate heating and cooling [systems], increasing grass spaces, etc.

Article 22. Right to Enjoy Cultural Activities

1. Students have the right to enjoy various cultural activities.

2. In order to support students' various cultural activities, the School shall listen to the opinions of students, and develop and operate cultural programs such as [educational activities], performances and exhibitions.

3. The Superintendent of Education shall establish a cooperative system between schools and regions for the smooth operation of the abovementioned Paragraph 2.

Article 23. Right to School Lunch

1. Students have the right to be provided with a school lunch made with safe food ingredients.
2. The School shall provide students with information related to lunch meals such as food ingredients and the supplier, conduct regular surveys on lunch meals and [make] the results [public].
3. The School and the Superintendent of Education shall strive to provide environmentally friendly school lunches made with agricultural products from nearby areas.
4. The Superintendent of Education shall strive to provide directly managed school lunches and free school lunches in compulsory education courses.

Article 24. Right to Health

1. Students have the right to maintain optimal health conditions, and to receive appropriate treatment when sick and have easy access to health facilities.
2. Female students have the right not to be placed at a disadvantage in the event of being absent or not being able to participate in class due to pains caused by menstruation, and the School shall take appropriate measures so that female students in menstruation period are not placed at a disadvantage.
3. The School shall strive to procure a sufficient health room that students can use when they are sick or injured.

Part 8. Discipline and [Procedural] Rights

Article 25. Discipline and [Procedural] Rights

1. Discipline of students shall be conducted according to legal procedures such as prior notification for the reason [for the disciplinary action], fair deliberation council, guarantee of opportunity for defense, guarantee of right to appoint an agent, guarantee to [a rehearing upon] request, etc.
2. The School shall aim [to maintain discipline among students] and the return of the disciplined student before and after the disciplinary action, and for this, the School shall cooperate with the local community, parents or guardians, etc.
3. The School shall not publicly announce the contents of discipline, and shall not violate the human rights of students in the teaching methods and procedures for students, including the merit and demerit system.

Part 9. Right to be Protected from Violation of Rights

Article 26. Right to Counseling and [Inquiry]

1. Any student has the right to request for counseling and [for an inquiry] from the Student Rights Defense Officer, [in cases] of violation of students' human rights.
2. Any student has the right to petition on matters related to the human rights of any student using documents, etc. to the relevant institution.
3. Any student shall be guaranteed confidentiality [regarding] requests or petitions [made] according to Paragraphs 1 and 2, and shall not be placed at a disadvantage [for] exercising such rights.
4. The Student Rights Defense Officer, school principal and the Superintendent of Education are liable to examine requests and petitions, and the results of such examination must be notified to the person who made such a request or petition.

Part 10. Guarantee of Rights for Minority Students

Article 27. Guarantee of Rights for Minority Students

1. The School and the Superintendent of Education shall make the utmost effort to guarantee the rights appropriate to the characteristics of minority students such as those in poverty, with disabilities, with one-parent families, belonging to multi-cultural families, athletes, etc.
2. The School and the Superintendent of Education shall separately provide career and employment programs for minority students and human rights education programs needed [to eradicate] biases and discrimination against minority students.
3. The School and the Superintendent of Education shall provide necessary [facilities] to disabled students for educational activities within and outside of the School and guarantee their participation, and shall make efforts to provide appropriate education and evaluation methods [for them].
4. The School and the Superintendent of Education shall take measures so that students in poverty are not excluded from educational activities such as school trips due to their family situation.
5. The School and the Superintendent of Education shall take measures so that students from multi-cultural families can engage in school activities without discrimination due to language and/or cultural differences. Furthermore, the School and Superintendent of Education shall make efforts so that the transfer and admission opportunities of students from multi-cultural families are not unreasonably violated.

Chapter 3. Promotion of Students' Human Rights

Part 1. Human Rights Education

Article 28. Gyeonggi-do Students' Human Rights Day

1. In order to increase interest and [help fulfill] the human rights of students, the Superintendent of Education may designate a Gyeonggi-do Students' Human Rights Day.
2. The Superintendent of Education shall conduct projects [fit for] the Students' Human Rights Day and induce the participation of students, [members of the] faculty, and residents within the province.

Article 29. Public Relations

1. The Superintendent of Education shall make public relations efforts by publishing and distributing manuals and educational books for the public, middle and high school students and elementary school students on students' human rights guaranteed by the UN Convention on the Rights of the Child and in this Ordinance.

Article 30. Human Rights Education and Training within the School

1. The School shall conduct education on the students' human rights for at least two hours per semester to students, and also include contents on labor rights taking into consideration field and laboratory work in vocational high schools and the increase of student part-time jobs.
2. The School shall conduct faculty training on the students' human rights at least twice a year.
3. The School shall guarantee and support autonomous human rights activities voluntarily performed by students.

Article 31. Training and Support on Human Rights for Faculty

1. The Superintendent of Education shall include the students' human rights in various training programs for members of the faculty.
2. The Superintendent of Education shall develop and distribute educational materials and programs for human rights education in schools and faculty training.

Article 32. Education for Guardians

1. The School shall hold educational sessions and meetings on students' human rights with parents or guardians at least twice a year.
2. The Superintendent of Education shall develop and distribute human rights

education materials for parents or guardians.

Part 2. [Implementation] Plans on Human Rights, etc.

Article 33. Human Rights [Inquiry]

1. The Superintendent of Education shall conduct [inquiries] on the status of students' human rights within the Gyeonggi Province every year.

2. Once the results of the [inquiries] from the above Paragraph 1 are confirmed, the Superintendent of Education shall publicly announce such, and report it to the Gyeonggi Provincial Council.

Article 34. Drafting of [Implementation] Plans

1. The Superintendent of Education shall strive to facilitate the necessary educational activities and the appropriate [type of educational], welfare and resting facilities necessary to fulfill students' human rights.

2. In order to achieve the goals of the above Paragraph 1, the Superintendent of Education must adopt [implementation] plans every three years for [the fulfillment of the] students' human rights.

3. [In preparing] the plans [under] paragraph 2, the Students' Human Rights Screening Committee must [deliberate on them], and the opinions of students, teachers, guardians and residents must be taken into account through public hearings, debates, local meetings, etc.

Article 35. Gyeonggi Provincial Student Human Rights Screening Committee

1. The Gyeonggi Provincial Student Human Rights Screening Committee shall be organized in order to deliberate on the matters pertaining to the adoption of policies and evaluations of the Gyeonggi Provincial Office of Education regarding students' human rights.

2. The Gyeonggi Provincial Student Human Rights Screening Committee shall be composed of no more than [twenty] members, and the Student Rights Defense [Office] shall be an ex-officio member.

3. Aside from the ex-officio member, other committee members shall be appointed by the Superintendent of Education [from] among those who [have] any of the following [qualifications]:

- A person who is an expert in education, child welfare, juveniles, medicine, law, or human rights recommended by relevant non-profit civil organizations, or persons who applied through open-hiring procedures;

- A member of the Student Participation Committee;
- A person residing in the province who has high interest in students' human rights issues and has high motivation to participate, and who has applied through open-hiring procedures; and
- Public officials of the Gyeonggi Provincial Office of Education whose work is related to students' human rights.

4. The Gyeonggi Provincial Student Human Rights Screening Committee shall have one Committee Chair and one Committee Vice-chair, and the Chair and Vice-chair shall be elected from amongst the committee members.

5. The Gyeonggi Provincial Student Human Rights Screening Committee shall deliberate on the following [the matters]:

- Establishment of students' [implementation] plans on human rights;
- Policy reforms on students' human rights; and
- Other matters proposed by the Superintendent of Education related to the improvement of students' human rights.

6. For the efficiency of committee activities, a sub-committee can be organized, and through votes by the Committee, parts of any of the subparagraphs in Paragraph 5 may be delegated to the sub-committee.

7. Matters not prescribed in this Ordinance, which are necessary for the operation of the Committee, shall be determined according to education rules.

Article 36. Student Participation Committee

1. The Superintendent of Education shall [establish] a Gyeonggi Provincial Student Participation Committee for the purpose of taking into account the opinions of students concerning policies related to the students.

2. The Gyeonggi Provincial Student Participation Committee shall be organized [with] no more than [one hundred] members.

3. The members of the Gyeonggi Provincial Student Participation Committee shall be selected by lottery among students who applied via open-hiring procedures. Provided, in order to diversify the composition of the Committee and to reflect the opinions of minorities, the Superintendent of Education may appoint approximately [twenty] members according to a separately established procedure.

4. The Gyeonggi Provincial Student Participation Committee can submit opinions on the following matters to the Superintendent of Education and Student Rights Defense Officer:

- Matters pertaining to the revision of the Gyeonggi Provincial Student Rights

Ordinance;

- Matters pertaining to [inquiries] on students' human rights;
- Matters pertaining to students' [implementation] plans on human rights; and
- Other matters necessary to realize students' human rights and to promote participation of students.

5. The Superintendent of Education may organize a Student Participation Committee for each local office of education.

Article 37. Evaluation per School and Guidelines

1. The Superintendent of Education shall examine the conditions of human rights of students per school biannually, and take the appropriate measures for improvements.

2. To fulfill the rights as prescribed in Chapter 2, the Superintendent of Education may, if necessary, establish detailed guidelines and present them to the schools. In this case, the school shall perform upon such guidelines and report the results to the Superintendent of Education.

Article 38. Support for Civic Activities

1. In order to guarantee the students' human rights, the Superintendent of Education shall establish a cooperative system with civic activities, and make every effort to provide support for such civic activities.

Chapter 4. Relief on Violation of Human Rights of Students

Article 39. Appointment of Student Rights Defense Officers

1. There shall be Student Rights Defense Officers in order to provide counseling and relief for any violation of students' human rights.

2. The Student Rights Defense Officers shall be appointed by the Superintendent of Education with the approval of the Gyeonggi Provincial Student Human Rights Screening Committee, excluding the necessary committee member, from persons with abundant knowledge or experience on students' human rights.

3. The Student Rights Defense Officers shall be composed of no more than five full-time members, and they shall be placed in their respective jurisdictions as determined by the Superintendent of Education.

4. The term of office of the Student Rights Defense Officers shall be three years, which can be renewed only once.

5. The Student Rights Defense Officers shall independently and diligently fulfill their obligations in accordance with international human rights standards including that of the

Constitution, related laws, and the UN Convention on the Rights of the Child.

6. In relation to the duties of the Student Rights Defense Officers, important matters such as recommendations to reform policies shall be determined through meetings of the Student Rights Defense Officers.

Article 40. Prohibition of Concurrent Offices

1. The Student Rights Defense Officers cannot hold concurrent offices with the National Assembly, provincial councils, public employees, or faculties.

2. The Student Rights Defense Officers cannot hold concurrent offices with companies or organizations with a special interest in the Gyeonggi Provincial Office of Education.

Article 41. Duties of Student Rights Defense Officers

1. The Student Rights Defense Officers shall engage in the following:

- Counseling on the violation of students' human rights;
- Examination of request for relief from violation of students' human rights and [inquiries] of authorities;
- Provision of suggestions for appropriate rectification measures for the violation of students' human rights;
- Provision of suggestions for the restructuring of policies in order to improve students' human rights;
- Public notification on the contents from subparagraphs 2 to 4; and
- Other necessary operations to perform all of the above functions.

2. Notwithstanding the regulations of Paragraph 1, [for cases] falling under any of the following subparagraphs, the Student Rights Defense Officers can dismiss the [claims:]

- In the event that it is clear that the victim does not want further inquiry on the [application for inquiry] by a third person;
- In the event that at the time [the inquiry] or counseling is requested, the case is [undergoing], or has ended, a process of seeking relief or mediation through court trial, investigations by investigative agencies, or other [legal processes];
- In the event that the claim for [inquiry] is submitted anonymously or by using an alias; and
- When the Student Rights Defense Officers deem that counseling or examination would not be appropriate.

Article 42. Regarding Administrative Organization

1. The Student Rights Defense Officers may organize an administrative [office] to perform their duties.

2. The administrative [office] shall have personnel such as public employees, and [inquiry] experts to assist with the Student Rights Defense Officers' tasks.

3. Public employees and inquiry experts in the administrative [office] shall perform their duties under the command of the Student Rights Defense Officers.

4. Matters [regarding the administration office] and [inquiry] experts stated in subparagraphs 1 to 3 and matters pertaining to the services of the Student Rights Defense Officers shall be determined by school rules.

Article 43. Counseling Office for each District Office of Education

1. Each local office of education shall have a students' human rights counseling office.

2. The counseling office stated in Paragraph 1 shall provide consultation on the human rights of students, and the results must be regularly reported to the Student Rights Defense Officer. Provided that, in the event that prompt measures are necessary or when it is an urgent issue, it shall be reported immediately.

Article 44. Relief Application and Measures for Students' Human Rights Abuse

1. In [case] of violation of students' human rights or the risk of such violation [exists], anyone, including the student, can apply for relief to the Student Rights Defense Officer.

2. The Student Rights Defense Officer who received the relief application as per Paragraph 1 shall take necessary measures, such as notification for corrective action to the Office of Education, local offices of education, school, or faculty, after examining the case.

3. When the Student Rights Defense Officer takes measures [on the case under] Paragraph 2, [these] shall immediately be communicated to the Superintendent of Education, and key points [about them] shall be publicly announced.

4. Unless there are justifiable reasons, the Office of Education, local offices of education, school and/or faculty that received the notification for corrective action from the Student Rights Defense Officer must comply and execute the notification, and report the results to the Student Rights Defense Officer and Superintendent of Education immediately. In the event that the notifications of the Student Rights Defense Officer are not complied with, the reason for such noncompliance must be explained.

Article 45. [Inquiry]

1. In order to perform the duties of each subparagraph of Article 41 Paragraph 1, the Student Rights Defense Officer may request the Office of Education, local offices of education, or the school for data, as necessary, and may also question the faculty or related public employees.

2. In order to examine the application for relief according to Article 44 Paragraph 1, the Student Rights Defense Officer may make on-site [inquiries] if necessary.

3. [Members of] faculties and relevant public employees must respond with due diligence in the case of request for materials and questioning as stated in Paragraph 1, and in the case of onsite [inquiries] of Paragraph 2.

Chapter 5. Supplementary Rules

Article 46. Regulation Revision Screening Committee

1. In order to conform to this Ordinance that guarantees the human rights of students, the School must organize a screening committee for the enactment and revision of school rules and regulations (hereinafter referred to as Regulation Revision Screening Committee).

2. The Regulation Revision Screening Committee shall be composed of [members of] faculty, guardians, and experts with knowledge or experience in human rights, and student representatives.

3. The Regulation Revision Screening Committee shall listen to the opinions of students in a democratic and feasible manner, and adhere to necessary procedures.

4. The Regulation Revision Screening Committee shall report the results to the Superintendent of Education after completing enactment or revision of regulations.

5. The Superintendent of Education may present guidelines pertaining to the direction of regulation revisions, procedures, and composition of the Regulation Revision Screening Committee.

Article 47. Enforcement Rules

1. Matters specifically designated in this Ordinance and matters necessary to enforce this Ordinance shall be as determined by the education rules.

Addenda

Article 1. Enforcement Date

1. This Ordinance shall enter into force on the date of its promulgation.

Article 2. Transitional Measures

1. The Superintendent of Education may temporarily [employ] Student Rights Defense Officers as non-regular members until the system for the full-time Student Rights Defense Officers is organized according to Article 39.

2. The School must organize a Regulation Revision Screening Committee as provided in Article 46 within six months after promulgation of this Ordinance.

Endnotes

This is a slightly edited text of the Ordinance. The edited texts are in brackets. The editing of the Ordinance benefited from the initial translation work done by Ms. Soon Jung Kwon, Doctoral candidate on peace education, Birmingham University. Ms Kwon originally prepared the English version of the Ordinance for the project on *Human Rights Education in the Northeast Asian School Systems - Resource Material*, published by HURIGHTS OSAKA in March 2013. The original text of the Ordinance is available at this url: http://webcache.googleusercontent.com/search?q=cache:EoyyLq9RBDMJ:https://cge.ken.go.kr/contents/tbl_k_02_07/download.asp%3Ffile_nm%3D%25C0%25CE%25B1%25C7%25C1%25B6%25B7%25CA%25BE%25C81%25BF%25B5%25BE%25EE%25C3%25D6%25C1%25BE.pdf%2BGyeonggi-do+Students%27+Human+Rights+Ordinance&oe=utf-8&rls=org.mozilla%3Aen-US%3Aofficial&client=firefox-a&hl=en&ct=clnk

About the Authors

YOKO ARAI

Professor

Hosei University

Tokyo, Japan

e-mail: yarai@hosei.ac.jp

BOLORSAIHAN BADAMSAMBUU

Education Division Officer

National Human Rights Commission of Mongolia

Ulaanbaatar, Mongolia

e-mail: b.bolorsaikhan@mn-nhrc.org; crystal21036@yahoo.com

BRAC

Dhaka, Bangladesh

e-mail: education@brac.net

CHANG FO-CHUAN CENTER FOR THE STUDY OF HUMAN RIGHTS

Taipei, Taiwan

e-mail: mab.huang@gmail.com

NASREEN CONTRACTOR

Co-Director

Women's Research and Action Group

Mumbai, Maharashtra, India

e-mail: nasreensm@gmail.com

ANDRE DAO

Project Officer

Castan Centre for Human Rights Law

Monash University

Victoria, Australia

e-mail: andre.dao@monash.edu

WILLIE DOAEMO

Project Director

Seeds Performing Arts Theatre Group

Lae District, Morobe Province, Papua New Guinea

e-mail: wdoaemo@civil.unitech.ac.pg

SISIR DUTTA

Executive Director

Bangladesh Institute of Theatre Arts (BITA)

Dhaka, Bangladesh

e-mail: BITA BD <bitactg@gmail.com>;

KIM CHEOL HONG

Chief

Human Rights Education Team

National Human Rights Commission of Korea

Seoul, Korea

e-mail: dodododo@humanrights.go.kr

ELSA WEN-YING HSU

Director, Research & Development Department

Assistant Professor, General Education Center

Open University of Kaohsiung

Kaohsiung, Taiwan

e-mail: wyhsu@ouk.edu.tw

HURIGHTS OSAKA

Osaka, Japan

e-mail: webmail@hurights.or.jp

AMY MAWDSLEY

Research and Environment Program Volunteer

Wan Smolbag Theatre

Port Vila, Vanuatu

e-mail: kontaktem@wansmolbag.org; amawdsley@wansmolbag.org

ADAM MCBETH
Deputy Director
Castan Centre for Human Rights Law
Monash University
Victoria, Australia
e-mail: adam.mcbeth@monash.edu

H. ABIGAIL MOY
Program Director
Global Legal Empowerment Network
Washington DC, U.S.A.
e-mail: abigailmoy@namati.org

JEFFERSON R. PLANTILLA
Chief Researcher
HURIGHTS OSAKA
Osaka, Japan
e-mail: jeff@hurights.or.jp

MIHO TOKIWA-FUSE
Associate Professor
Keisen University
Tokyo, Japan
e-mail: m-tokiwa@keisen.ac.jp

The Asia-Pacific Human Rights Information Center or HURIGHTS OSAKA, inspired by the Charter of the United Nations and the Universal Declaration of Human Rights, formally opened in December 1994. HURIGHTS OSAKA has the following aims: 1) to engender popular understanding in Osaka of the international human rights standards; 2) to support international exchange between Osaka and countries in Asia-Pacific through collection and dissemination of information and materials on human rights; and 3) to promote human rights in Asia-Pacific in cooperation with national and regional institutions and civil society organizations as well as the United Nations.

Asia-Pacific Human Rights Information Center
(HURIGHTS OSAKA)
8F, CE Nishihonmachi Bldg.
1-7-7 Nishihonmachi, Nishi-ku
Osaka 550-0005 Japan
ph (816) 6543-7002
fax (816) 6543-7004
e-mail: webmail@hurights.or.jp
www.hurights.or.jp