



# FOCUS

ASIA-PACIFIC

NEWSLETTER of the ASIA-PACIFIC HUMAN RIGHTS INFORMATION CENTER (HURIGHTS OSAKA)

MARCH 1996 VOL. 3

## EDITORIAL

### *The First Year for Human Rights Culture*

On January 1, 1995 the first year of the United Nations Decade for Human Rights Education began. The United Nations held some ceremonies launching the Decade which did not get to the attention of many people in the Asia-Pacific due to inadequate promotion through the media and other means.

The Decade, however, received considerable attention among some NGOs in the region who saw in it the potential for positive collaborative work with governments. The Decade is likewise viewed as a justification for continuing (and expanding) human rights education work among grassroots communities. Several NGOs implemented plans under the banner of the Decade.

As human rights education continuously gets mentioned in intergovernmental fora as one of the key areas of concerns, matching actions are naturally expected. There are some indications that concrete actions do exist. The Japanese Cabinet has created a Committee on Human Rights Education. The national human rights institutions in India, Indonesia and the Philippines report their HRE activities. The same may be said of the national human rights institutions in Australia and New Zealand (Aotearoa).

Before the first year ended, several Asian and Pacific governments sent representatives to a workshop on human rights education and development a most timely issue at this point in Asia-Pacific history. This workshop was likewise

attended by NGO representatives.

Though there is still much to be desired, the first year was not a bad start.

What the first year shows is the fact that there is still much to be accomplished in the human rights education field. The ongoing discussions about the value and meaning of human rights education is good but there need to be more human rights education actions. There are still many people within the government, and in the society as a whole, who need to be affected by human rights education.

The recent Asia-Pacific intergovernmental workshop on regional arrangements for the promotion and protection of human rights in Kathmandu organized by the United Nations is the latest expression of governmental support for human rights education. In its conclusions, it recognized the importance of human rights education for both the promotion and protection of human rights as well as recommended the development of national programs on human rights education, during and beyond the Decade, and sharing of the experiences in the region regarding such programs. Human rights education is considered as one area for regional cooperation which can eventually lead to the establishment of a regional arrangement for human rights.

With this, we must move on.

**FOCUS Asia-Pacific** is the new name of the quarterly newsletter of HURIGHTS OSAKA. This name suggests the design of HURIGHTS OSAKA to provide significant attention to the issues and activities relating to human rights in the Asia-Pacific. Related news and articles can be sent to HURIGHTS OSAKA for inclusion in the next editions of **FOCUS Asia-Pacific**.

**FOCUS Asia-Pacific** is edited by Dong-heon Kim, Director of HURIGHTS OSAKA.

# Bhutan: Human Rights in Peril

Bhutan and Nepal are the only States in South Asia with monarchical governments. Bhutan is largely characterized by two institutions: the hereditary monarchy and Lamaist Buddhism. While there are three major ethnic groups in the country, namely, the Sharchops, the Ngalops and the so-called Lhotshampas (descendants of Nepali migrants), the Ngalops or the so-called Drukpas politically dominate. The King of Bhutan belongs to the Drukpa group. There is no settled number of the total population of Bhutan. It ranges from 1.5 million to 700,000 in a landlocked area of 48,000 square kilometers.

During the reign of the late King Jigme Dorji Wangchuck (1952-1972), democratic reforms were introduced. A system of impeaching the King called "Vote of Confidence on the King", approval of appointment of Ministers, and power to make final decisions (without need for approval by the King) were introduced in the National Assembly (Tshongdu). It was reported that the election of members of the Tshongdu was also established. There was, structurally speaking, a constitutional monarchy in Bhutan at that period. From 1972, when King Jigme Dorji Wangchuck died, these democratic reforms were abolished one after the other. The members of Tshongdu are reportedly now being nominated through the local government authorities.

The Nepali descendants of southern Bhutanese started to settle in south Bhutan in 17th century. They were brought there as workers. They had since then integrated into the Bhutanese society identifying themselves as Bhutanese though they retained their Hindu culture and Nepali language. The Bhutanese royal government considered them as Bhutanese for a long time until new developments occurred in the 1980s.

Southern Bhutan is the locale of all the major commercial and industrial centers in the country mainly due to proximity to the facilities and markets in bordering India. The southern Bhutanese of Nepali descent contributed greatly to the development of this part of the country. Many have been educated and some acquired government scholarships for studies abroad. Many have assumed responsible positions in the government. And many also availed of the previous government policy of ethnic assimilation by receiving financial grants (5,000 Ngultrums) for having inter-ethnic marriages.

In 1985, the Tshongdu enacted a new citizenship law (The Bhutan Citizenship Act, 1985) which superseded two previous laws of 1958 and 1977. This law provides that permanent residents in the country as of December 31, 1985 and are registered in the census register maintained by the Ministry of Home Affairs shall be deemed to be citizens of Bhutan by registration. This provision of the law affects many southern Bhutanese of Nepali descent.

The government proceeded to implement the 1985 law, granting citizenship to many southern Bhutanese. A highly questionable census survey in 1988 allegedly came up with the figure of a big number of "illegal migrants" in the country mostly in southern Bhutan. Abuses against the southern Bhutanese of Nepali descent by government authorities doing the survey were reported to have occurred. Citizenship acquired by them under the 1958, 1977 and even the most recent 1985 laws began to be revoked, effectively making them stateless. To make

use of the 1985 law itself as a basis for citizenship revocation, government officials came up with an interpretation of this law declaring that permanent residence can only be proved by showing land tax receipt of 1958. This requirement deviates from the clear provision of the 1985 law which does not provide for such proof of residence. Many were made to sign documents of voluntary migration out of Bhutan. There were reports of coerced signing of the voluntary migration documents.

In 1989, the government launched a "One Nation One People" policy (Driglam Namzha policy). This required everyone in Bhutan while in public places to wear the dress of the Drukpa people, speak their language and adopt their culture. This policy is obviously aimed at strengthening the dominance of the culture and traditions of the Drukpa group to the detriment of those belonging to other ethnic groups.

In 1990, protests were held in many parts of the country on the lack of democratic system of government; the arbitrary revocation of citizenship of southern Bhutanese of Nepali descent; and the restrictions on the exercise of freedom of religion, expression and organization. The government responded by arresting the protesters and harassing people in southern Bhutan. Human rights violations committed by government authorities in southern Bhutan were repeatedly reported. Cases of killing, rape and torture of those arrested and detained were likewise reported. The government, on the otherhand, claims that southern Bhutanese of Nepali descent were doing acts of terrorism in southern Bhutan that threaten the peace in the country. There were indeed acts of anger on the part of some of those who were unjustly dispossessed of property and rights by the Bhutanese government. But acts of terrorism were reported by the Bhutanese government itself as coming from a tribe in India (Bodo) who have been crossing the India-Bhutan border.

The continuing violation of human rights by government authorities prompted people in southern Bhutan to flee to India and later on to eastern Nepal in 1991. Some of those who fled to India were arrested by Indian authorities and turned over to the Bhutanese government under the terms of a 1949 extradition agreement. Several people who fled to Nepal were abducted by Bhutanese government agents (reportedly in collaboration with Nepali police) and brought back to Bhutan. Mr. Teck Nath Rizal, a leading political figure in Bhutan, was one of those abducted and is now on his seventh year of imprisonment in Bhutan.

There are now around 90,000 southern Bhutanese living in refugee camps in Jhapa and Morang districts in Nepal. Some 25,000 more are staying in various villages in India. The Bhutanese government reportedly started erasing government records of land ownership of the refugees and their relatives.

Nepal and Bhutan set up in 1993 a Joint Minister Level Committee to resolve the refugee issue. After six meetings, the Committee still has to come up with a solution to the problem. The situation in the refugee camps in Nepal is becoming more difficult, however, as support from the United Nations High Commissioner for Refugees seems to be decreasing. The refugees are beginning to have low morale due to a perceived lack of international support. It is reported

that King Jigme Singye Wangchuck maintains that the Bhutanese government will "... accept full responsibility for any citizens of Bhutan who had left the country involuntarily; but those who had absconded, or migrated voluntarily, would need to make their own arrangements." (Bhutan, Asia 1996 Yearbook, Far Eastern Economic Review, December 1995, Hong Kong). The Bhutanese government still insists that there are non-Bhutanese citizens among the refugees.

Taking into account the whole situation, there is a rather clear demarcation of interests between the ruling party in the royal government of Bhutan and the southern Bhutanese of Nepali origin. The Bhutanese government is bent on protecting the dominance by the present ruling Drukpa group. The apparent official policy is explained thus:

"Bhutanese policymakers do not hide their rejection of some Western ideological and cultural concepts. At Bhutan's stage of development, they feel, Western concepts of representative democracy, competitive party systems, consumer culture, and standards of human rights, as well as activities of church-sponsored nongovernmental organizations (NGOs) could pose a serious threat. They say that the economic growth required for the welfare of the population needs political stability, and they fear religious plurality as going against the grain of age-old Bhutanese traditions in which life revolves around the institution of religion..." (A. C. Sinha, Bhutan in 1994 - Will the Ethnic Conflict be Resolved?, in Asian Survey, Vol. XXXV, No. 2, February 1995).

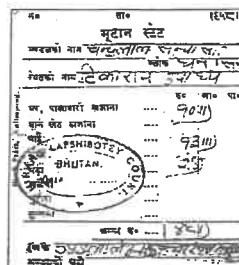
Southern Bhutanese of Nepali descent are seen as threat to this power structure as they call for constitutional monarchy, democratic system, pluralist society and respect for human rights. The Driglam Namzha policy, the citizenship revocation and/or eviction of southern Bhutanese of Nepali descent, the abolition of democratic political system, and the labelling of protests against these developments as anti-national are all in favor of the continuing hold onto power of the ruling Drukpa group. They are more importantly violative of human rights principles. The continuation of this situation will only create an authoritarian rule by the present government with national security as its justification.

The Bhutan case is yet another example of a situation where governmental systems, laws, policies and programs do not seem to support human rights. The bigger issue in this case is on the means of putting in place the structures that will realize human rights in the context of a multi-ethnic, tradition-bound and multi-religious society. The return of the Bhutanese refugees to their previous communities, which should include the redress of the injustices committed against them, does not end the prospect of human rights violations. The accommodation of the growing role of the southern Bhutanese in the economic, social, cultural and political lives of Bhutanese society is a key concern.

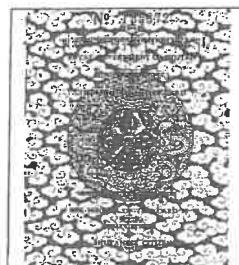
The reintroduction of democratic systems (though not necessarily the Western model), the re-adoption of the policy of ethnic co-existence, the amendment of the 1985 citizenship and other discriminatory laws, enactment of laws and introduction of programs to realize human rights, among others, will have to be the necessary conditions that can facilitate respect and realization of human rights in Bhutan. Adherence to the

positive Bhutanese traditions which support these measures is not ruled out nor devalued. They can be used as long as discrimination is not the result. These measures, obviously, directly affect the power relations in the Bhutanese government.

The nature of the situation in Bhutan underlies the difficulty of resolving the issues at hand. Certainly, the move of the refugees to peacefully address the issues should be supported. Some have petitioned the royal government of Bhutan as well as started a peaceful march (January 14, 1996) to



Land Tax Receipt of 1958.



Bhutanese Citizenship ID Card.

Source: Revocation of Citizenship, AMCC, Jhapa, Nepal, 1995.

Thimpu, Bhutan's capital, for a dialogue. Unfortunately, the peaceful marchers were arrested by Indian authorities upon entering Indian territory. These peaceful efforts of the refugees themselves have to continue to grow, rather than be suppressed, until the issues are resolved. On the otherhand, international pressure on the royal government of Bhutan is also needed. The affected States in this sub-region, namely Nepal and India, will have to pursue some measures to assist Bhutan on this issue. United Nations agencies must undertake more steps at arriving at a political solution to the issue instead of merely acting as welfare agencies. Non-governmental organizations should continue providing pressure and assistance toward this end.

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# Culture and Human Rights: For Better or for Worse

The history of international codification of human rights standards has strongly been interpreted by some governments as well as writers as basis for saying that human rights are based on Western culture. As such, they are not necessarily applicable to societies whose cultures are non-Western.

This view of human rights very much reflects the current debate on whether or not there is such a thing as an Asian concept of human rights. Supporters of the view that there is such an Asian concept would easily point to culture as the major justification.

It is interesting to note that such a debate is still very much alive in Asia-Pacific despite the new consensus in the 1993 World Conference on Human Rights which settled this issue. The debate goes on as States in the region take unprecedented collective steps to promote continuing economic growth. Commerce has opened doors of countries which were previously aligned to either of the two contending political blocs of the Cold War. From the Asia-Pacific Economic Cooperation Forum (APEC) to Asia-Europe Meeting (ASEM) consensus on how to best achieve development is hardly a difficult agenda. These economic meetings however failed to look at the human rights implications of the development agenda. There is hardly any reference to the previously agreed principles in Rio, Vienna, Cairo and Beijing which declare that human rights and development are inseparable.

But if present values are influenced by growing global economics and culture, as one author suggests, what differences in human rights perspective will there be to debate about? This relates to another author's view that the concept of human rights evolved as a result of the process of industrialization.

It is a fact that Asia-Pacific has distinct cultures rooted deeply and extensively in the communities. Within some broad categories of influences by Buddhist, Confucian, Hindu, Islamic or Christian thoughts lie a greater diversity of cultures.

Some governments argue that since cultures in Asia-Pacific are different from the other regions of the world, the values being upheld are also different. Human rights must be interpreted in the context of this situation. Human rights are therefore conceptualized in a manner that supposedly distinctly adapts to the situation, thinking and practices of peoples in the region. To emphasize certain rights in the whole range of internationally recognized human rights is in tune with the proper implementation of the concept of human rights. It should be recognized as valid and not in derogation or distortion of human rights. The stress on duty, community welfare, obedience to authority, consensual approach to problem resolution, among other values, are deemed important to uphold in dealing with human rights.

The diversity of cultures in Asia-Pacific, according to the other view, is seen as an element that actually enriches human rights rather than carve a different perspective. Hu-

man rights principles bring out the common features of the cultures in the region. The general principles contained in the international human rights instruments are given more meaning as they are supplemented by the depth of the cultures in the region. Thus, the concept of social cohesion can serve to protect the rights of individuals against abuses and promote participation of people in matters of community and national concern. Following this argument, human rights are universal and indivisible. There is no justification for emphasizing some rights and putting secondary importance on other rights.

There is also a view that traditional non-Western cultures do recognize human rights. The following words used by traditional societies in Asia have been identified to mean rights: hagg (Arabic), adhikar (Hindi and Bengali), svelte (Sanskrit), sitthi (Thai), kwolni (Korean) and karapatan (Tagalog). It cannot be said then that human rights are alien to non-Western cultures.

A recent paper on this issue argues that governments who insist on an Asian concept of human rights because of cultural differences, are precisely going against these so-called Asian cultures when they fully engage in Western-style economic development and when they restrict the rights of people who would have the freedom to get involved in societies' concerns according to traditional culture. It appears therefore that they are not protecting their own cultures and instead trying to find an excuse for refusing to recognize the universality of human rights.

The 1993 Vienna Declaration supports the view of universality of human rights even in the context of diverse cultures. In Article 5 of the declaration, the following is stated:

"All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms."

It must be incumbent upon all governments to accord respect to this consensual statement. It likewise requires them to remain consistent in all agreements (economic or otherwise) that would have human rights implications.



Mask Dance  
(Korean Education and Cultural Center,  
Osaka, Japan)

It is in this context that the task of finding the best means of relating the cultures of this region to universal human rights principles comes in.

Letting the discussion on this issue remain at the level of generalities will not be helpful. There are cultural elements that can certainly be identified with human rights while there are also some other cultural elements which may be found to be unjustifiably violative of basic rights.

There are various studies about culture, on both the ancient and modern variations. Yet studies on the linkage between cultures and human rights are not significantly extensive (most are limited to specific issues).

The importance of focusing on this issue is due to the fact that the realization of human rights have to take into account the cultural milieu of peoples. The cultural structure is both the means and substance of human rights promotion, protection and realization.

One may recall that culture is generally defined as the "learned ways of life" that are expressed in physical objects as well as in ideas, beliefs, rules, customs, myths, family patterns, political systems, languages, etc. The extent of influence of culture on people cannot be quantified but one can safely conclude that it has extensive influence on people's consciousness. Identities of people have been defined in many cases in terms of their cultural background. Social behavior is generally attuned to the prevailing cultures. Trends of thinking or worldview are hewing closely to what are expressed by the material forms of culture.

The pervasive presence of culture in the lives of people is just a natural result of human existence.

Human rights as basis of both way of thinking and conduct of relations between people, or between governments and other institutions and the people, should thus be closely identified with existing cultures. This is not to say that human rights have to lose their universal character or that cultures have to be totally changed to accommodate human rights. Each has distinct roles to play. It cannot be denied that traditional cultures hold societies together and are able to secure the welfare of its members (especially the aged and the disabled). Human rights, on the other hand, emphasize certain values which are deemed important for the realization of human attributes and potentialities. They should be properly related and mutually developed in this relationship.

The task ahead lies in looking more deeply into the issue. It means being able to find the common ground between cultures and human rights which will lead to their meaningful interaction. General studies on this issue point to the existence of such common ground. Ancient cultural concepts are found to be in line with human rights principles. Concepts of justice, respect, responsibility, concern for fellow human being, among others, are akin to human rights concepts. There are also new perspectives within cultures which tend to give an even more space for discourse on hu-

man rights. Modern Buddhist, Confucian, Islamic and Hindu thinkers do propagate views that adhere more to the promotion of the human dignity of all without much of the restrictions found in the past. The penetration of transnational culture at the present moment in many communities all over the region is also a significant factor that can cause the hastening of the interfacing of human rights and their own cultures.

Several human rights writers propose ways of facilitating this interaction between human rights and cultures. Dialogue within and between cultures is highly suggested. There is a general agreement on the need to respect cultures and to let a process of gradual adjustment in cultures to occur. This should not be construed however as suggesting overlooking cultural practices that violate human rights. It may be said that such violations should be properly considered in this dialogical relationship. It is believed that cultures do have the capacity to absorb and synthesize ideas which may appear unfamiliar (such as human rights).

The idea of dialogue between cultures would have the following elements:

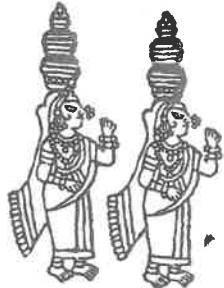
1. openness on the part of cultures to insights and criticism so that cultures can learn about themselves by seeing themselves in the eyes of other cultures;
2. clear purpose of overcoming cultural antagonism to human rights norms that are problematic in a given context (this can also include rectifying mistakes in appropriate cases); and
3. non-imposition of moral truth or values based on a specific culture.

Any dialogue would really require much trust and respect for the diversity of cultures so that the process would lead to mutual understanding and learning.

There is also a suggestion to rethink human rights to be able to draw in relevant concepts common in many cultures. It may be said that this suggestion would make more clear and explicit cultural concepts which are considered included in the human rights concept.

Harmonizing human rights and culture will consequently lead to a greater understanding of the hitherto unknown means of realizing human rights within friendly cultural systems. It will avoid the accusation that the promotion of human rights is just a form of re-entry of Western culture in the region. More importantly, it will mean a realization that human rights concepts have always been part of the cultures in this region. The only difference is in the form of their (human rights) expression and practice. This, in effect, means preserving the diversity of cultures while recognizing the universality of human rights principles. Preservation of culture is itself part of human rights.

This interaction between cultures and human rights should be a continuing process, just like any human activity. It should help develop both the cultures and the human rights principles. In the end, the constant consideration is



Motif from Temple Cloth-Gujarat, India (SETU, Ahmedabad, India)



Motif from Kantha embroidery-Bengal, India (SETU, Ahmedabad, India)

please turn to page 6

# Human Rights and APEC: Another Face of Developing Asia

The Asia Pacific Economic Cooperation Forum, or APEC, had its Leaders' meeting in November 1995 in Osaka. Prior to that meeting, an NGO conference was organized attended for the first time by more than 100 representatives of NGOs, trade unions and people's organizations from Asia, the Pacific and America.

According to many governments, APEC has nothing to do with human rights. The NGOs, however, have a different view. The statement adopted on November 14, 1995 by the participants after two days of discussion recognizes that "violations of political freedom, rights of association, labour rights and freedom of speech accompany economic liberalisation in many parts of the region". It then requests the governments participating in APEC to, among other things, "ratify and effectively implement all major labour and human rights instruments, including the basic ILO conventions, and guarantee the freedom of movement for all people within the region, especially refugees and indigenous peoples".

This big NGO conference is the first of its kind which took place during the APEC meetings. NGOs and other organizations which participated in the conference agreed to continue to influence the APEC process. This year, another counter-APEC forum will be organized by NGOs (regional and national) and people's organizations in the Philippines for the next Leaders' meeting. For more information, please contact Manila People's Forum on APEC'96 at Room 319, PSSC Building, Commonwealth Ave., Diliman, Quezon City (c/o Philippine Peasant Institute), phone: (632)-929-6211 or 922-9621 (local 314/339), fax: (632)-924-3767.



APEC NGO Forum in Kyoto (Kansai NGO Council, Osaka, Japan)

## APEC NGO Forum Update

An international organizing body has been formed to prepare for the next APEC NGO Forum that will be held parallel to the APEC Leader's meeting in the Philippines late this year. The body named International Convenors Committee (ICC) is still an ad hoc committee. A more formal body will be constituted in a meeting on April 24, 1996 in Manila. The present ad hoc body has the following provisional members: Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), Asian Regional Exchange for New Alternatives (ARENA), Focus on Global South (FOCUS), and Pacific Asia Resource Center (PARC). This body will a) facilitate the participation of international delegates to the forum; b) coordinate the preparation of substantive agenda of the forum; c) coordinate the preparation of country critiques of APEC; and d) propose an alternative vision for regional cooperation.

The ad hoc ICC has made the initial program for the next APEC NGO Forum. Major areas of concern to be discussed are: Food Security; Agriculture and Trade; Labor and Migrant Rights (Human Rights); Environment and Land Rights; Small and Medium Enterprises and Trade Liberalization; and Strengthening of Regional Cooperation. Field visits will be arranged for those interested in labor rights, food security and environment, impact of investment liberalization on land and labor rights issues. The next NGO Forum is named "1996 Manila People's Forum".

Any organization interested in joining the formal ICC will have to send communications to ANGOC (P.O. Box 3107, QCCPO 1103 Philippines; fax number (632) 921-51-22; e-mail: [angoc@econet.apc.org](mailto:angoc@econet.apc.org)) on or before April 8.

A Philippine Hosting Committee has also been formed to take the lead in resource mobilization and prepare the logistical arrangements. It will also formulate the Philippine agenda in relation to APEC. The secretariat of this committee is based in the Philippine Peasant Institute (see address above).

### Culture and Human Rights...

the need to continuously enhance human existence and protect it from ravages being experienced now and in the past.

The present Secretary-General of the United Nations, Boutros Boutros-Ghali, has been advocating the idea of human rights as a common language of humanity. This idea implies an agreement among peoples in this world of a universal concept that can apply on all cultures. There is much to gain if peoples everywhere have a means of understanding each other. And certainly the value of enhancing human dignity by recognizing human rights is the most basic and therefore the most essential commonality among peoples. Cultures that are reconciled with human rights will serve as bases for making hu-

man rights a common language of humanity.

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# Workers' Rights in the Age of Free Trade

"Democracy and human rights are not the natural consequences of investment and trade", thus state a Chinese trade union activist in a message to fellow workers' rights activists in a meeting in Kyoto, Japan on the occasion of the APEC meeting in November last year.

The growing institutionalization of the free trade system in the Asia-Pacific region is inevitable. It has affected countries of varying political orientation. It will without doubt be the priority concern of most countries in the region in the coming century.

What will its impact be on workers?

The participants in the Kyoto meeting argue that there are bases for alarm on the negative impact of the free trade system on the workers in this region. Recent experiences show that severe restrictions on freedom of association throughout the region exist in the context of aggressive economic development programs. They assert that freedom of association and the right to organize are key to the existence of independent trade unions which are essential if workers are to be able to adequately defend their rights. The restrictions include the arrest, detention, torture, harassment and dismissal of trade union organizers; the establishment of free trade zones where labor laws do not apply; the failure to accord legal recognition to legitimate independent trade unions; coercing or compelling workers to belong to trade unions which are controlled by governments or companies; the practice of sub-contracting and individual contracts in order to by-pass the process of collective bargaining; denial of rights of certain categories of workers like migrant workers and domestic workers who are mostly women as well as public sector workers and agricultural laborers; the expansion of underground economies where workers have no access to protection that is offered under national law; and frequent legislative restrictions or other limits placed on the right of association even when this right formally exists in national law.

There is indeed no guarantee that States will come out protecting workers' rights if the same would be construed as becoming less competitive in the free market system. Some would see social clauses in trade agreements as protectionist measures by industrialized States.

South Korea is a case in point. The so-called "miracle on the Han river" comes with an array of restrictions on workers' rights. Korean laws provide that there can only be one union in one company or industry (the one that is reportedly supported by the government), public servants and teachers are not allowed to form their own unions; strikes are prohibited in national or local government offices and designated defense industries; compulsory arbitration is invoked on labor disputes in public enterprises; government labor agency is authorized to interfere in the internal affairs of trade unions; third party intervention on trade union affairs is prohibited; and political activities of trade unions are prohibited. Numerous workers have been arrested or dismissed because of these laws. The South Korean government has continued the

deployment of military forces to control strikes. Industrial accidents affecting workers in South Korea is reportedly the highest in the world. Recommendations by the ILO and the Committee of the Covenant on Economic, Social and Cultural Rights to revise the restrictive laws have remained unheeded.

International economic meetings between Asian governments and governments from other regions such as the Asia-Pacific Economic Cooperation Forum (APEC) and the Asia-Europe meeting (ASEM) largely set aside the human rights issue in general though they may discuss workers' rights in particular.

With an inevitable global free market system, the second question is can workers' rights still be saved?

One proposal meant to address this issue is the inclusion of a social clause in the bilateral/multilateral trade agreements and programs of governments. A recent study organized by the Asia-Pacific Workers Solidarity Links (APWSL) reveals that workers in different countries respond differently to this proposal. Workers in countries which have a long history of industrialization and have struggled to obtain some protection of their rights would not agree to social clauses because of the possibility of diluting, if not withdrawing,

what they had fought so hard for. While those with continuing severe restrictions would agree to social clauses. It is even proposed by a workers' group in South Korea to treat the social clause proposal as just one dimension in protecting worker's rights. Environmental and the general human rights principles must likewise be included. And lastly, in countries that are beginning to industrialize and have not developed a complex system of labor law, workers would have neither agreement or disagreement to it.

For the workers, social clauses may actually be employed for economic advantage rather than for a genuine protection of human rights. It can be used as a tool to force open markets. The trade policy of the United States may be cited as a concrete example of this case. It is thus not surprising for many Asian governments to resist the inclusion of social clauses in their trade agreements with the more prosperous Western countries (in addition to the fact that they are not keen on considering human rights in their economic programs)

While social clauses are valid measures for protecting workers' rights, their use in a free trade framework does not guarantee their enforcement. The politics of economics will most likely determine the extent of subscription to these measures. In this sense, the words of the Chinese trade union activist (quoted above) are bound to be confirmed as true.



Workers in Protest (APWSL-Japan)



APWSL Workshop Participants (APWSL-Japan)

## Beyond Geopolitics and Geoeconomics: Toward a New Relationship Between Asia and Europe

Coming a few months after the APEC NGO Forum is another big NGO gathering that focused on a new inter-regional, inter-governmental forum - the Asia-Europe Meeting (ASEM). The first Joint Asia-Europe NGO Conference was held in Bangkok on February 27-29, 1996 with the participation of over 350 representatives of Asian and European NGOs and people's organizations.

The NGO forum participants declared that ASEM, a first ever gathering of heads of state of 25 countries from the old and new bastions of economic growth, should not be concerned merely with geopolitical and geo-economic considerations which favor well-resourced elite sectors. Instead, it should promote people-centered, socially just, economically equitable, ecologically sustainable and politically participatory development paradigm as the shared vision. This vision embodies respect for human rights and human dignity and nurture the spiritual, moral, intellectual and cultural lives of all individuals and communities in both regions.

They noted, just like in the APEC NGO Forum declaration, that these very same governments have signed the United Nations' summit conference declarations from Rio to Beijing, committing themselves to the realization of human rights. And yet the issue of human rights is not in the agenda of ASEM. Human rights are divorced from the discussion of development narrowly viewed in economic terms.

They thus raised an appeal to the ASEM leaders to put the question of human rights as a central focus in order to address the problems occurring in both regions. Problems regarding displacement of farmers, fisherfolk, forest people; ex-

plotiation of children; trafficking of women and children, exploitation of labor (including migrant workers) were raised as some of the issues that need to be taken up. This is not to disregard the current problems relating to French-controlled territories in South Pacific, the East Timor question, the Burma issue, racism and xenophobia in Europe, among others.

They recommended that governments should recognize the role of the civil society in promoting human rights, human dignity and spiritual values. They urged that there be cooperation between Europe and Asia in the areas of human rights education and the development of human rights protection mechanisms.

As reported in the newspaper, ASEM came up with a communique which provides that:

"The dialogue among the participating countries should be conducted on the basis of mutual respect, equality, promotion of fundamental rights and, in accordance with the rules of international law and obligations, non-intervention, whether direct or indirect, in each other's internal affairs." (Japan Times, March 3, 1996)

The same newspaper report states that this formula was designed to satisfy the 15 members of the European Union by mentioning fundamental rights and placate the 10 Asian nations by stressing noninterference.

Hopefully, in the next round of the ASEM (Britain in 1998) more substantive discussions on human rights will take place.

## *Our Common Humanity: Asian Charter on Human Rights*

The drafting of an Asian Charter on Human Rights is a joint project of the Asian Human Rights Commission and International Affairs Section of the Christian Conference of Asia. The purpose of this project is to initiate a discussion throughout Asia on some of the most fundamental issues relating to the concept of human rights as well as problems relating to their enforcement. The present draft was prepared by a group of human rights activists and workers based on comments and ideas provided by various human rights groups in the region. The final document is expected to be used as an educational material and as a basis to develop solidarity action for the protection and promotion of human rights in Asia.

In order to gain further input to the draft charter, three sub-regional consultations were organized inviting human rights organizations in South, Southeast and East Asia. The last one, the East Asian Consultation, was held from 30 January to 1 February in Hong Kong. Human rights workers from Taiwan, Hong Kong, China, South Korea and Japan participated in the consultation. Mr. Higashizawa and Ms. Amy Furuya of Japan Civil Liberty Union and Mr. Akio Kawamura of HURIGHTS OSAKA represented Japan.

The consultation was aimed at generating two different kinds of input to the draft charter. The first is based on

country experiences while the other is comprised of direct comments on the provisions of the draft charter. The country presentations demonstrated clear differences in human rights situations among the East Asian countries depending on the political and developmental situation. At the same time, it showed common features reflecting the Confucian background. All countries in this sub-region have more or less authoritarian governments that prevented the development of participatory democracy. It was also pointed out that even the concept of accountability, which is different from responsibility, is not existing in any of the countries in the sub-region.

It is expected that the present draft charter will be redone by distinguished lawyers from the region including Professor Yash Ghai of Hong Kong and Justice P.N. Bhagwati of India integrating the input given in different consultations and communications. The final draft will then be re-distributed for comments. This process is expected to take place in mid-1996. For more information, please contact Asian Human-Rights Commission at Flat E, 3rd Floor, Kadak Building, 171 Sai Yee Street, Kowloon, Hong Kong.

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fax: 852-2698-6367

## **Asia-Pacific Governments' Support for HRE**

Human rights education received a renewed declaration of support from a number of countries in Asia-Pacific. In a conference held in December last year, the issue of human rights education and development was discussed. Government representatives from China, India, Indonesia, Malaysia, Japan, Australia, Vietnam, New Zealand and the Philippines affirmed that human rights education must embody the right to development, and that the programs and activities in development must uphold human rights in all its dimensions.

The Philippines' Commission on Human Rights organized the two-day conference named "Asia-Pacific Human Rights Education for Development" on December 13-15, 1995 in Manila. Government representatives were joined by the Special Adviser on National Institutions to the United Nations High Commissioner on Human Rights and representatives of government agencies and non-governmental organizations.

In the final document of the conference, the participants agreed that human rights education must be rooted in the realities of the lives of people especially the most marginalized and vulnerable, and empower them to participate fully in the development process. They likewise state that human rights education must draw on the rich cultural heritage and diversity in the Asia-Pacific, including appropriate recognition of family and community values. It must likewise cultivate participative values of governance, consensus-building and accountability.

Human rights education, the document states, should sensitize all levels and sectors of society including government, local and international civil servants, the police, security and defense forces, the school system, the family, the media and all other social institutions.

The participants formulated a set of recommendations aimed at supporting the growth of human rights education programs in the region especially in relation to development issues.

Some of the recommendations, addressed to governments, national institutions, and non-governmental organizations, are as follows:

- a. appropriate and effective human rights teaching strategies that build on the liberating elements of indigenous concepts, folk knowledge and cultural practices have to evolve;
- b. curricular programs that are responsive to the needs and concerns of vulnerable groups such as children, youth, women, elderly, indigenous peoples, refugees, migrant workers, persons in extreme poverty, rural and urban poor, persons with special needs, persons in custody, minority groups and others have to be developed. Such curricular programs should promote the values and practices of healing, reconciliation and conflict resolution, and cultivate participative values of governance, consensus building, accountability and solidarity;
- c. the realization of fundamental human rights and freedoms especially the right to development through human rights education programs including the empowerment of citizens and governments to impress upon intergovernmental or bilateral agencies (e.g., International Monetary Fund, Asian Development Bank, World Bank) and private sector organizations (e.g., transnational corporations) the need to uphold human rights in all their policies and activities related to development have to be promoted; and

d. the possibility of convening a working group of government, national institutions and non-governmental organizations to continue the dialogue in the Asia-Pacific region on the necessity of human rights education for development and to request financial support from the United Nations High Commissioner for Human Rights/Centre for Human Rights for this endeavor have to be examined.

It appears that this conference is the first ever of its kind when governments, with non-governmental organizations' participation, have a cordial dialogue on human rights education. What is more notable is the linking of human rights education to the increasing attention given to development issues. Certainly, this initiative must continue for more action on human rights education.

This initiative deserves support as any dialogue between governments and non-governmental sectors deserves encouragement. As long as there is room for exchange of ideas and possible joint actions to realize human rights, there lies a possibility of a better prospect of protecting the rights of those who are most vulnerable to the adverse impact of development activities.

## **Community Education in Industrial Asia-Pacific Societies**

Community education is an important avenue for human rights education. It is a concept that has been adopted by some countries like Japan, South Korea, Taiwan, Australia and Singapore. It mainly promotes the idea that education should extend beyond the formal school system and cover adults and other citizens in their continuing quest for knowledge. The idea of life-long education is another feature of this system.

The system is translated into various forms in different countries. In Japan, the government established education centers which are open for different educational activities of the communities. Programs organized solely by the government or in partnership with non-governmental organizations are held. In Singapore, residential committees (organizations of residents in a housing complex) provide education programs to its members. In Australia, residents of some communities set up their own education centers and receive support from the government for some educational programs. In South Korea, private institutions provide education opportunities to community members. In Taiwan, a unit of a university in the southern part of the province has been set up to train personnel on community education program.

Human rights education does not come automatically into the program of community education. Each country presents a different situation. In Japan, the local government in Osaka area has adopted a program on educating people about the discrimination issue. The program is called DOWA education. In Australia, community organizations provide an opportunity for important issues such as human rights to be discussed as they see fit. In Singapore, human rights are not discussed.

The presence or absence of human rights education component in community education depends on the members of the community (as in the case of Australia) or on government policy as in the case of Japan and Singapore. In the latter cases, government involvement in community education is quite strong.

please turn to page 11

## *Council of Europe: Lessons for Asia and the Pacific*

A Pan-Asia-Pacific intergovernmental organization will remain it seems to be a distant future if one is thinking of the Council of Europe as a model. This is more so in relation to the establishment of a human rights mechanism for the region. The United Nations organized four workshops in Manila (1990), Jakarta (1993), Seoul (1994) and Kathmandu (1996) respectively to discuss the possibility of setting up a regional human rights mechanism for Asia-Pacific. In 1994, the ASEAN Institute of Strategic and International Studies organized the Colloquium on Human Rights in Manila to discuss, among others, the issue of a sub-regional mechanism. While most States in the region would not formally oppose the idea of having an Asia-Pacific human rights mechanism in support of the Vienna Declaration and Program of Action, there is a significant reluctance on the part of many of them to start the actual setting up of the institution.

The Council of Europe is a forty-five year old institution that was established as a mechanism for preventing the horrors of the second world war. It is an organization of European governments. The original members then wanted to create an organization which will bring like-minded European States into closer association. The like-mindedness refers to subscription to the "common heritage of their peoples and the true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracies". In its Statute, every member-State must accept the principles of the rule of law and the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms.

With the Cold War, Eastern and Central European States were excluded from its membership. But with the end of the Cold War, its membership rose from 23 to 39 as Eastern and Central European States became members. If the 3 remaining applicant-States are admitted, the Council of Europe should have reached the limit of its geographical enlargement.

The Council of Europe is not related to the European Union, the latter institution is the one engaged in the Asia-Europe Meeting (ASEM) that was held in March in Bangkok. The Council of Europe, with headquarters in Strasbourg, France, has three main bodies: (1) the Committee of Ministers as its decision-making body; (2) the Parliament Assembly as its deliberative body; and (3) the Congress of Local and Regional Authorities of Europe a consultative body representing local and regional authorities. The members of all three bodies are government representatives of member-States.

The Council of Europe's human rights program has the following characteristics:

- a. treaty-based - there are a number of treaties that have been drawn up on the human rights question such as the European Convention on Human Rights, European Social Charter, Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- b. treaty-based implementation systems - under the European Convention on Human Rights, States and individuals can file complaints against States before the European Commission on Human Rights, with the final decision of the complaints being made by either the European Court of Human Rights or the Committee of Ministers. Under the European Social Charter, member-States are obligated to file reports of compliance with their responsibilities under the agreement. Under the European

Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, a committee of independent and impartial experts, empowered to visit places where persons are deprived of liberty by a public authority, submits confidential reports to the States concerned. Failure on the part of concerned States to comply with the committee's recommendations will result in a public statement on the matter;

- c. cooperation and assistance activities - in order to develop and consolidate democratic structures activities such as training for administrative personnel on legislative reforms and for the members of the legal profession on various fields that will promote the rule of law and respect for human rights are provided;
- d. policy of continuing review - as demanded by the changing situation in Europe, the human rights conventions have been supplemented by protocols and amendments, while new conventions are being prepared on such issues as biology and medicine. The human rights program is thus also adjusting to new developments;
- e. reaffirmation of support for human rights - summit meetings among the member-States affirm the priority given to human rights. The latest of such meetings is the Vienna Summit of October 1993;
- f. concern for human rights situations outside Europe - by taking a stand on flagrant violations of human rights which are considered to be international problems of common concern, the Council of Europe raises its concern to the countries involved which are not members of Council of Europe.

There seems to be a relative success of the human rights program as the Council of Europe develops even further its activities. An increasing number of complaints have been filed with its human rights bodies. Since 1954, 25,000 individual complaints have been filed with the European Commission on Human Rights. Since 1959, the European Court of Human Rights has rendered 490 judgments.

The Council of Europe is a significant regional institution that promotes common action on economic, social, cultural, scientific, legal and administrative matters and in the maintenance and further realization of human rights and fundamental freedoms. The only exception to its wide-ranging competencies is in the military field. With membership virtually covering all States in western, central and eastern Europe, it may truly be said to be the entity that represents all of Europe.

Asia-Pacific certainly has a character different from that of Europe. It has diversity in economic, social, cultural and political fields which does not parallel Europe. But more importantly, governments in this region have not unequivocally expressed the desire to have a structure that will enhance and realize common values and aspirations relating to the social, political and cultural well-being of the people in the region. Human rights, for one, is still seen as much too controversial to be given a regional push toward regional institutional approach in their promotion, protection and realization in accordance with international standards.

Despite these differences, however, the experience of the Council of Europe is worth examining as it certainly provides an example of how States in one region can move together in one direction to fulfill essential values such as human rights.

The above presentation on the Council of Europe is derived from the lecture entitled "Democracy and the Rule of Law from the Viewpoint of the Council of Europe" given by Mr. Guy de Vel, Director of the Legal Affairs of the Council of Europe, in a meeting held in Osaka city, Japan in November last year. HURIGHTS OSAKA sponsored the activity.



Symbol of Council of Europe

## Housing Right

Existence of economic opportunities cause millions of people to migrate to urban areas. Those who can afford to pay will have to compete for limited housing facilities. For the rest, the poor, they have to survive with what can be made out of the materials and places which are not fit for housing purposes.

The reality of slum communities in most Asian cities reminds us of the kind of development paradigm that has been adopted by governments. Urban-centered development concentrates economic opportunities; health, education and social services; government facilities and other resources within limited confines of urban areas. Increased population without increased facilities for housing create a natural coping mechanism to survive in places where economic opportunities are found. Slum communities are the best proofs of survival strategy.

International human rights instruments provide for the concept of housing right. Just like any other human right, governments are obligated to take appropriate steps to realize this right. In practice, however, there is a general amnesia about this international human right principle. Slum communities are being evicted on grounds of protecting the property right of landowners, or giving way to commercial projects, or constructing public facilities. Many slum dwellers, after being evicted, are left to fend for themselves as governments consider their situation as caused by their own fault. Others are given housing facilities in places that are far away from the urban areas and without employment opportunities or social services. In both cases, the problem of slum dwelling hardly gets resolved.

In view of the fact that reversing the urban-centered approach to development would take years to happen (if ever such decision has been made), the realization of housing right of slum dwellers will have to take place in the urban setting. NGOs involved in housing right issues advocate for a way of maximizing the limited space in the urban areas that will satisfy the right of the slum dwellers, and government and private sector's development plans. This means finding the best way of easing the hardship of living in slum areas through the development of their present sites as housing projects.

The Asian Coalition on Housing Rights (ACHR) has been implementing programs that support the slum dwellers' right to decent housing. It has been organizing workshops that bring together representatives of slum dweller organizations, NGO workers and relevant government agency representatives to share and learn on the experiences of resolving slum issues. There is a distinct focus on finding the most practical and appropriate means of realizing housing right through the joint efforts of the affected slum community, the NGOs involved and the government. Their latest workshop was held in Osaka, Japan in October last year. Housing projects implemented by the local government in Osaka became the subject of study.

The housing right issue is given prominence at the international level with the holding of Habitat II conference in

Istanbul, Turkey on June 3-14 this year. This conference is crucial as a means of widening support from governments for programs on decent housing especially for the poor. This conference will hopefully affirm once and for all the existence of a human right to housing which the United States is bent on avoiding for its own purposes.

## Meeting of the International Human Rights Law Association Japan

The 7th Annual-meeting of the International Human Rights Law Association was held in Tokyo 25-26 November 1995. The association consists of more than 300 members including many leading human rights experts, professors, lawyers and activists in Japan. More than 100 participants joined the meeting.

At the first session of the meeting with the theme "50th Anniversary of the United Nations and Human Rights", the Director of Human Rights and Refugee Division of the Ministry of Foreign Affairs of Japan briefly reported on the results of the "Symposium on Human Rights in the Asia-Pacific Region" which was organized by the Ministry of Foreign Affairs and the United Nations University in July 1995. That meeting was attended by government-appointed representatives from Malaysia, Indonesia, Korea, Australia, the Philippines and Japan.

It is also remarkable that the meeting set in its second day session the theme 'Human Rights in Asia.' Reports on human rights situations in China, India and Indonesia were presented by specialists on these countries. A report entitled "Beijing Conference and Women's Rights in Asia" was made by one of the Japanese government delegates to the conference. Finally, the last reporter presented the issue of NGOs' important role in promoting human rights in the Asian region. The NGOs' initiatives in creating international human rights standards in the region was cited.

### Community Education...

Japan has taken up significant social issues as part of the program for community education. In Singapore, due maybe to the policy of subscribing to government programs, residential committees do not consider human rights as appropriate subject to be learned.

In a workshop on this issue held by the Asia-South Pacific Bureau of Adult Education (ASPBAE), in Osaka, Japan on January 14, 1996 most participants support the idea that governments should assist community education. But they should leave the management of the program to the members of the communities. This implies freedom on the part of the communities to determine the subject matter to be included in the education program. Thus issues such as human rights can be freely discussed as part of making the people more equipped to exercise their role in society.

The ASPBAE workshop also dealt with education on the foreign migrant workers issue. The significant number of foreign migrant workers in Singapore, Hong Kong, South Korea, Japan and Australia who face work and residence-related problems cause the rising concern for providing education programs that will address these issues.

## National Security Act Conference

An international conference on National Security Laws in the Asia-Pacific was organized in Seoul from 22 to 24 November 1995. The conference, hosted by KOHRNET, a network of human rights NGOs in South Korea, was aimed at creating renewed awareness on the question of national security regimes in the Asia-Pacific region in this post-Cold war era.

The conference, with more than 30 human rights activists and experts from 15 countries, was convened in a country where the national security ideology is still being actively used to oppress those who express opposition to government policies and programs. This was clearly demonstrated by the arrest of a leader of an independent trade union, Kwong Young-kil, on the second day of the meeting.

The number of people who decided to come to the meeting and the quality of papers presented in the course of the meeting show the serious concern the international human rights community has on this issue.

In the course of the discussion, two major observations emerged. One is about the developmentalist nature of the States in the region. These States actually use the national security ideology to justify their control over the development process. The other is a need to redefine the concept of security itself so that "human security" instead of national security will be a focus for development.

An important contribution was also made by Leandro Despouy, United Nations Special Rapporteur on the State of Emergency, on the minimum legal requirement for "legitimate state of emergency" according to which most of the national security laws in the region are not qualified.

It was generally agreed among participants that Asia-Pacific NGOs should play greater role in addressing this issue especially before the United Nations human rights mechanisms.

## Regional Events

1. The Asian Human Rights Commission (AHRC) based in Hong Kong will be holding a consultation on national human rights commissions in Asia. The consultation aims to provide a forum for discussing the recent developments on national human rights commissions in Asia and share experiences in establishing them; examine the functioning and effectiveness of the existing commissions in the region; explore ways of improving the establishment of new commissions; recommend some standards and norms to be observed by national human rights commissions; and develop ways of cooperation between these commissions and non-governmental organizations. The consultation is planned to be held in May 1996. A preparatory meeting was held on March 13-16, 1996 in Hong Kong to work out the framework and identify discussion papers to be prepared.
2. A series of regional activities are planned to be held in the Philippines on the occasion of the APEC Leaders' Summit in November this year that will be held in the country. This is similar to the series of activities that were held in Tokyo and Osaka prior to the main NGO APEC Forum in November last year in Kyoto. More details will be provided as plans become more concrete.
3. In preparation for the World Congress Against the Commercial Sexual Exploitation of Children that will be held in Stockholm, Sweden in August this year, national-level studies on the exploitation of children in this region are being undertaken. The studies will be used to draw up coordinated strategies and responses to combat the growing problem of children being forced into the sex market. ECPAT and the NGO Group for the Convention on the Rights of the Child are facilitating the preparatory activities in Asia-Pacific for the world conference.

## Recently Held Events

1. The third People's Plan for the 21st Century (PP21) general assembly was held on March 8-10, 1996 in Kathmandu, Nepal. The assembly has the theme: "Asia-Pacific People's Convergence: Shaping Our Future". As expected, a big number of NGO and people's organization representatives from various countries in Asia and the Pacific attended. This triennial NGO event was jointly organized by a network of regional NGOs and the host Nepalese national/local NGOs and people's organizations. Several activities were also held prior to the main assembly not only in Nepal but also in Sri Lanka, Pakistan, Maldives, Bangladesh and India.
2. The United Nations' Centre for Human Rights held a regional workshop on regional arrangements for the promotion and protection of human rights in the Asia-Pacific. The workshop was held on February 26-28, 1996 in Kathmandu, Nepal. This is the fourth in the series of workshops that the UN has been holding to encourage States in the region to consider taking steps in setting up a regional human rights mechanism. The workshop was mainly attended by representatives of Asia-Pacific governments. Some NGOs in the region such as HURIGHTS OSAKA were invited as observers.
3. HURIDOCS held another training course for human rights workers on March 20-28, 1996 in Thailand. Immediately after this training activity, HURIDOCS had its second regional meeting (March 30-31, 1996) also in Thailand. The meeting discussed the developments on HURIDOCS' Asian networking program and the organization's focal point in the region.

# Grant-Making Foundations and Organizations in Japan

This is a summary of the major Japanese foundations and organizations which have grant programs for international activities. These foundations and organizations provide grants of over one million yen (approximately ten thousand American dollars). Few of them directly announce that their programs cover the area of human rights. Most of the grant programs are supporting primarily the objective of helping create pluralistic societies. Secondly, they support the objective of facilitating the resolution of global, regional, and communal issues. Described below are the major foundations and organizations with NGO support programs.

The Japan Foundation is the largest quasi-governmental foundation in Japan (Akasaka Twin Tower IF 2-17-22 Akasaka, Minatoku Tokyo 107). It was established in 1972 to conduct various academic and cultural exchange programs. The major function of the foundation is to promote the study of Japanese culture abroad as well as promote cultures of other countries in Japan. It has recently opened the Asian Center to promote cultures in Asia as well as to conduct researches and projects that address global and regional issues in the Asia-Pacific. The Japan Foundation has offices all over the world. In the Asia-Pacific region, it has offices in Bangkok, Jakarta, Kuala Lumpur, New Delhi, Sydney and Beijing. In Korea, it operates its programs through the cultural attache of the Japanese Embassy. The Manila office is scheduled to be opened soon.

The Commemorative Association for the Japan World Exposition is also a quasi-governmental organization (1-1 Senribanpakukoen Suita City, Osaka). It has international academic and educational programs.

The Sasakawa Peace Foundation is the largest private foundation (3-12-12 Mita Minatoku Tokyo 108) with grant program for NGOs. It is seeking new initiatives in response to a global society in transition. Its program officers are highly-trained specialists.

The Toyota Foundation was established by Toyota Motor Car Company (2-1-1 Nishishinjuku Shinjukumitsui Bldg. Shinjuku Tokyo 163-04). It is a pioneer in academic and cultural cooperation in the Asian region.

The Mitsubishi Bank Foundation (2-1-1 Marunouchi Chiyodaku Tokyo 100) has been focusing on international activities for the youth.

The Niwano Peace Foundation is a Buddhism-based foundation (1-16-9 Shanvirakaterina 5fl. Shinjuku Shinjuku-ku Tokyo 160). It has explicitly stated its support for human rights in its grant program.

The Japanese government has been supporting the international programs of various NGOs for several years. The Ministry of Foreign Affairs has an NGO support program. And the Ministry of Post and Telecommunications has a Postal Savings for International Voluntary Aid program.

## Domestic Human Rights Education Program

HURIGHTS OSAKA has a domestic human rights education program that aims to promote awareness of international human rights standards, recognize the reality of human rights violations, and relate human rights concerns to the growing internationalization of Japan. This complements the regional human rights education program that will be launched soon.

It has been holding trainings and seminars on human rights for two years now. It divides its activities into two types: a) training activities for people involved in human rights work; and b) seminars for the general public.

For its training activities, HURIGHTS OSAKA has been mainly inviting private corporation and local government personnel in charge of human rights programs. The general public seminars have been attracting ordinary citizens (company/government employees, housewives, shop owners, entrepreneurs, students, and teachers). There are on the average 30-40 participants per activity. Over the course of two years, there were 2 training activities and 12 public seminars.

These activities have taken up such topics as: introduction to human rights; international human rights law; United Nations mechanisms; relevant Japanese laws; specific issues (foreign residents, migrant foreign workers, child

rights, among others).

Resource persons from the academe, the NGO sector and the government-supported foundations have been invited to provide lectures.

In its last public seminar, the following issues were taken up: international human rights standards concerning foreign residents and minority groups. Foreign residents in Japan (a Filipino woman married to a Japanese, a Peruvian-Japanese woman married also to a Japanese, and a Vietnamese man who decided to stay in Japan after the Vietnam war broke out) have been the main speakers in the seminar. The distinctive feature of this recent seminar is its focus on actual experiences of foreigners living in Japan and the human rights problems that they have encountered.



A Session in the Training for Human Rights Program Heads (HURIGHTS OSAKA)

# HURIGHTS OSAKA Activities

From November 1995 to March 1996, a number of activities were undertaken by HURIGHTS OSAKA. As part of its research project on the issue of social development and human rights, a series of meetings was held in Osaka to clarify the various aspects of the issue. Representatives of NGOs and the academe attended the meetings.

HURIGHTS OSAKA participated in several conferences held in the region, namely, APEC NGO Forum (Kyoto, November 1995), Internal Security Act Conference (Seoul, November 1995), and the UN-sponsored Fourth Asia-Pacific Workshop on regional human rights arrangements (Kathmandu, February 1996).

The report on the experts meeting organized by HURIGHTS OSAKA in July last year has already been published. Copies are being distributed to relevant United Nations agencies and NGOs.

As part of staff development, two program officers visited NGOs in Thailand, Malaysia, the Philippines, India and Nepal to inquire about their programs and the issues they take up, and to establish linkages. The visits,

divided into South and Southeast Asia programs, gathered information which can help HURIGHTS OSAKA develop its capability to respond to issues affecting the region.

Continuing work is being done in building up the database of HURIGHTS OSAKA on its human rights materials collection. It has also databases from United Nations agencies (Centre for Human Rights and UNESCO), UNBIS (Chadwyck-Healey Inc.), the United States Library of Congress and the Japan Diet Library. Microfiche materials, compiled by IDC Microform, from the United Nations and NGOs are also available. Full texts of United Nations resolutions 1979-1992 and other documents are contained in the CD-Rom databases especially those from UNBIS. The UNHCR database in CD-Rom (not yet available in HURIGHTS OSAKA) has likewise a wide collection of documents relating to refugees. For further information please communicate with us in the address below as well as through e-mail: QQ4C - FJMT @asahi -net.or.jp

HURIGHTS OSAKA, inspired by the Charter of the United Nations and the Universal Declaration of Human Rights, formally opened in December 1994. It has the following goals: 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 cooperative activities; and 4) to raise human rights awareness among the people in Japan to meet its growing internationalization. In order to achieve these goals, HURIGHTS OSAKA has activities such as Information Handling, Research and Study, Education and Training, Publications, and Consultancy Services.

## HURIGHTS OSAKA (Asia-Pacific Human Rights Information Center)

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