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Editorial

1996

A year has passed. It is the year that witnessed a range of State responses to issues with human rights implications.

The conviction of two former Presidents of South Korea for illegal assumption of State authority provides an example of accountability for the resulting human rights violations (though the process of arriving at the conviction is being questioned by some quarters in the human rights movement in the country). While the amnesty for a faction of the Khmer Rouge (and the subsequent appointment of Khmer Rouge officers as government military officers) shows how a State uses the need for national reconciliation to justify skipping the rules of accountability.

Armed conflicts continue to flare in the region. States have so far failed to reach a political solution to the problems in Kashmir and northeast India, Tamil areas in northern Sri Lanka, Bougainville in Papua New Guinea, Karen areas in Burma. Peace processes have not been as successful as hoped for.

United Nations-sponsored Vietnamese refugee camps finally closed in various Asian countries. Some refugees have returned to Vietnam, others repatriated to other countries, and some settled in a former refugee camp. But camps of Burmese, Bhutanese and Bangladeshi (Chakma) refugees continue to exist in Thailand, Nepal, and India respectively.

Child labor and the trafficking of girls and women have remained largely intact in many countries in South and Southeast Asia. Governments have not been heard much on this significant issue.

While colonialism is almost at its end in Asia, it is still a long way to go for a number of South Pacific territories.

National elections have been held in Taiwan, Thailand, Bangladesh and Japan. Some leaders remain in power others were changed.

States generally refused to discuss human rights at the inter-governmental fora from ASEAN to APEC to WTO. The constructive engagement policy of ASEAN symbolizes this attitude. In the spirit of ASEAN solidarity, governments (such those of the Philippines and Malaysia) continue to stifle the right to peaceful assembly in order not to embarrass Indonesia on the East Timor issue.

The 1996 picture is not all negative however. Regional inter-governmental gatherings (such as on human rights education, national human rights institutions, and child rights) provide a brief respite from the general avoidance of human rights issues by governments.

Adding to this positive note are the continuing efforts of non-governmental organizations in trying to engage the governments in a dialogue on human rights on such occasions as meetings of ASEAN, APEC and other meetings of governments.

May 1997 be a far better year for human rights.

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-hoon Kim, Director of HURIGHTS OSAKA.

Human Rights Situationer in the Pacific

The Pacific region is in a state of flux. As a region that still has to be completely independent from colonial powers, it is engaged in the process of reconciling its national systems with the demands for justice to the rights of the people who are indigenous in the area. The right to self-government, to have control over their resources, and to equitable (and sustainable) development are their paramount concerns.

In the same manner, meaningful coexistence between indigenous people and European-descent settlers (with a growing number of Asian populace) in Hawaii, New Zealand and Australia remains an issue that has to be settled satisfactorily.

The Pacific figures prominently in a number of issues that have implications beyond the region. Decolonization, the effects of nuclear testing, and realizing the rights of indigenous peoples are some of the most significant issues that continue to haunt the Pacific.

Decolonization

The United Nations adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples in December 1960. The declaration, among other provisions, states that:

a. subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights;

b. all peoples have the right to self-determination, and by virtue of this right they freely determine their political status and freely pursue their economic, social and cultural development;

c. inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

In November 1961, the UN General Assembly created a body called Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries. This is the main body in-charge of implementing the declaration on decolonization. It listed 6 areas in the Pacific (out of 11 territories worldwide) as non-self-governing territories. [1] These Pacific territories are:

1. Tokelau - under New Zealand
2. New Caledonia - under France
3. East Timor - under Portugal
4. Pitcairn - under United Kingdom
5. Guam - under United States of America
6. American Samoa - under United States of America.

As of 1984, Micronesia was listed as a non-self-governing territory under the US. [2] In 1986, it became a self-governing State with a Compact of Free Association with the US.

In 1990, the United Nations declared an international decade for eradication of colonialism (1991-2000). Based on the United Nations resolution declaring the decade, the Special Committee has to finish its work (by facilitating the exercise of the right to self-determination by the listed territories) by the year 2000.

The Special Committee held the Pacific regional seminar in Papua New Guinea on June 12-14, 1996. The participants in this seminar composed of government representatives from Papua New Guinea, Cuba, Tanzania, Syria, Fiji and Indonesia reiterated the call for the Special Committee to implement the United Nations declaration on decolonization. Representatives of Pacific States expressed the hope that the territories in the region in the list of the Special Committee will be assisted in ensuring fair preparation and free exercise of choice on their future status. The participants likewise support the right to self-determination of the Chomorro people in Guam and called on the Special Committee to expedite efforts to find a satisfactory resolution on the East Timor question. [3]

Tokelau has recently expressed its readiness to exercise its

right to self-determination. It seems to strongly prefer having an internal self-government in free association with New Zealand. This is the same arrangement that Cook Islands and Niue have. Tokelau is a group of three islands with around 1,600 people. But around 5,000 Tokelauans live in New Zealand. [4]

East Timor is still a problem that will take some time to resolve. The easier route of facilitating a fair and free exercise of choice by the East Timorese on their future status as either independent State or in free association with a State has not been agreed to by its present occupying State, Indonesia. The decolonization framework is still the best option that protects the right of the East Timorese to self-determination. The United Nations, is at least, clear on this point. [5]

Polynesia, a part of which is under French rule, is not in the UN list. The non-inclusion of French Polynesia in the list was criticized by the Prime Minister of Papua New Guinea as depriving its people of the right to exercise a free choice of becoming independent or associating with other States. This criticism was aired during the regional seminar of the Special Committee mentioned above. [6]

It is reported that the French government wanted to increase the autonomy of New Caledonia. [7] It implies that France does not want to let New Caledonia gain complete independence. This position contravenes the United Nations principles on the right to self-determination as it (France) wants to prolong its hold on the territory rather than facilitate its transition to a fully independent State. The Kanak (indigenous people of New Caledonia) also accuse France of bringing in new migrants to the islands (mainly French people) in order to affect the free exercise of the right to self-determination of the residents as demographic composition shifts in favor of the French settlers and migrants. Under a 1988 law, a referendum to decide on its future status will be held in New Caledonia in 1998. Both Kanak and voting French residents in New Caledonia as of 1988 and their descendants of voting age are going to participate. [8] This situation was also criticized in the Pacific regional seminar of the Special Committee as an attempt by France not to allow New Caledonia fairly decide its future status.

Hawai'i was removed from the list following a 1959 statehood plebiscite vote. [9] The result of this plebiscite was used by the US to justify its removal from the UN list. West Papua (now called Irian Jaya) had an "Act of Free Choice" in 1969 and was taken out of the list. [10] It became part of Indonesia.

Nuclear testing

Nuclear testing in the Pacific has stopped but its lasting effects have not been fully addressed. Three nuclear power States conducted nuclear tests in the Pacific for almost 50 years (1946 to 1995). The impact of these tests on the health of the people in the nuclear testing areas and on the environment have not been fully studied.

The United States of America, United Kingdom and France conducted nuclear tests in the Pacific. The United States of America made tests in the Bikini and Enewak atolls from 1946 to 1958 with 66 atmospheric tests. The United Kingdom had its tests in Christmas island and in the Australian desert from 1950 to 1960. France had its nuclear tests in Mururoa and Fangataufa atolls in French Polynesia from 1966 to 1995. [11] More than 180 nuclear tests (with 41 atmospheric tests) were done by France. [12]

A European Parliament committee conducted in 1996 a week-long hearing to find out the necessity of nuclear testing, and its impact on health and the environment. A European Commission fact-finding mission sent to the atolls in September 1996 found that :

1. there is a serious lack of information on public health;

2. there is no epidemiological data on the local population of French Polynesia since the start of nuclear testing (1966);

3. the last epidemiological study on the local population was conducted in 1965;

4. no cancer register had been kept by France since the start of nuclear testing, only when the health program was transferred to the territorial government was one started;

5. the mission was refused information on a number of cases of cancer of the thyroid gland;

6. the people of Tahiti want close surveillance of exposure of the local population to radiation;

7. ciguatera (fish poisoning) has increased dramatically since the start of nuclear testing - about 5,000 cases per year, indirectly linked to nuclear testing;

8. there is evidence of social disorder caused by the immigration to Papeete, the main island of Tahiti, from the atolls, resulting in high unemployment rates.

The fact-finding mission also reported on the damage of nuclear testing on the environment. "It said that the volcanic stability of the atoll has been greatly disturbed with 78% of the boreholes dug under the subterrain of Mururoa. This could cause the overlap of the fissures caused by the blasts." [13] Nuclear leaks have been reported in Mururoa and Fangataufa atolls. The potential of more nuclear leaking is great.

An international team (with a representative of the South Pacific Forum) will study the environmental impact of the French nuclear testing under the supervision of the International Atomic Energy Agency. The team will not be looking at the health issues involved. The team has expressed satisfaction at the cooperation of the French government in providing the needed information. [14]

A study by a group of non-governmental organizations was undertaken recently in Mururoa on the possible consequences of French nuclear tests on the health and well-being of the people of French Polynesia. In its initial finding, the group reported that workers in the Mururoa atoll had contracts that require them to remain silent about the activities in Mururoa, deny them access to medical records, and effectively prevent them from seeking compensation for possible health problems. The French ambassador to Fiji countered that the confidentiality demanded is a "natural" practice in French government work. It was also reported by a representative of another non-governmental organization that 90% of the on-site workers suffer from various types of cancers including leukemia and thyroid cancer. [15]

Bikini and Enewetak atolls are the areas where the US held nuclear tests. It is also reported that the effects of the nuclear testing extended to the other atolls in the Marshall Islands. High rate of miscarriages, birth defects and "jelly-fish babies" (born without eyes, arms, legs and shaped unlike human babies, and die shortly after birth) are reported to have occurred in Marshall Islands. The government of Marshall Islands, after gaining independence, officially sought compensation from the US for this problem. [16] While the people have been clamoring for compensation for years before that. In the 1980s, the US put 90 million US dollars to clean up Bikini atoll, 6.42 million US dollars for Resettlement Fund for Rongelap Atoll (of Marshall Islands) part of 45 million US dollar. These funds were agreed upon as part of the Compact of Free Association with the US.

British military veterans who were deployed in Christmas island during the nuclear testing of Britain have attributed to nuclear testing the illnesses that they are suffering from. Through their organization called British Nuclear Test Veterans Association (BNTVA), they filed compensation claims with the British government for the radiogenic illnesses, leukemia, genetic defects on their children, etc. that they suffered. But without access to military medical records, they were unsuccessful. They have now taken their cases to the European Commission on Human Rights in Strasbourg, France. [17]

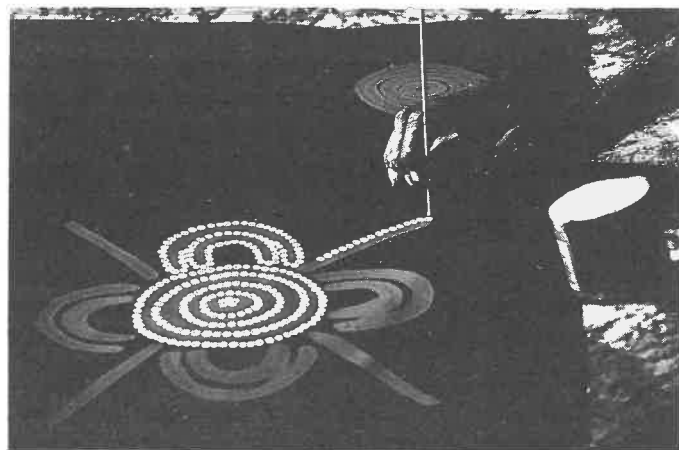
The Pacific has the South Pacific Nuclear Free Zone Treaty, more popularly known as Rarotonga Treaty, which prohibits the stationing of nuclear explosive devices within the South

Pacific Nuclear-Free Zone (SPNFZ), requires renunciation of nuclear explosive devices, and prohibits the dumping of nuclear waste and conducting nuclear tests. This treaty has three protocols on manufacture of nuclear weapons, their use or threat of use, and nuclear testing respectively. The French government said it will sign the protocols after announcing the ending of its nuclear testing. The US and UK also indicated that they will sign jointly with France. [18] On March 25, 1996 the three nuclear power States signed the protocols at the South Pacific Forum secretariat in Suva, Fiji. The protocols have previously been signed by China and Russia. [19]

A whole new set of issues arises. As nuclear testing ended, will the nuclear powers renounce their nuclear arms? What about the former French test sites? The treaty does not cover dangerous nuclear-related activities such as export of uranium, presence and transit of nuclear-powered vessels, testing of delivery systems, nuclear waste disposal and transport, and inadequately protected nuclear power generation. Dangers are therefore still existing. [20] How will these be controlled?

Indigenous peoples' rights

The question of rights of indigenous people in their very own societies that have now become the home of other settlers or



migrants remains in Hawaii, New Zealand, and Australia. Native Hawaiians, said to be descendants of Polynesian islanders who came to Hawaiian islands about 1,000 years ago, suffer disproportionately high rates of poverty, alcoholism, suicide and incarceration. Forty percent of Hawaii's homeless are native Hawaiian. They now comprise one-fifth of the present population of the State of Hawaii. [21]

Hawaii was a kingdom until 1893 when it was overthrown by the Americans. Crown lands were seized and became part of US territory. The 1959 vote made Hawaii the 50th state of the US. This legal act (voting) has not erased the fact that there was a forcible change of government in Hawaii done with the support of the US government. On the occasion of the 100th year of the overthrow of the Hawaiian kingdom, the US government made an official apology for the overthrow. [22]

In September 1996, a Plebiscite/Native Hawaiian Vote was held by the State of Hawaii to find out what the native Hawaiian response is to a single question (in English and Hawaiian) in the mailed-in ballot: "Shall the Hawaiian people elect delegates to propose a native Hawaiian government?" Out of 85,000 voters, only 22,294 (or 26%) voted yes, 8,129 voted no, and the rest boycotted the exercise. From these figures, it appears that native Hawaiians oppose any state-sponsored plebiscite that can result in the creation of a Hawaiian government. It is believed that this government will only be controlled by the US federal and state governments to their prejudice. It is also believed that it will mean the loss of whatever land is left with them. [23]

The indigenous people question is also very much an issue in New Zealand and Australia though there are positive developments that promote the indigenous peoples' rights. In New Zealand, a tribunal called the Waitangi Tribunal was creat-

ed to look into cases under the Treaty of Waitangi (a treaty made between the British Crown and many of the Maori chiefs in 1840 regarding the establishment of British government in what is now known as New Zealand). This tribunal made decisions (1983-1988) that upheld the rights of the Maori to the use of their traditional lands and fishing grounds based on the provisions of the treaty. [24] In Australia, there were also court decisions that recognize the native land title of the aborigines as shown in the Mabo (Torres Strait Island) and Dhunghutti (New South Wales) cases. [25]

The Mabo case declared for the first time that Australia was not an unoccupied land at the time of the arrival of the Europeans (British) in 1788 and that the traditional laws of the aborigines are legitimate sources of rights just like common law. [26] This is a major reversal of the official government position of *terra nullius*.

Government programs similar to affirmative action have been put up for the benefit of the Maori and Australian aborigines. Inadequate as far as indigenous people are concerned, they are nevertheless under attack by the white populace for giving too much for too long. In Australia, the policy of reconciliation (attempting to atone for the past injustices with a wide range of special social, economic and land-ownership provisions) is now being questioned by some of the white population. Discriminatory treatment against the aborigines remains widespread.

Aborigines now number around 300,000 out of the total population of 18 million. They have 60% unemployment rate, more likely to die 18 to 20 years earlier than whites because of poor health, and 18 times more likely to be in prison. 38 aboriginal communities do not meet the World Health Organization standards. [27] To perceive this situation as undeserving of support for the real improvement in the lives of the aborigines is difficult to understand. Certainly, the needed support must be rooted to the very reason why the situation occurred in the first place.

Many European-descent New Zealanders are also thinking that the New Zealand government has been bending over backwards too much to accommodate the Maori. The latter, however, think that they have not been given what is due them despite the formal agreement by the government to settle their claims. [28]

What constitutes a realization of indigenous peoples' rights in the case of New Zealand and Australia seems to be a subject of debate still. Full agreement by the Maori and aborigines and their mainly European-descent counterparts on the answer to this issue is certainly a must.

Movements for independence

Armed movements for independence do exist in the Pacific.

The case of Bougainville is one. Bougainville is a group of islands separate from the New Guinea island. The New Guinea island is composed of two parts: the West Papua or Irian Jaya and Papua New Guinea. Bougainville became a province of Papua New Guinea when that country became independent in 1975. Independence from Papua New Guinea arose in 1989, beginning with the dispute over an Australian copper mine operation. That eventually gave rise to the formation of the Bougainville Revolutionary Army (BRA). The Papua New Guinea launched a military response that has so far failed to defeat BRA. The major concern at the moment is the cessation of hostilities between the Papua New Guinea (PNG) military forces and the BRA. Around 10,000 people have died since the start of the armed conflict in 1989 and 7,000 people injured. Charges of massive human rights violations by the PNG military forces have been made in different fora including the United Nations.

As a move toward a political solution to the problem, the Papua New Guinea government created the Bougainville Transitional Government in 1989. This body is headed by a Bougainvillean leader. [29] It has the main task of facilitating the peace process that had started between the Papua New Guinea

government and BRA. The Governor of the Bougainville Transitional Government, Theodore Miriung, was unfortunately killed recently by armed men. A Commonwealth-appointed inquest team (formed upon the request of PNG Prime Minister Sir Julius Chan) found links between Miriung's murder and the PNG Defense Force. [30] This incident is a major setback in the peace process and show the urgency of having a ceasefire and pursuing the peace talks further until a political solution is found.

The West Papua case is another. West Papua has several tribes - Amungme, Dani, Ekari, Nduga, Damal, Moni and Kamoro. The exploitation of natural resources and the entry of people from other regions of Indonesia have impact on the lives and environment of the indigenous people in West Papua. The copper and gold mining operations of P.T. Freeport Indonesia symbolizes the present situation in the area. After years of operation and rising number of protests from the indigenous population, it has begun to take more steps to communicate with the indigenous population and even offered financial support for the development of West Papua. Several of the tribes (Amungme, Ekari, Dani and Nduga) however refused to accept the offer and instead initiated a 6 billion dollar lawsuit in the US against the mining company for destroying the environment. [31]

P.T. Freeport Indonesia has been accused of committing human rights violations/abuses. It avoided investigation of charges of human rights violations and environmental destruction by cutting off relationship with the World Bank and the Overseas Private Investment Corporation (US) which both express concern about the charges. [32]

The Indonesian approach of bringing in the military has caused violations of human rights as several people have been killed and detained during demonstrations protesting the P.T. Freeport Indonesia mining operations.

P.T. Freeport Indonesia has indeed become the symbol of Indonesian rule over West Papua. Resistance to this rule has taken the form of both legal and violent means. The Free West Papua Movement (OPM) has taken up the armed resistance mode and espouse not just a share in the fruits of the commercial exploitation of West Papua but its complete independence from Indonesia.

The West Papua case shows how indigenous people react to marginalization in terms of losing control over land which they traditionally and rightfully possess, being affected culturally by the introduction of money economics, and being treated less than what citizens of a State should have. The huge economic potential of West Papua is the main factor for the continuing problems being faced by the indigenous people there. There is a report that West Papuans want to be inscribed in the UN Decolonization list but so far no country will sponsor them.

Racial tensions

Under British rule, Indian workers were brought to Fiji to work in the agricultural fields. As they become part of the Fijian society and assert their right to participate, racial tensions arose. [33] Indigenous Fijian politicians began to view the rising political strength of the migrants as threatening their own control over the government. In 1987, two coup d'etat were instigated by indigenous Fijians. One result was the withdrawal of Fiji from the Commonwealth. Another was a revision of the Constitution giving indigenous Fijians a marked advantage over the Indo-Fijians.

This racial tension can hopefully be settled through constitutional means. The government created a commission to review the Fijian constitution and recommend measures to address the problems facing the State (including the racial tension). The Fiji Constitutional Review Commission, having reportedly worked without interference from the government, submitted a report on a new constitution for Fiji that includes proposals for addressing the racial tension issue. A parliamentary review of the report is now the next step. Government appeals for consensus-building as the approach to resolve issues apparently received support from the opposition party. The challenge in this whole process is in finding the balance between the collective indigenous rights of indigenous Fijians and the individual/human

rights/democratic rights of all its citizens. [34]

The well-publicized rise of racism in Australia and some reports on the treatment of African migrants in New Zealand are other examples of ethnic and racial tensions in the Pacific.

Regional structures

There are inter-governmental bodies covering the south Pacific states.

One is the South Pacific Forum with a secretariat based in Suva, Fiji. This body is a political grouping of independent States. It was formed because of "... a common desire by leaders to develop a collective response on a wide range of regional issues, including trade, economic development, civil aviation, telecommunications, energy and political and security matters." It was established in 1971 and now has 16 member-states. It has a post-Forum Dialogue system by which discussions with the Canada, US, UK, France, Russia, China, Japan, South Korea and European Union on Pacific affairs are held. [35]

Another regional body, formed before SPF, is the South Pacific Commission (SPC) which places emphasis on economic and social welfare. It has a secretariat based in Noumea, New Caledonia. It has 22 sub-regional members composed of island governments and territories. The US, France, Australia and New Zealand are also members and main sources of funding. UK has just withdrawn from SPC. It is now accepting members from Asia (specifically China, Japan, and South Korea) and the Americas (Chile and Canada). It has taken up such matters as agriculture, fisheries, HIV/AIDS, and women and development. [36]

Among the inter-governmental structures, the SPF has been taking up human rights related issues such as decolonization and nuclear testing. It has at one time suspended the participation of France as a post-Forum Dialogue partner after it started the recent nuclear testing in the region.

On the non-governmental side, there is the Nuclear Free and Independent Pacific Movement. Its secretariat is the Pacific Concerns Resource Centre (PCRC) based in Suva, Fiji. This regional network concentrates on issues of decolonization, demilitarization and denuclearization, among other issues. Another regional network is the Pacific Islands Association of NGOs (PIANGO) which concentrates on developmental and environmental issues.

Concluding note

The Pacific is truly a diverse field. The human rights issues however have some commonalities that necessitate a regional approach to problem-solving. Decolonization, effects of nuclear testing as well as rights of indigenous peoples issues do unite the States and territories together toward a common goal of a region of independent States, free from nuclear activities, and respectful of the rights of its native Polynesian, Micronesian and Melanesian inhabitants (living alone or together with other settlers be they European-descent, Asians or people from other regions of the world).

There is still much work to be done in the field of human rights. The governments in the region are themselves charged of perpetrating violations of human rights in their respective territories.

Human rights issues in the Pacific reflect very much the peculiar situation of the region. A suggestion for a "Pacific approach" should not mean what an "Asian approach" to human rights is - a virtual disregard of the basic principles of human rights as set out in international instruments. It should be an approach that put people first instead of national security or the supposed national development.

End Notes

1. Nic Maclellan, *UN Decolonisation Committee*, Pacific News Bulletin, July 1996, page 8.
2. See Edmund Jan Osmanczyk, *Encyclopedia of the United Nations*, London, 1985, page 895.
3. Maclellan, op. cit., page 9.

4. David Barber, *Tokelau to stand alone*, Pacific Islands Monthly, August 1996, page 11.
5. During the visit of the United Nations High Commissioner for Human Rights in Indonesia, Mr. Jose Ayala-Lasso publicly stated that there were violations of human rights in East Timor that had to be corrected. He also noted that an improvement in the situation in East Timor can influence positively the political dialogue on the issue. See Report of the High Commissioner for Human Rights on his visit to Indonesia and East Timor, 3-7 December 1995 to the Commission on Human Rights (E/CN.4/1996/112 - March 14, 1996).
6. Maclellan, op. cit., page 8.
7. Nic Maclellan, *UN Decolonisation Committee*, ibid, page 9.
8. Nic Maclellan, *Immigration to New Caledonia threatens Kanak rights*, Pacific News Bulletin, October 1996, page 4; Sam Vulum, *France singled out at decolonisation seminar*, Pacific Islands Monthly, August 1996, page 32.
9. *Native Hawaii Vote* - Pacific News Bulletin, July 1996.
10. Maclellan, *UN Decolonisation Committee*, op. cit., page 9.
11. *Fiji Nuke veterans*, Pacific News Bulletin, page 15; Roger Moody ed., *The Indigenous Voice - Visions and Realities*, volume 2, Zed Books Ltd., London, 1988, page 84.
12. Alfred Sasako, *Is France Developing a New Nuclear Warhead?*, Pacific Islands Monthly, March 1996, p. 6; Bernadette Hussein, *Checking the damage*, Pacific Islands Monthly, January 1997, page 17-18.
13. Alfred Sasako, ibid. pages 7-8.
14. Bernadette Hussein, *Checking the damage*, ibid.
15. Bernadette Hussein, *Mururoa the untold story*, Pacific Islands Monthly, January 1997, pages 14-15.
16. Bernadette Hussein, *An American legacy...*, Pacific Islands Monthly, September 1996, page 17.
17. Mere Momoivalu, *A Christmas to Remember*, Pacific Islands Monthly, September 1996, page. 20.
18. Alfred Sasako, *Reason to celebrate*, Pacific Islands Monthly, April 1996, page 22.
19. Sophie Foster, *An epic moment?*, Pacific Islands Monthly, May 1996, pages 6-7.
20. Foster, ibid.
21. Ellen Nakashima, *Native Hawaiians consider asking for islands back*, The Japan Times, September 26, 1996.
22. Nakashima, ibid.
23. *'Native Hawaiian Vote': boycott succeeds*, Pacific News Bulletin, October 1996, page 13.
24. see Ian Brownlie, *Treaties and Indigenous Peoples*, Clarendon Press, Oxford, UK, 1992, pages 13-20.
25. *Native Title - Oz mainland*, Pacific News Bulletin, October 1996, page 14.
26. Nicholas Woodsworth, *Australia and its aborigines*, The Japan Times, September 11, 1996.
27. Michael Perry, *'Loss of our land would leave us powerless'*, The Japan Times, September 11, 1996.
28. David Barber, *A new kind of apartheid*, Pacific Islands Monthly, March 1996, page 18.
29. Sam Vulum, *Soldiers or assassins?*, Pacific Islands Monthly, January 1997, page 27.
30. see Human rights violations in the Papua New Guinea, Report of the Secretary-General, Economic and Social Council, United Nations, E/CN.4/1996/58, April 15, 1996.
31. Keith Leovard, *Culture Clash*, Far Eastern Economic Review, June 14, 1996, page 443.
32. *West Papua: Freeport Manoeuvres*, Pacific News Bulletin, October 1996, page 6.
33. Michael C. Howard, *Fiji: race and politics in an island state*, UBC Press, Vancouver, Canada, 1991, pages 28-31.
34. *Fiji: a delicate balancing act*, Pacific News Bulletin, October 1996, pages 7,10.
35. *A Brief History*, Pacific Islands Monthly, September 1996, page 15.
36. Debbie Singh, *Changing hands at SPC*, Pacific Islands Monthly, January 1996, pages 42-43.

Regional Discourse on National Human Rights Institutions

(This is the third in a three-part series on national human rights institutions. The main issue in this article is the existing discussion at the regional level on the necessity and functions of these institutions. - Editor's note.)

National human rights institutions in Asia-Pacific have become active in regional networking as they continuously interact through several regional activities. The most recent, and may be most significant as far as networking is concerned, is the first ever national institution workshop that established the Asia-Pacific Regional Forum of National Human Rights Commissions. Earlier, it was reported that a Working Group for a Regional Human Rights Mechanism composed mainly of representatives of national institutions from the Philippines, Indonesia, and legislators from Thailand started to lobby for the creation of an ASEAN human rights mechanism pursuant to a July 1993 joint communique of the 26th ASEAN ministerial meeting held in Singapore. A reply from one of the government ministers in the region emphasized the view that national institutions must first be established in all countries in ASEAN before a sub-regional mechanism is put up. [1]

Early phase

Since 1982, regional inter-governmental declarations/reports repeatedly advocate the initiation of steps toward the creation of national human rights institutions in many countries in the region. The United Nations has been consistently encouraging States in the Asia-Pacific to establish their respective national institutions in order to address human rights issues. The first regional gathering in 1982 in Colombo, Sri Lanka discussed the existence of traditional institutions in Asia-Pacific countries which support human rights such as the judicial institutions, and the recognition of new institutions established in several countries in the region such as procurators, human rights commissions, civil liberty commissions, race relations bodies, and commissions for prevention of abuses. [2] The United Nations' regional workshops in Manila (1990), Jakarta (1993), Seoul (1994) and Kathmandu (1996) dealt also with the national institution issue.

The Third UN International Workshop of National Institutions for the Promotion and Protection of Human Rights hosted by the Philippine Commission on Human Rights in Manila in 1994 reiterated the call for establishment of national institutions. The Philippine commission also organized the first conference-workshop on Asia-Pacific Human Rights Education for Development in Manila in 1995 (December) which recommended the establishment of national institutions that can coordinate national human rights education programs. In July 1996, the first Asia-Pacific Regional Workshop of National Human Rights Institutions was organized in Australia by the national institutions in the region in cooperation with the United Nations. The workshop called on the UN High Commissioner for Human Rights to support the creation of national institutions in the region and the strengthening of the existing ones. [3]

The enthusiasm of the United Nations in establishing these national institutions is matched by guarded cynicism by some non-governmental organizations. They suspect that these institutions will only be used by governments to whitewash human rights violations and create an image of adherence to obligations under the international human rights instruments. The proposals for the establishment of new national institutions may not necessarily follow the guidelines of the United Nations nor assured of getting passed into law. [4]

Regional discourse

The 1993 statement of governments in Asia-Pacific (known as the Bangkok Declaration) made in preparation for the world conference on human rights points to the need for national

institutions. It says that Asia-Pacific governments

"[R]ecognize ... that States have the primary responsibility for the promotion and protection of human rights through the appropriate infrastructure and mechanisms, and also recognize that remedies must be sought and provided primarily through such mechanisms and procedures."

It should be noted that this statement contains three principles normally found in human rights instruments, namely,

- a. the States' primary responsibility for human rights promotion and protection;
- b. the need for effective remedy for human rights violations; and
- c. the rule on exhaustion of domestic remedies (before bringing human rights violations complaints to the international human rights mechanisms).

States are the holders of the obligation under the international human rights instruments to uphold and realize human rights of people within their respective territories. This is the basis of the primary responsibility principle. States are also obligated to provide effective remedies for violations of human rights as enunciated in Article 8 of the Universal Declaration of Human Rights which provides that

"[E]veryone has the right to an effective remedy by competent national tribunals for acts violating the fundamental rights granted him by the constitution and by law."

The exhaustion of domestic or national-level remedies is a consequence of the primary responsibility principle and a factor in support of effective remedy principle. These three principles therefore promote the idea that human rights violations are best dealt with at the domestic level. International remedies, however, remain integral part of the whole system for addressing human rights violations.

It may be worth noting at this point that the Draft Pacific Charter of Human Rights, prepared in 1989 by an organization of lawyers in the region (LAWASIA) includes similar provisions on domestic remedies when it provides that

"1. [A]ll individuals shall have the right to have their causes heard in fair and public hearings by independent, competent and impartial tribunals established by law..."

2. [A]ll individuals shall have the right to an appeal to competent national organs against acts violating their fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force." [5]

The statement of the Asia-Pacific governments, on the eve of the World Conference on Human Rights, is indicative of the political mood of some of them which are being criticized for their human rights record. During that year two national institutions were created. India, facing international pressure on the Kashmir issue, had to hurriedly create the National Human Rights Commission. [6] Indonesia, equally under international pressure on the Irian Jaya issue, established its National Commission on Human Rights on the eve of the world conference through a presidential decree. [7] And lately, after the Bougainville issue was discussed at the 52nd session of the UN Human Rights Commission held in March 1996, Papua New Guinea announced the establishment of a national human rights commission. [8]

The 1993 statement of the Asia-Pacific governments received a mixed response from the NGOs in the region which convened a meeting parallel to the inter-governmental meeting.

One of the critical comments refers to the national institutions issue. It says that

"[T]he fear of governments in ... (the) ... region to account for the continued violation of human rights is evident in their attempt to give primacy to national human rights mechanisms - mechanisms which we know too well that they will direct and control themselves. This is not accountability and offers little hope of appropriate remedies." [9]

This opposition of the NGOs to the creation of national institutions is mainly premised on the belief that governments will not allow them to operate independently as institutions of such nature are supposed to be. The NGOs must have assumed that governments facing international pressure would try to create ways of fending off accusations of abetting violations of human rights. This is the same sentiment expressed by NGOs when the Indian and Indonesian national institutions were created. Subsequent developments in the Indonesian national institution, however, prove that relative independent operation is possible. [10]

Nevertheless, the first Asia-Pacific workshop among the existing national institutions held recently emphasized the need for an independent status for these institutions. This indicates an implicit recognition of the problems of having full independence among the national institutions in the region. This view has implications on both national and international levels of human rights work. At the national level, the national institutions have to be independent both in law and in fact. There is a requirement for a "clearly defined separation" between them and "other organizations (be they government or non-government)". [11] At the international level, the national institutions are urging the United Nations to accord them a separate and distinct status so that they can participate in the work of UN human rights bodies in their own right. [12]

This regional workshop brought out the view that national institutions are the new players in the human rights field joining the governments and the non-governmental organizations.

There are indeed criticisms levelled against the existing national institutions for failure to respond to the perceived needs in each country involved. These criticisms range from being defensive of government to having ineffective system of resolving issues.

On the whole, however, the regional discourse on national institutions has been more on how to make these institutions work considering the obstacles posed by the very governments that have created them as well as other factors in the society where they operate.

Conclusion

The still short history of national institutions in Asia-Pacific requires a continuing review to be able to satisfy expectations in the light of the enormous task they are duty-bound to fulfill. A vigorous regional discourse on this issue is needed to point out areas that they should be emphasizing and weaknesses that they should be avoiding.

National institutions have indeed become the new players in the human rights field. They have proved their rationale for existence. They are expected, however, to do more and meet the needs of the society as a whole.

There has not been much regional discourse on this matter recently. The experiences of the existing national institutions can certainly provide more than enough bases for more elaborate and practical discourses on the effectiveness, independence and integrity of these institutions.

The need for regional discourse on national institutions becomes even more clear as Nepal, Bangladesh, Fiji, Solomon Islands, Pakistan and Thailand deliberate on the nature, powers and functions that their respective institutions would have. Strong pressure for the establishment of effective and independent national institutions should be the main goal of such regional dis-

course.

End Notes

1. See Frank Ching, *Asean Unkept Promise*, Eye on Asia, Far Eastern Economic Review, August 22, 1996, Hong Kong.
2. Following the Commission on Human Rights' resolution (March 1, 1968) requesting the UN Secretary General to arrange suitable regional seminar in those regions where no regional commission on human rights exist, one such seminar was held in Sri Lanka on June 21-July 2, 1982. See United Nations document entitled "*Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region*", New York 1982, pages 10-11.
3. See the Larrakia Declaration in the *Report of the First Asia-Pacific Regional Workshop of National Human Rights Institutions* (July 1996), Office of the High Commissioner for Human Rights, Centre for Human Rights, United Nations, Geneva, Switzerland.
4. This situation can be seen in the case of Thailand and Hong Kong. There are two legislative bills pending before the Royal Parliament of Thailand. One proposes the setting up of an Ombudsman which will mainly conciliate on human rights cases. The other is proposing the establishment of a national human rights commission similar to the existing national human rights institutions existing in the region. NGOs are supporting the setting up of a national human rights commission that would subscribe to the basic requirements for an independent and effective institution as determined by the United Nations. A document that has been drawn up by the Thai government provides for a human rights commission that will be composed mainly of politicians and high government officials who are currently in office. The proposed commission is meant also to be operating from the office of the Public Prosecutor. These two aspects alone bring out a serious question on the independence and effectiveness of the proposed human rights commission. One legislator in the Hong Kong's Legislative Council has drawn up a legislative proposal for a Human Rights and Equal Opportunities Commission. This proposal resembles closely the Australian Human Rights and Equal Opportunity Commission. There is one distinctive difference however. The Hong Kong proposal includes the creation of Equal Opportunities Tribunal which can conciliate as well as render judgments on complaints filed before it. This judicial body is similar to the Indian set up. With the turn-over of Hong Kong to China in 1997, there is no assurance that this legislative proposal will ever become law and if so whether it can continue under the Chinese rule.
5. Sections 1 and 2, Article 7, Draft Pacific Charter of Human Rights (May 1989), *Draft Pacific Charter of Human Rights and Explanatory Memoranda*, LAWASIA Human Rights Committee, Law School, UNSW, New South Wales, Australia.
6. See A.G. Noorani, *No Watchdog II - A Noisy Poodle*, The Statesman, December 14, 1994, New Delhi, India. The commission was initially constituted on October 12, 1993 under the Protection of Human Rights Ordinance. A subsequent parliamentary enactment superseded this ordinance.
7. See *Will Indonesia Listen?*, Pacific Islands Monthly, April 1996, Suva, Fiji. President Soeharto issued a presidential decree creating the National Commission on Human Rights in Indonesia on June 7, 1993.
8. See *Human rights abuses continue*, Pacific Islands Monthly, July 1996, page 13.
9. See The Asia-Pacific Governments Final Declaration - An NGO Response, *Our Voice - Bangkok NGO Declaration on Human Rights*, ACFOD, Bangkok, Thailand, 1993.
10. The National Commission on Human Rights in Indonesia has so far been the most exposed national institution in the international media mainly because of its statements that reveal responsibility of the Indonesian government for the human rights violations that occurred recently. The latest report by the international media says that President Soeharto called on the commission to show proof of its findings on the July 1996 riot following a mob raid of an outlawed, opposition political party headquarters in Jakarta. This is seen as a challenge being posed on the commission for its independent stance. See *Rights Panel Faces Test*, Japan Times, October 11, 1996.
11. See *Report of the First Asia-Pacific Regional Workshop of National Human Rights Institutions*, op. cit., page 8.
12. See *Report of the First Asia-Pacific Regional Workshop of National Human Rights Institutions*, op. cit., page 16.

The Final Resolution of the Asia-Pacific NGO Human Rights Congress

New Delhi, 6-8 December 1996

(Reprinted below is the final resolution issued by the secretariat of the Asia-Pacific NGO Human Rights Congress held in India recently - Editor's note.)

On the 10 December 1996, World Human Rights Day, Burmese and East Timorese activists continued to live in fear. Democracy in China, North Korea, Indonesia, Singapore and Pakistan remained a distant dream. Ethnic and religious minorities in India and Bangladesh and Sri Lanka were indiscriminately killed in conflicts that show no signs of abating.

For three days prior to World Human Rights day activists from across the region gathered in New Delhi to reiterate the ever present threat to fundamental rights and freedoms.

More than 117 delegates from 28 countries in the Asia-Pacific region and elsewhere condemned on-going violations of human rights and called upon governments to review laws and policies that lead to human rights violations, including economic reform policies and trade agreements.

The proliferation of national security laws was the focus of widespread condemnation. Participants confirmed that national security laws are routinely invoked in their countries to suspend fundamental rights and are often used as a tool to oppress minorities and indigenous peoples. The Congress also condemned the often cited argument that the concept of human rights, as enshrined in the Universal Declaration of Human Rights, is foreign to Asian cultures. This claim has been used specifically to curb the rights of women as recognized in Vienna at the World Conference on Human Rights and more recently in Beijing at the Fourth World Conference on Women, in September 1995. Of particular concern was the alarming rise in child trafficking and the sexual exploitation of children for commercial purposes.

The Congress called for bi-lateral and multi-lateral agreements between regional blocks including Europe and North America to halt trafficking and punish all forms of child exploitation.

The New Delhi meeting was the third such gathering of Asia-Pacific human rights activists and the second since the Vienna Conference on Human Rights.

For more information on the 1996 Asia-Pacific NGO Human Rights Congress or copies of the final resolutions, please contact: Asia Pacific Human Rights NGOs Facilitating Team P O Box 26, Bungthonglang Bangkok 10242 Thailand Phone : (662) 3779357, 3702701 Fax : (662) 3740464, 3701202 E-mail : boonthan@mozart.inet.co.th or South Asia Human Rights Documentation Centre C-16/2, DDA Flats (SFS), Saket, New Delhi 110017, India. Tel. (91-11) 686-5736, 685-9622 Fax. 686-5736 Email: ravi@sadc.unv.ernet.in

APWSL Japan Revitalizes

The Japanese chapter of Asia-Pacific Workers Solidarity Links (APWSL) held its 7th annual meeting with significant organizational issues discussed.

The two-day meeting focused on two critical issues of international solidarity and gender balance in the organization. The meeting was attended not only by APWSL Japan members but also by other Japanese who work in NGOs with regional (Asia-Pacific) programs, and representatives of United Steel Workers of America. The discussion centered on how APWSL Japan can improve its international/regional solidarity work. A program development along this line may be undertaken. APWSL Japan has been actively participating in the regional activities (such as the APEC NGO Forum, Toy Factory conference, and the People's Plan for the 21st Century). It is planning to

take part in more regional activities such as workers' campaigns on various issues. It is also improving its publications (Workers Action and APWSL News).

In electing the new officers of the organization, APWSL Japan dwelt on having gender balance. It would like to have an equal number of women as national co-representatives (or facilitators). In its previous election of officers, two women were elected as national co-representatives - an historical milestone in its quest for gender equality. But it was stressed that though this step was significant, they "...have to make **daily efforts** to continually take up all aspects of male domination." (emphasis ours)

May APWSL Japan fulfill its role successfully in the manner it set itself to do.

Rights of Women Migrant Workers

In celebration of the International Day for the Elimination of Violence Against Women, members of the Asian Network on Women and International Migration (ANWIM) held a meeting on October 9-12, 1996 in Batam island, Indonesia to discuss the plight of women migrant workers in the region. Members of ANWIM from nine Asia-Pacific countries called on all governments to recognize foreign workers in labor legislation, to ensure the enforcement of protective mechanisms in both sending and receiving countries, and in the case of undocumented workers, to recognize their status as contract workers.

The participants demanded accountability from States for the violence perpetrated against the women migrant workers, and for the full use of their laws in ensuring justice for the victims and their right to obtain legal redress.

The participants likewise called upon the other women's organizations, trade unions and human rights organizations to condemn all forms of violence against women migrant workers as a gross violation of basic human rights. They are also urged to provide support and services to these workers.

It was stressed that the rights of migrant women workers are embodied in the Universal Declaration of Human Rights, the United Nations Convention on the Protection of the Rights of Migrants and their Families, the Convention on the Elimination of All Forms of Discrimination Against Women and other human rights conventions.

Violence inflicted upon the women migrant workers come in many forms - physical, verbal, psychological and sexual. They occur inside homes, factories and entertainment centers where they work. They all constitute human rights violations and victimization based on ethnicity and gender. Deaths had occurred in a number of cases.

ANWIM is a network which arose from a research project of the Gender and Development (GAD) Programme of the Asian and Pacific Development Centre.

Second Symposium on Human Rights in the Asia-Pacific

The Ministry of Foreign Affairs of Japan and United Nations University (UNU) in Tokyo again jointly organized a symposium on human rights. This symposium was attended by representatives of national human rights commissions in Indonesia and Australia, and Asians who are, or have been, involved in United Nations human rights work. Human rights and economic development, institutional arrangements for the promotion and protection of human rights (domestic and regional), and human rights education were the main topics in the discussion. The symposium was held on July 4-5, 1996 in the UNU premises in Tokyo.

There was a rich exchange of ideas from among the panelists that show the present state of the discourse on human rights in Asia-Pacific. Despite the seemingly inconclusive statements in some periods during the symposium, a number of ideas were brought out which are important in further promoting human rights in the region.

ECONOMIC DEVELOPMENT DOES NOT NECESSARILY LEAD TO RESPECT FOR HUMAN RIGHTS

The panelists reiterated the link between human rights and economic development. They also state the need to balance the two so that human rights is not sacrificed in the name of development. Human rights is an important part of development that should be given full support. It was clearly pointed out during the panel discussion that economic development does not necessarily lead to respect for human rights. The cases of some Middle Eastern countries and even Australia were cited to support this

point. One panelist even said that in China, the places that have relative freedom are the places where economic development occurred faster. With some apprehensions on having conditionalities on official development aid (ODA), one panelist pointed out the varied (and pragmatic) uses of conditionalities which can actually positively promote human rights rather than simply punish a government seen as violating human rights.

Aside from endorsing the need for continuing dialogue on appropriate human rights mechanism for the region, there is a suggestion from one panelist to use as basis of such regional effort the existing written constitutions in most countries in the region. With the most likely existence of similar provisions in these constitutions, there is a common ground upon which governments in the region can use as foundational concepts for a regional mechanism. It would be interesting to study this new area.

Human rights education was again given wide support in the symposium. Panelists talked about educating people on the practical application of human rights to issues that one find in daily living. One panelist, in emphasizing the significance of bottom-up and issue-based approach, narrated a previous experience of having a European human rights course for Asians learning about human rights in the university. The panelists thus dwelt on making human rights more widely practiced by having relevant and effective human rights education programs aimed at making people act on human rights.

Throughout the symposium, the role of NGOs have been cited as crucial in the whole question of human rights work.

The organizers of the symposium made a commitment to continue holding this activity to help process ideas on the realization of human rights at both national and regional levels.

It is hoped that an even wider representation of people and institutions in the region who are concerned with human rights will be given space (as members of the panel) in the next symposia.

A New Area of Human Rights Work

Addressing the root causes of human rights violations is a new area for human rights work. This is also the new focus of work of the recently-elected President of International Movement Against All Forms of Discrimination - Dr. Nimalka Fernando.

After spending years and years of advocating for women's rights, Dr. Fernando thought that it is time to move on to another area that has been missed by most human rights organizations. She stressed that the view on human rights at present is different from that in the past. In the traditional approach, when violations exist mechanisms to remedy the problems are created.

But she then asked the questions: why are violations occurring? what cause them to happen?

With the present trend toward globalization, a disaster for human rights will occur in the next century she maintains. Thus the relationship between free enterprise and human rights, and globalization and human rights are the contexts for human rights work.

National security measures to promote political stability within a free enterprise scheme cause human rights violations. Political dissenters are labelled as anti-government agents, terrorists and insurgents.

Capitalists have twisted around the meaning of human rights and good governance. Thus, she said, in Sri Lanka the government has become transparent and follows good governance in pursuing privatization. She cited the case of the arrest of wives and children of striking employees of a publicly-owned water facility in order to force them to stop opposing the privatization of the facility.

Human rights, she said, cannot be compromised for

progress and development. She criticized Asian leaders for speaking about Asian values but failing to speak about the poor in their own countries.

She then suggested the need for people-to-people common action against GATT, WTO, and global processes. There is a need to empower small producers all over the world, for new consumer patterns, and for production activities to be related to human rights. This is the challenge that should lead to strengthening the civil society, to giving birth to social movements of a different kind, and to strengthening the movements of the socially discriminated. The human rights paradigm should refer to libera-

HUMAN RIGHTS CANNOT BE COMPROMISED FOR PROGRESS AND DEVELOPMENT

tion from the transnational corporations, to the establishment of democratic life of women, children, and family.

She also mentioned that Third World human rights movement is becoming more political as it tackles more the global system. Democratic governments are getting engulfed by private capital and becoming anti-people. The global nature of the problem presents a more complex system of addressing them.

Dr. Fernando spoke in a meeting jointly organized by the Buraku Liberation Research Institute and HURIGHTS OSAKA. The meeting was held in mid-August this year in Osaka city.

Events in the Region

An international peace conference on Chittagong Hill Tracts is slated to be held in Bangkok, Thailand on February 23-26, 1997. This conference aims to contribute to the peace process in the Chittagong Hill Tracts by narrowing the gap in the understanding of the various aspects of the issues disputed by both sides in the conflict, and finding ways and means of assisting the par-

ties overcome the pre-defined obstacles to a peaceful solution of the conflict. The conference will likewise address the human rights violations that are occurring in the area. For more information, contact: International Peace Conference on Chittagong Hill Tracts secretariat - P.O. Box 26 Bunthonglang P.O., Bangkok 10242 Thailand.

Recently-Held Events

1. The 21st Anniversary of the Nuclear Free and Independent Pacific Movement was celebrated during its triennial conference held this year. The Pacific Concerns Resource Center organized the conference as NFIPM secretariat. The anniversary celebration was held on December 9-13, 1996 in Suva, Fiji. For more information contact: Pacific Concerns Resource Center, 83 Amy Street, Toorak, Private Mail Bag, Suva, Fiji.

2. A number of human rights organizations in Asia held the "Alternative ASEAN Meeting on Burma" on October 29-30 at the Chulalongkorn University in Bangkok, Thailand. The meeting was aimed at making an ASEAN-based solidarity support system for the Burmese people, and at developing policies in relation to Burma alternative to those adopted and practiced by the ASEAN governments. Human rights activists, trade unionists and academics from within and outside ASEAN joined the representatives of the Burmese democratic movement in the meeting. The Asian Forum on Human Rights and Development and Initiatives for International Dialogue in cooperation with the Burma Solidarity Group Malaysia, Thai Action Committee for Democracy in Burma, and the National Council of the Union of Burma organized the meeting. For more information contact: FORUM ASIA - 109 Suthisanwinnichai Road, Samsennok, Huaykwang, Bangkok 10320 Thailand.

3. The First Human Rights Film Festival was held in south Korea by one of the most active human rights organizations in the country - Sarangbang Center for Human Rights in cooperation with two weekly movie magazine organizations. The film festival showed films about human rights from Cuba, Bolivia, Chile, USA, Palestine, United Kingdom, Belgium, and Israel. The films were

shown not only in Seoul but in other cities as well. Seminars and symposia, attended by some of the directors of the films shown, were held during the week-long festival to discuss human rights issues such as freedom of expression. The film festival was held in November 1996. For more information contact: Executive Board, 3F, Joyang Building, 7-12, Galwall-dong, Youngsan-gu, Seoul, south Korea.

4. A workshop on the implications of a global information economy in southern countries, peoples and social movements was held in Manila on November 16-20, 1996. The workshop tried to find out how social movements will respond to the favorable and unfavorable aspects of this global information economy. Networking among the groups involved in this field was explored. The workshop entitled "The Emerging Global Information Economy and the Responses of Social Movements" was organized by Interdoc and Documentation for Action Groups in Asia (DAGA). For more information contact: Documentation for Action Group in Asia (DAGA) 96, 2nd District, CCA Centre, Pak Tin Village, Mei Tin Road, Shatin, Hong Kong.

5. A forum that repositioned young child feeding within a larger development and human rights context was held in Bangkok, Thailand on December 2-6, 1996. The forum formulated strategies to improve young child health and nutrition by respecting the rights of women and children. Human and social development planners, local, national and international policymakers, environmentalists, representatives of women's organizations, representatives of consumer organizations, health workers and nutritionists, representatives of organizations dealing with children, religious and cultural leaders,

mothers, fathers and children from all over the world were in attendance. The World Alliance for Breastfeeding Action (WABA), a global people's initiative to protect, promote and support breastfeeding, organized the forum entitled "Children's Health, Children's Rights: Action for the 21st Century". For further information contact: WABA Global Forum PO Box 1200, 10850 Penang, Malaysia.

6. An informal workshop on Asian views on human rights was held in Chiangmai, Thailand on December 9-10, 1996. The workshop focused on human rights issues related to migration and human rights training in Asia. Common themes and approaches in dealing with current migration related problems as well as strategies that can be used to approach these problems were taken up. Discussions were also held on the possibility of having a regional training program with short-term courses for practitioners rather than academically-oriented training. This training program is being linked to the United Nations Decade for Human Rights Education. The workshop was organized by the Center for Asian Pacific Affairs (CAPA) of the Asia Foundation. For further information contact: Center for Asian Pacific Affairs (CAPA), The Asia Foundation - 465 California Street, 14F, San Francisco, California, USA.

7. The Asia-South Pacific Bureau for Adult Education held its second general assembly in Darwin, Australia on December 6-9, 1996. The assembly had the theme: "Adult Education into the 21st Century: Globalization, Democratization and Human Development". The participants took the stand that despite the differences in their perspectives, cultures and experiences, they are all bound by a common commitment of promoting everyone's right to education. They also made a commitment to ensure the transformative function of adult education in building a just and sustainable society. The participants recognize the commitment to education made by governments in a succession of UN summits from Rio to Istanbul. But they also realize the enormous outstanding educational deficit that needs to be overcome. Around 200 educators from Asia and Pacific attended the assembly. For more information, contact: Asian-South Pacific Bureau of Adult Education (ASPBAE), 42, Tughlakabad Institutional Area, New Delhi 110062 Tel. (9111) 698-1908/698-9559; fax (9111) 698-5819; e-mail: pria@sdalt.ernet.in

8. The Asia-Pacific 2000 of the United Nations Development Program organized a regional NGO consultation workshop on the theme: "The Impact of Transboundary Migration on Urbanization" held in Bangkok on December 13-15, 1996. The workshop took up several issues, namely: migration trends and challenges, migration of women to urban centers, child trafficking and migrant child labor, migration and its impact on urbanization, conventions on workers' rights, employers' code of conduct and responsibility, building partnerships - NGO and UN agency, regional code of conduct and responsibility for the treatment of migrant workers. 45 participants, mainly from NGOs in several Asian countries, attended the three-day workshop. For more information, contact: Asia-Pacific 2000, UNDP - Wisma UN Block C, Kompleks, Pejabat Damansara, Jalan Dungun, Damansara Heights, 50490 Kuala Lumpur, Malaysia. Tel. (603) 255-91-22/255-9133, fax (603) 253-23-61, e-mail: anwar@umpap.po.my

9. The Asia-Pacific Forum on Women, Law and Development (APWLD) recently held a Regional Forum "Looking Beyond Beijing" in Bangkok, Thailand (July 28-August 1). The three-day mix of presentations, group work and plenaries was attended by a total of 47 women from 8 regional organizations and 16 countries. The diversity, not just in terms of geographical origins, but also perspectives and work, contributed to lively and productive proceedings. The regional forum was organized to provide an opportunity to review APWLD's direction after a decade of work, in the context of post-Beijing and other developments in the region. The women reaffirmed many of APWLD's existing priorities, redefined some directions and articulated new strategies to meet changing demands on women's movements in the region. For more information, please contact Debbie Stothard, Resource Officer, APWLD by fax: (603) 651-1371 or e-mail: apwld@pactok.peg.apc.org.



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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

HURIGHTS OSAKA

(Asia-Pacific Human Rights Information Center)

2-1-1500, Benten 1-chome, Minato-ku, Osaka 552 Japan

Phone: (816) 577-35-78

Fax: (816) 577-35-83