



Editorial

Asian Turmoil

The continuing economic crisis in several Asian countries changed the image of booming economic progress of the region. It dampened the projection of the 21st century as the era of the Asia-Pacific.

There is no other way but to review and redo the system that had caused fast economic growth for at least twenty years in Thailand, Indonesia, Malaysia, South Korea, and even Hong Kong.

This crisis undoubtedly hurts most those who belong to lowest levels of the economic strata - the ordinary workers especially. The negative effect can likewise spread to other less privileged sectors of society such as those in the rural areas.

It is ironic that the bitter medicine prescribed to be able to recover from the crisis will have to be shouldered by everyone when the system that caused the crisis was created and sustained by the economic elites of these countries. How much protection is there for those who have the least economic means to shield themselves from the effects of economic slowdown?

This economic crisis also brings out the link that closely ties the countries in this region. ASEAN set up a system of helping affected member-countries within the International Monetary Fund framework. Japan has to contribute financially to bail out some of the affected countries to protect its own huge economic investments. Singapore has come forward to help Indonesia's financial need.

This turmoil is an indication of a fault in the systems in Asian societies. It shows how freedom that is limited to economic activities failed to create structures that protect those who are most vulnerable to economic downturns. It also shows how unaccountable people in the government and business circles lead their own country to both economic prosperity and ruin.

FOCUS Asia-Pacific is designed by HURIGHTS OSAKA as a means of highlighting significant issues and activities relating to human rights in the Asia-Pacific. Relevant information and articles can be sent to HURIGHTS OSAKA for inclusion in the next editions of the newsletter.

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

The Impact of Asia in Pacific Today

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Pacific Concerns Resource Center

(This is an excerpt of the paper of the same title presented by the author in the Third Joint Meeting of the Asia and the Pacific Ecumenical Regional Groups in Tahiti in August 1997. - Editor's note)

In October this year, Japanese Prime Minister Ryutaro Hashimoto hosted a Summit with the leaders of the 14 Pacific islands countries of the South Pacific Forum (Australia and New Zealand were not invited). This is the first time that Japan has invited the leaders of the Pacific islands to a Summit.

Although the summit has no formal agenda, Japan has various environmental, strategic and economic interests it wants the Pacific to support.

First, Japan is seeking international support for a permanent seat in a restructured UN Security Council and the Pacific Islands vote, despite their size, can swing the vote in favor of Japan in the UN General Assembly.

Second, Japan wants to continue the transshipment of spent nuclear fuel to France for reprocessing and in return receive plutonium and high level radioactive waste through the Exclusive Economic Zones (EEZ) of Pacific Island countries. All of its previous shipments have been met with verbal hostility from the South Pacific Forum. Similarly, Japan (together with South Korea and Taiwan) are privately interested in the Marshall Islands proposal to turn some of its islands into permanent nuclear dumps.

Third, Japan has over the past twelve years spent US \$ 100 million mapping the Pacific seabed and surveying its minerals. Preliminary results show enormous deposits of manganese, copper, and cobalt on some parts of the South and Central Pacific seabed within the EEZ of Pacific Island countries including French Polynesia and Cook Islands. (This is one reason why France wants to hang on to French Polynesia in post-nuclear test era !) Having little mineral resources of its own, access to these deposits in the next century is critical to the Japanese economy.

Fourth, Japan wants to continue to have access to the Pacific islands' tuna fishing grounds which is the source of 50-60% of the world's annual tuna harvest with a market value of US \$2 billion. During 1993, a total of

around 1,300 tuna fishing vessels were licenced to fish in the Pacific EEZs. The vast majority of these vessels and the corresponding total fishing harvest was accounted for by Japan, Taiwan, South Korea and the US. China and the Philippines also have a significant presence.

In that year, the Forum Fisheries Agency (whose membership corresponds with the South Pacific Forum) received around US \$ 60 million in access fees from foreign fishing vessels. Pacific island countries' own fishing fleets only generated a total revenue of around US \$ 66 million. In other words, the Pacific island countries only received US \$ 126 million from a resource that is worth US \$ 2 billion annually. This daylight robbery is particularly significant to non-Melanesian countries who have little or no land-based resources. Japan has for a number of years wanted to be a full member of the Forum Fisheries Agency but the Pacific island countries have resisted. Taiwan, South Korea and the US are waiting in line should Japan be admitted.

Last month His Majesty the King of Tonga did what no other Head of State has done. He visited both China and Taiwan and had meetings with Chinese President Jiang Zemin in Nanjing then later with Taiwan President Lee Teng-hui in Taipei. Tonga established diplomatic relations with Taiwan twenty years ago and does not have diplomatic relations with China. The invitation to China came from a Chinese company interested in satellite communication.

The competition for the hearts and minds and votes of the Pacific island leaders between China and Taiwan is really heating up after the return of Hong Kong. Although both are dialogue partners of the SPF, the actual dialogue between Taiwan and the SPF is held after the discussions with the other dialogue partners is completed. Quite a few Pacific island countries privately support Taiwan's membership in the UN but so far only the Solomon islands has signed this year's proposal for Taiwan's membership in the UN.

Fiji recently felt the wrath of China after announcing that it was opening a Trade Promotion Office in Taipei. In the second week of August, China withdrew the special import duty rates it allowed Fiji for its sugar. The special rates consist of a 12% import duty plus 17% Value Added Tax. But for countries that recognize Taiwan there is a 40% import duty plus the 17% VAT.

One of the most lucrative businesses that Pacific island countries have embarked on in recent years is the sale of passports and the market is primarily Asia. Governments that have done this include Tonga, Samoa, Kiribati, Marshall Islands and Vanuatu. In fact, Tonga's Minister of Police, who is responsible for passports, stated in the Tongan parliament last week that his initial sale price was



US\$ 40,000 per passport but he has had to reduce it to US\$ 20,000 because of the increased competition from his island neighbors. Samoa's sale of passports has been going on for a number of years without government approval. In July, five government employees were suspended and investigations are continuing into the illegal sales. Although the sale of passports is used to attract Asian entrepreneurs it seems that the majority of the buyers are from the Asian underworld or migrants whose ultimate destination is the US or Australia and New Zealand. In 1996, the US government forced the Marshall Islands to stop its passport sales because the buyers are using the visa-free entry agreement between the two countries to enter the US.

From these examples of interaction between Asia and the Pacific States one can discern a pattern of exploitation reminiscent of colonial times with the Pacific region continuing to be on the periphery while the locus of the empire has relocated from London, Washington and Paris to Tokyo, Seoul, Kuala Lumpur, Jakarta, Canberra and Wellington.

The end of the Cold War has seen a shift of emphasis from territorial security to human security. Human security is not just a concern of nation-states involving freedom from war, the safety of territory from external aggression or the protection of national interests or foreign policy. It involves the active participation of peoples who understand that true security is not based on military force. Human security addresses people's concerns for security in their daily lives: protection from the threat of disease, hunger, unemployment, social conflict, political repression



and environmental hazards. Human security includes the enhancement of the environment, economic equality, the empowerment of traditionally oppressed or marginalized peoples like women, indigenous peoples and ethnic minorities, and the institutionalization of political democracy.

Despite the high growth rate in ASEAN countries, inequality in income distribution exists within societies and between them. High economic growth has not necessarily translated into human security for the whole population.

According to the World Bank, per capita income in the Asia and Pacific regions for 1994 in US dollars range from 200 in Vietnam, 800 in Indonesia, 1,000 in Samoa, 1,240 in PNG, 1,590 in Tonga, 2,250 in Fiji, 2,410 in Thailand and 3,480 in Malaysia. These averages hide internal dif-

ferences. For example, in Thailand 10% of the population share 37.1% of income or consumption, in Malaysia 10% of the population share 37.9%.]

A UNICEF study of the Pacific islands in 1993 showed that 50 Pacific children die per day from causes which are easily preventable through low-cost means available in each country: around 1,100 Pacific island women die each year from pregnancy related conditions; more than 1.4 million Pacific island adults can neither read nor write; pockets of deprivation and poverty are becoming more visible in an increasing number in Pacific island countries.

These are what constitute the real threat to human security and are not amenable either to military intervention alone or to military action at all. Rather, if not addressed in a cooperative and constructive manner, they may well deteriorate into traditional modes of military violence thereby threatening the state, its government and the society as a whole.

But the downsizing of US military presence in the Asia and Pacific region has not seen the dismantling of national security legislations that were designed during the Cold War era. In fact, these national security legislations are now being reinforced by massive increases in the military budgets of all Asian and especially the ASEAN countries and China. In the Pacific ten years ago, only PNG, Fiji and Tonga had standing armies. Today, Vanuatu and the Solomon islands have the equivalent of a military corps which is the beginning of a national army.

It is conceded that the creation of the ASEAN Regional Forum in 1993 as the venue to discuss regional and security matters is a positive initiative. This has been created as a result of the uncertainties brought about by the end of the Cold War and the potential conflicts over the Spratly Islands in the South China Sea, the Korean Peninsula and Taiwan. It has been positively described as, "Though incomplete and embryonic it provides a flexible instrument for high-level dialogue and consultation and in the near future for preventive diplomacy and conflict resolution". On the negative side, it is still primarily concerned with territorial security as opposed to human security and as mentioned earlier despite this new initiative in preventive diplomacy ARF members are still increasing their military budgets. And notwithstanding the acceptance by most Asia and Pacific states of the new conception of human security they still have not discarded the Internal Security Acts that have been frequently used in the immediate past to silence and to lock up those who dare to seek justice and equality.

I will end by reading one of the works of Malaysian poet and human rights activist, Cecil Rajendra. The poem is entitled "The Animal and Insect Act".

Finally in order to ensure
absolute national security
they passed the Animal and Insect
Emergency Control and Discipline Act.

Under this new Act, buffaloes
cows and goats were
prohibited from grazing in herds of more
than three. Neither could birds
flock, nor bees swarm...
This constituted unlawful assembly.

As they had not obtained prior
planning permission, mud-wasps
and swallows were issued with
summary Notices to Quit. Their
homes were declared subversive
extensions to private property.

Monkeys and mynahs were warned
to stop relaying their noisy
morning songs until an official
Broadcasting Licence was issued
by the appropriate Ministry.
Unmonitored publications and broadcasts
posed the gravest threats
in times of National Emergency.

Similarly woodpeckers had
to stop tapping their morse code
messages from coconut
tree-top to chempaka tree

Java sparrows were arrested in
droves for rumor-mongering
Cats (suspected of conspiracy)
had to be indoors by nine o'clock
Cicadas and crickets received
notifications to turn their amplifiers
down. Ducks could not quack nor

turkeys gobble during restricted
hours. Need I say all
dogs - alsatians, dachshunds
terriers, pointers and even
little chihuahuas - were muzzled.

In the interest of security,
penguins and zebras were
ordered to discard their
non-regulation uniforms.
The deer had to surrender
their dangerous antlers
Tigers and carnivores
with retracted claws were
sent directly to prison
for concealing lethal weapons.

And by virtue of Article
four, paragraph 2 (b)
sub-section 16
under no circumstances
were elephants allowed
to break wind between
the hours of six and six.
Their farts could easily
be interpreted as gunshots
might spark off a riot...

A month after the Act
was properly gazetted
the birds and insects started migrating South
the animals went North
and an eerie silence
handcuffed the forests,
There was now Total Security.

World Bank and the NGOs

A draft of a handbook on NGOs prepared for the World Bank by a consultancy firm is now in circulation for comments. The Lawyers Committee for Human Rights reviewed the draft document and raised concerns about its human rights implications.

The draft document entitled "Handbook on Good Practices for Laws Relating to Non-Governmental Organizations" is the World Bank's attempt to arrive at coherent and comprehensive statement of principles for domestic legal frameworks for a portion of the non-governmental community, i.e., NGOs that seek to have formal legal status. While LCHR praises the effort of the World Bank's interest in promoting the development of NGOs by having the document drafted, it also warns that the draft document "endorses unwarranted regulatory intrusions upon the internationally protected right of freedom of association, and thereby presents risks to NGOs working in places where governments would seek to thwart or interfere in their work."

LCHR prepared a critique of this draft document, and is

now circulating it to the NGO community. Comments on the draft document, being at the draft stage, can make some changes.

Some Asian human rights organizations have made comments on the 1996 and 1997 drafts of the document.

The LCHR is asking other NGOs and human rights groups to send comments on both the draft document and the critique. A copy of the draft document can be obtained from the office of John D. Clark, NGO Unit, World Bank, 1818 H Street, NW, Washington, DC 20433 USA, and from the Handbook project consultant, the International Center for Not-for-Profit Law, 1511 K Street, NW, Suite 723, Washington, DC 20005, USA.

Copy of the LCHR critique can be obtained from LCHR: Patricia Armstrong, Senior Coordinator, International Financial Institutions Program, Lawyers Committee for Human Rights, 333 Seventh Avenue, 13F, New York, New York, 10001-5004 USA, tel. (1212) 845-5200; fax (1212) 845-5299; e-mail: ifi@lchr.org

Regional Protection of Human Rights in Asia

Vitit Muntanbhorn

(This is the first of the two-part excerpt of the Summary of Lectures delivered by Prof. Muntanbhorn at the International Institute of Human Rights, Strasbourg, France in July 1997 - Editor's note.)

Asia is a region of vast contrasts. It is the birthplace of the two most populous countries of the world. Yet, there is a myriad of smaller countries which are part of the huge tapestry of cultures and traditions in the region.

In the past few decades, the region has been admired for its "economic miracle", particularly the impressive growth rate of various East Asian countries. Some of these "tigers" have enjoyed over ten per cent GDP growth per annum in recent years. The 1996 United Nations Human Development report compliments the region as follows:

"The experience of the fast growing Asian economies - Hong Kong, The Republic of Korea, Singapore and Taiwan (province of China) - shows how sustained long-term growth can expand employment (by 2-6% a year), reduce unemployment (down to less than 2.5%), and raise productivity and wages. This, in turn, reduced inequality and poverty. Such growth was led by small scale agriculture in Taiwan (province of China) and by labour intensive export-oriented manufacturing in Hong Kong, the Republic of Korea and Singapore".

However, the region is faced with much ambivalence on various fronts. There is no automatic link between economic growth and human development in the sense that national wealth leads necessarily to a fairer share of benefits among all groups. In some countries which have enjoyed a high economic growth rate, income distribution has actually worsened, creating an even bigger gap between the rich and the poor. There is thus increasing inequity in a number of settings.

While Asia contains some of the richest countries in the world, it also houses some of the world's poorest. Both rich and poor spend an inordinate amount on arms purchases. For instance, in 1994 South Asia spent 14 billion dollars on military matters, while 562 million people were languishing in absolute poverty, according to United Nations statistics.

On the political front, while much progress has been made towards democracy and democratization in several countries, there is the well-established fact that Asia is also the cradle of a number of authoritarian scenarios and armed conflicts. Political repression, discrimination, violence and civil strife compound the illegitimacy of various regimes.

It is in this setting that one is tempted to ask: How is the protection of human rights in the Asian region? Is there an inter-governmental system or machinery for such protection? If not, what are some of the possibilities for the future? In addition, how are the members of the civil soci-

ety, including non-governmental organizations, acting and reacting in the face of massive human rights violations? What are the scenarios for human rights protection at present and in the future?

A) Regional Level

It is a well-known fact that there is no inter-governmental system for the protection of human rights in Asia, despite sporadic suggestions from various quarters to have such a system. This is in marked contrast with Europe, the Americas and Africa, all of which have, to a greater or lesser extent, some form of inter-governmental system in this field.

The almost natural reaction to this fact is to advocate immediately that the region needs a human rights system parallel to the other regions of the globe. Is such a reaction simplistic? There are a number of complexities which should be borne in mind in reflecting on the issue.

i) Concerns

First, there is the inescapable fact that at present, there is little or no political will to establish a system along the lines of those found in other continents. The current concern in governmental circles in Asia is less to do with this matter, but more to do with how to prevent developed countries from linking human rights implementation with the grant of aid or trade and related privileges, namely, "social clauses" or human rights conditionality which are now proposed by some regions in their discourse with Asia.

Second, the Asian region itself may be somewhat too vast or heterogeneous for a unitary human rights system. This leads to the question whether one should explore projects at other levels, such as the sub-regional and the national, which may organically grow and ultimately provide the confidence and the rationale for a regional system.

Third, there is still a paucity of accessions by Asian countries to many human rights instruments, in particular the 1966 Covenants on Civil and Political Rights and Economic, Social and Cultural Rights. This has been attenuated in recent years by more widespread accession to some human rights instruments of a more specific nature, in particular the Convention on the Rights of the Child to which nearly all Asian countries are now parties. However, the general hesitation towards international human rights instruments which transcend the state and override national sovereignty affects the attitude towards the possibility of a regional human rights instrument and/or machinery. An equally important message is that even where there have been accessions to international human rights instruments, implementation is often weak.

Fourth, the region is in the midst of the debate whereby a number of Asian countries are lambasting human rights (or at least the individual-oriented notion of human rights with political and other entitlements) as a Western concept and the international human rights system as Eurocentric. These Asian governments claim that there are various Asian values which provide the background for a more Asian perception of human rights. Such Asian values, according to those who espouse them, include the need for a strong government, deference to authority, respect for the community, and emphasis on economic development first (and perhaps political development later). The stand is one which rejects or limits human rights in so far as they pertain to individuals, and justifies "bread/rice" before "ballots", while ensuring that individuals have "duties" rather than "rights" in the face of the community.

An offshoot of this argument is that while human rights are universal in principle, they should bear in mind and may have to bend to regional and national "particularities". This viewpoint was propounded by the 1993 Bangkok Governmental Declaration on Human Rights, representing the governments of the Asia-Pacific region, which preceded the World Conference on Human Rights held in the same year in Vienna (although it was rejected by the 1993 Bangkok Non-Governmental Declaration on Human Rights and the World Conference Declaration itself).

Of course, one should not be naive about the Asian values argument. It is highly political in nature, and it has become "instrumentalized" by various governments which are less-than-liberal partly, if not mainly, to legitimize themselves. Given the volatile nature of the debate, much energy in the Asian region is spent upon rhetoric and invective rather than seriously examining the possibilities for better improvement of human rights in the region in a comprehensive manner through a regional machinery. However, Asian countries are correct to decry the double standards which exist worldwide, including among developed countries.

Fifth, to be fair to Asian countries, it should be noted that all are in favor of economic rights in the sense that these call for economic development and a restructuring of the international economic and financial system to reflect the concerns of developing countries. In recent years, they have also been espousing the right to development as part of this process. Regional developments for the promotion and protection of human rights are acceptable to them along this line. Directly or indirectly, this is taking place in some regional settings such as the Economic and Social Commission for Asia and the Pacific (ESCAP).

It is also interesting to note the growth of inter-regional economic cooperation which will have impact on human rights directly or indirectly. The rise of the Asia-Pacific Economic Cooperation (APEC) forum as a loose consultative grouping of Asia-Pacific countries exemplifies this. Although it is targeted to the liberalization of trade and commerce, inevitably it will have impact on at least on the economic aspects of human rights. However, this type of

grouping with its economic emphasis based upon consensus-building is unlikely to broach the whole range of human rights issues comprehensively.

Sixth, it should be noted that Asian governments are willing to accept, at least in principle, "core human rights" such as the right to life, freedom from torture, and freedom from slavery which converge with what are known as "non-derogable" or absolute rights in international jargon (even though they might in fact violate these core human rights). However, most of these governments are reluctant to advance a regional system which provides room for the comprehensive promotion and protection of the whole gamut of international standards on human rights in the civil, political, economic, social and cultural spheres. They are particularly reticent about freedom of expression and freedom of association, multi-party system and elections, limits on "national security", self-determination as linked with minorities and indigenous communities, and the role of human rights non-governmental organizations. Their fear of a regional human rights machinery is based upon fear of transparency, accountability and responsibility in the face of the universality and indivisibility of human rights.

Seventh, Asian governments often claim that they favor a non-confrontational approach and that this is part of the culture of the region. They tend to view much of the international protection of human rights as confrontational - a scenario which they would prefer to avoid.

This is linked with the fact that many view human rights violations as merely the internal affairs of a state and that this is not an area where the international community should exercise its protective mandate on behalf of the victims if this would lead to "sticks" such as sanctions rather than "carrots". Of course, such a view is inconsistent with the international advocacy of human rights which takes the position that human rights violations are of international concern and cannot merely be classified as the internal affairs of a state. However, the former view helps to explain why the process towards a regional system is slow.

Many Asian governments prefer "regional pragmatism" and quiet diplomacy rather than the potential of a regional system for the protection of human rights which would provide room for accountability, confrontation and reprimand, even if such pragmatism may be contrary to international law and human rights.

ii) Projects

Although there is no inter-governmental human rights machinery at the regional level in Asia, in recent years there have been various dialogues under the auspices of the United Nations to promote a step-by-step approach towards the possibility of a regional system. The approach is based upon consensus building, as well as fostering "building blocks" such as national initiatives (for instance, National Human Rights Commissions) which may lead to regional networking, interchanges, discourses, and gradu-

ally the steps toward a regional system. Confidence-building is part and parcel of this process.

The United Nations' Human Rights Centre sponsored this series of workshops (Manila 1990, Jakarta 1993, Seoul 1994, Kathmandu 1996, and Amman 1997). From these



workshops, the message is: at the inter-governmental level, a formal regional system for the protection of human rights is not yet feasible. However, various activities can be undertaken to improve understanding, education, networking, and capacity-building. On the one hand cynic may underline that these workshops have been little more than talkfest. On the otherhand, there may be constructive avenues for the promotion of human rights through activities such as training which may ultimately help to prevent human rights violations.

From the perspective of non-governmental organizations, it may be noted that they have enjoyed a great deal of networking in recent years to highlight and counter human rights violations in Asia. There is a myriad of non-governmental organizations operating in Asia; several have regional coverage. Some encompass a broad range of human rights issues. This is exemplified by the work of the Asian Human Rights Commission based in Hong Kong and Forum Asia based in Bangkok. Some target more specific issues, such as child rights. Child Rights Asianet is an example of the latter. Others deal with broader concerns than human rights but may have a section that covers human rights. LAWASIA falls into this category. It deals with many legal issues but has a committee on human rights. Others are global movements which have a presence in Asia, e.g. the Global Alliance against Traffic in Women.

B) Sub-regional Level

There does not exist at the sub-regional level an inter-governmental system for the protection of human rights. However, various sub-regional organizations have emerged in Asia in recent decades to promote close economic ties. The two prime examples are the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC). The following analysis will focus on the former as a case study.

ASEAN has been at the forefront of economic growth in Southeast Asia. It has broadened its emphasis on economics, trade and commerce to regional security issues. In this pursuit, the ASEAN Regional Forum was established recently to provide for a dialogue forum between the seven

members of ASEAN (Brunei, Indonesia, Malaysia, Singapore, Thailand, the Philippines and Vietnam) and outside powers.

Although some of the work of ASEAN touch upon human rights issues, this juncture is indirect rather than direct. For instance, ASEAN's existing programs concerning women's development, anti-drugs trade, and environmental cooperation are, to a greater or lesser extent, related to human rights issues, but they tend to be classified as "development" programs rather than human rights programs per se. Moreover, there is great hesitation in governmental circles to address the political aspects of human rights. Often, those aspects are shunned.

i) Concerns

The various concerns expressed in the earlier section on the regional level also apply, to a great extent, to the sub-regional level. For instance, the Asian values argument finds its most vocal proponents from some of the members of ASEAN, and the sub-region is totally against human rights conditionality or "social clauses". The paucity of accession to key international human rights instruments is another common trait in the sub-region. While the region has grown well in economic terms and democracy has blossomed in some countries, the region is also rife with a variety of human rights violations.

Of particular concern is ASEAN's reticence to put pressure on the junta in neighboring Burma to abide by international human rights standards and to cede power to those who were democratically elected in 1990 and their leader Aung San Suu Kyi who was until recently kept under house arrest by the junta. The so-called "Constructive Engagement" policy of ASEAN behind this approach towards Burma has meant, in practice, the casting of a blind eye to the egregious human rights violations in Burma which have been well documented by the United Nations. The policy is based upon the hope that gradual dialogue and economic ties will render the junta more malleable "step-by-step". It is a policy which opts for the primacy of economic and commercial ties with Burma, while marginalizing the human rights concerns which have been voiced internationally.

The current pre-occupation of ASEAN is to enlarge itself to become the "Southeast Asian Ten" incorporating the present seven members of ASEAN and three newcomers, namely Laos, Cambodia and Burma. The determinants for entry into the "club" do not, regrettably, include respect for human rights. If Burma manages to gain admission soon, it is not unlikely that the junta will use ASEAN as a bastion to protect itself against outside influence and reprimand.

The attitude towards Burma exemplifies a trait already noted earlier in the section concerning the regional level: there is a tendency among governmental circles to classify human rights violations (at least in the region or sub-region) as internal matters. This contradicts the international position which classifies them as matters of

international concern.

It also exemplifies a measure of political expediency or pragmatism based upon self-interest. It is a well-known fact, for example, that a key member of ASEAN has, for many years, illegally occupied East Timor in breach of United Nations resolutions. While it is politically expedient for that country to classify the East Timor issue as an internal matter, this obviously flies in the face of international law and human rights and conflicts with the international jurisdiction that legitimately seeks to protect the rights of the Timorese people.

On another front, there is a variety of cross-border issues, especially cross-border crimes increasing in scope and complexity, with various human rights implications for the sub-region which governments and other sectors of society will have to tackle, often with much room for convergent action, whether or not one classifies them formally and directly as human rights concerns. They include the following:

- drug trafficking and related money laundering;
- human trafficking, including the trade in women and children for sexual and labor purposes;
- migrant workers, most disconcertingly the large number of illegals who cross frontiers;
- refugees and displaced persons;
- pollution, deforestation and other environmental damage; and
- resource conflicts, especially petroleum and fisheries.

ii) Projects

Although there is no sub-regional intergovernmental system for the protection of human rights, as noted earlier, several programs touch upon human rights concerns, even though not necessarily classified as human rights programs. The various cross-border issues noted above also call for more action together at the sub-regional level to address problems which cannot be solved by one party alone.

Have there been any statements from the sub-region on human rights which may indicate the types of "projects" which could help to promote and protect human rights?

It is worth remembering that in 1993 ASEAN governments, together with other Asia-Pacific governments, adopted the Bangkok Governmental Declaration on Human Rights with its homage to national and regional particularities rather than unqualified acceptance of the universality of human rights. The message was and is relatively clear: while the sub-region accepts that human rights are universal by nature, they may have to bend to various conditions in the sub-region. Taken to the extreme, this could mean lowering the universal standards to fit into the sub-region's governmental agenda.

It should be noted that every year, ASEAN foreign ministers meet at their annual conferences and issue statements of their positions. These have been supplemented by more frequent summits between the heads of

government. In the early 1990s, at one of the ministerial sessions, there was a brief reference in its statement that it would explore the possibility of a human rights machinery for the sub-region. However, this has not borne fruit to date. On the other hand, what has grown is the number of national institutions, in particular National Rights Commissions and similar committees, in the ASEAN region.

En passant, it should be noted that in 1993, the ASEAN Inter-Parliamentary Organization (AIPO) adopted the Human Rights Declaration of AIPO which reflected and still reflects, to a large extent, the attitude of ASEAN Governments towards human rights, with the following features:

1. It advocates that human rights should be seen in the light of regional and national "particularities".
2. Its principles begin with advocacy of human responsibilities/duties rather than rights.
3. The text recognizes a short listing of fundamental rights, e.g. the right to life, freedom of thought, the right to property, which would be found in international human rights instruments. It then has a section on "Basic Rights and Duties of Citizens and States" including non-discrimination, freedom of expression, freedom of association, and the right to development.
4. The text provides for the possibility of a human rights mechanism.

On analysis, the Human Rights Declaration of AIPO provides for several channels to lower rather than elevate international human rights standards. The emphasis on human "duties" is potentially restrictive of the rights of individuals. The attention paid to sub-regional particularities is similar in effect, and will dilute international standards where there is a conflict between the international framework and regional and national "realities and value systems". Likewise the mention of "national stability" in the text converges with the common practice among some countries which justify human rights restrictions on the basis of national stability and national security, even if the government itself is illegitimate. The presumptuous approach of the text is clearest in its use of "the peoples of ASEAN" when the majority of the peoples in ASEAN have not been consulted on the text. "We the Peoples", in this context, inevitably means "We the Governments" or "We who are close to the Governments" as part of the ruling elite seeking to legitimize their approach and rule which may not be people-centered or participatory at all.



Human Rights and the "Asian" Perspective

Akio Kawamura
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As Yash Ghai has remarked, the Asian perspective has been presented in "somewhat defensive" manner in response to "two contingencies: the imperatives of control and confrontation with Western pretensions." These defensive arguments can be summarized in the following way:

a. Primacy of economic development over civil and political rights

This argument was most clearly put by the Chinese government. In a statement at the World Conference on Human Rights (1993), the Chinese representative, Liu Huaqiu, stated that "when poverty and lack of adequate food and clothing are commonplace and people's basic needs are not guaranteed, priority should be given to economic development." The Singaporean government echoed this view by saying, "our experience is that economic growth is the necessary foundation of any system that claims to advance human dignity, and that order and stability are essential for development."

In order to reinforce their argument, Foreign Minister Wong Kan Seng of Singapore referred to the experiences in the Western countries where realization of democracy took "200 years or more" to fully evolve. This argument implies that only after economic development has been achieved can civil and political rights be realized.

b. Primacy of State, society, and community over individual

Emphasis on the importance of the "rights of the state"



and the "obligation of the individual" is another character of the "Asian" perspective." The Indonesian Minister of Foreign Affairs Ali Alatas, referring to the interrelation of different rights, put individual rights and the rights of the nation on an equal basis by saying that it is "now generally accepted that all categories of human rights - civil, political, economic, social and cultural, the rights of the individual and the rights of the community, the society and the nation - are interrelated and indivisible." He further stated that "implementation of human rights implies

the existence of a balanced relationship between individual human rights and the obligations of individuals toward their community." China was even more straightforward. "There are no absolute individual rights and freedoms, except those prescribed by and within the framework of law. Nobody shall place his own rights and interests above those of the state and society, nor should he be allowed to impair those of others and the general public."

This argument is based more on a cultural relativist position, in which Asian culture and values are assumed to be different from those of the West. Indonesia claims that "Indonesian culture as well as its ancient well-developed customary laws have traditionally put high priority on the rights and interests of the society or nation without sacrificing the rights and interests of individuals and groups."

c. Emphasis on national sovereignty and rejection of "selective use of human rights standards"

Interestingly, none of the major proponents of the "Asian perspective" categorically denies human rights as an international concern, at least in their official statements. Indonesian delegates to the World Conference acknowledged that "the issue of human rights has ceased to be a bloc controversy and once again it has acquired a life of its own in the consciousness of the international community." Even the head of the Chinese delegation stated that "the human rights issue can be discussed among countries." However, these spokespersons reject the present mode of international application of human rights by the superpowers. "Hegemonism and power politics or engaging in aggression, expansion, and interference" should not be pursued, and "politicization, selectivity, double standards and discrimination" should be avoided. Therefore, national sovereignty must maintain its primacy.

This argument is quite legitimate in itself. If human rights are universal, they should be applied universally without any selectivity or political contingencies. However, combined with the first and the second arguments, which in effect challenge the universality of human rights, what is left is the respect for sovereignty alone.

Socio-political explanation of the "Asian" perspective

Should economic development precede the protection of civil and political rights? To some extent the answer should definitely be yes. In order for human rights to be protected by the state in the modern nation-state framework, certain institutions in the state apparatus are necessary to guarantee justice, and this system should somehow be monitored. This requires physical infrastructure such as communication and transportation as well as

basic education and training for government officials. Political will alone is not enough.

Even for the kinds of rights and liberties with which states are expected not to interfere, such as the right to association or freedom of expression, conscience and opinion, the state must have a system to train its officials not to violate these rights, and in the case of serious violation, there should be a functioning judicial system in place - which in itself is costly - to implement punitive measures and to offer remedy for the victims. In reality, in many developing countries because of the low salaries of public officials, corruption is rampant and neither proper conduct of officials nor a functioning justice system is available. The United Nations Transitional Administration in Cambodia, due to lack of resources, could not abide by the human rights rules it set for itself - such as the maximum length for criminal detention.

However, what is at stake is not these cases alone, at least among those who are advocating the "Asian perspective" on human rights. China and Vietnam do have some problems due to lack of resources, but they are not really referring to that issue. And Singapore and Malaysia already have a very efficient public administration. The question at stake is more on the political will to safeguard certain human rights relating to participation and democracy, such as freedom of expression, right to association, freedom of press, and so on (political rights). Even those countries with strong and efficient bureaucracies and high levels of education are among those questioning this set of human rights norms.

In order to put the Asian situation into a broader context, we must look into the socio-political process that took place when the concepts of human rights were created.

In the seventeenth and eighteenth centuries in Europe, "civil society" emerged in the cities that enjoyed a certain limited political and economic autonomy. Thanks to the industrial revolution, to colonialism, to religious revolution, the urban-based bourgeoisie was able to establish itself as a countervailing power to the local ruler. In order to consolidate their position, they used the concept of the "rule of law" to restrain the power of the ruler. Law was differentiated from decree and orders from above and conceptualized as originating from rationality (*la raison humaine*) and based on common consent. Law should thus represent truth and not authority (*veritas non auctoritas facit legem*). This legal rationality was also necessary for the operation of the market which needs a high degree of calculability.

The concepts of "public" and "public opinion" also emerged in the seventeenth and eighteenth centuries. This "public opinion," created in the process of discussion among the citizens in salons, coffee shops and in newspapers and journals, was regarded as the source of rationality and attained a status that could claim legitimacy to influence the law-making process.

Within such a framework of the "rule of law" supported

by "public opinion," human rights were codified into declarations and laws. According to Habermas, these human rights were created expressly to protect from the state the political functions of the "public" as well as their basis in the private sphere - family and property. This "public" was actually exclusive, and women, tenant farmers and illiterate workers were excluded. However, the autonomous participatory nature of the concept empowered those excluded, and in later stages of history, all the people were eventually included as subject to these entitlements.

Rule through law

The Asian context is very different. Before colonization, most of the Asian "nations" had a highly hierarchical structure where the authoritarian center (king or emperor) loosely united local communities that had different levels of autonomy depending on their distance from the center. In such a system law has two aspects: authoritarian order from the center and local customs.

The concept of the nation-state was forced onto this situation by colonial rule. As colonial rule deepened, national boundaries, which used to be obscure, were drawn clearly. Bureaucracy was established and western laws were applied in the cities. In local communities, on the other hand, traditional customary law was applied. Thus, a dual legal system was created.

Those who received education in the colonies were influenced by modern political philosophy. Independence movements were initiated by this educated elite. In most cases, independence movements advocated self-determination and human rights. At the time of the Japanese war in China, the Chinese Communist Party enacted human rights ordinances in the liberated areas. Under British rule, Lee Kwan Yew made a moving speech on freedom of expression in the Singaporean assembly.

After independence, all the Asian states naturally adopted constitutions with human rights clauses. However, after the independence fighters became the new rulers of their countries, self-determination, nationalism and national integration were emphasized rather than human rights. As the concepts of self-determination and independence themselves are centered around the nation-state, they tend to exist in tension with the concept of human rights which is centered around individual human beings. This tension



was enhanced by the Cold War and by the need to consolidate newly established national boundaries. This led to severe oppression of indigenous peoples and minorities in Asia - minorities in Burma, Tibetans, Jummas in Bangladesh, Ainu in Japan, just to name a few. Integration into the international market provided the elites close to or within the government chances to tap the flow of capital, either in the form of Overseas Development Aid or direct investment.

As latecomers into the world market, the newly emerging nations faced a much bigger technological gap and needed ever larger amounts of capital to start economic development. This made it imperative for the national government, rather than national bourgeoisies, to be the main actor in national economic development. Where economic activities were heavily centered around the government, the concept of the "rule of the law," the very purpose of which is to restrain the exercise of power, did not find support among the establishment, who were benefiting from a system of strong government. The law was regarded as a tool for rule. This perception of the law also matches the idea of the traditional legal system, in which orders were issued by a central despotic ruler.

This was more so in those countries in East Asia where governments pursued aggressive development policies, at least in their initial stages. The Cold War also legitimized governments to use law for social control. In order to suppress real or imagined insurgencies, national security laws were enacted or those inherited from colonial masters were strengthened. According to Jayasuriya, political trial under such laws "serves a public interlocutory function for authoritarian regimes in East Asia. In other words, the trial is used to disseminate state practices and routines to the citizenry." The press is also strictly controlled in all those countries advocating so-called Asian values. People's participation is largely limited to elections, which themselves are not free and truly democratic.

Primacy of State, society, and community over individual in "Asian Culture"

Several proponents of the "Asian" perspective have referred to the negative impact of an excessive emphasis on individual rights, on the one hand, and to the importance of the citizens' obligations, on the other. "The rights and obligations of a citizen are indivisible," according to the Chinese speaker at the World Conference, and according to Ali Alatas, "the rights of the individual are balanced by the rights of the community, in other words, balanced by the obligation equally to respect the rights of others, the rights of the society and the rights of the nation." It may be true that in some Western societies, there is an excessive emphasis on individualism, but it is also true that the responsibility of citizens is necessary in any society. After all, no man is an island.

However, this careless balancing of human rights and the rights of the nation is disturbing if we consider the

most important function of human rights, that is the protection of human beings from abuse of power. If holders of power - those in control of the nation and society - are presumed to have the same rights, then human rights become meaningless.

The real question to be asked, though, is what is the nature of the obligation. If it is based on "Asian" culture, is that culture so deeply rooted in the mindset of Asian people that change in it is unforeseeable, regardless of other structural changes taking place in Asian society?

According to one Asian traditional political thinker, Confucius, society is based on the duty of each person, which varies according to his/her social status. In the Confucian teaching, "let the prince be a prince, the minister a minister, the father a father and the son a son". Indian culture also puts duty first, but according to caste. However, these traditional, duty-based societies had very different social characteristics, which we no longer feel are acceptable even by the standards of most current political elites. In those societies, social mobility was low and the central government had limited power over daily life. Duties in those societies were thus fixed and hierarchically based.

Can present-day Asian societies - which now have high social mobility and seem to favor an egalitarian value system over a prejudicial hierarchical one - accept a traditional duty-based value system? People's demonstrations in Thailand, Philippines, China and Indonesia showed that people's perception of society and their expectation for their governments are very different from what used to be the case in traditional societies.

Conclusion

In the present socio-political context is it too early for political pluralism and participatory democracy? The answer very much depends on who is asked. Rulers always feel more comfortable when their power goes unquestioned. Especially in a socio-political context in which political and economic power is concentrated around the central government, it is all too natural for them to refuse the rule of law and democracy. It is also all too natural, though not necessarily good, decision for the present ruling elites to resist democracy inasmuch as it is possible. So far, the socio-political structure together with the remnant traditional political culture created in the past seem to have enabled the political elites to refuse democracy and political rights without bringing themselves under any risk.

The "Asian" perspective itself tends to be defensive in character and to defend authoritarian rule rather than to present a new stable set of values. All the states claiming the "Asian perspective" are in a process of very rapid social transformation. The socio-political context which enables the government to exploit the "Asian perspective" claim itself is changing. In fact, the very leaders who use

the "Asian perspective" argument are the prime movers for this change by leading their countries into the process of industrialization and modernization. The sort of "Asian" traditional culture the leaders try to depend on is more in the nature of political culture rather than culture as a way of life, and therefore arguably more susceptible to changes in political and social conditions.

Actually we are now observing an emerging middle class and conflict of interest among business sectors which

are leading to a search for a fairer system than a paternalistic or protective or authoritarian government. Recent changes in the attitude of the Japanese bureaucracy toward more transparent and accountable governance also shows the same trend. The acceptance of authoritarian rule itself is declining rapidly as the first-generation founders of the nation are being replaced by the next generations, who have much less authority. Society is now much more complex than it used to be.

UN Human Rights Commission - Effort to Weaken?

Human Rights Watch and the Jacob Blaustein Institute for the Advancement of Human Rights, both New York-based, initiated a campaign to prevent efforts by some member-States to weaken the United Nations human rights system specifically its Human Rights Commission.

In a paper issued by these organizations, it is observed that the Human Rights Commission has gained "unprecedented growth and effectiveness". From standard setting, it developed in the 1980s mechanisms to look into human rights violations affecting individuals, to contact governments on emergency basis, and to report its findings and recommendations promptly and publicly. The Commission's Special Procedures (i.e., working groups, special rapporteurs, independent experts, and special representatives) displayed relative independence, speed and strength. Embarrassing reports by these UN mechanisms raised considerably the price of human rights abuses. These special procedures also developed ways to respond quickly to individual cases of abuse through "urgent appeals" which have been issued directly to governments on behalf of individual victims and have often yielded significant improvements. Finally, in recent years, the Commission has mandated the Centre for Human Rights to establish a field presence in numerous locations, affording an opportunity for on-going, on-the-ground-monitoring of human rights developments.

Some member-States (with questionable human rights record), however, begun to take steps to weaken this system. After getting elected into the Commission to form powerful bloc, they make the effort to keep the mechanisms weak, marginalized, distracted and ineffective, and to keep information from reaching the public on a timely basis. They have also begun to protest against the voting procedure, by which country-specific resolutions are reached, to demand that the threshold be raised from a majority to 2/3 or consensus, and to employ direct censorship.

These member-States also prepared resolutions to "rationalize", "restructure" or "review" the special procedures system which will ultimately weaken the system.

Human Rights Watch and the Jacob Blaustein Institute for the Advancement of Human Rights are therefore seeking the support of human rights organizations to counter these efforts. Preparations have to be made for the 54th session of the United Nations Human Rights Commission in March 1998

For more information contact: Ms. Jennifer Schense, Human Rights Watch, with this e-mail address: Majordomo@igc.org or Ms. Felice D. Gaer, Director, Jacob Blaustein Institute for the Advancement of Human Rights, American Jewish Committee, 165 East 56th Street, New York, NY 10022 USA.

Human Rights, Culture and the Schools

(This is a summary of the proceedings of a regional meeting held in Bangkok on September 23-25, 1997. The meeting was attended by representatives of NGOs, national human rights commissions and schools from 10 Asian countries. It was jointly organized by HURIGHTS OSAKA, Child Rights Asianet and ARRC - Editor's note.)

Human rights education in schools is not a new terrain in Asia. In Sri Lanka, a program for the teaching of human rights has been existing since 1983. In Japan, the government adopted many years ago a DOWA education policy to stress the importance of equality and development of consciousness against discrimination. The 1987 Philippine Constitution mandates the teaching of human rights in schools. India has recently developed materials for human rights education in schools. While the Cambodian government has been supportive of the NGO initiative on this issue.

This situation is certainly a major development in the human rights field. But this does not mean that human rights education in schools has reached a significant influence in the Asian region. It has remained a minor



educational activity that needs as much support for material and human resource development.

Several major issues were identified in a recent meeting in this regard. These concerns show the areas that an effective spread of human rights education among schools should consider.

A major concern is on teacher training. One of the major obstacles to human rights education in schools is the lack of opportunities for teachers to study and practice new ideas in teaching human rights. Past experience shows that the very atmosphere in schools create an attitude of lack of respect for human rights. The authoritarian style of teachers, for example, is not a model for understanding the practice of human rights. Teachers therefore may need to look more closely at a concept of human rights education that embodies the very idea of respect for human rights in both knowledge input and practice. A teacher training program may dwell on the following

areas: concept of human rights; human rights curriculum development; preparation of materials for teaching human rights; and participant-centered teaching methods.

Changing the mindset of government bureaucrats regarding the understanding of human rights and human rights education is another major concern to human rights educators. There seems to be a persistent perception that human rights is an anti-government concept and therefore useful only for those who are labelled as subversives or rebels. Closely related is the sense of insecurity on the part of the teachers that make them think that human rights education would lead students to simply assert their rights in schools and undermine their authority. Such a wrong understanding of human rights and human rights education hinders respect for human rights.

It is also true that there is a resistance to human rights education in schools because of fear among teachers that it adds more burden to their already heavy teaching load. This reaction is expected of teachers who have not been oriented on the trend toward integrating the teaching of human rights into existing subjects rather than creating new ones. A basic requirement is a better appreciation of the meaning of human rights and its relevance to various subjects in school from civics to mathematics.

It has also been suggested that a review of the concept of human rights education itself is necessary to clarify the vision for human rights education.

An example of the DOWA education in Japan is the Kunijima Highschool in the city of Osaka. The Kunijima system employs human rights principles in every aspect of the school affecting students (as the center of the educational process), the teachers (as facilitators), and the process of learning (one that promotes group activities, sharing of/speaking out about problems, self-discovery, and individualized curriculum).

In terms of needs, a major area is in the sharing of materials, pedagogical experiences, and expertise in teaching human rights. This will help bring the existing resources to groups in countries that are starting to set up human rights education programs for schools. Teacher training programs, teaching material and human rights curricula development activities are very important resources that can be shared between groups and schools within Asia and the Pacific. Groups in Sri Lanka, Cambodia and the Philippines have teacher training programs which have been implemented over a number of years already. Their experiences can be good case studies for others to learn.

Systems and materials that are contextualized in an Asian setting will be more relevant to many Asian countries. At the same time, the systems and materials that have been developed will have a greater chance of improvement as ideas and experiences are shared among

those who are deeply involved in human rights education in schools.

Needless to say, there is already an expertise that can be used by the groups and schools in the region. Such expertise may either be those of non-governmental organization workers or teachers themselves.

Creating a system for sharing these resources within the regional is the consequent challenge.

Any activity however need to have a clear sense of direction. Where will all these human rights education work in schools lead to? A shared vision for human rights education will be helpful in creating a system for interaction and distribution of materials among human rights educators in schools.

HURIGHTS OSAKA has been promoting the idea of using the cultural values-human rights framework for human rights education in schools. Simply put, this framework means that the understanding of human rights can be made richer by relating the same to the positive and deeply-held values of the community such as respect for life, freedom from oppressive systems, importance of peaceful resolution of conflicts, protection for the weak, disabled and the old, and even respect for the environment and other (non-human) life forms.

This framework is similar to the efforts in some countries in the region that use culture to address social injustices (as in the case of India) and to bring back positive values among people traumatized by internal conflict and oppressive government (as in the case of Cambodia).

There is however a clear understanding that there are negative aspects in every culture. One usual example is the caste system in South Asia which survives even among Buddhist religious groups despite assumed knowledge of Buddha's rebellion against unequal treatment of people. This is the case of Sri Lanka. It is therefore important to be careful in using culture in relating it to the promotion of human rights. This follows the principle of "selective assimilation, selective resistance" developed by Gandhi in linking old traditions with new, modern ideas.

There is also the principle of interrelatedness which demands that a discussion on human rights should cover different aspects of human existence. And thus, again, the respect for life and for non-violence should not only extend to human life but to other life forms as well. It was also stressed that old culture should not be treated as inferior. Traditional cultural values can be reviewed and related to modern ideas such as human rights. The old one can be fused with or strengthened by the new one as they form one interrelated whole.

In looking at cultures, the principle of "digging deep into one's well" is necessary to be able to see how at the core of one's own culture one finds consonance with other people's cultures. This leads to an understanding of the interrelatedness of cultures. This is also related to the idea



of inter-cultural values which may find relevance in a multi-cultural society such as Sri Lanka.

The participants affirmed the need to have a regional initiative in support of the efforts at the national level on human rights education in schools. Thus subregional workshops not only for Southeast and South Asia but also for Northeast Asia should be held. The inclusion of China in this initiative was strongly proposed and agreed upon.

Toward the end of the meeting, it was stressed that human rights education activities are being done in a changing environment. The recent call by the leaders of Malaysia and China to review the Universal Declaration of Human Rights opens the ground for more thinking on why human rights should remain universal and indivisible as they are. The call of a private institution, which has former Presidents and Prime Ministers as members, for the adoption of Universal Declaration of Human Responsibilities opens another aspect of the human rights debate that looks at the issue of responsibility especially in the light of local cultures. Lastly, the call by Ms. Mary Robinson, UN High Commissioner on Human Rights, while she was still the President of Ireland, to enrich the human rights discourse by explicit reference to non-western religious and cultural traditions brings out the importance of the present meeting. She pointed out that by "...tracing the linkages between constitutional values on the one hand and the concepts, ideas and institutions which are central to Islam and the Hindu-Buddhist tradition or other traditions, the base for support for fundamental rights can be expanded and the claim to universality vindicated..."

The challenge therefore of human rights education that is relevant and sensitive to the local contexts is more than just understanding human rights laws but facilitating deeper reflection on own legal, social, political, economic and cultural milieu.



Events in the Region

1. The 6th UN-sponsored workshop on Asia-Pacific Human Rights Arrangement will be held in Teheran February 2-4, 1998. The meeting will hopefully review the plan of action agreed upon in Amman toward the establishment of a regional human rights mechanism in the Asia-Pacific. The plan of action is in line with the Asia-Pacific governments' step-by-step or building block approach to creating such a human rights mechanism.
2. The Ministry of Foreign Affairs of Japan will hold its third symposium on human rights in the Asia-Pacific. This symposium will have presentations by people from Asia-Pacific countries who have been involved in the United Nations human rights work. A primary guest in this symposium is the UN High Commissioner for Human Rights, Ms. Mary Robinson. This third symposium will be held in January 1998 in Tokyo. Contact organization: Multilateral Cooperation Department, Ministry of Foreign Affairs, Tokyo, Japan.

Recently-Held Events

1. A Working Group on Human Rights under the sponsorship of the Asia Foundation's Regional Initiatives held a meeting in Bangkok, Thailand on December 6-9, 1997 and discussed the possibility of having a training course on the migrant workers issue with a focus on labor attaches, and the setting up of a human rights certificate program in the University of Hong Kong for people in the Asia-Pacific region. Other initiatives that are being supported by the Asia Foundation such as the ASEAN National Human Rights Institutions Working Group and the workshops for judges were also reported to the group. Participants, many of whom are with law schools in various countries in the region, attended the meeting. For further information contact: Richard Wilson, Regional Initiatives, The Asia Foundation, 14F, 465 California Street, San Francisco, California, USA, phone: (415) 983-4640, fax: (415) 392-8863, e-mail: RICHARD+aTAFOFFICE%605-9192@MCIMAIL.COM
2. Asian Partnership on International Migration (APIM) celebrated the First International Day of Solidarity with Migrant Workers and their Families on December 18, 1997. The celebration is a popular mobilization tool for information and action on issues relating to international migrant workers. An activity was held in Manila on this celebration organized jointly by the Asia-Pacific 2000, United Nations Development Program, and the International Labor Organization. For more information contact: Anwar Fazal, Regional Coordinator, Asia-Pacific 2000 c/o United Nations Development Program, Wisma UN, Blok C, Komplek Pejabat Damansara, Jalan Dungun Damansara Heights, 50490 Kuala Lumpur, tel. (603) 255-9122, fax (603) 255-2870/253-2361, e-mail: anwar.fazal@undp.org

New Publication Available

HURIGHTS OSAKA is making its new publication on human rights and culture available to those interested in understanding how the various cultures in Asia relate to human rights principles. The publication entitled "Human Rights in Asian Cultures - Continuity and Change" includes the research papers from Japan, Korea (south), India, Sri Lanka, Indonesia and the Philippines. The papers discuss the dynamics of cultural values and human rights in the highly diverse societies of Asia. This publication is in support of the United Nations Decade for Human Rights Education (1995-2004). Order for copies can be sent to the Indian Social Institute, 10 Institutional Area, Lodi Road, New Delhi 110 003 India.

HURIGHTS OSAKA Activities

During the last three months of the year (1997), HURIGHTS OSAKA held its regular seminar for the general public. The seminar dealt with the situation of indigenous peoples in Asia-Pacific. Issues of the indigenous peoples in the Chittagong Hill Tracts in Bangladesh, the Taiwanese aborigines, and the West Papuans were discussed. The seminar, composed of a series of meetings, ended with a public symposium on the theme "Recovering the Rights of the Ainu".

The third booklet of HURIGHTS OSAKA (in Japanese language) came out in December with a focus on the rights of the indigenous people. Another publication on human rights and culture also came out in December. This publication is the compilation of all the papers under the regional human rights education program research project.



AIR MAIL

PRINTED MATTER

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.



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